



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 12 DECEMBER 2013

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## GOVERNMENT GAZETTE NOTICES

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

*Erratum*

IN *Government Gazette* No. 73 dated 7 November 2013 on page 4162, sixth notice appearing, the beginning of the notice stated 'His Excellency the Governor in Executive Council...' this *should* have read 'His Excellency the Governor's Deputy in Executive Council...'.  
 Department of the Premier and Cabinet  
 Adelaide, 7 November 2013

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the people listed as Justices of the Peace for South Australia for a period of ten years commencing from 7 November 2013 and expiring on 6 November 2023, it being a condition of appointment that the Justices of the Peace must take the oaths required of a Justice under the Oaths Act 1936 and return the oaths form to the Justice of the Peace Services within 3 months of the date of appointment, pursuant to Section 4 of the Justices of the Peace Act 2005:

Gary John Aldridge  
 Shirley Jean Bailey  
 Thomas Afflick Bailey  
 Trevor Raymond Collins Bellchambers  
 Jeffery John Bettens  
 Murray Lynton Bishop  
 Alfredo Borrillo  
 David John Cappo  
 Jan Centofanti  
 Maralyn Ann Daniel  
 Michael Gregory Duigan  
 Robert Donald Dunstone  
 Brian John Alan Eves  
 Ennio Ferraretto  
 Barry John Fletcher  
 Terence Keith Harvey  
 Philip Frank Hocking  
 Charmaine Helen Hockley  
 Peter Roy Hood  
 Paul James Kingham  
 Catherine Stewart Harvard McDonald  
 Shane Leigh Maclean  
 Neville Allan Macklin-Cordes  
 Sandra Ann Mair  
 Stephen Eugen Michalak  
 Natalie Claire Nuske  
 Sarah Therese O'Driscoll  
 Patrick Joseph O'Reilly  
 Kevin Hugh Pearce  
 Glenn Andrew Potter  
 Raymond John Quinn  
 Peter Hugh Reuther  
 Malcolm John Rumbelow  
 Shirley Joyce Sampson  
 Clive Allen Scarman  
 Grant Herbert Schmerl  
 John Dudley Reid Slade  
 Kevin Ernest Smith  
 Rosemary Smith  
 June Snellgrove  
 Gigliola Julie Taylor  
 Donald McPherson Thorpe  
 Heather Margaret Turnbridge  
 Donald Maxwell Underlin  
 Rocco Ursida  
 Douglas Radcliffe Vaughan  
 Harry Clark Wetton  
 David Charles Whiting  
 Paul Desmond Williams  
 Stephen John Wilson-Shaw

By command,

JOHN ROBERT RAU, for Premier

JP13/029CS

Department of the Premier and Cabinet  
 Adelaide, 12 November 2013

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

Member: (from 12 December 2013 until 16 January 2014)  
 Alison Lloyd-Wright  
 Member: (from 12 December 2013 until 19 January 2014)  
 Michael Lewis Abbott  
 Chair: (from 12 December 2013 until 19 January 2014)  
 Michael Lewis Abbott  
 Member: (from 17 January 2014 until 16 January 2017)  
 Alison Lloyd-Wright  
 Member: (from 20 January 2014 until 19 January 2017)  
 Michael Lewis Abbott  
 Chair: (from 20 January 2014 until 19 January 2017)  
 Michael Lewis Abbott

By command,

MICHAEL FRANCIS O'BRIEN, for Premier

AGO0176/13CS

Department of the Premier and Cabinet  
 Adelaide, 12 November 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Board of Examiners for Mine Managers, pursuant to the provisions of the Mines and Works Inspection Regulations 2013 under the Mines and Works Inspection Act 1920:

Member: (from 27 January 2014 until 26 January 2017)  
 Anthony John Ward

By command,

MICHAEL FRANCIS O'BRIEN, for Premier

MRD13/014CS

Department of the Premier and Cabinet  
 Adelaide, 12 November 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Urban Renewal Authority Board of Management, pursuant to the provisions of the Housing and Urban Development (Administrative Arrangements) Act 1995:

Member: (from 12 December 2013 until 31 July 2015)  
 Amanda Dianne Blair  
 Phillip Andrew Baker  
 Robert Lawrence Boorman

By command,

MICHAEL FRANCIS O'BRIEN, for Premier

MHUD13/023CS

Department of the Premier and Cabinet  
 Adelaide, 12 December 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Leon William Kennedy Bignell, MP, Minister for Tourism and Minister for Recreation and Sport to be also Acting Minister for Agriculture, Food and Fisheries, Acting Minister for Forests, Acting Minister for Regional Development and Acting Minister for State/Local Government Relations for the period from 30 December 2013 to 10 January 2014 inclusive, during the absence of the Honourable Gail Elizabeth Gago, MLC.

By command,

MICHAEL FRANCIS O'BRIEN, for Premier

DPC13/067CS

Department of the Premier and Cabinet  
Adelaide, 12 December 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Jennifer Mary Rankine, MP, Minister for Education and Child Development and Minister for Multicultural Affairs to be also Acting Minister for the Status of Women for the period from 30 December 2013 to 10 January 2014 inclusive, during the absence of the Honourable Gail Elizabeth Gago, MLC.

By command,  
MICHAEL FRANCIS O'BRIEN, for Premier

DPC13/067CS

Department of the Premier and Cabinet  
Adelaide, 12 December 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Michael Francis O'Brien, MP, Minister for Finance, Minister for Police, Minister for Correctional Services, Minister for Emergency Services and Minister for Road Safety to be also Acting Minister for Employment, Higher Education and Skills and Acting Minister for Science and Information Economy for the period from 4 January 2014 to 12 January 2014 inclusive, during the absence of the Honourable Grace Portolesi, MP.

By command,  
MICHAEL FRANCIS O'BRIEN, for Premier

DPC13/067CS

Department of the Premier and Cabinet  
Adelaide, 12 December 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Chloë Catienne Fox, MP, Minister for Transport Services and Minister Assisting the Minister for the Arts to be also Acting Minister for Sustainability, Environment and Conservation, Acting Minister for Water and the River Murray and Acting Minister for Aboriginal Affairs and Reconciliation for the period from 21 December 2013 to 24 December 2013 inclusive, during the absence of the Honourable Ian Keith Hunter, MLC.

By command,  
MICHAEL FRANCIS O'BRIEN, for Premier

DPC13/067CS

Department of the Premier and Cabinet  
Adelaide, 12 December 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Leon William Kennedy Bignell, MP, Minister for Tourism and Minister for Recreation and Sport to be also Acting Minister for Sustainability, Environment and Conservation, Acting Minister for Water and the River Murray and Acting Minister for Aboriginal Affairs and Reconciliation for the period from 25 December 2013 to 6 January 2014 inclusive, during the absence of the Honourable Ian Keith Hunter, MLC.

By command,  
MICHAEL FRANCIS O'BRIEN, for Premier

DPC13/067CS

Department of the Premier and Cabinet  
Adelaide, 12 December 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Jennifer Mary Rankine, MP, Minister for Education and Child Development and Minister for Multicultural Affairs to be also Acting Minister for Communities and Social Inclusion, Acting Minister for Social Housing, Acting Minister for Disabilities, Acting Minister for Youth and Acting Minister for Volunteers for the period from 25 December 2013 to 1 January 2014 inclusive, during the absence of the Honourable Antonio Piccolo, MP.

By command,  
MICHAEL FRANCIS O'BRIEN, for Premier

DPC13/067CS

Department of the Premier and Cabinet  
Adelaide, 12 December 2013

HIS Excellency the Governor in Executive Council has been pleased to appoint the people listed as Justices of the Peace for South Australia for a period of ten years commencing from 12 December 2013 and expiring on 11 December 2023, it being a condition of appointment that the Justices of the Peace must take the oaths required of a Justice under the Oaths Act 1936 and return the oaths form to the Justice of the Peace Services within 3 months of the date of appointment, pursuant to Section 4 of the Justices of the Peace Act 2005:

Geoffrey William Annells  
William Harold Betts  
Loretta Anne Blackborough  
Graham Robert Burns  
Lynette Dibben  
Dimitrios Dounas  
John Thomas Egan  
Gordon Cleve Folland  
Neale Gordon Forbes  
Keith Gardiner  
Denis Lloyd Giles  
Colin Aleck Golding  
Robert Ernest Gregor  
Roger William Halliday  
Joy Dianne Hancock  
John Ronald Hart  
Mark Andrew Hayes  
Leanne Roslyn Haywood  
Mark Clayton Henley  
Darrin John Hepworth  
Howard William Hill  
David Harold Hughes  
Gregory Neil Jaensch  
Robert Wayne Kent  
John William George Kershaw  
Debra Sharon Kutcher  
Ian Grant Lanyon  
Martin David Lindsell  
Lyndon William John Longmire  
Judith Anne McAdam  
Karen Marie McLeod  
James Roger Fairbairn MacLean  
William Robert Burns Macneil-Sadler  
Peter Gordon Martin  
Robert Keith Maynard  
Philip Lewis Murdoch  
Barbara Francisca Maria Mustert  
Josephine Harriet Marie Nelsson  
Sylvia Joan Newton  
Gary Michael Page  
Peter Panagaris  
Oswald Marino Petrucco  
John Howard Powell  
Mark Christopher Reincke  
Jan Evelyn Rohrsheim  
Wendy-Lee Roper  
Francis Kevin Smith  
Barbara Joy Yates  
Lou Frederick Zollo

By command,  
MICHAEL FRANCIS O'BRIEN, for Premier

JP13/034CS

## ADMINISTRATIVE ARRANGEMENTS ACT 1994

*Delegation*

I, JAY WEATHERILL, Treasurer, in accordance with Section 9 of the Administrative Arrangements Act 1994 ('the Act'), hereby delegate to the Minister for Finance the powers and functions exercisable by me under Sections of the Acts listed in Column 1 in respect of the bodies referred to in Column 2, as follows:

| <i>Column 1</i>   | <i>Column 2</i>                              |
|---|--|
| Public Corporations Act 1993, Sections 8, 12, 13, 23, 27, 30, 31, 32.   | Adelaide Cemeteries Authority                |
| Public Corporations (Adelaide Convention Centre Corporation) Regulations 2000, Sections 11, 12, 14, 15, 16, 17, 18, 21, 22. | Adelaide Convention Centre                   |
| Public Corporations (Adelaide Entertainments Corporation) Regulations 2013, Sections 11, 12, 14, 15, 16, 17, 18, 21, 22.    | Adelaide Entertainment Centre                |
| Public Corporations Act 1993, Sections 8, 12, 13, 27, 32.   | Adelaide Festival Centre Trust               |
| Public Corporations (Adelaide Film Festival) Regulations 2002, Section 17.  | Adelaide Film Festival                       |
| Public Corporations (Bio Innovation SA) Regulations 2001, Sections 11, 12, 14, 16, 17, 23, 24.                              | Bio Innovation SA                            |
| Public Corporations (Distribution Lessor Corporation) Regulations (2010), Sections 11, 12, 14, 15, 17, 19, 21.              | Distribution Lessor Corporation              |
| Public Corporations (Education Adelaide) Regulations 2011, Sections 11, 12, 14, 15, 16, 17, 18, 21, 22.                     | Education Adelaide                           |
| Public Corporations Act 1993, Sections 8, 12, 13, 23, 27, 30, 31, 32.   | Forestry SA                                  |
| Public Corporations (Generation Lessor Corporation) Regulations (2010), Sections 11, 12, 14, 15, 17, 19, 21.                | Generation Lessor Corporation                |
| Public Trustee Act 1995, Section 48.  | Public Trustee                               |
| South Australian Housing Trust Act 1995, Sections 26, 28.   | SA Housing Trust                             |
| South Australian Community and Co-operative Housing Act 1991, Sections 18 (c), 47.  | SA Housing Trust                             |
| Public Corporations Act 1993, Sections 8, 12, 13, 23, 27, 30, 31, 32.   | SA Water                                     |
| Public Corporations (Southern Select Super Corporation) Regulations 2012, Sections 12, 15, 16, 17, 18, 20.                  | Southern Select Super Corporation            |
| Public Corporations (Transmission Lessor Corporation) Regulations 2010, Sections 11, 12, 14, 15, 17, 19, 21.                | Transmission Lessor Corporation              |
| Housing and Urban Development (Administrative Arrangements Act) 1995, Sections 26, 27, 28.                                  | Urban Renewal Authority<br>HomeStart Finance |
| Public Corporations Act 1993, Sections 8, 12, 13.   | Urban Renewal Authority                      |
| West Beach Recreation Reserve Act 1987, Sections 20, 22.  | West Beach Trust                             |
| WorkCover Corporation Act 1994, Sections 17 (a), 17 (b) .   | WorkCover                                    |

Dated 23 November 2013.

JAY WEATHERILL, Premier, Treasurer

## AUSTRALIAN CONSUMER LAW (SA)

*Interim Ban Notice*

I, JOHN RAU, Minister for Business Services and Consumers, pursuant to Section 109 (1) (a) (ii) of the Australian Consumer Law (SA), impose an interim ban on consumer goods specified below.

The effect of this Notice is to ban the supply of such consumer goods for a period of 60 days.

This Notice commences with immediate effect on 4 December 2013.

*Particulars of Consumer Goods*

Any consumer good whose use is or includes a Scheduled Use where:

1. the good is known by or contains any of the following names (including any colourable variation of the name):

Pleasure Cruise Aphrodisiac Tea

2. not being referred to in paragraph 1 of this Schedule, the good is:

(a) an equivalent to goods specified in paragraph 1; or

(b) supplied or offered for supply and represented as such an equivalent,

whether or not the relevant consumer good is supplied with a disclaimer to the effect that the consumer good is not intended for human consumption.

*Interpretation:*

In this Instrument, 'Scheduled Use' in relation to consumer goods means:

- ingestion, injection or inhalation of the goods;
- smoking the goods;
- inhalation of fumes caused by heating or burning the goods; and
- any other means of introducing the goods into the body.

Dated 4 December 2013.

JOHN RAU, Minister for Business Services  
and Consumers

## BUILDING WORK CONTRACTORS ACT 1995

*Exemption*

TAKE notice that I, Paul White, Commissioner for Consumer Affairs, as a delegate for the Minister for Business Services and Consumers, pursuant to Section 45 of the Building Work Contractors Act 1995, hereby exempt Michael Vadasz, subject to the condition listed in Schedule 1, from compliance with Sections 9 (1) (c) and 9 (1) (d) of the Building Work Contractors Act 1995, in so far as Michael Vadasz is currently an insolvent under administration within the meaning of the Corporation Act 2001 and a director of a body corporate wound up for the benefit of creditors.

## SCHEDULE 1

Exemption is subject to the condition that Michael Vadasz be limited to sub-contracting to licensed builders only.

Dated 9 December 2013.

P. WHITE, a Delegate of the Minister for  
Business Services and Consumers

DEVELOPMENT ACT 1993, SECTION 29 (2) (b) (ii):  
AMENDMENT TO THE LAND NOT WITHIN A  
COUNCIL AREA EYRE, FAR NORTH, RIVERLAND  
AND WHYALLA DEVELOPMENT PLAN*Preamble*

It is necessary to amend the Land Not Within a Council Area Eyre, Far North, Riverland and Whyalla Development Plan dated 18 October 2012.

## NOTICE

PURSUANT to Section 29 (2) (b) (ii) of the Development Act 1993 (the Act), I, John Rau, being the Minister administering the Act:

1. Amend the Land Not Within a Council Area Eyre, Far North, Riverland and Whyalla Development Plan dated 18 October 2012 by replacing the following text in the non-complying list of the the Remote Areas Zone:

'Land Division within Andamooka Policy Area 5'

with:

'Land Division within Andamooka Policy Area 1'

2. Fix the day on which this notice is published in the *Gazette* as the day on which the Amendment will come into operation.

JOHN RAU, Deputy Premier, Minister for  
Planning

## FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that, pursuant to Section 115 of the Fisheries Management Act 2007 (the Act), those classes of persons specified in Schedule 1 are exempt from Sections 71 and 72 (2) (b) of the Act insofar as they may take, injure, damage, or otherwise harm, or possess White Shark also known as Great White or White Pointer Shark (*Carcharodon carcharias*) (the exempt activity) if necessary, in all waters of the State, subject to the conditions specified in Schedule 2 from 10 December 2013 until 9 December 2014, unless otherwise varied or revoked. Exemption No. 9902674.

## SCHEDULE 1

- 1.1 Fisheries Officers appointed under the Fisheries Management Act 2007; or
- 1.2 Members of the South Australia Police.

## SCHEDULE 2

- 2.1 Subject to Condition 2.2, the exempt activity must not be carried out without the written authorisation and direction of one of the following:
  - 2.1.1 Executive Director, Fisheries and Aquaculture
  - 2.1.2 Director Policy, Fisheries and Aquaculture
  - 2.1.3 Director Operations, Fisheries and Aquaculture
  - 2.1.4 Regional Manager, Fisheries and Aquaculture
  - 2.1.5 Manager Offshore Patrol Operations, Fisheries and Aquaculture
- 2.2 Authorisation to carry out the exempt activity may only be granted in such circumstances where there is threat to human life and/or public safety and is in the public interest.
- 2.3 Authorisation may be verbal if the urgency of the situation requires an immediate response. In these circumstances written confirmation of the authorisation and direction must be given within 48 hours.
- 2.4 No authorisation is required if:
  - 2.4.1 The threat to human life from shark attack is considered to be so imminent that seeking authorisation is not reasonably practicable; or
  - 2.4.2 All reasonable attempts to contact the persons listed in 2.1 have been unsuccessful.

Dated 6 December 2013.

GAIL GAGO, Minister for Agriculture,  
Food and Fisheries

CASINO ACT 1997  
NOTICE UNDER SECTION 3 (1)  
*Definition of Gaming Areas*

I, PAUL WHITE, Liquor and Gambling Commissioner, hereby define the gaming areas within the casino premises pursuant to Section 3 (1) of the Casino Act 1997.

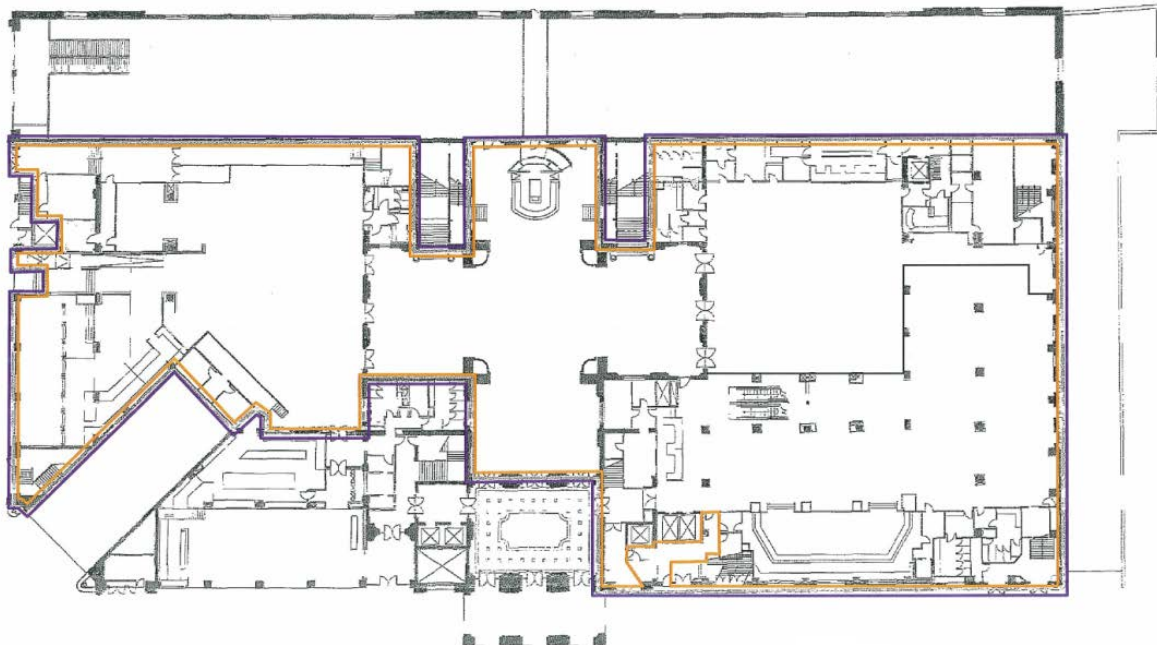
The following plans indicate such parts of the casino premises (previously defined by his Excellency the Governor in Executive Council and depicted by a purple line for information purposes only) which are to be regarded as being defined for this purpose as gaming areas and depicted by an orange line.

Dated 19 December 2013.

P. WHITE, Liquor and Gaming Commissioner

SCHEDULE 1

53000017 PLAN A  
ADELAIDE CASINO GROUND FLOOR  
(APPROVED GAMING AREAS)



SCHEDULE 2

**53000017 PLAN B**  
**ADELAIDE CASINO FIRST FLOOR**  
(APPROVED GAMING AREAS)



SCHEDULE 3

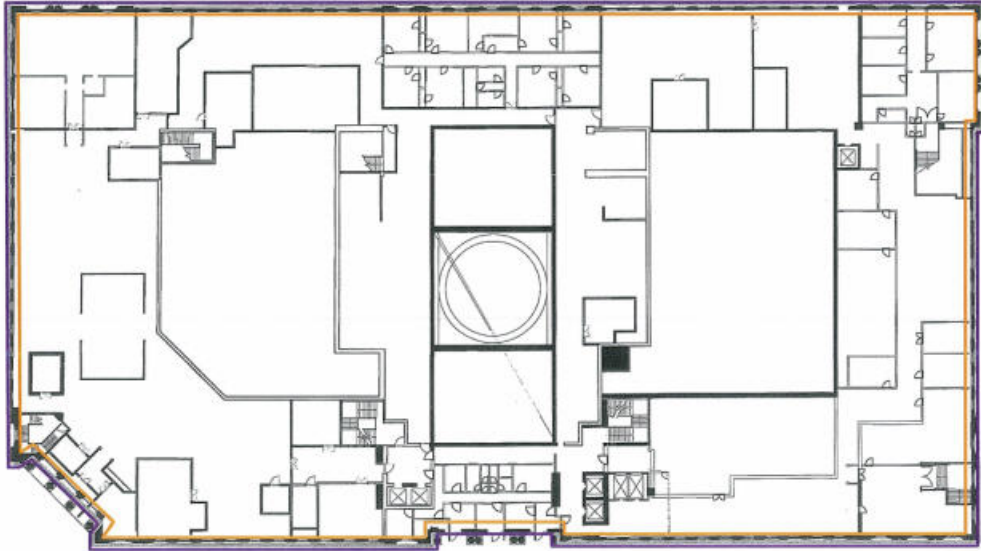
**53000017 PLAN C**  
**ADELAIDE CASINO SECOND FLOOR**  
(APPROVED GAMING AREAS)



SCHEDULE 3

# 53000017 PLAN D ADELAIDE CASINO THIRD FLOOR

(APPROVED GAMING AREAS)



SCHEDULE 4

# 53000017 PLAN E ADELAIDE CASINO MEZZANINE FLOOR

(APPROVED GAMING AREAS)





SCHEDULE 5

53000017 PLAN F  
ADELAIDE CASINO PLATFORM MEZZANINE  
(APPROVED GAMING AREAS)



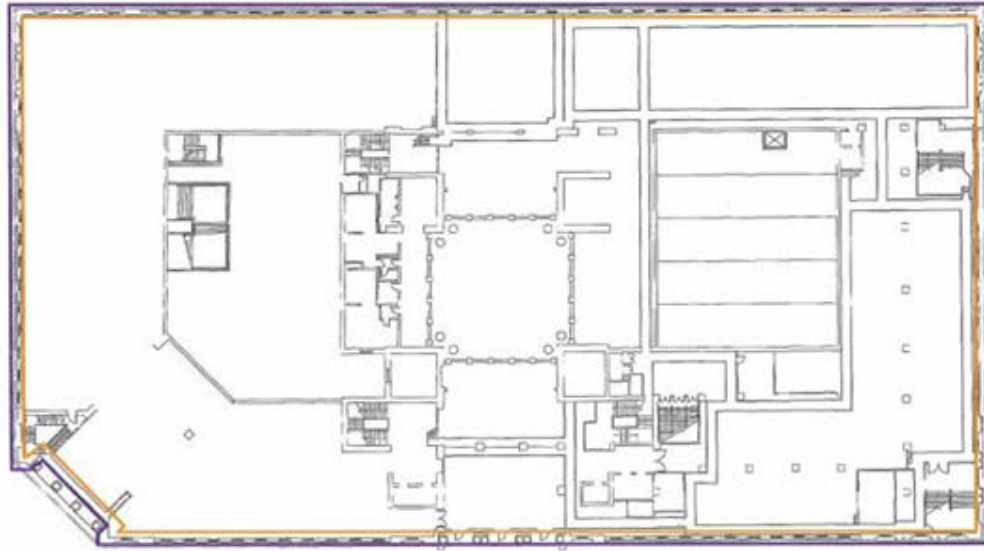
SCHEDULE 6

53000017 PLAN G  
ADELAIDE CASINO PLATFORM LEVEL  
(APPROVED GAMING AREAS)



SCHEDULE 7

53000017 PLAN H  
ADELAIDE CASINO FIRST FLOOR CATWALKS  
(APPROVED GAMING AREAS)



## ELECTORAL ACT 1985: PART 3, DIVISION 2

TAKE notice that pursuant to Section 15 of the Electoral Act 1985, I, Kay Marie Mousley, Electoral Commissioner, divide the House of Assembly electoral districts, named in the Schedule, that were defined in the Electoral Districts Boundaries Commission Order of 21 August 2012 and that become effective at the next general elections.

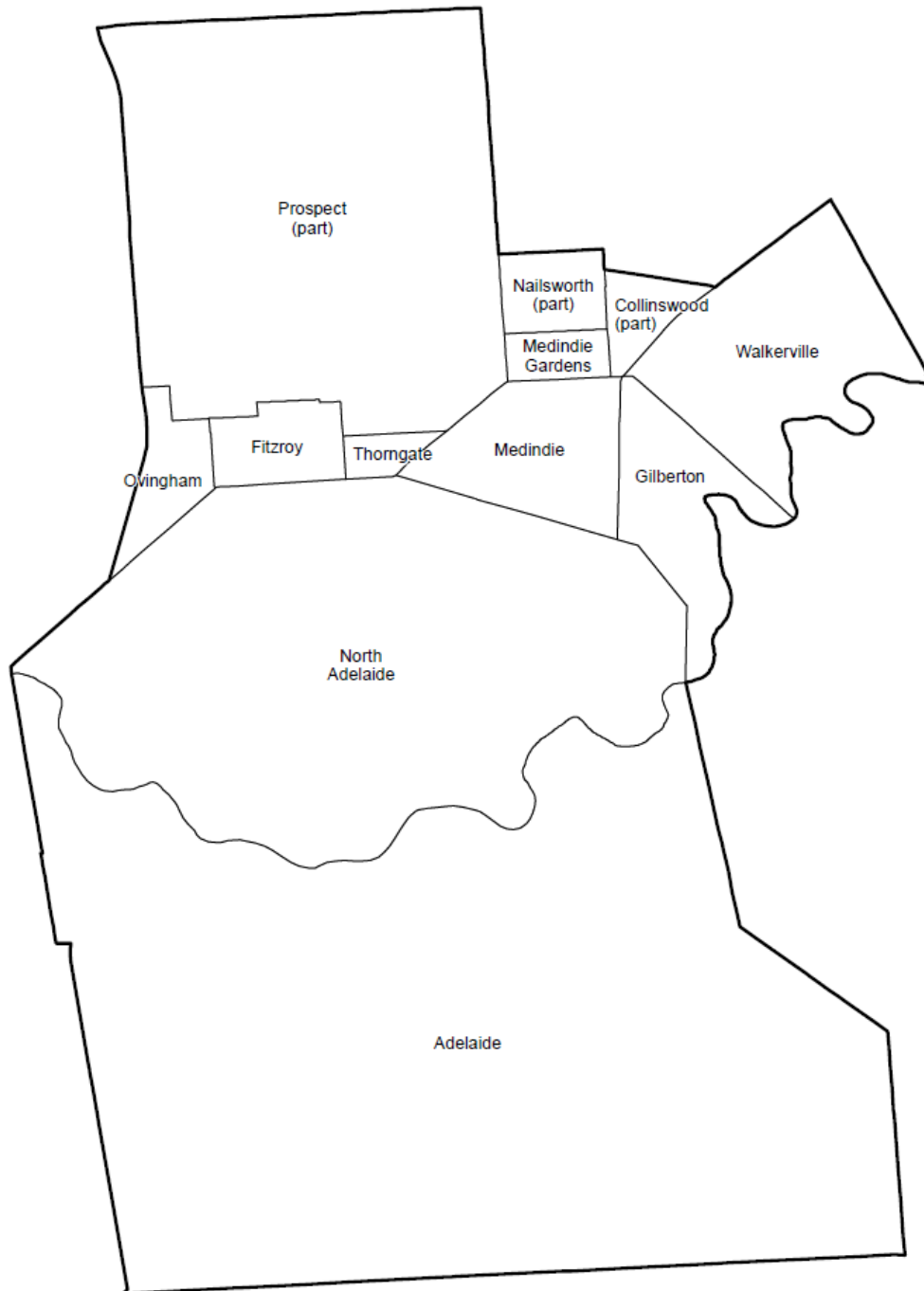
The division of the district boundaries into 89 subdivisions are named, delineated and described in the separate sketch plans contained in the Schedule.

## THE SCHEDULE

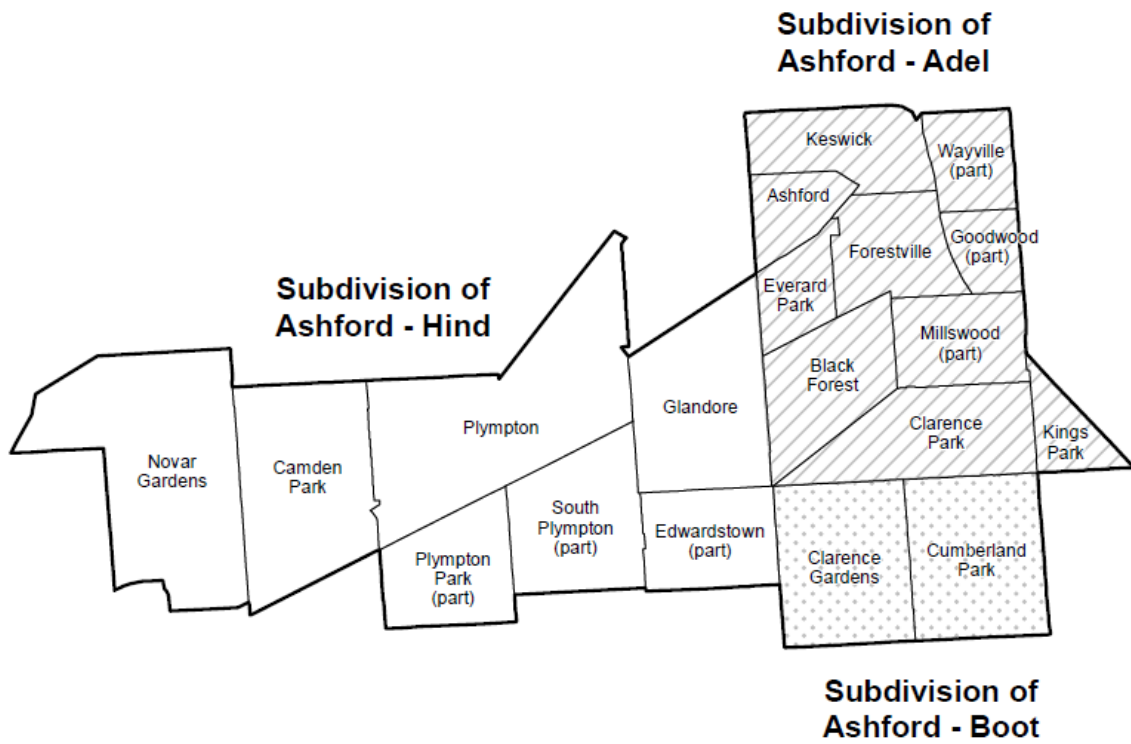
|            |          |               |               |
|------------|----------|---------------|---------------|
| Adelaide   | Finniss  | Lee           | Port Adelaide |
| Ashford    | Fisher   | Light         | Ramsay        |
| Bragg      | Flinders | Little Para   | Reynell       |
| Bright     | Florey   | MacKillop     | Schubert      |
| Chaffey    | Frome    | Mawson        | Stuart        |
| Cheltenham | Giles    | Mitchell      | Taylor        |
| Colton     | Goyder   | Morialta      | Torrens       |
| Croydon    | Hammond  | Morphett      | Unley         |
| Davenport  | Hartley  | Mount Gambier | Waite         |
| Dunstan    | Heysen   | Napier        | West Torrens  |
| Elder      | Kaurna   | Newland       | Wright        |
| Enfield    | Kavel    | Playford      |               |

# DISTRICT OF ADELAIDE

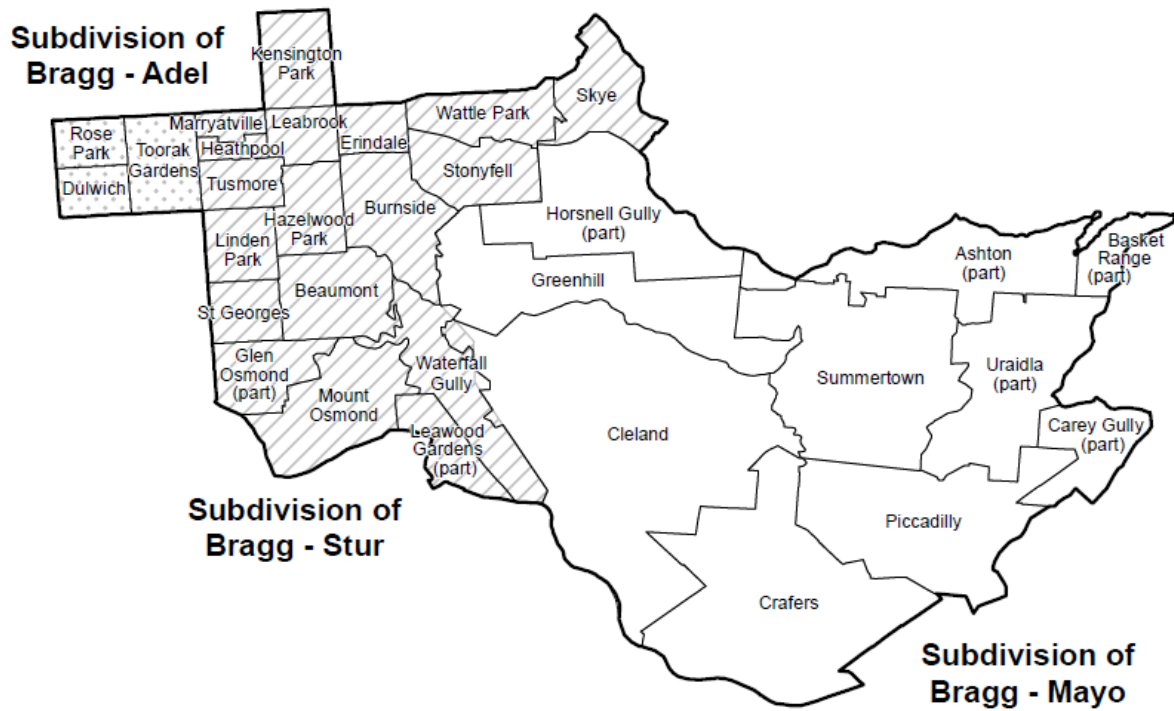
## Subdivision of Adelaide - Adel



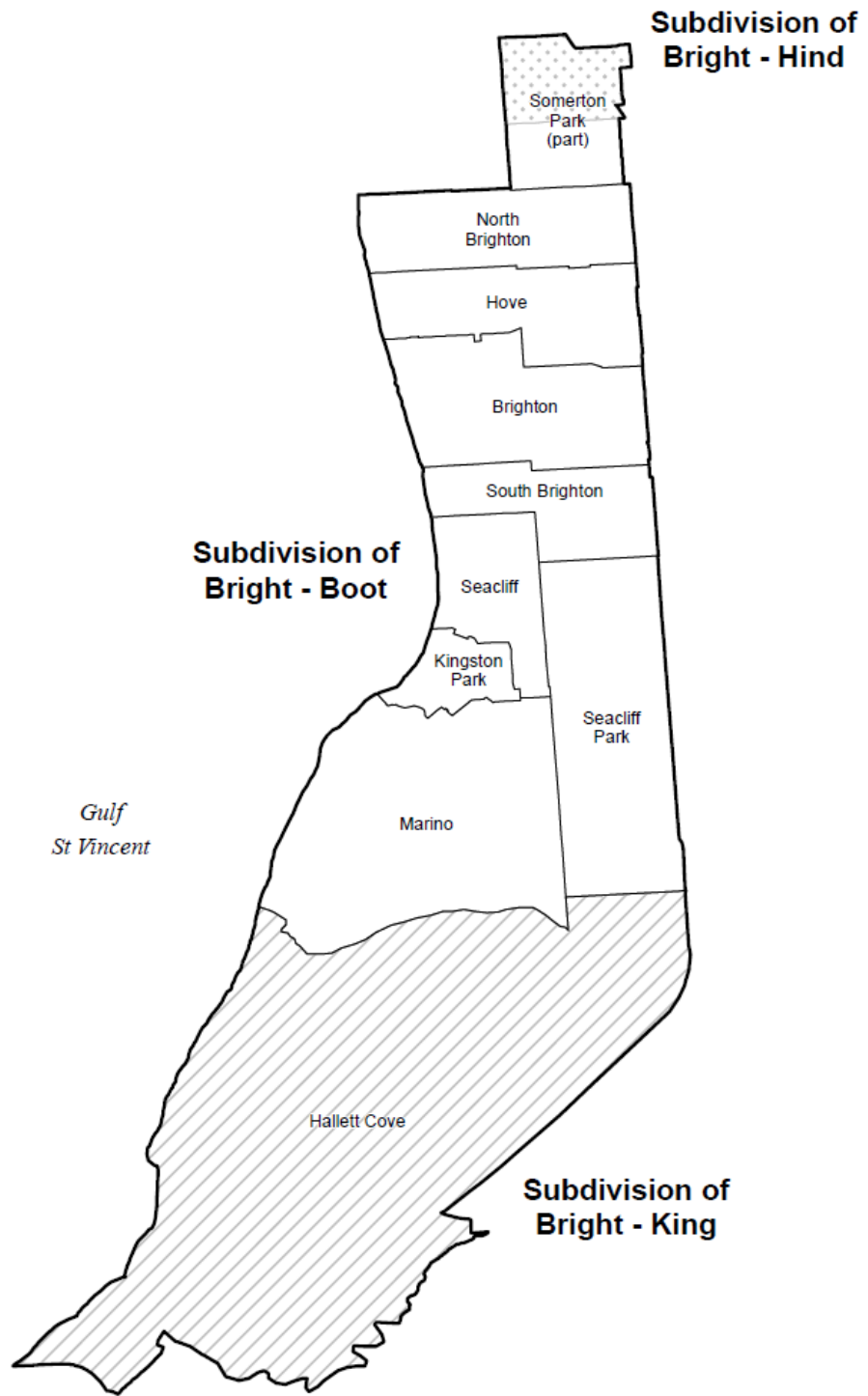
# DISTRICT OF ASHFORD



# DISTRICT OF BRAGG

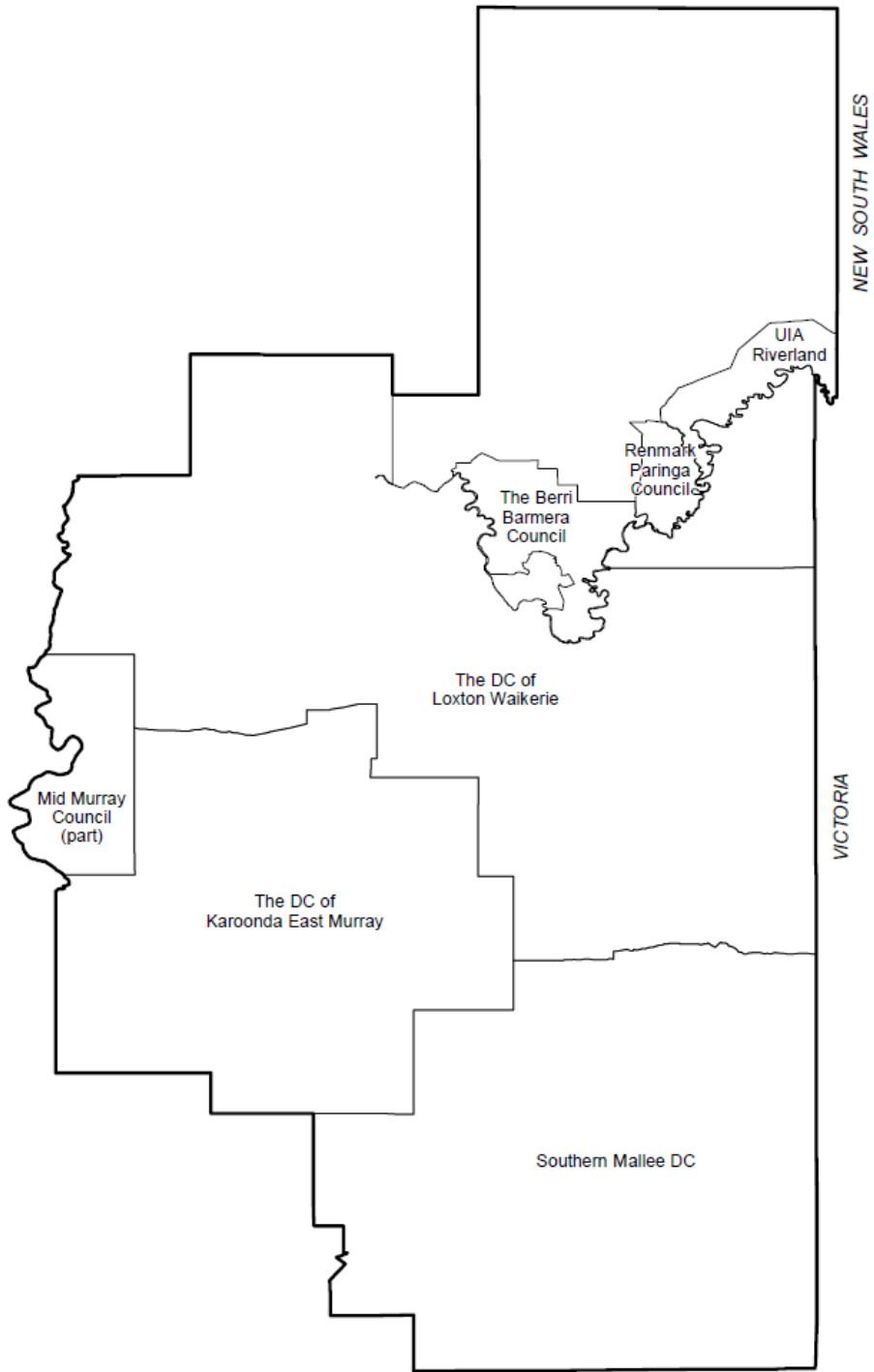


# DISTRICT OF BRIGHT



# DISTRICT OF CHAFFEY

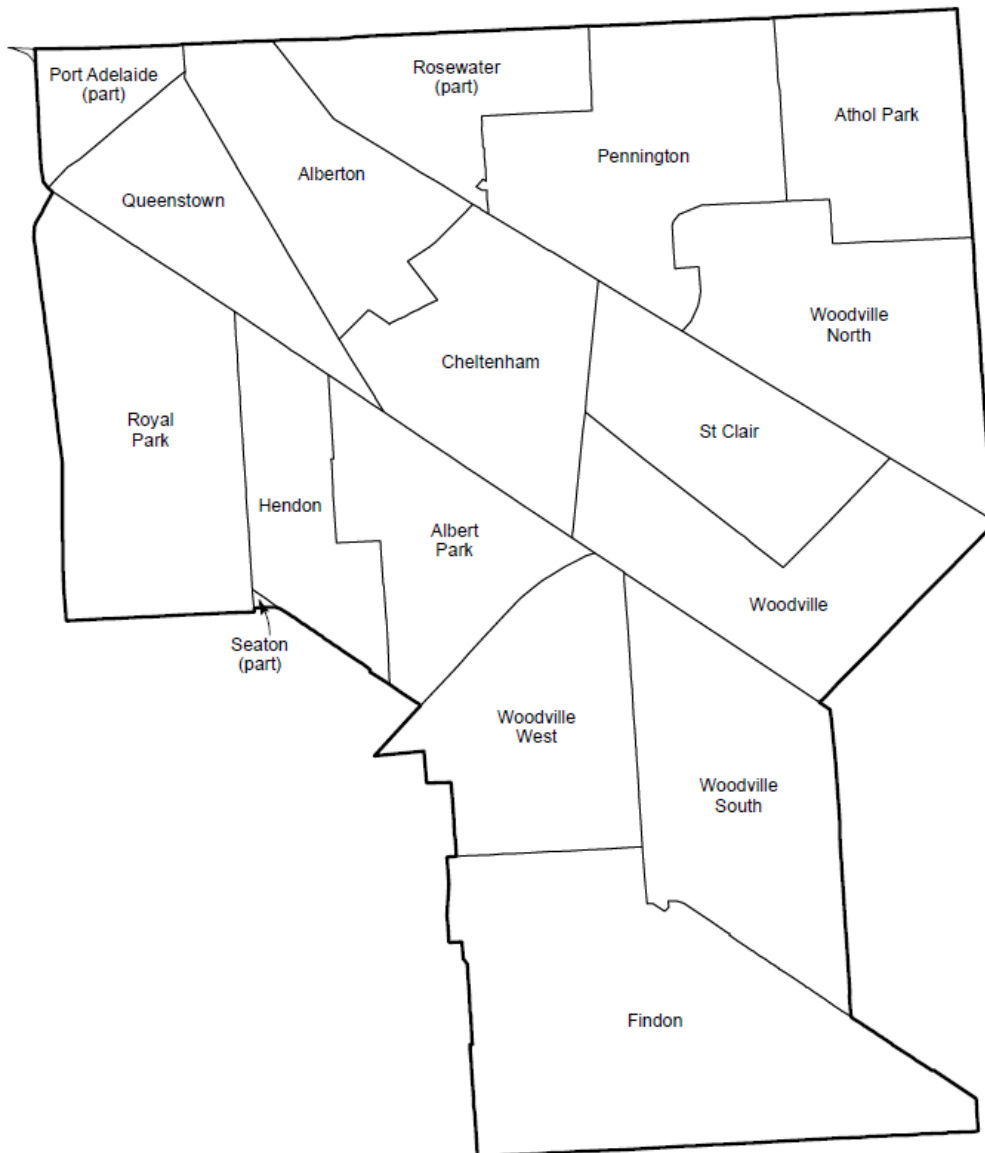
## Subdivision of Chaffey - Bark



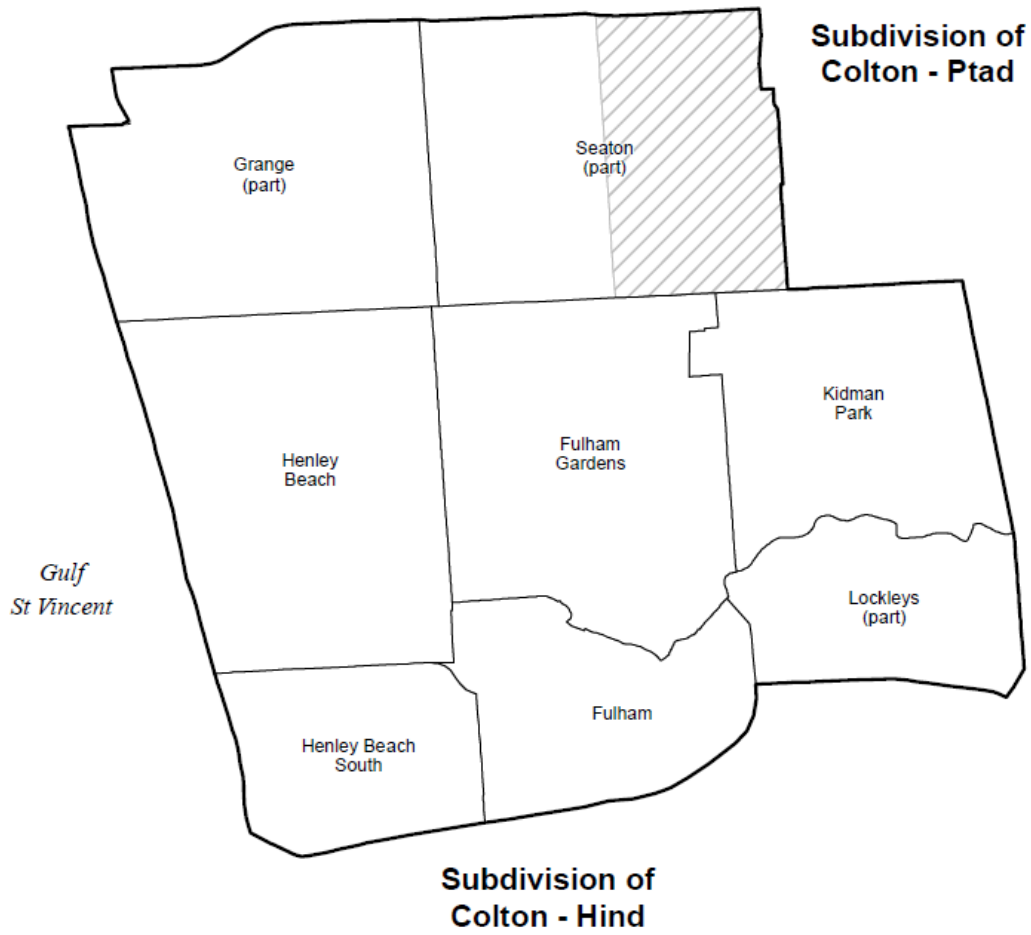


# DISTRICT OF CHELTENHAM

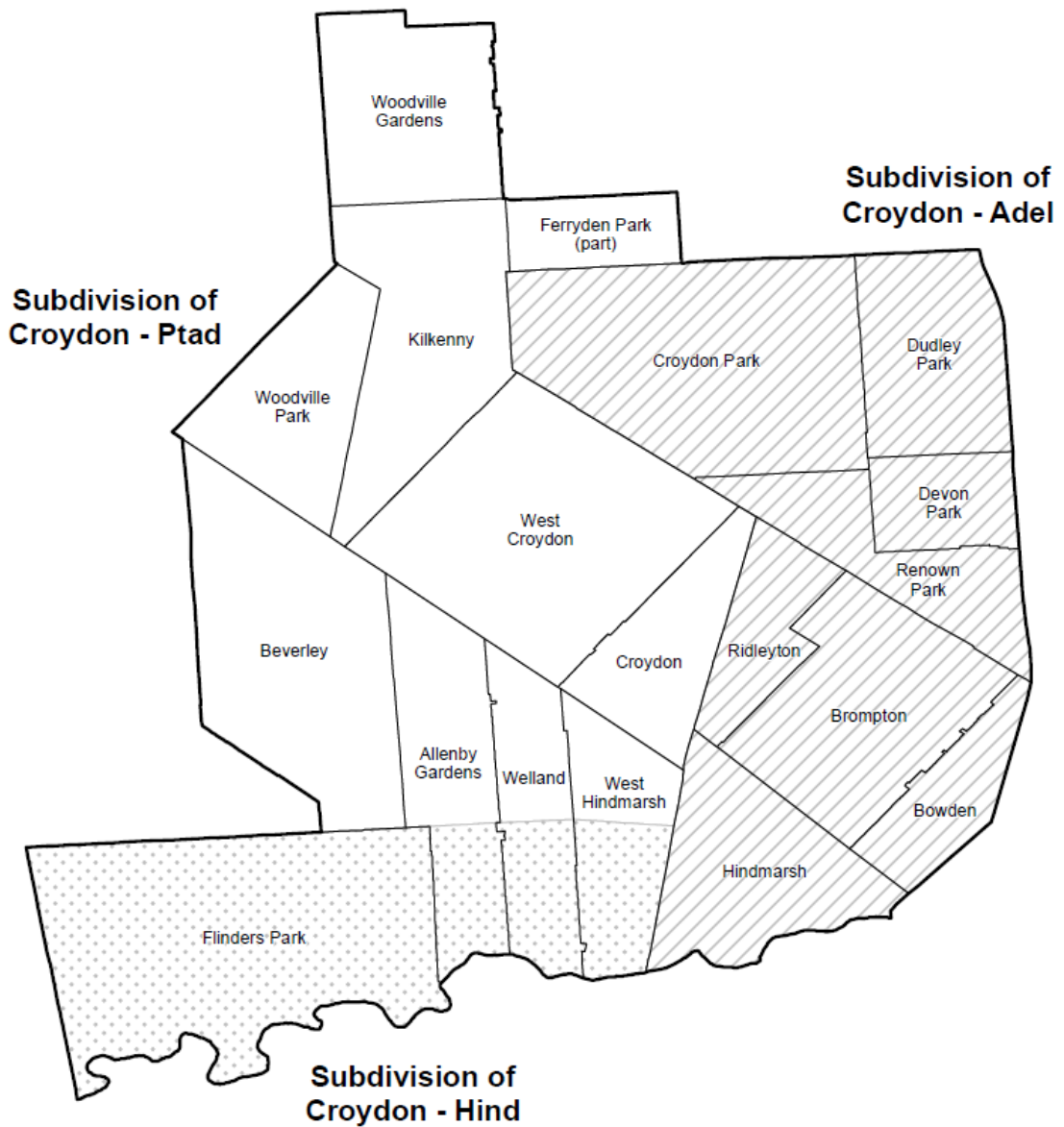
## Subdivision of Cheltenham - Ptad



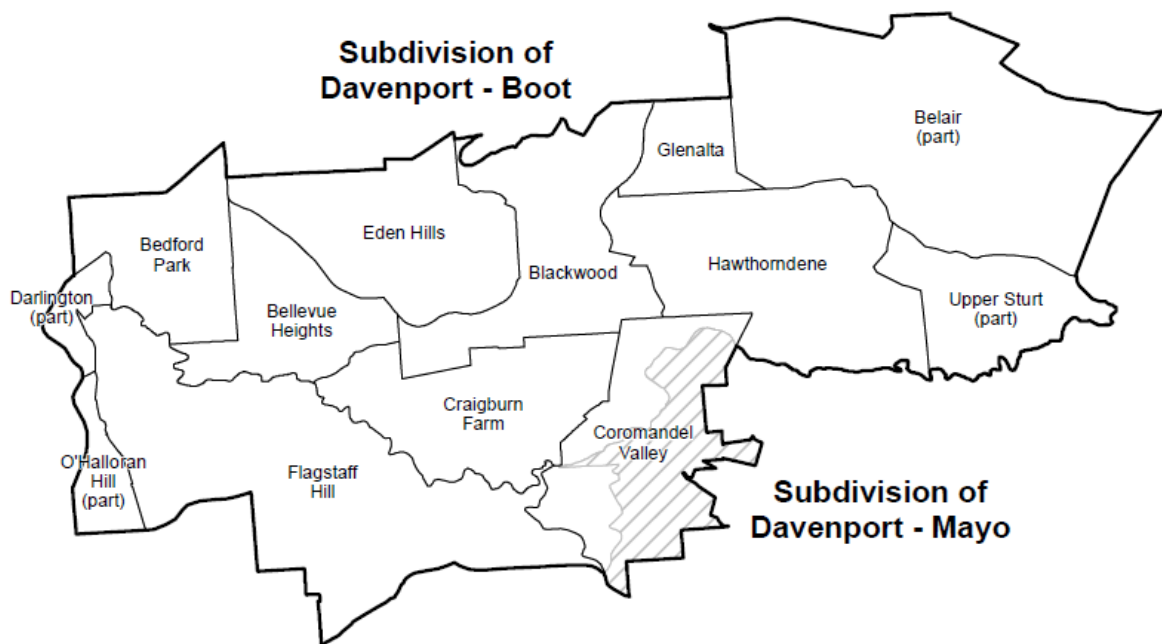
# DISTRICT OF COLTON



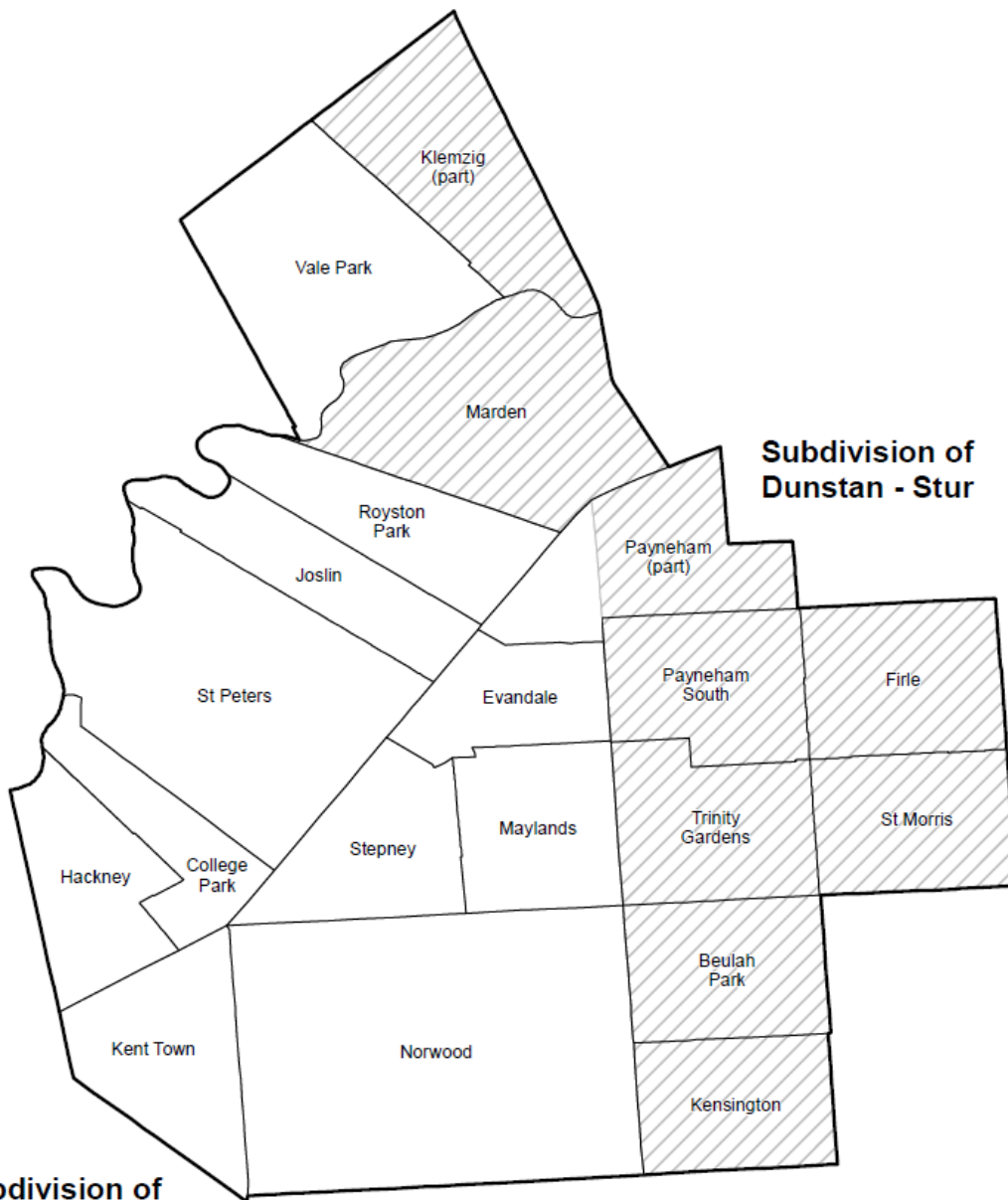
# DISTRICT OF CROYDON



# DISTRICT OF DAVENPORT



# DISTRICT OF DUNSTAN

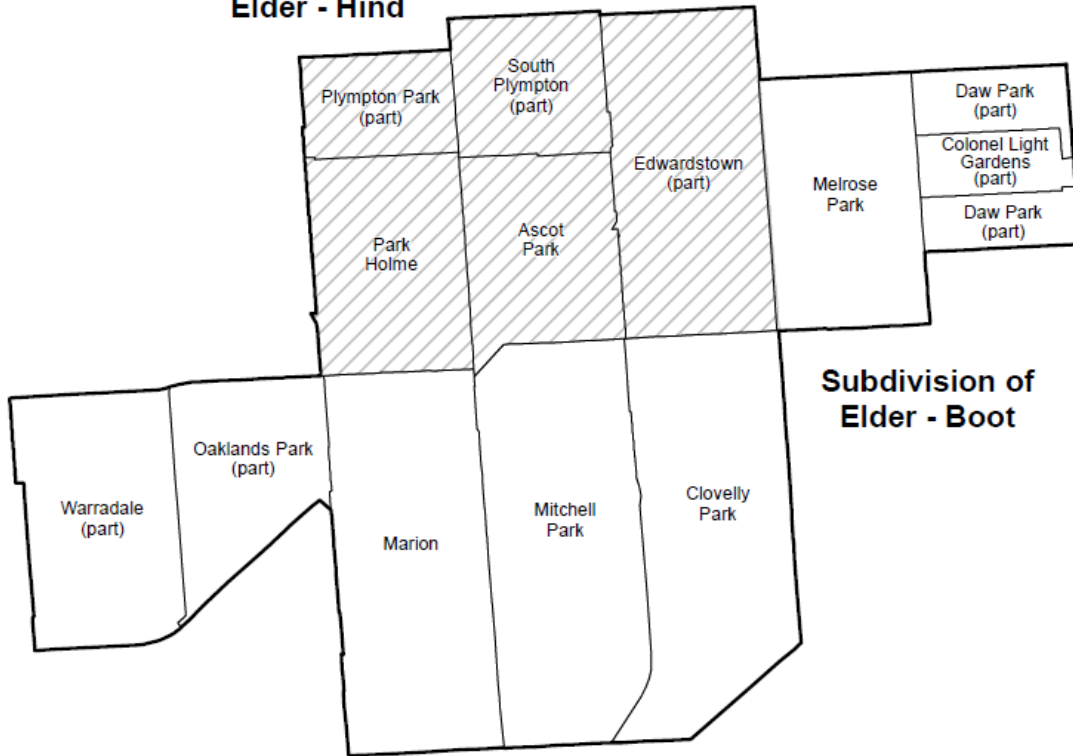


**Subdivision of  
Dunstan - Stur**

**Subdivision of  
Dunstan - Adel**

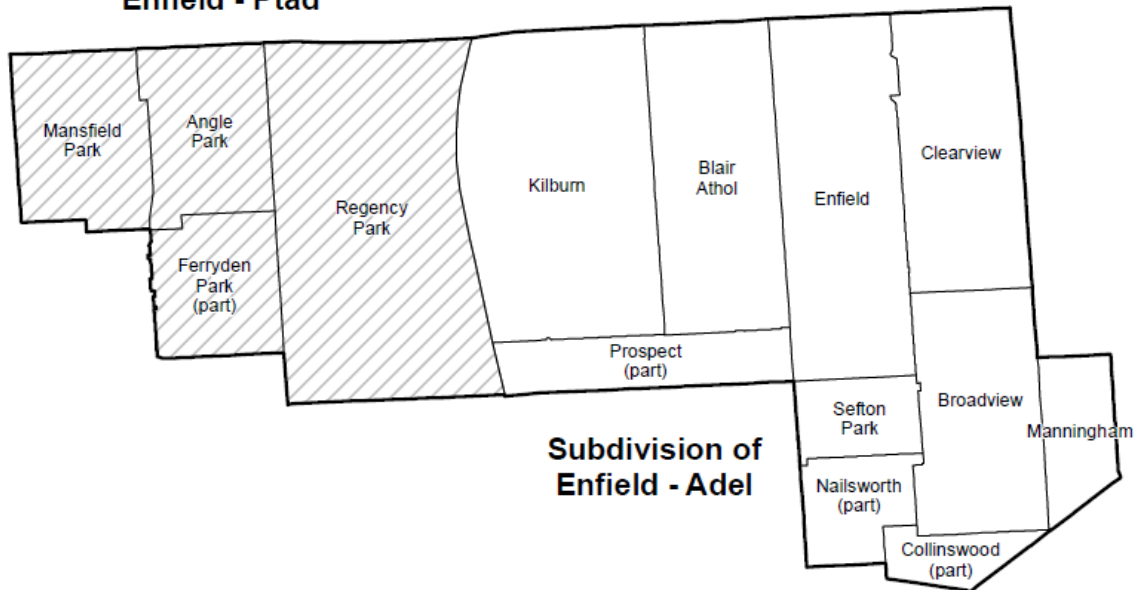
# DISTRICT OF ELDER

## Subdivision of Elder - Hind



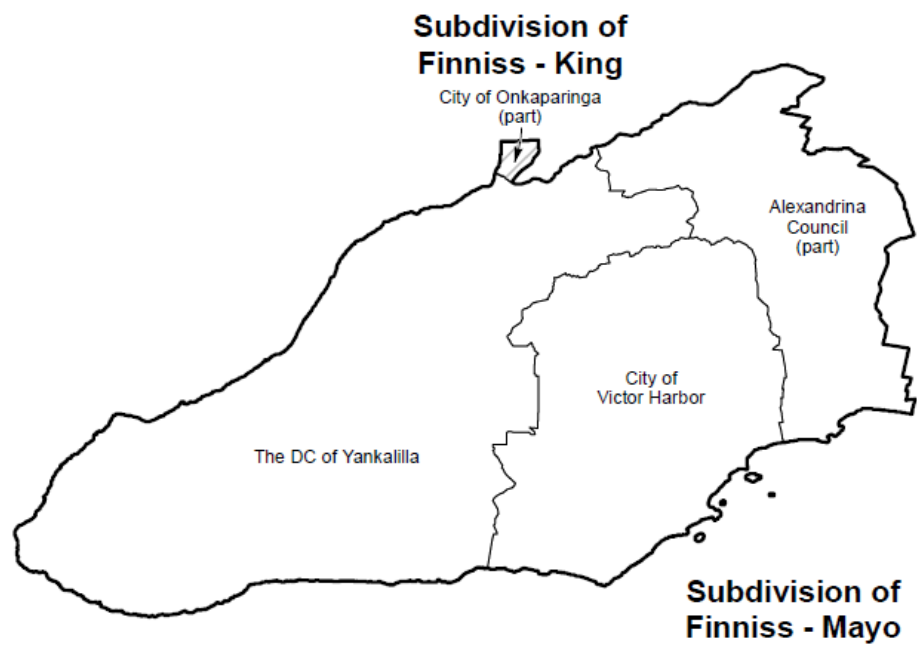
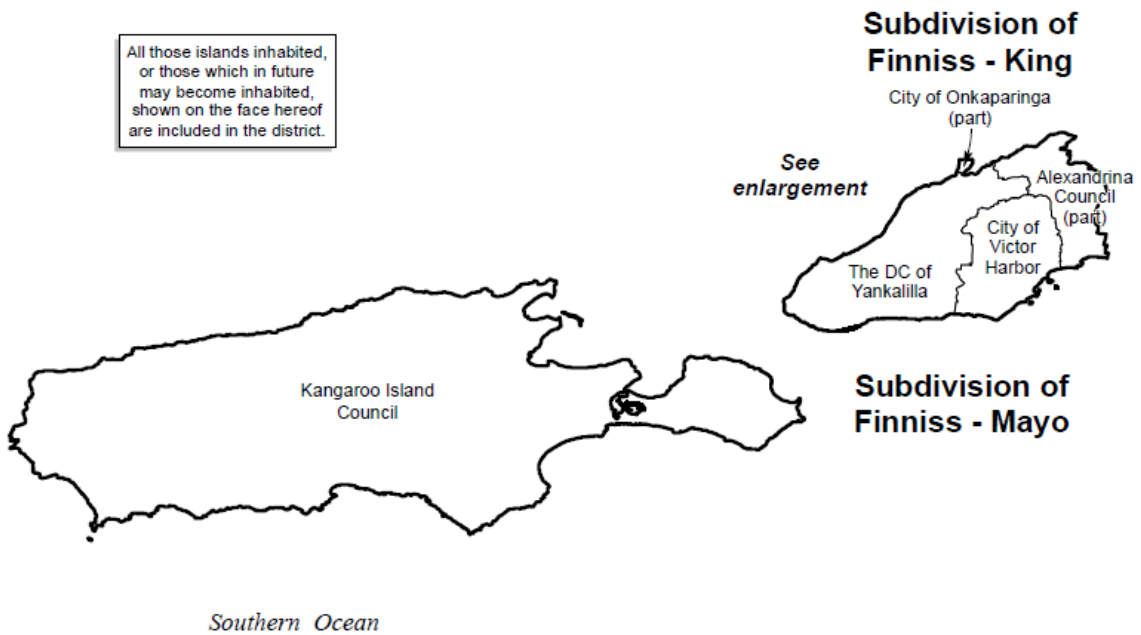
# DISTRICT OF ENFIELD

## Subdivision of Enfield - Ptad



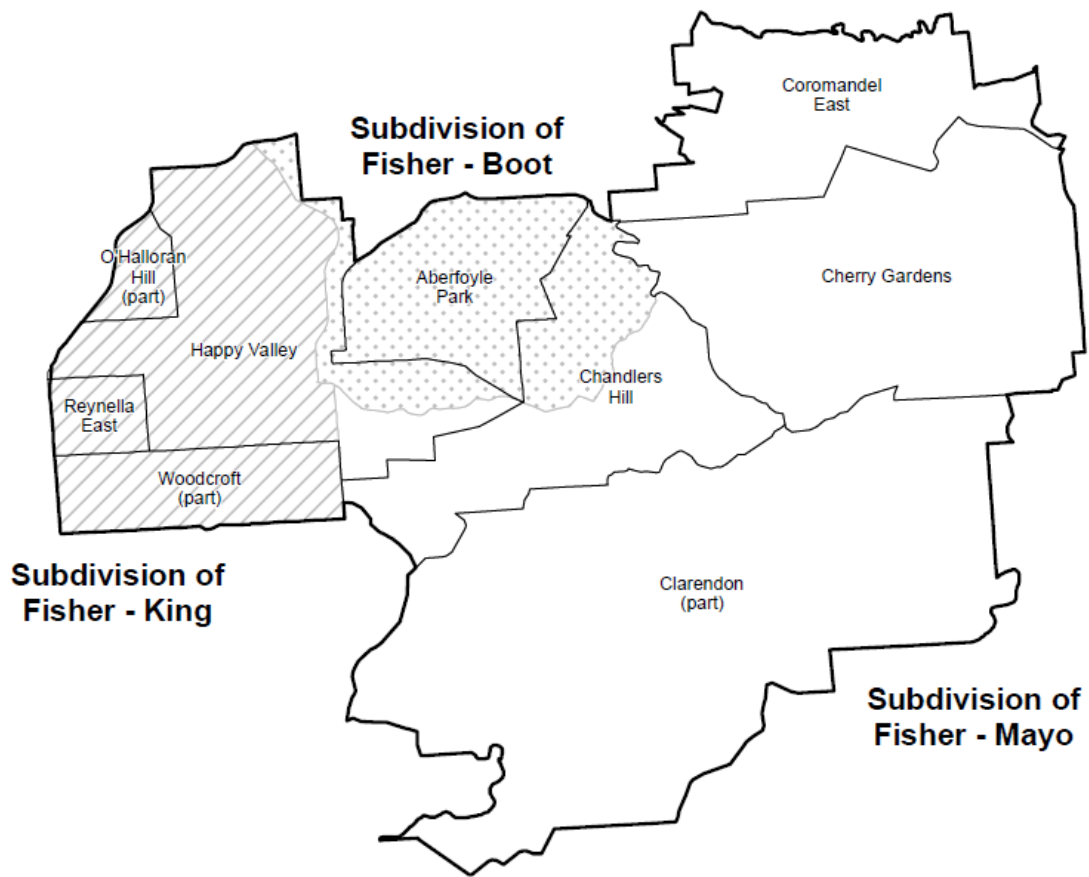
# DISTRICT OF FINNISS

All those islands inhabited, or those which in future may become inhabited, shown on the face hereof are included in the district.





# DISTRICT OF FISHER



# DISTRICT OF FLINDERS

## Subdivision of Flinders - Grey

WESTERN AUSTRALIA

*Great Australian Bight*

All those islands inhabited,  
or those which in future  
may become inhabited,  
shown on the face hereof  
are included in the district.

The DC of  
Ceduna

The DC of  
Streaky  
Bay

Wudinna  
District Council

The DC of  
Elliston

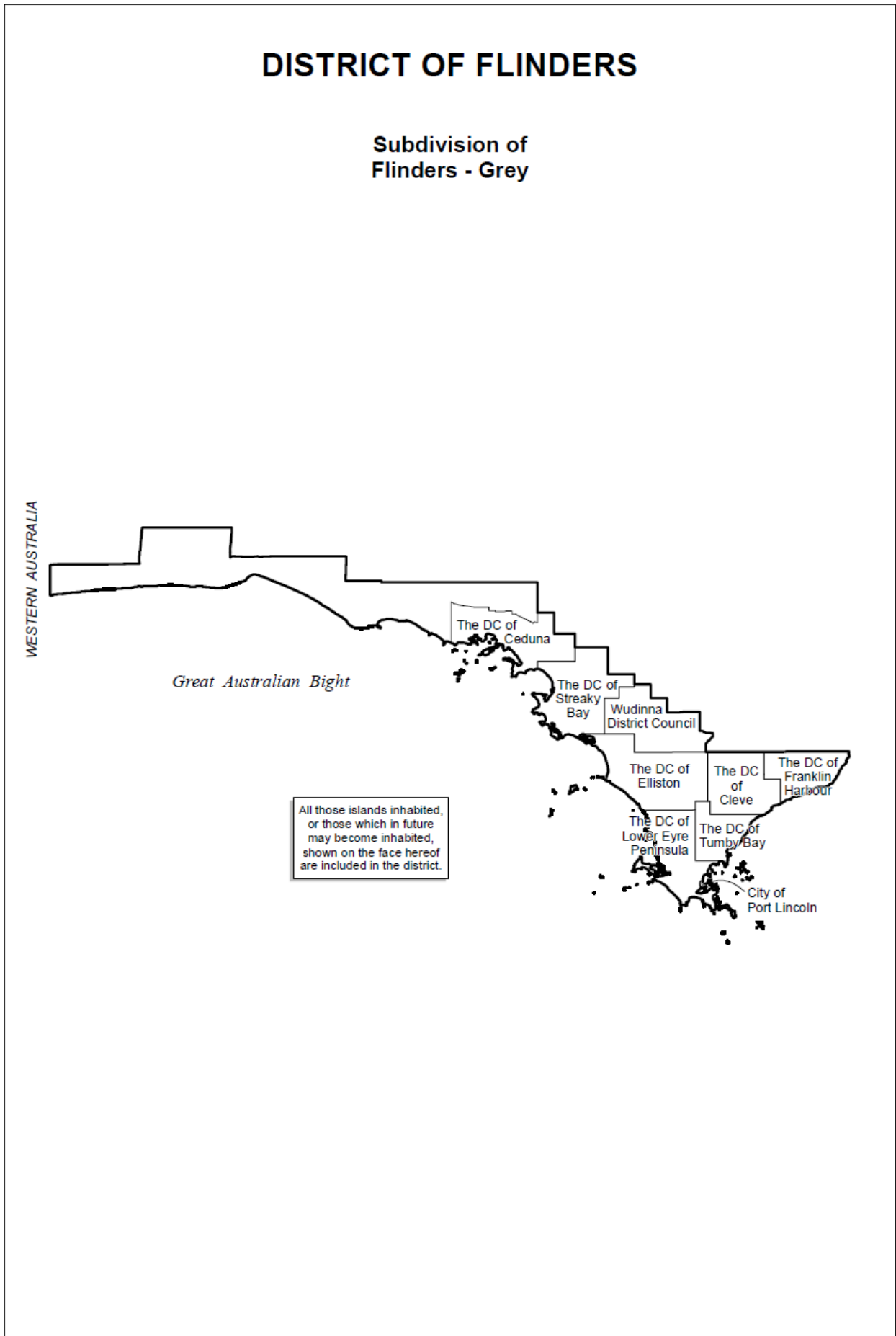
The DC  
of  
Cleve

The DC of  
Franklin  
Harbour

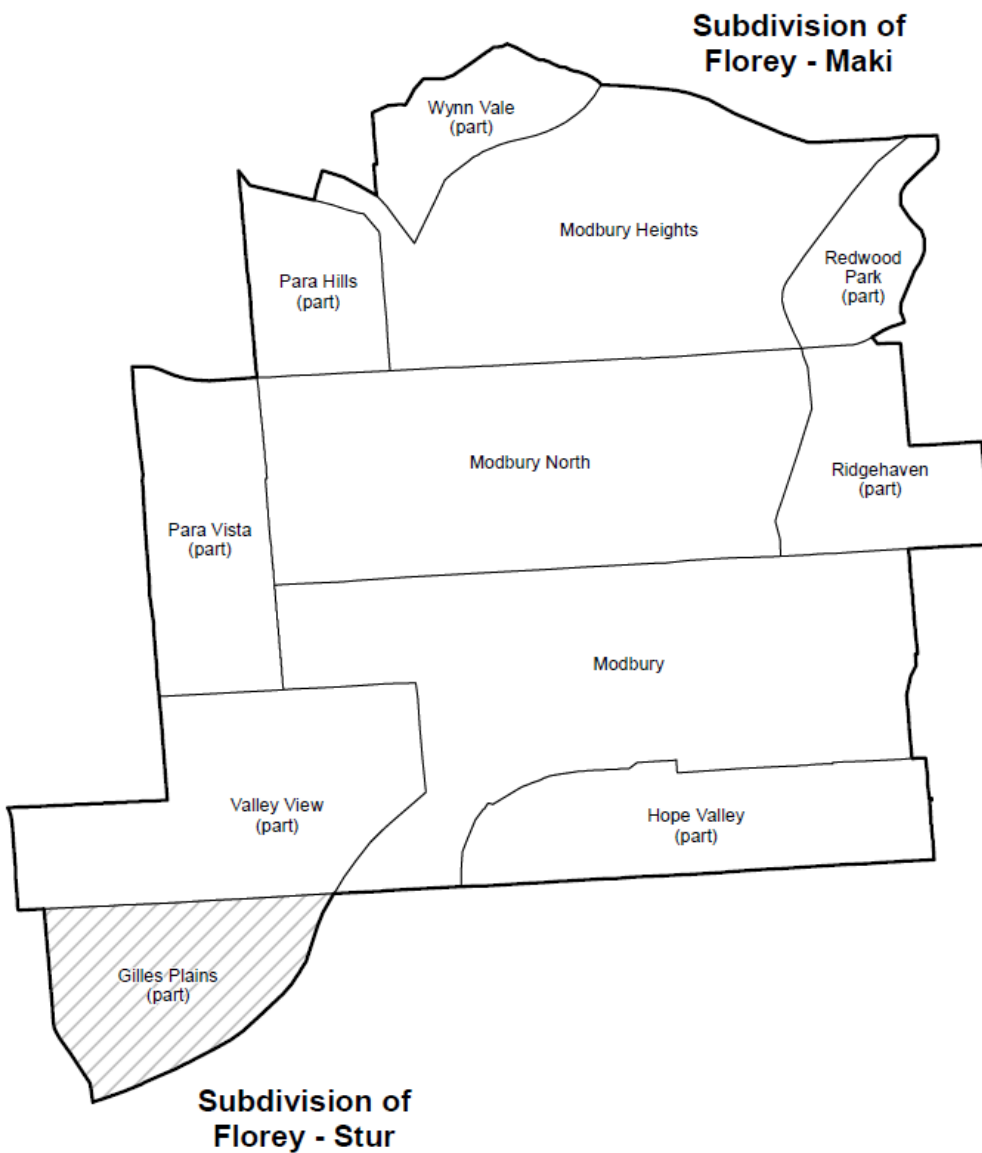
The DC of  
Lower Eyre  
Peninsula

The DC of  
Tumby Bay

City of  
Port Lincoln

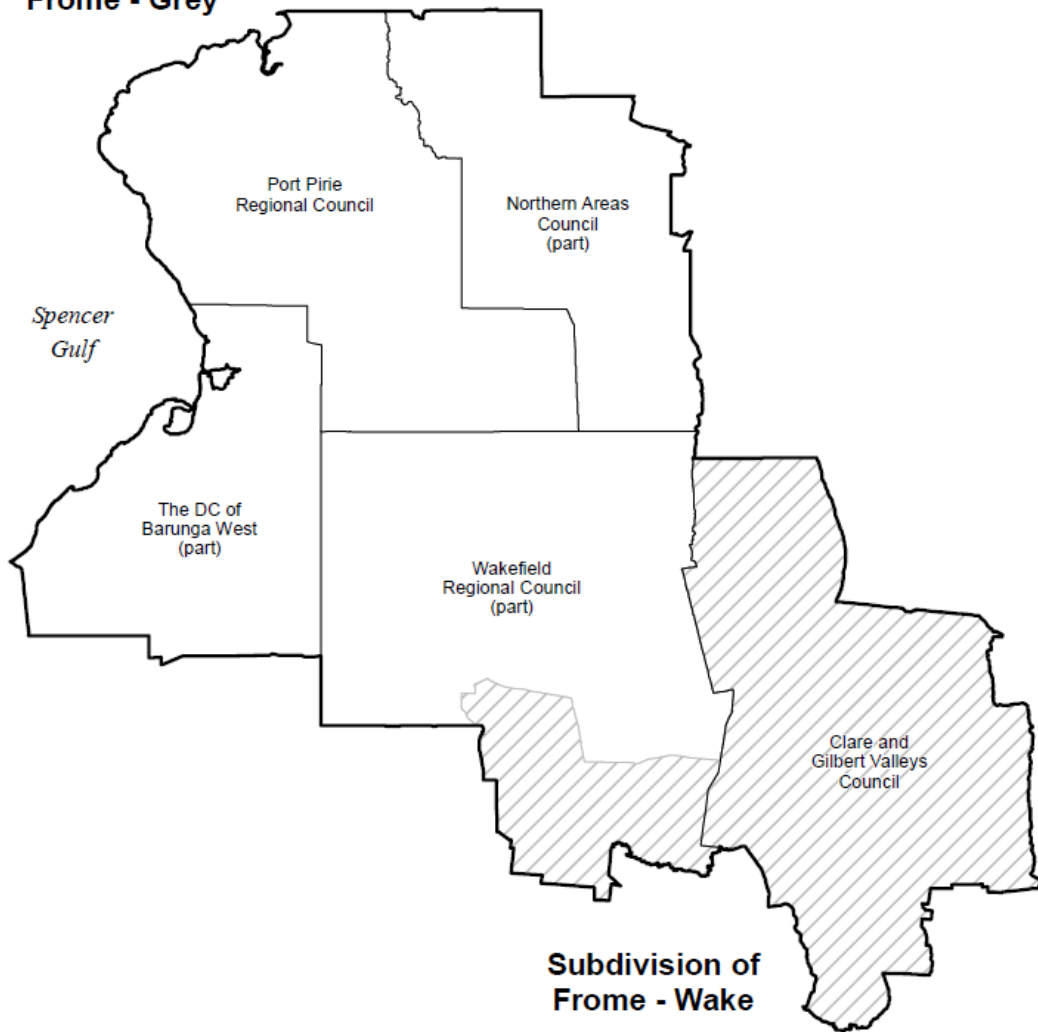


# DISTRICT OF FLOREY



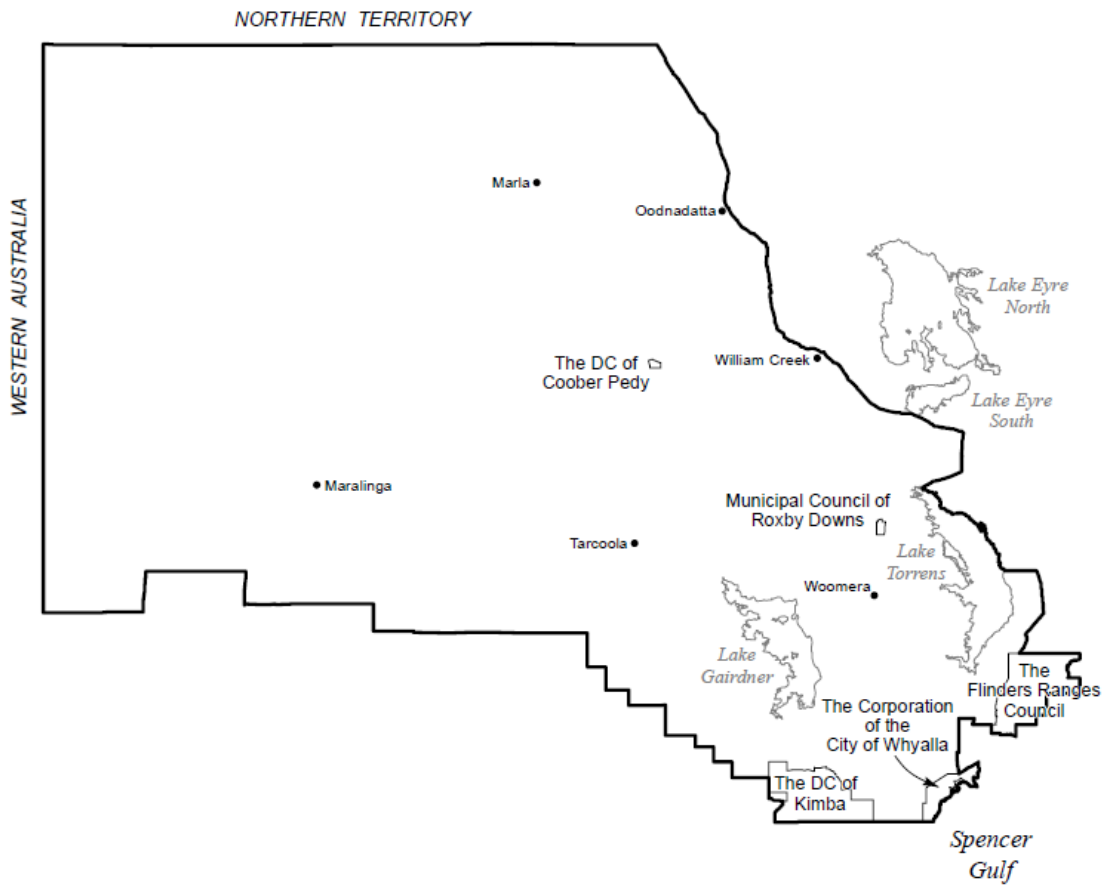
# DISTRICT OF FROME

## Subdivision of Frome - Grey

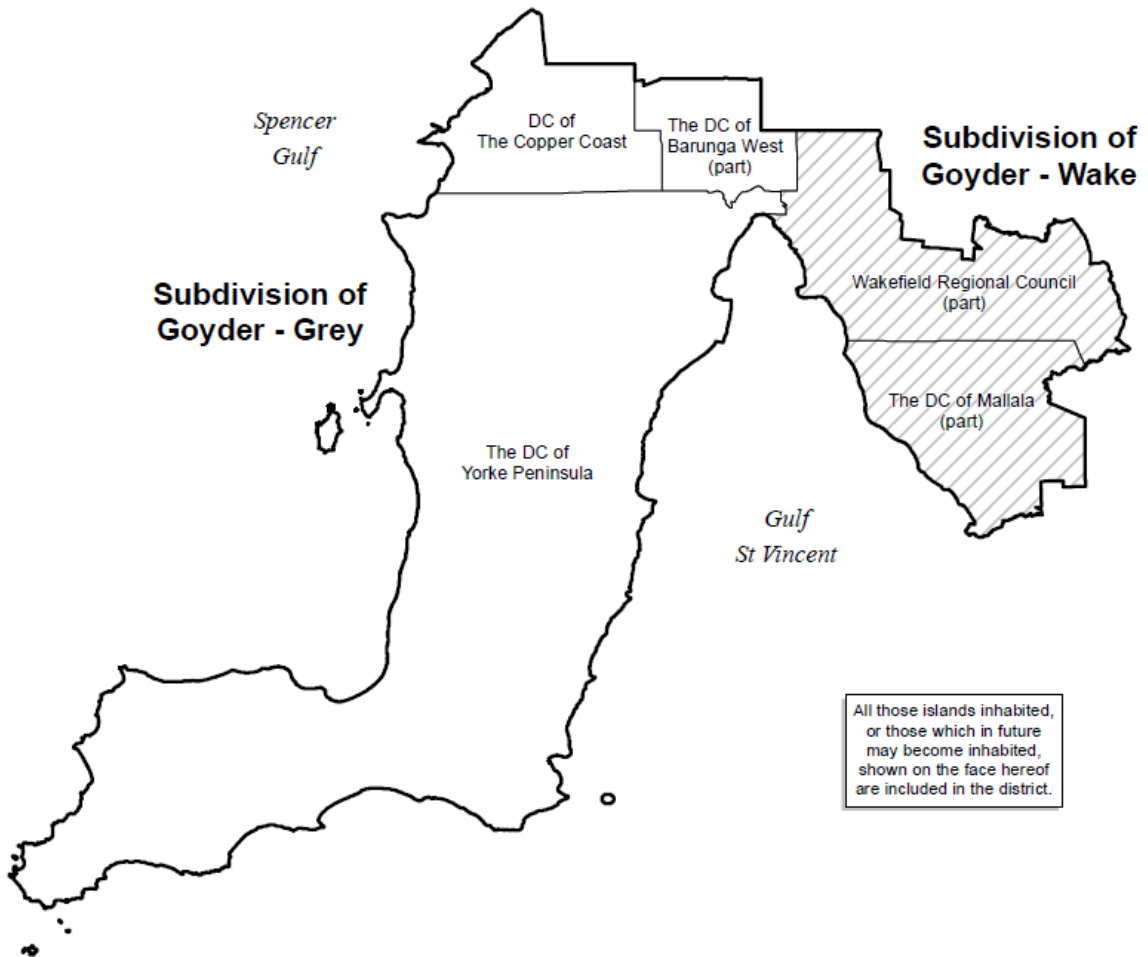


# DISTRICT OF GILES

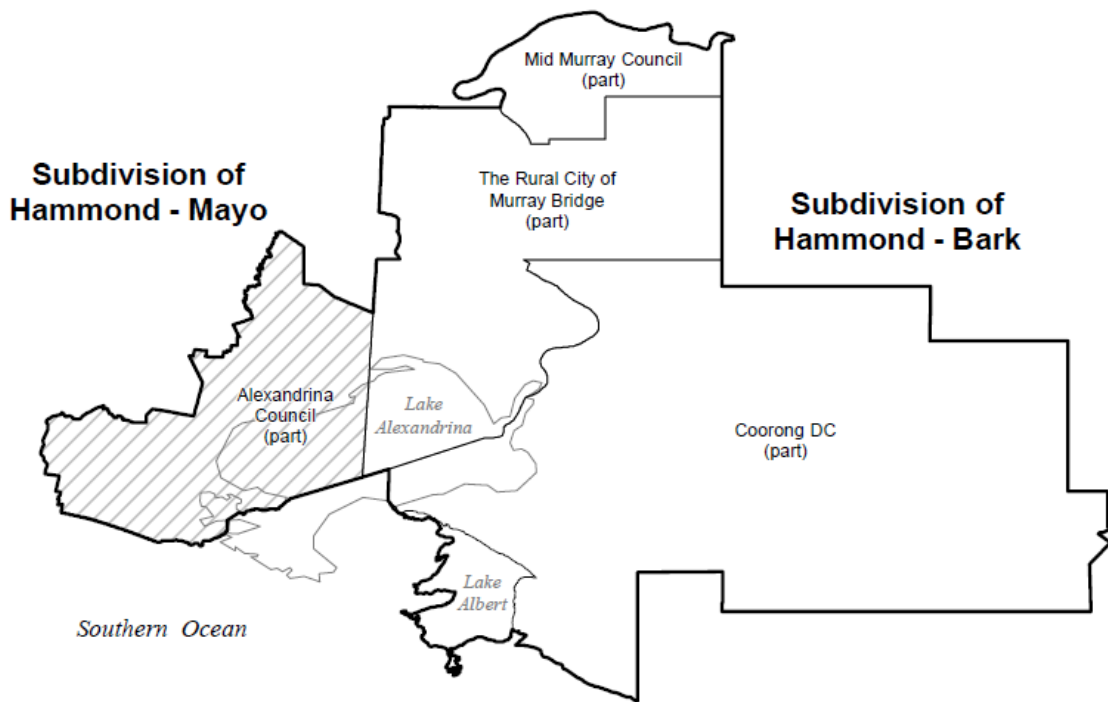
## Subdivision of Giles - Grey



# DISTRICT OF GOYDER



# DISTRICT OF HAMMOND



# DISTRICT OF HARTLEY

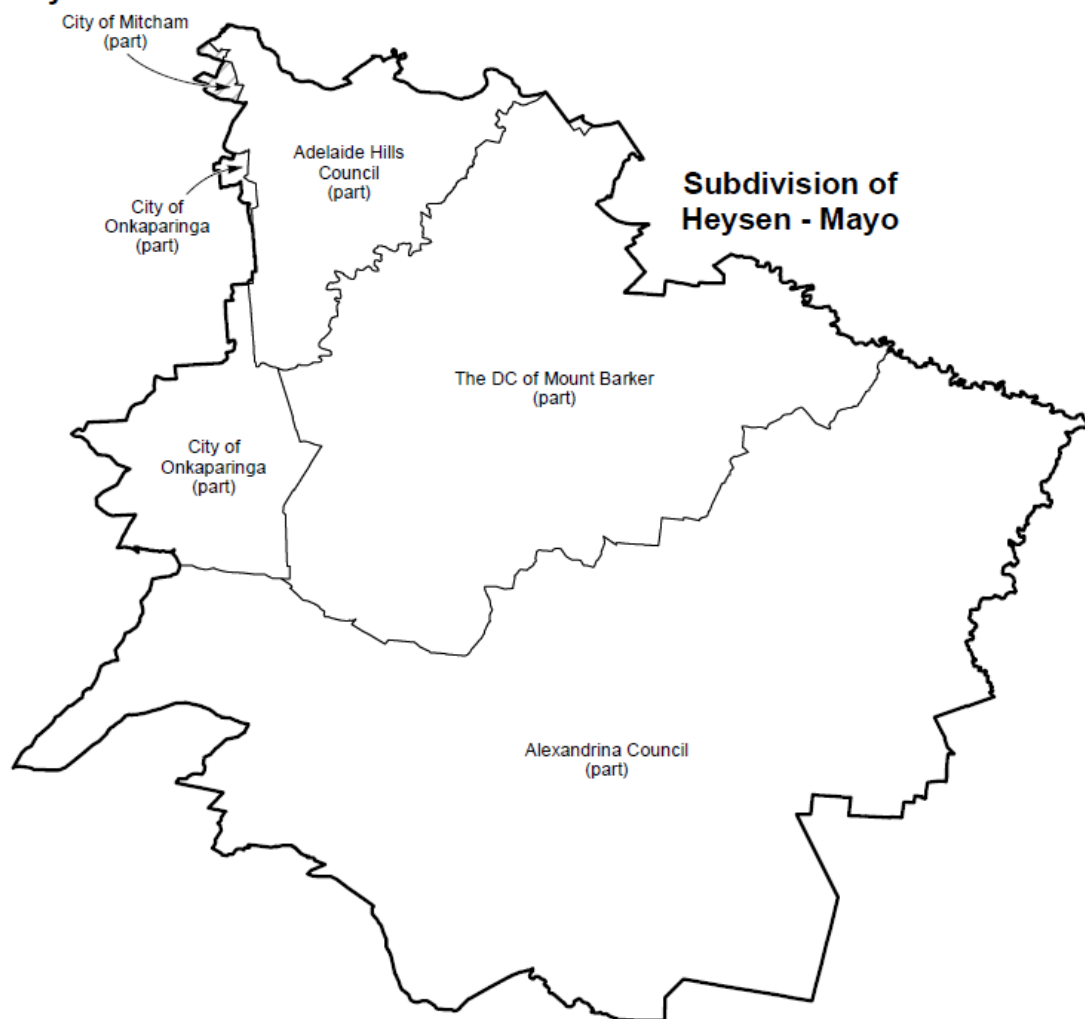
## Subdivision of Hartley - Stur



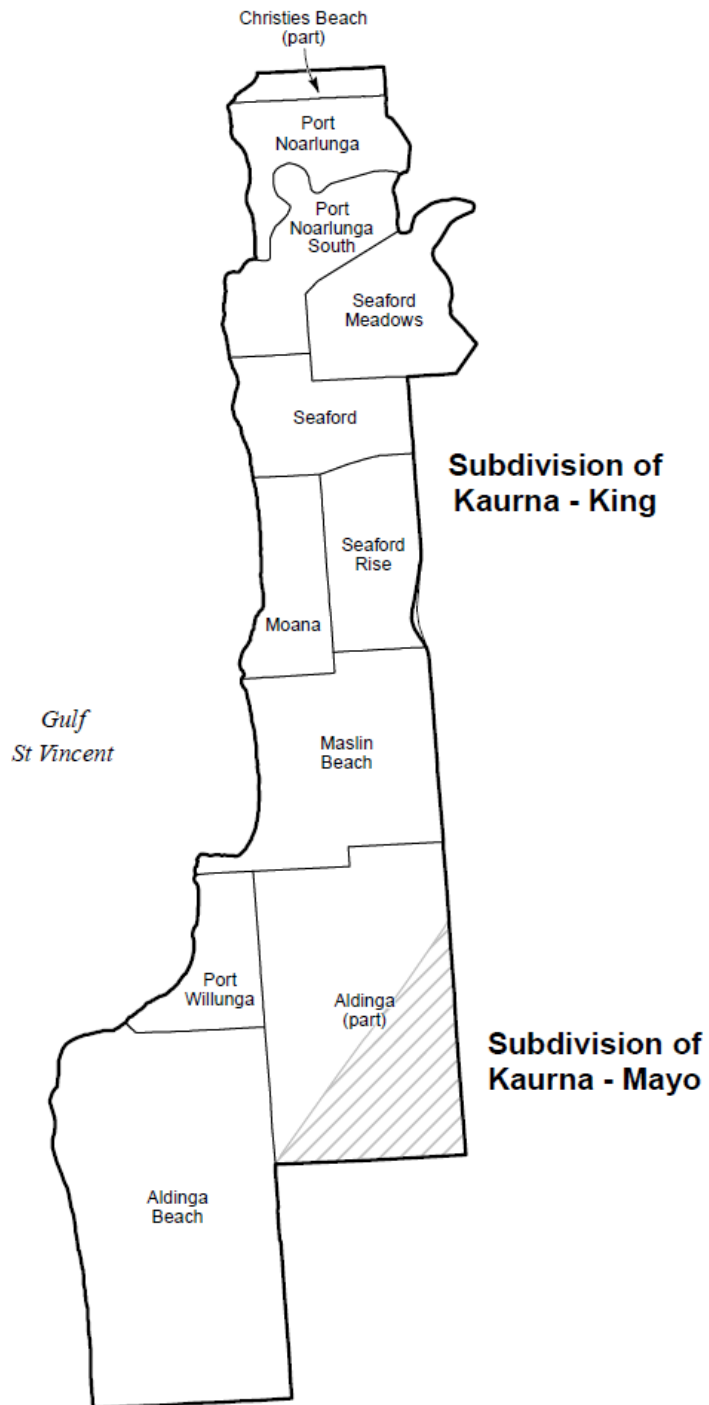


# DISTRICT OF HEYSEN

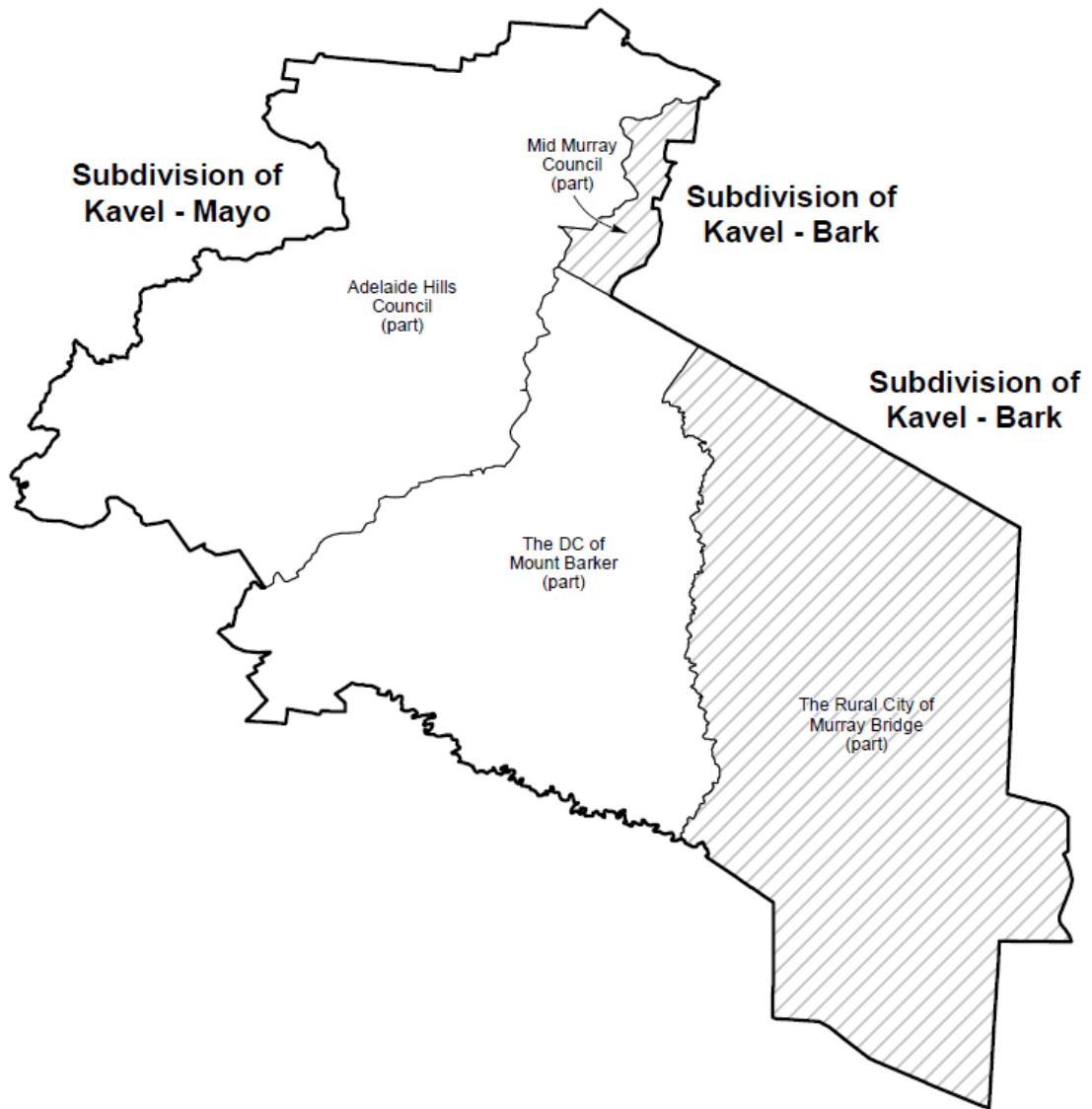
## Subdivision of Heyesen - Boot



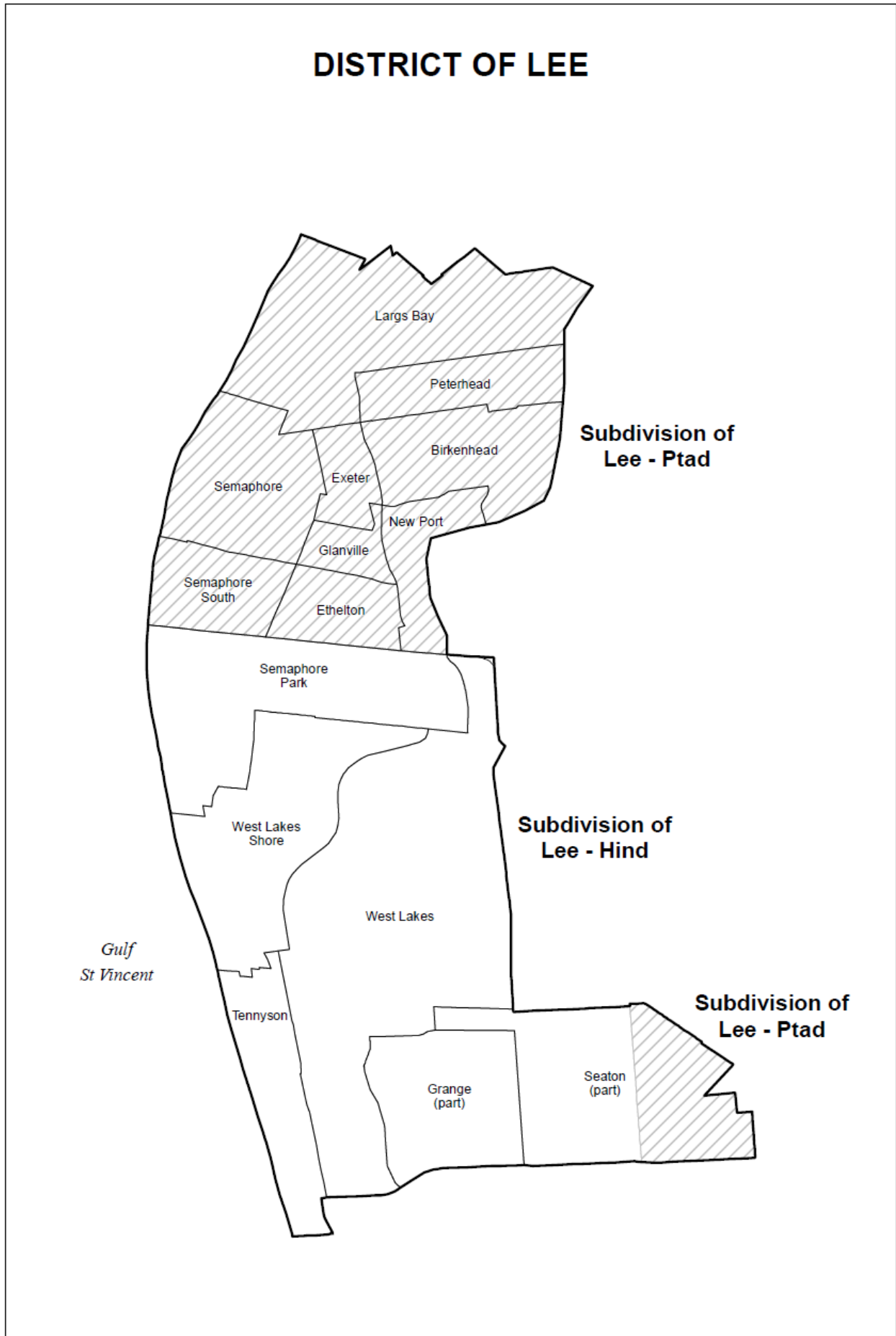
# DISTRICT OF KAURNA



# DISTRICT OF KAVEL



# DISTRICT OF LEE

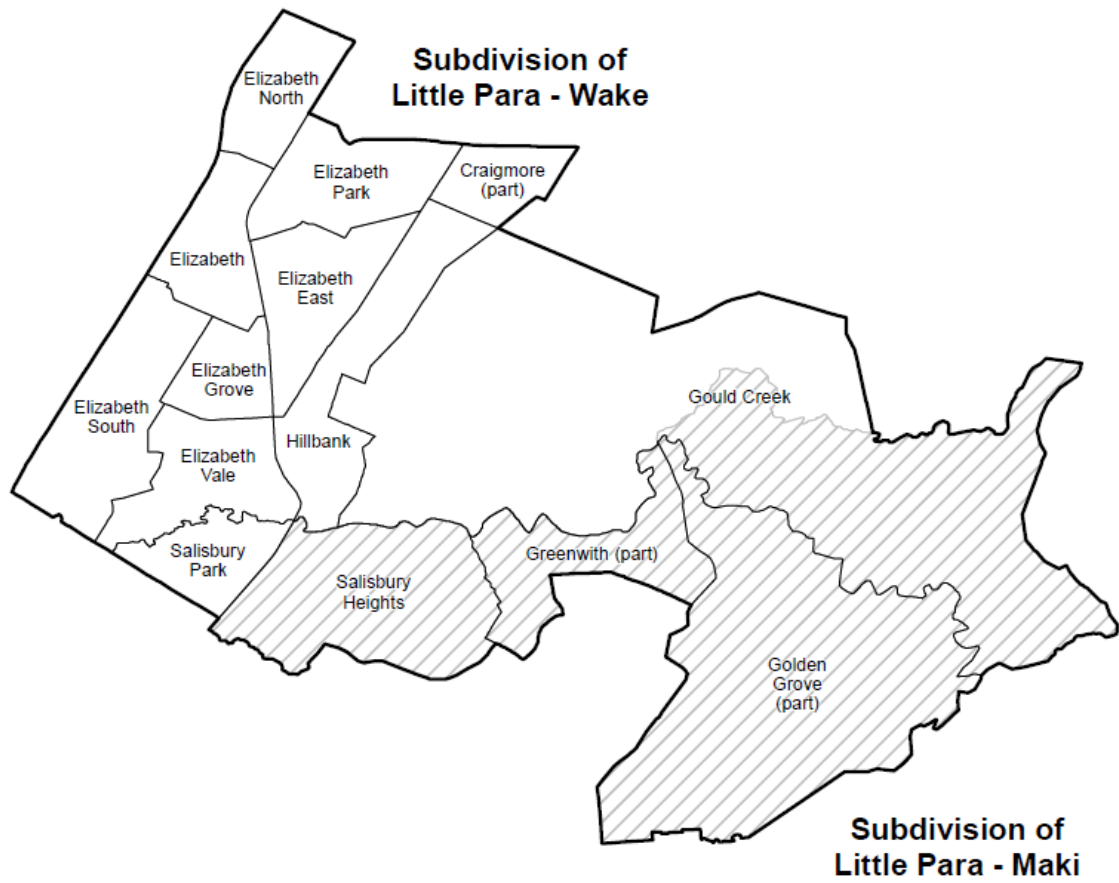


# DISTRICT OF LIGHT

## Subdivision of Light - Wake

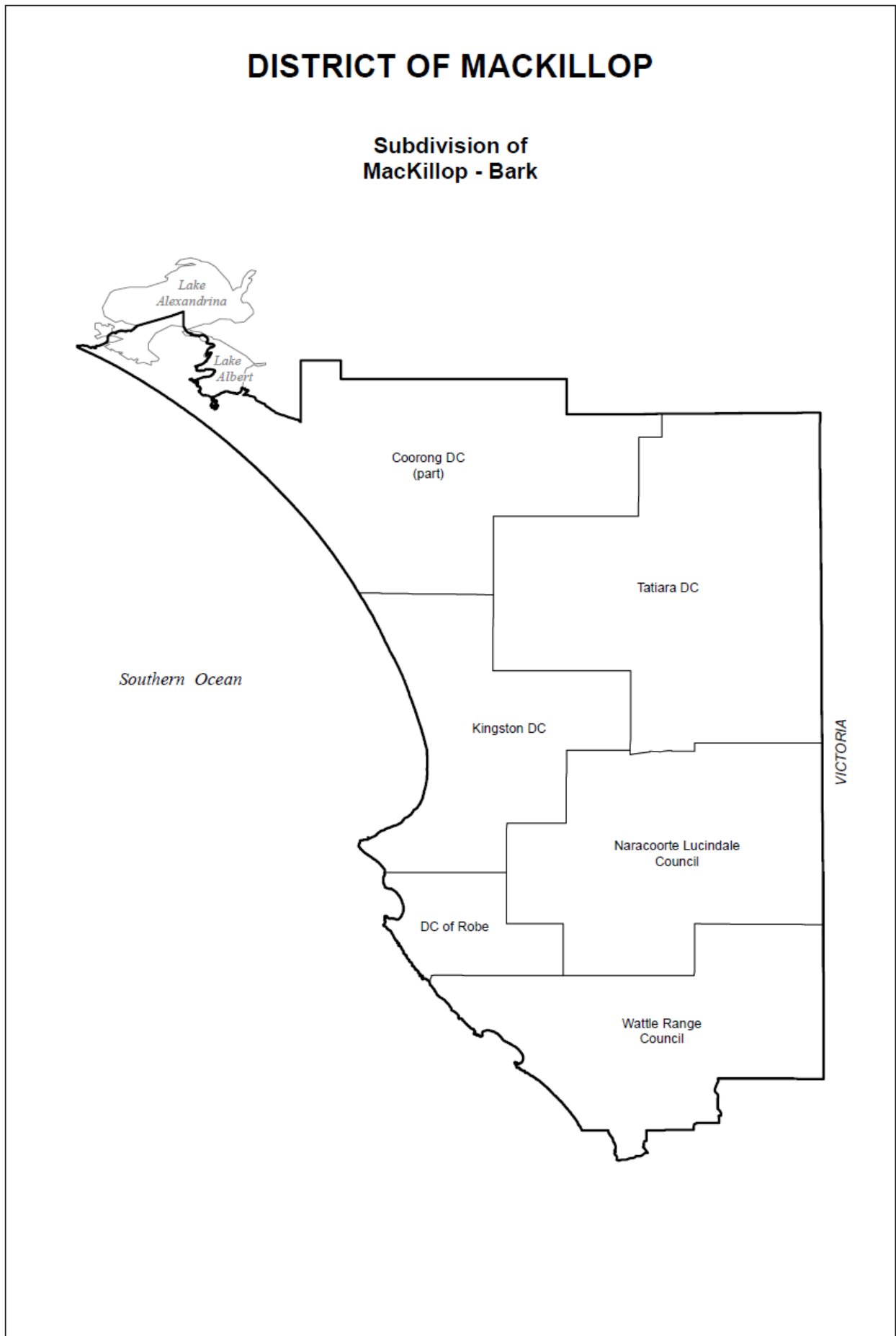


# DISTRICT OF LITTLE PARA

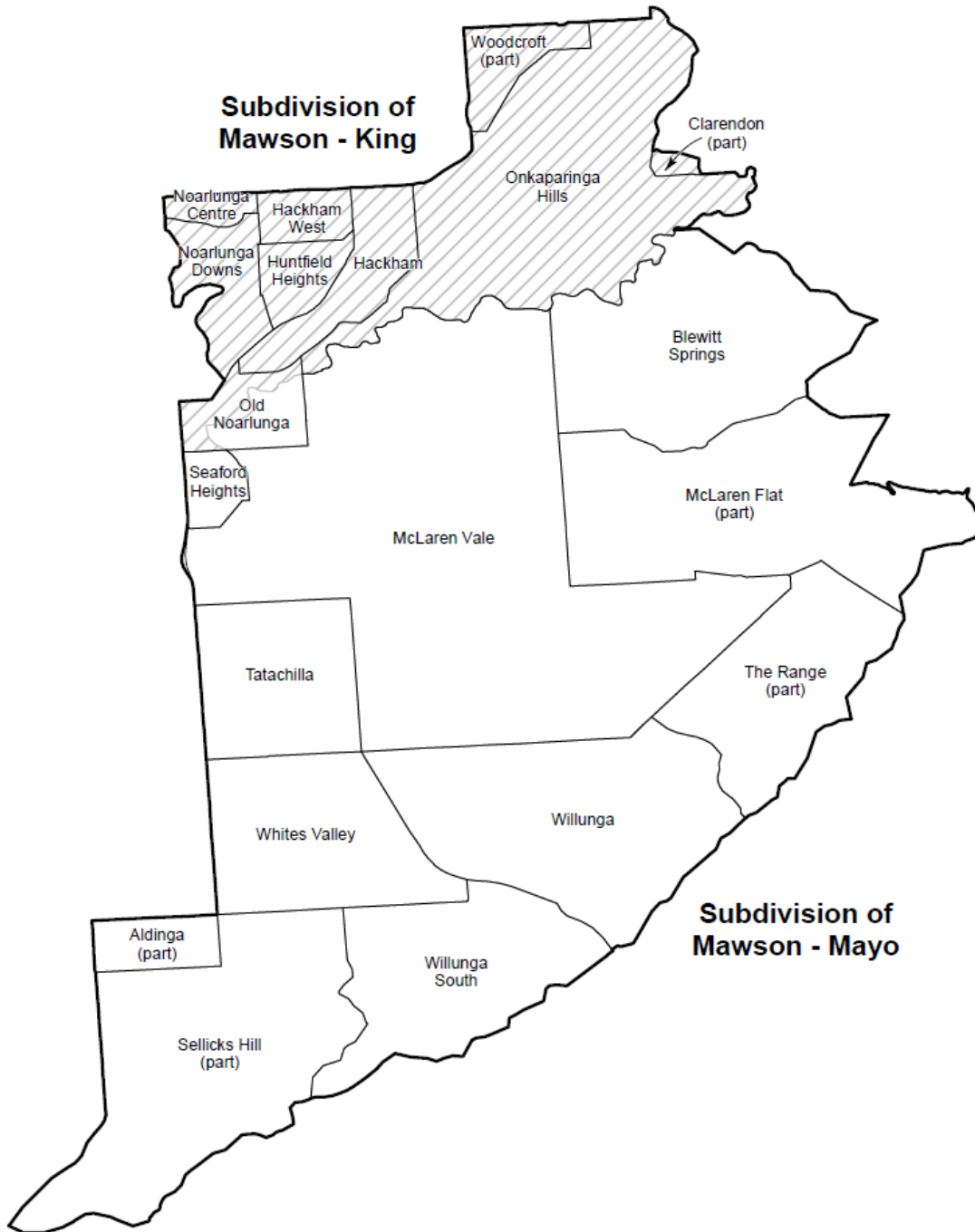


# DISTRICT OF MACKILLOP

## Subdivision of MacKillop - Bark

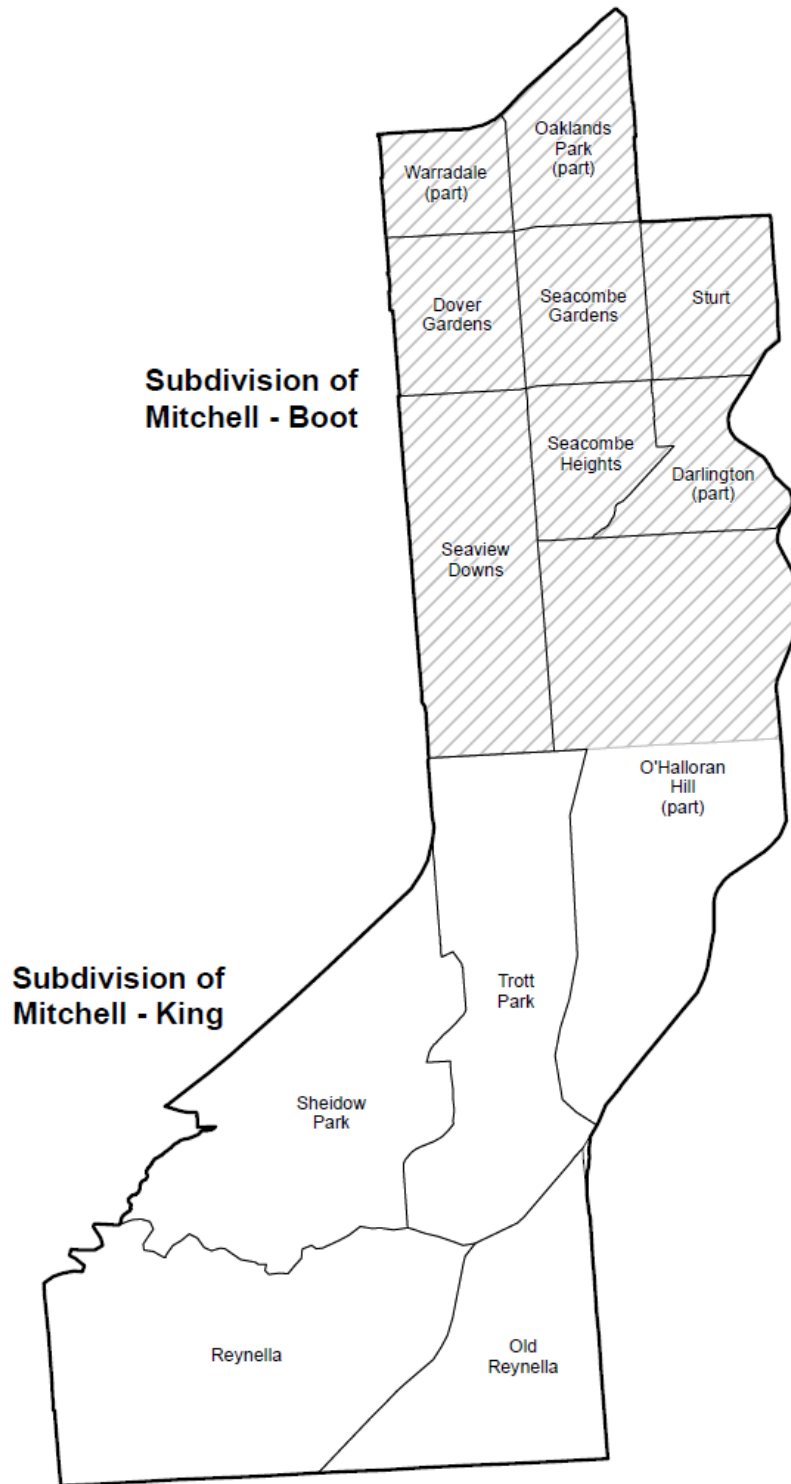


# DISTRICT OF MAWSON

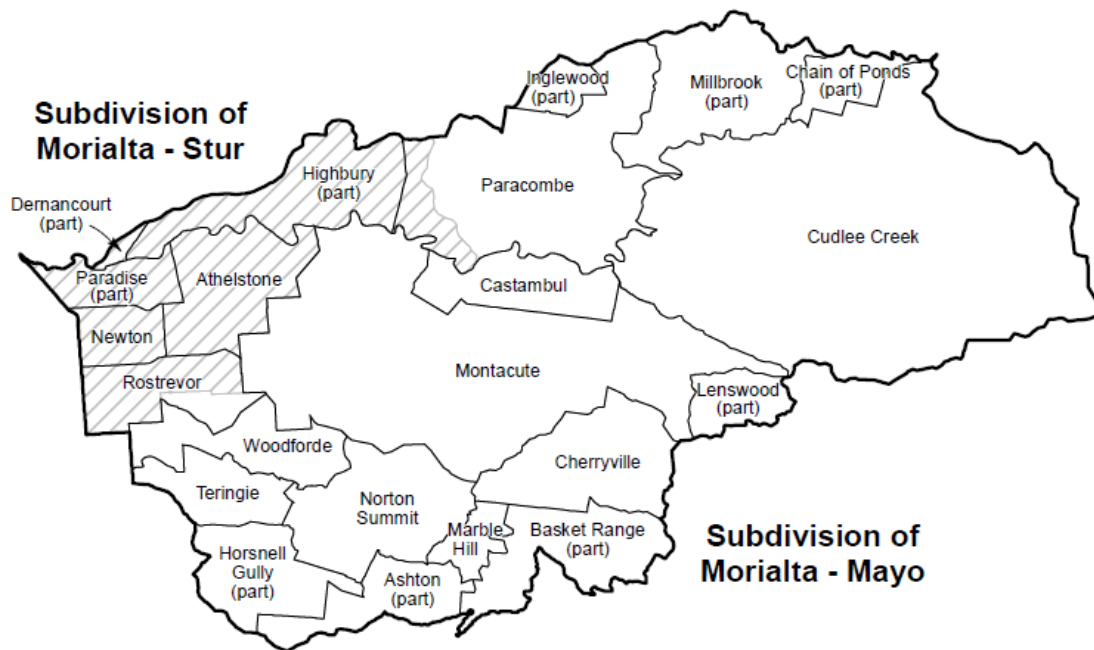




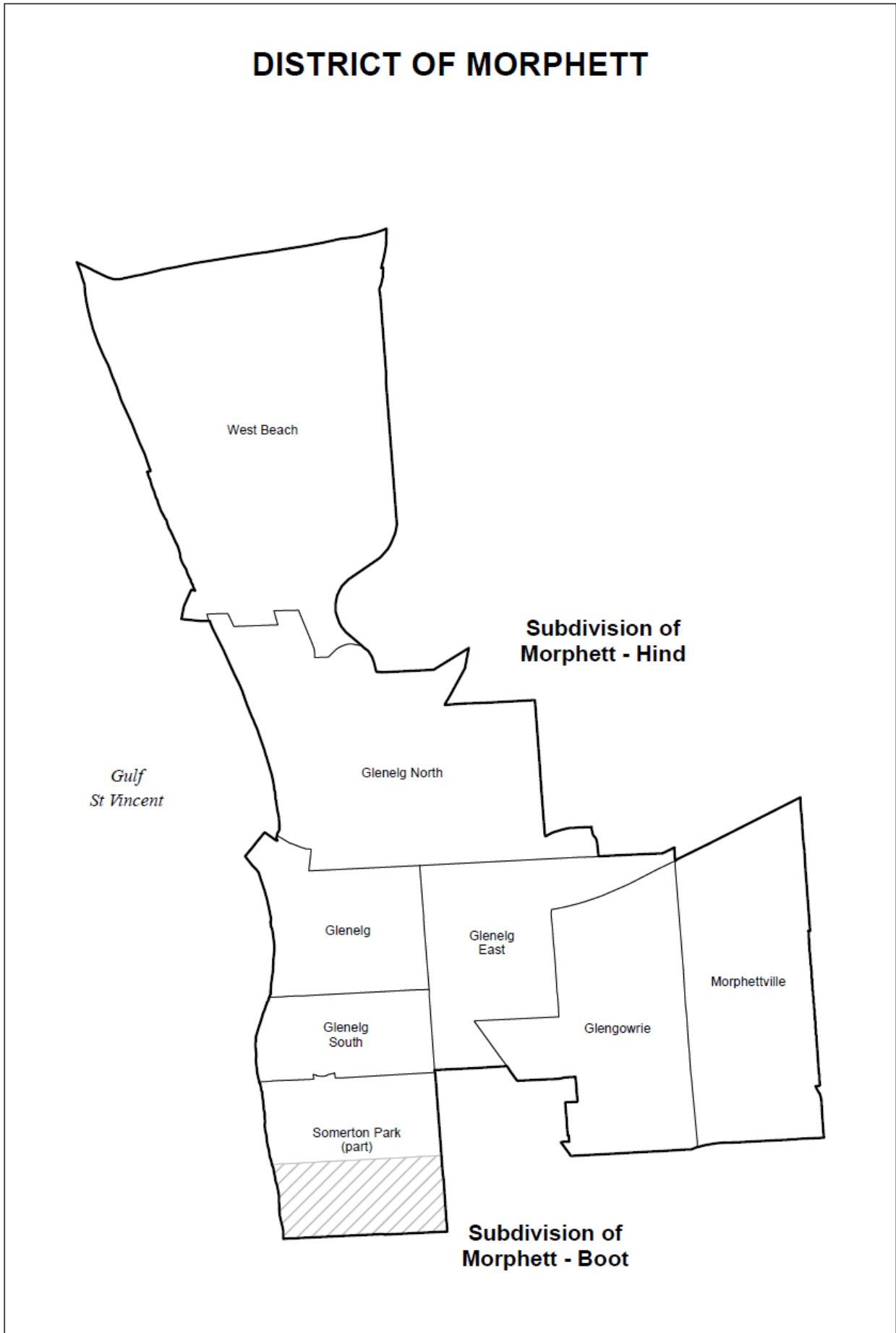
# DISTRICT OF MITCHELL



# DISTRICT OF MORIALTA



# DISTRICT OF MORPHETT



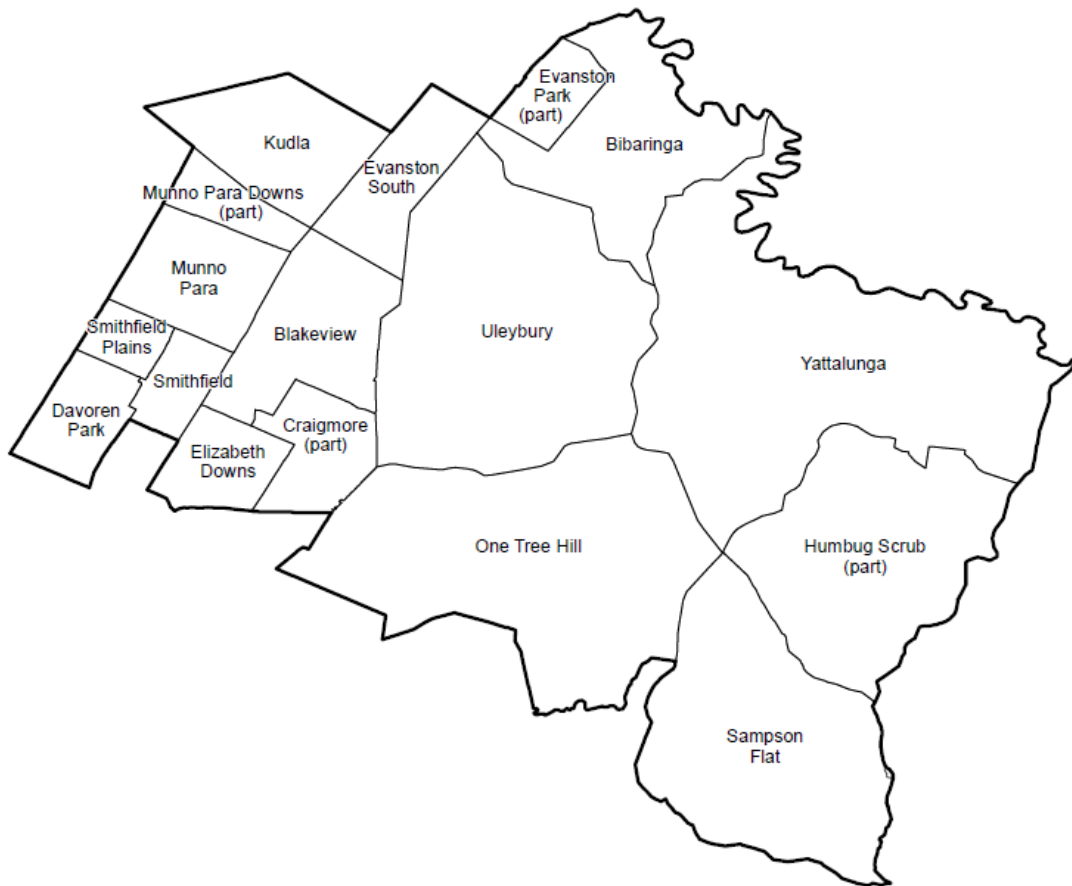
# DISTRICT OF MOUNT GAMBIER

## Subdivision of Mount Gambier - Bark

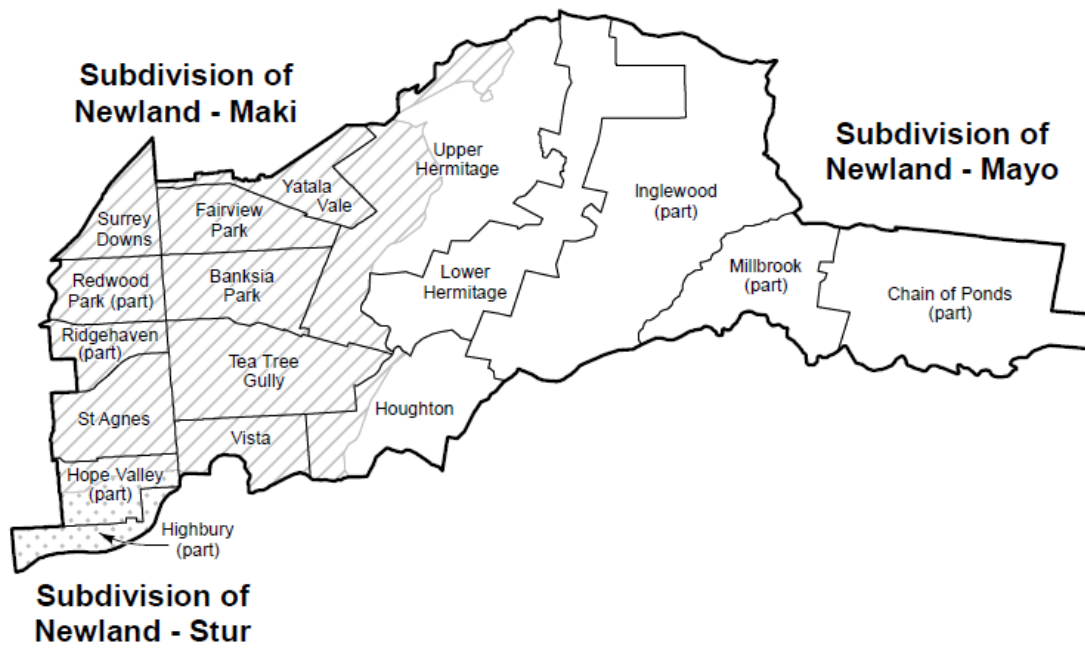


# DISTRICT OF NAPIER

## Subdivision of Napier - Wake

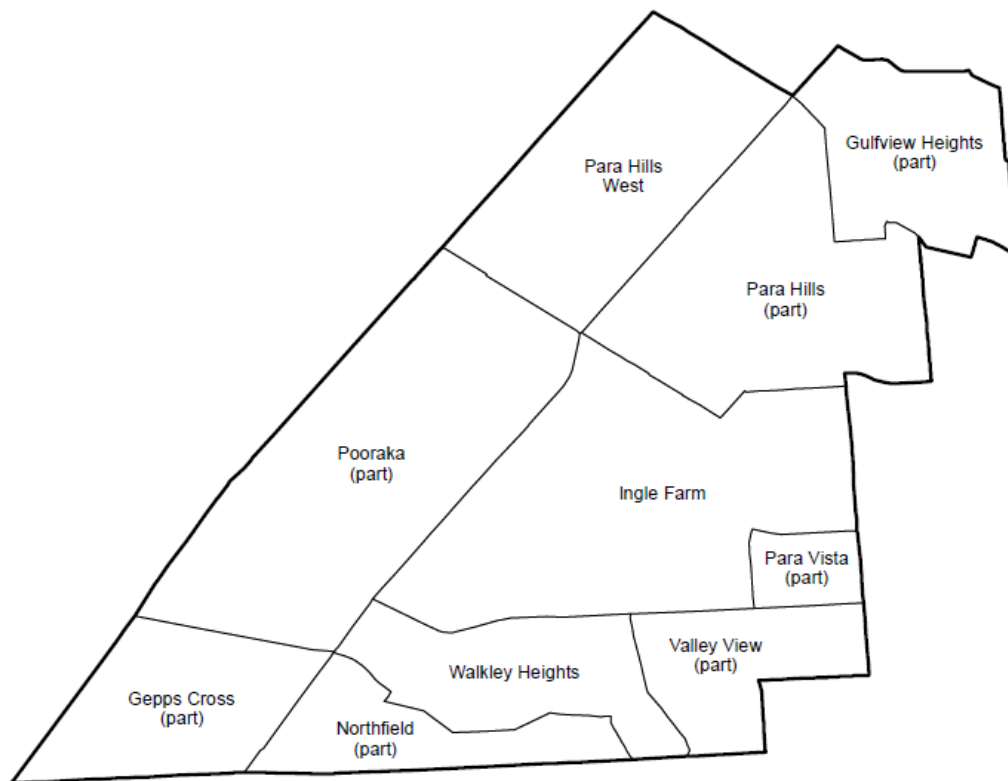


# DISTRICT OF NEWLAND

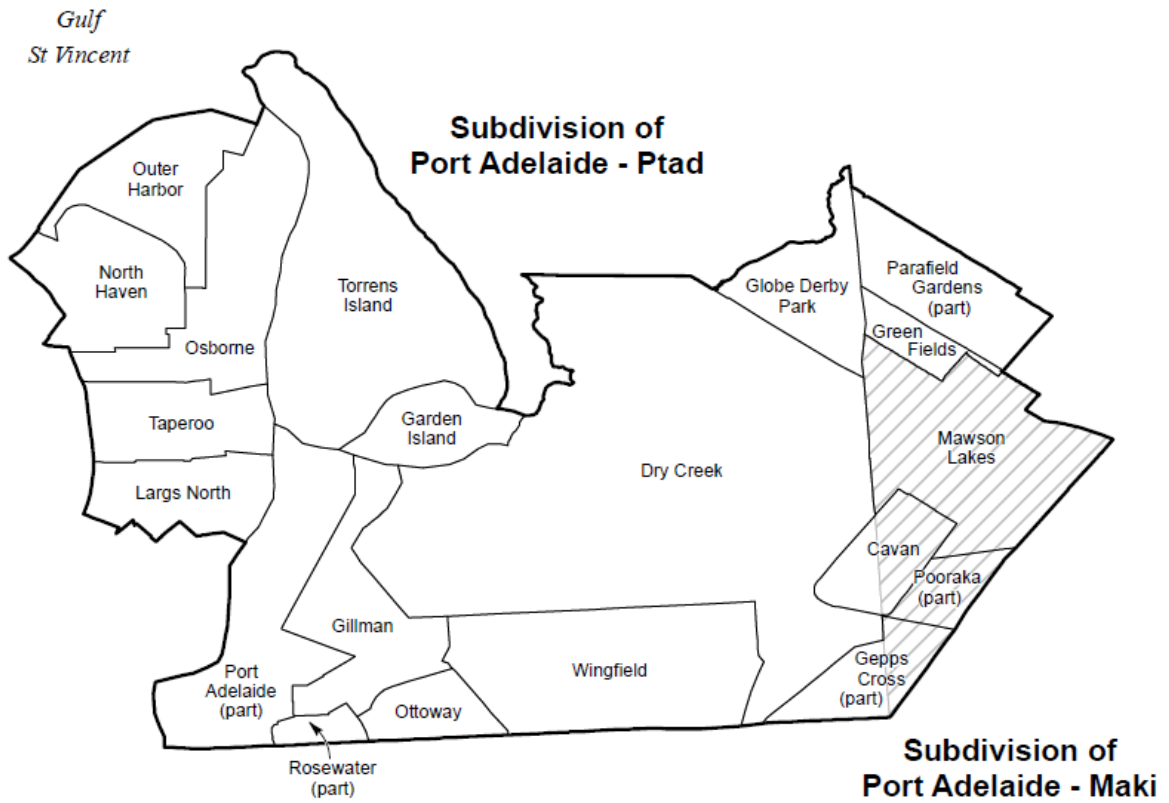


# DISTRICT OF PLAYFORD

## Subdivision of Playford - Maki

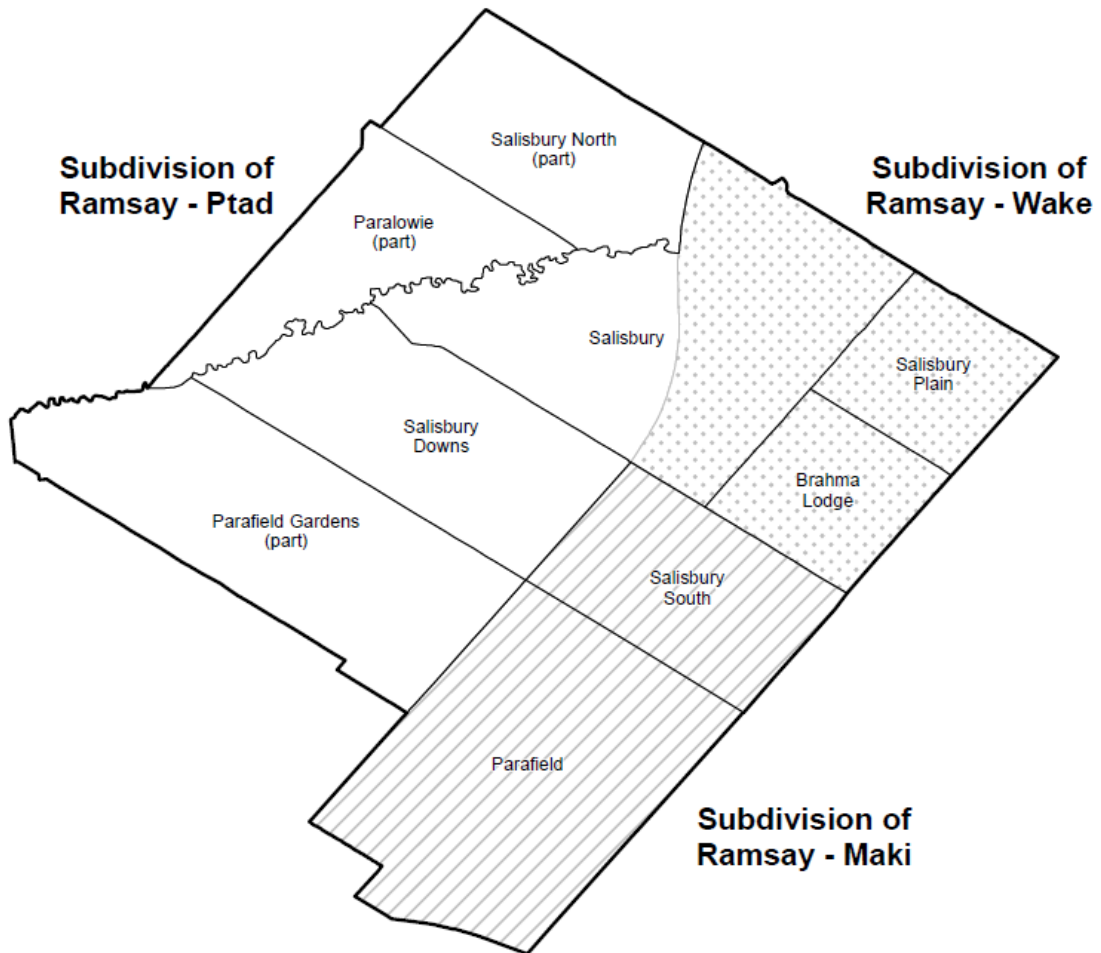


# DISTRICT OF PORT ADELAIDE



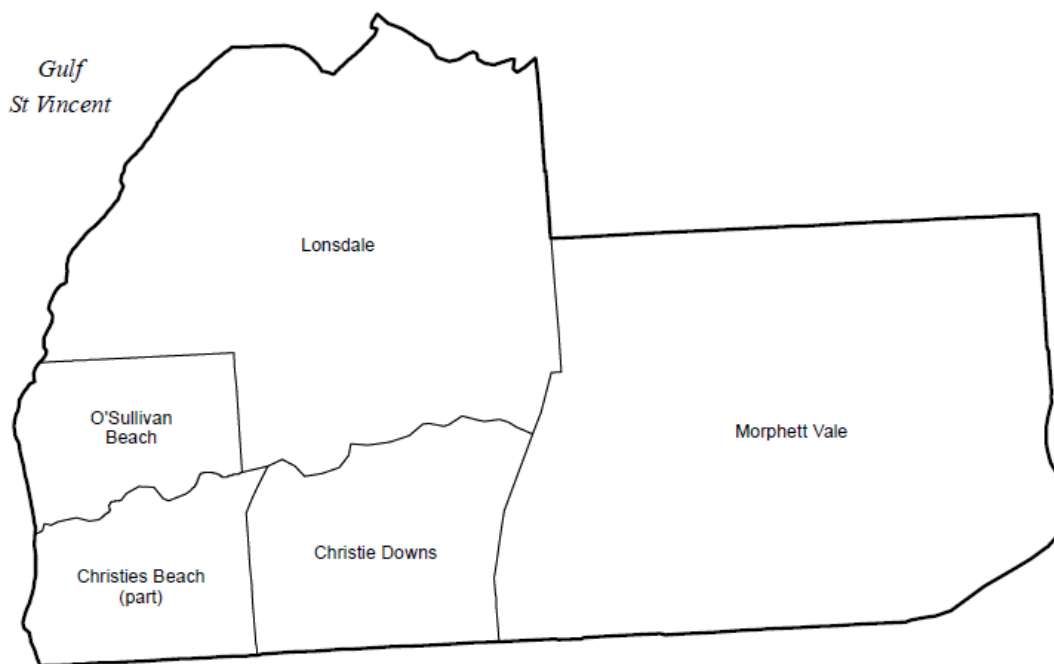


# DISTRICT OF RAMSAY

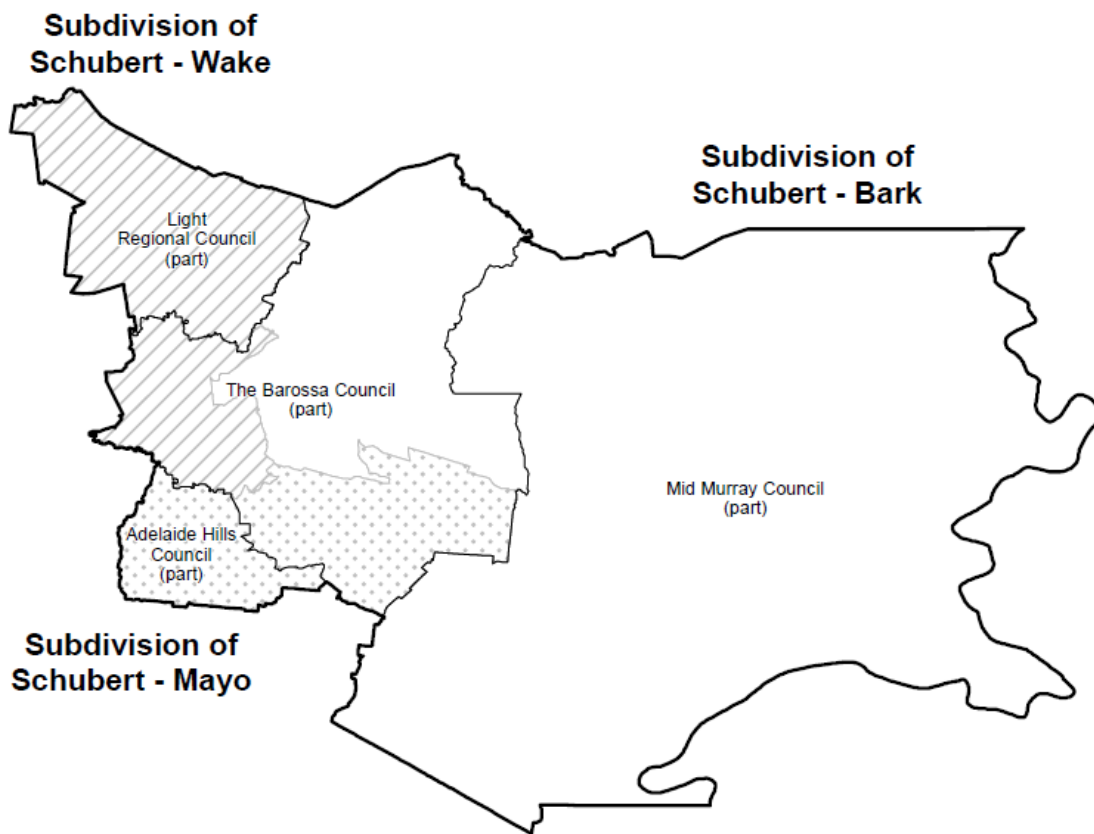


# DISTRICT OF REYNELL

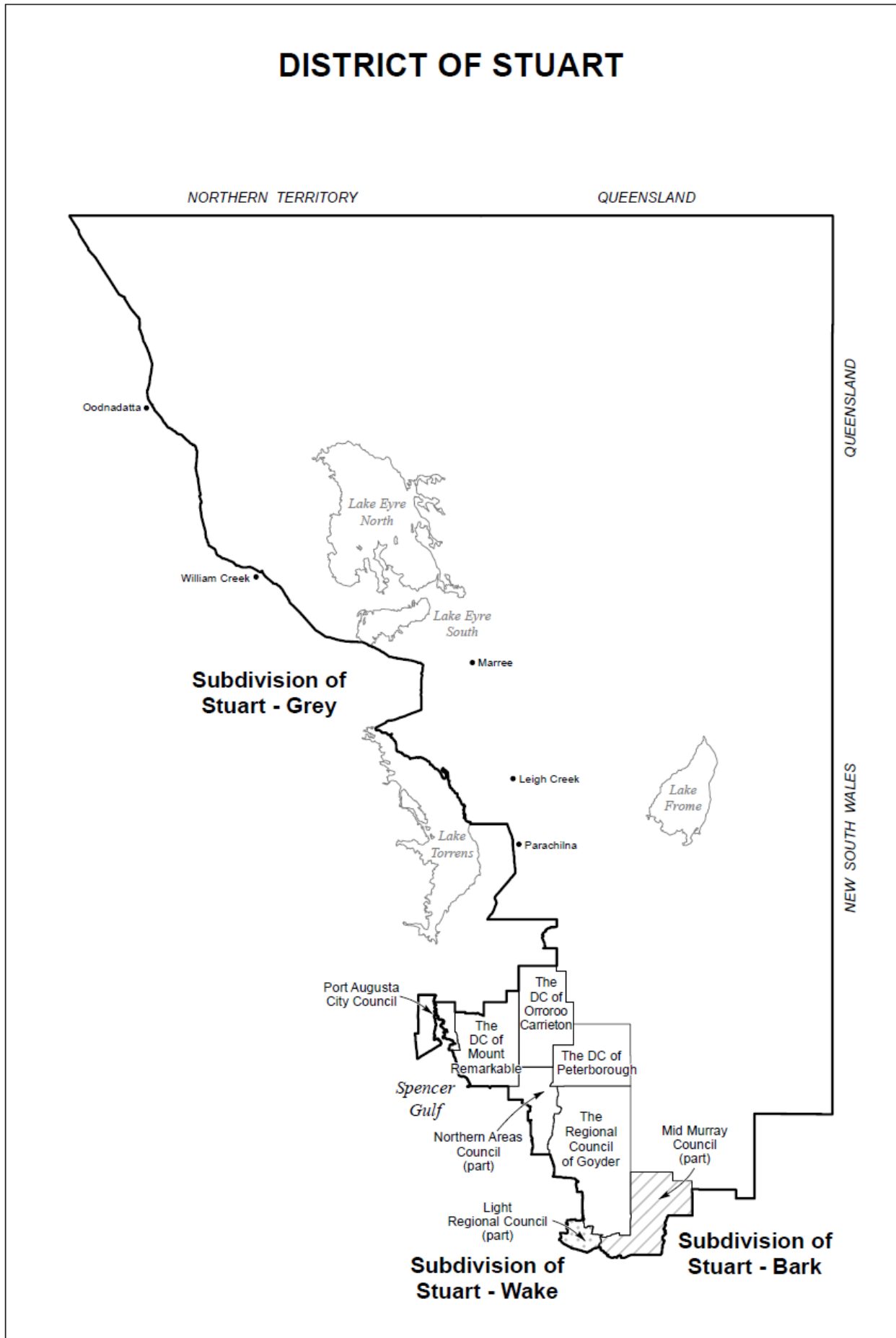
## Subdivision of Reynell - King



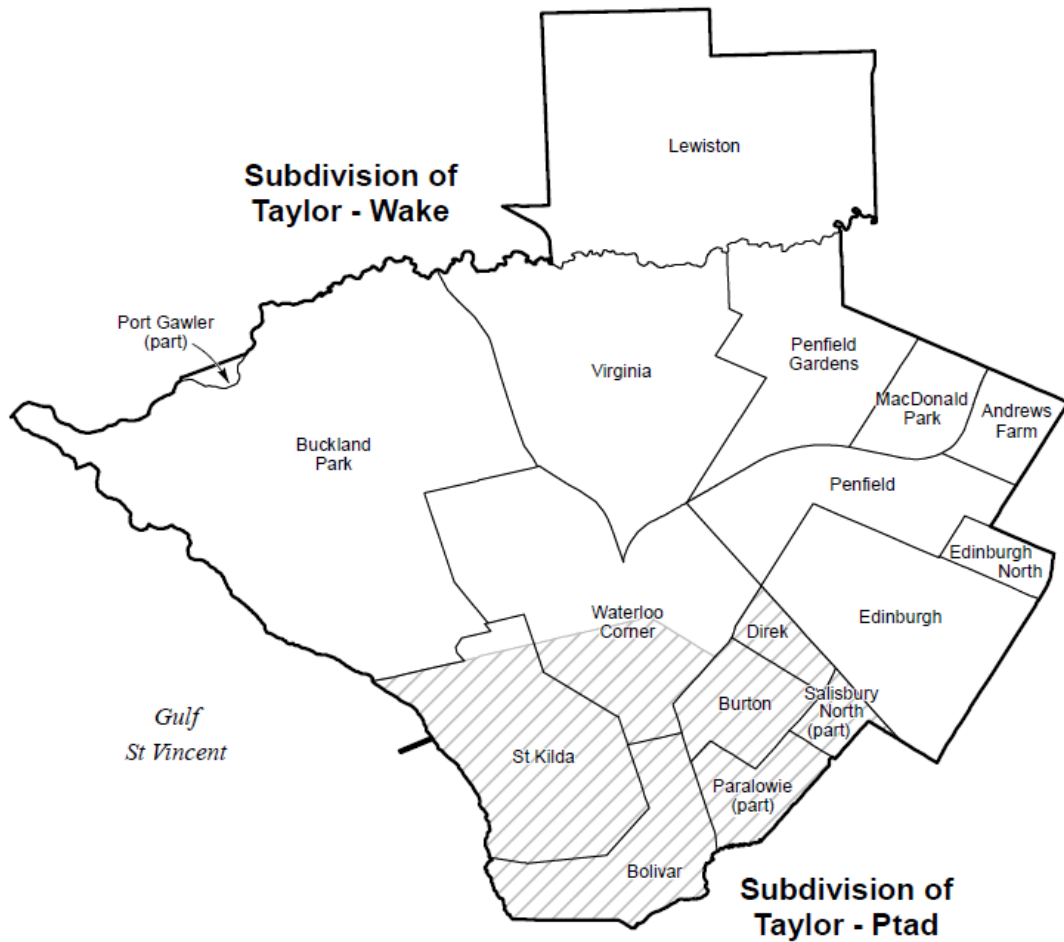
# DISTRICT OF SCHUBERT



# DISTRICT OF STUART

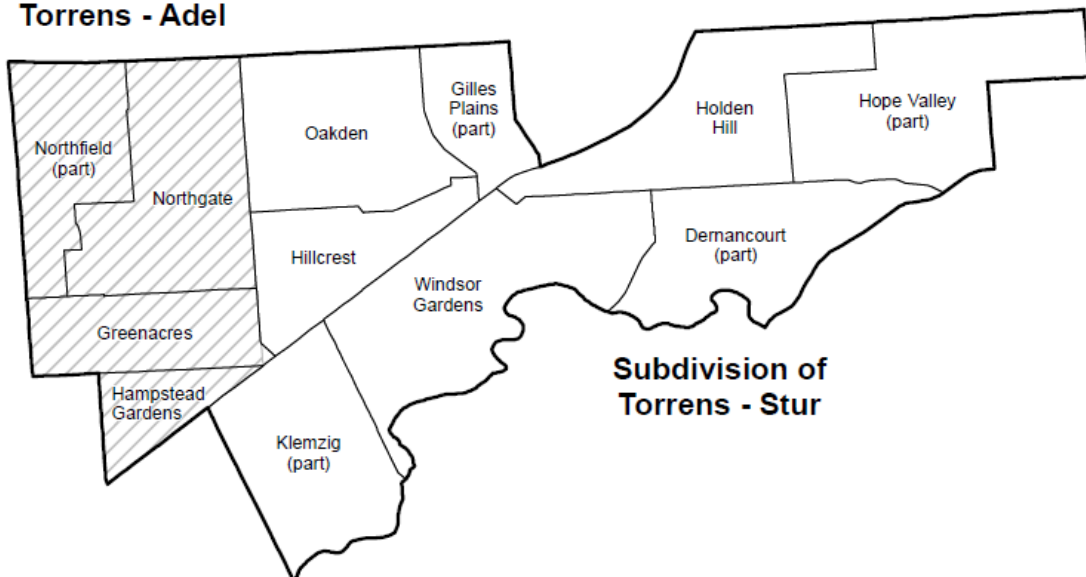


# DISTRICT OF TAYLOR



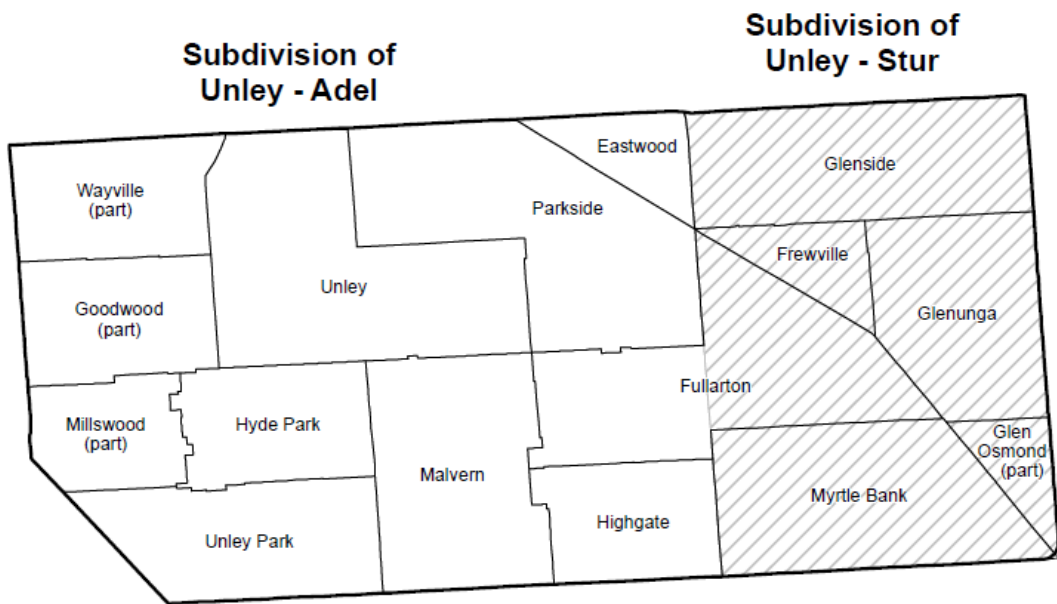
# DISTRICT OF TORRENS

## Subdivision of Torrens - Adel



## Subdivision of Torrens - Stur

# DISTRICT OF UNLEY



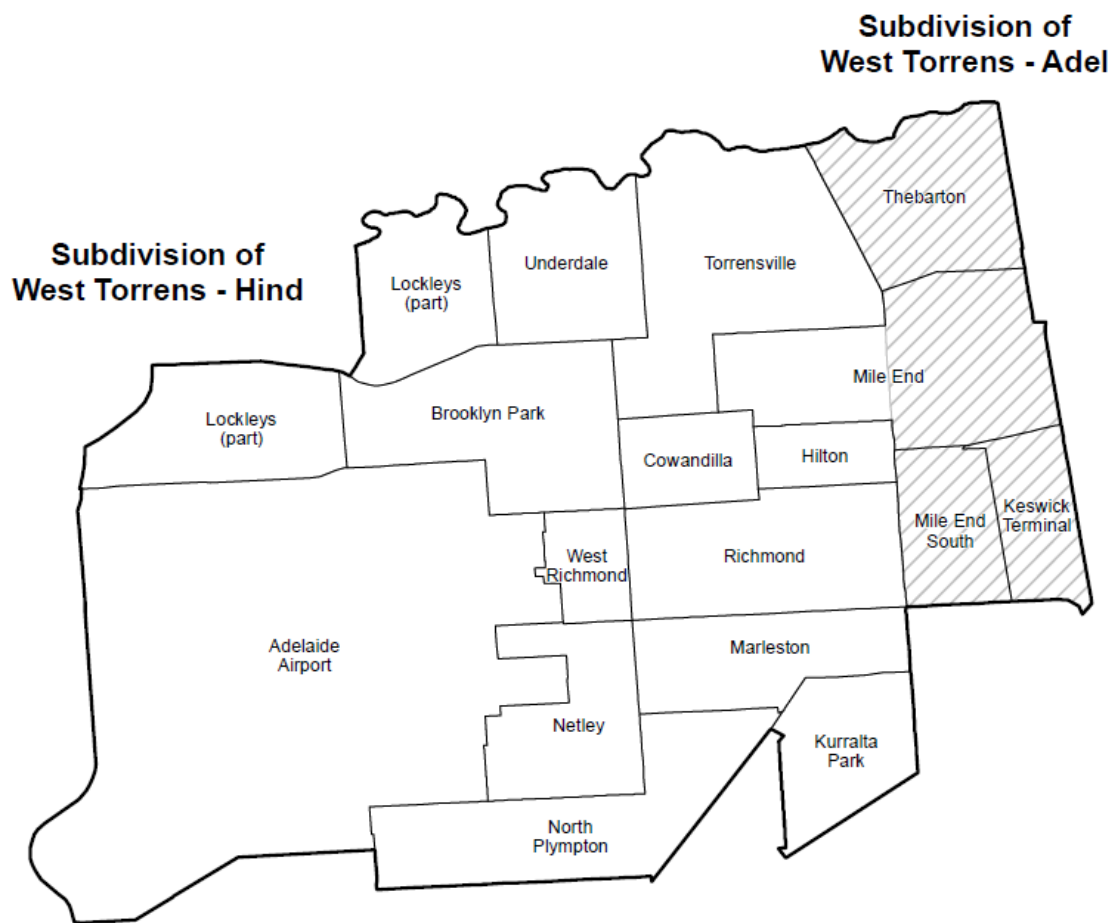
# DISTRICT OF WAITE

## Subdivision of Waite - Boot



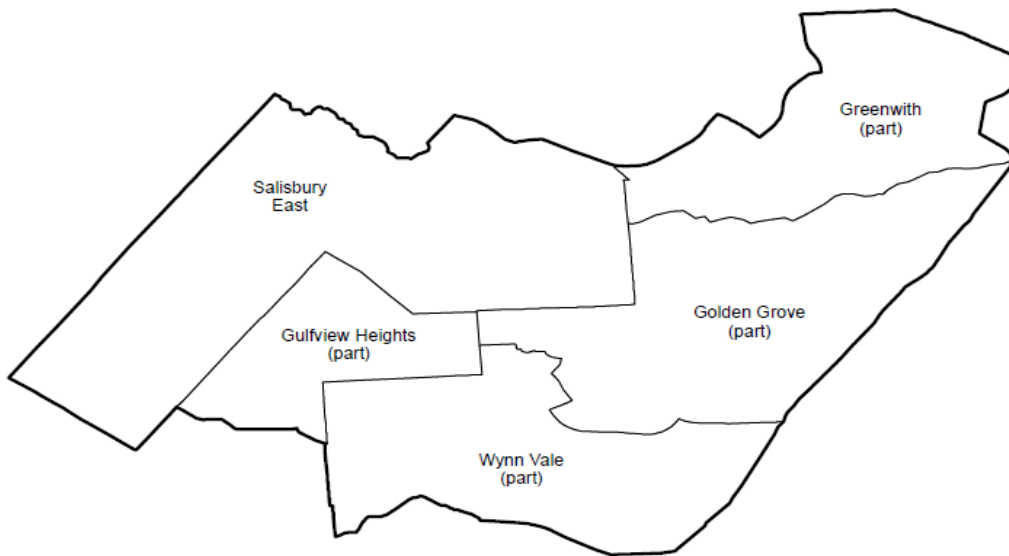


# DISTRICT OF WEST TORRENS



# DISTRICT OF WRIGHT

## Subdivision of Wright - Maki



Dated 12 December 2013.

K. M. MOUSLEY, Electoral Commissioner

ECSA 149/2013

## ELECTORAL ACT 1985: PART 3, DIVISION 2

*Remote Subdivisions*

PURSUANT to Section 15 of the Electoral Act 1985, I, Kay Marie Mousley, Electoral Commissioner, hereby revoke the declaration contained on page 6027 of the *South Australian Government Gazette* dated 10 December 2009 and declare the following subdivisions to be remote subdivisions:

Flinders-Grey  
Giles-Grey  
Goyder-Grey  
MacKillop-Barker  
Stuart-Grey

Dated 12 December 2013.

K. M. MOUSLEY, Electoral Commissioner

ECSA 149/2013

## HIGHWAYS ACT 1926

This notice varies the Section 26 (3) Notice, dated 11 September 2001, *Gazette* No. 115, for Road Number 07170, known as Morgan—Blanchetown Road (West of River) within the boundaries of the Mid Murray Council.

*Notice under Section 26 (4)*

I, ANDREW JOHN MILAZZO, delegate of the Commissioner of Highways under Section 12A of the Highways Act 1926, do hereby give notice that I will cease to undertake the care, control and management of Morgan—Blanchetown Road (West of River) except where a Section 30 proclamation applies.

Dated 5 December 2013.

A. J. MILAZZO, Delegate of the Commissioner of Highways

## HIGHWAYS ACT 1926

*Notice under Section 26 (3)*

I, ANDREW JOHN MILAZZO, delegate of the Commissioner of Highways, with the approval of the Minister for Transport and pursuant to my delegated powers under Section 12A of the Highways Act 1926, do hereby give notice that I will undertake the care control and management of that part of Road Number 07382, known as Halfway House Road, contained within the boundaries of the Mid Murray Council until further notice.

Dated 5 December 2013.

A. J. MILAZZO, Delegate of the Commissioner of Highways

## LAND ACQUISITION ACT 1969

## (SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at 96 South Road, West Hindmarsh, being the whole of Allotment 14 in Deposited Plan No. 1837 comprised in Certificate of Title Volume 5476, Folio 753.

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

*Compensation*

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

*Inquiries*

Inquiries should be directed to:

Mary Rose Ward,  
G.P.O. Box 1533,  
Adelaide, S.A. 5001  
Phone (08) 8343 2706

Dated 10 December 2013.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

A. J. BERRY, Manager, Real Estate Services  
(Authorised Officer), Department of  
Planning, Transport and Infrastructure

DPTI 2006/15378/01

## LAND ACQUISITION ACT 1969

## (SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at 102 South Road, West Hindmarsh, being the whole of Allotment 94 in Filed Plan No. 116206 comprised in Certificate of Title Volume 5542, Folio 883.

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

*Compensation*

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

*Inquiries*

Inquiries should be directed to:

Mary Rose Ward,  
G.P.O. Box 1533,  
Adelaide, S.A. 5001  
Phone (08) 8343 2706

Dated 10 December 2013.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

A. J. BERRY, Manager, Real Estate Services  
(Authorised Officer), Department of  
Planning, Transport and Infrastructure

DPTI 2006/15381/01

## LAND ACQUISITION ACT 1969

## (SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at 49 Elizabeth Street, Croydon, S.A. 5008, being a whole of Allotments 107 and 108 in Filed Plan No. 216033 comprised in Certificate of Title Volume 5643, Folio 237.

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

*Compensation*

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

*Inquiries*

Inquiries should be directed to:

Mary Rose Ward,  
G.P.O. Box 1533,  
Adelaide, S.A. 5001  
Phone (08) 8343 2706

Dated 10 December 2013.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

A. J. BERRY, Manager, Real Estate Services  
(Authorised Officer), Department of  
Planning, Transport and Infrastructure

DPTI 2006/04914/01

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## LAND ACQUISITION ACT 1969

## (SECTION 16)

*Notice of Acquisition*

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

*Definition of Land Acquired*

Comprising an unencumbered estate in fee simple in that piece of land situated at 1-3 Grange Road, West Hindmarsh, being the whole of Allotments 1 and 2 in Deposited Plan No. 1837 comprised in Certificate of Title Volume 5179, Folio 457.

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

*Compensation*

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

*Inquiries*

Inquiries should be directed to:

Mary Rose Ward,  
G.P.O. Box 1533,  
Adelaide, S.A. 5001  
Phone (08) 8343 2706

Dated 10 December 2013.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

A. J. BERRY, Manager, Real Estate Services  
(Authorised Officer), Department of  
Planning, Transport and Infrastructure

DPTI 2006/15375/01

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## HOUSING IMPROVEMENT ACT 1940

NOTICE is hereby given that the South Australian Housing Trust Board delegate in the exercise of the powers conferred by the Housing Improvement Act 1940, does hereby declare the houses described in the table hereunder to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940.

| No. of House and Street                            | Locality                                     | Allotment, Section, etc.  | Certificate of Title |       |
|--|--|---|----------------------|-------|
|  |  |   | Volume               | Folio |
| 60 Beerworth Avenue                                | Whyalla Playford                             | Allotment 1509 in Town of Whyalla,<br>Hundred of Randell          | 5285                 | 922   |
| 11 Caldecott Street                                | Risdon Park<br>(also known as<br>Port Pirie) | Allotment 47 in Filed Plan 38901,<br>Hundred of Pirie             | 5834                 | 190   |
| 9 Cant Road  | Goolwa South                                 | Allotment 362 in Deposited Plan 7757,<br>Hundred of Goolwa        | 5589                 | 23    |
| 2 Fifth Avenue                                     | Woodville Gardens                            | Allotment 1 in Primary Community Plan<br>23462, Hundred of Yatala | 5964                 | 307   |
| 28 Gawler Road                                     | Two Wells                                    | Allotment 2 in Filed Plan 110108,<br>Hundred of Port Gawler       | 5197                 | 911   |
| 20 Hawker Avenue                                   | Gilles Plains                                | Allotment 117 in Deposited Plan 8279,<br>Hundred of Yatala        | 5467                 | 98    |
| 42A (also known as Adjacent 42)<br>Kennington Road | Hope Valley                                  | Allotment 5 in Deposited Plan 6074,<br>Hundred of Yatala          | 5625                 | 47    |
| 30 Lincoln Road                                    | Paradise                                     | Allotment 18 in Deposited Plan 6627,<br>Hundred of Adelaide       | 5301                 | 196   |
| 37 Minchington Road                                | Elizabeth North                              | Allotment 732 in Deposited Plan 6448,<br>Hundred of Munno Para    | 5583                 | 88    |
| 108 Woodland Way                                   | Teringie                                     | Allotment 14 in Deposited Plan 7701,<br>Hundred of Adelaide       | 5591                 | 791   |

Dated at Adelaide, 12 December 2013.

R. HULM, Director, Corporate Services, Housing SA (Delegate SAHT)

## HOUSING IMPROVEMENT ACT 1940

WHEREAS by notice published in the *Government Gazette* on the dates mentioned in the following table the South Australian Housing Trust Board Delegate did declare the houses described in the said table to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940, the South Australian Housing Trust Board delegate in the exercise of the powers conferred by the said Part, does hereby fix as the maximum rental per week which shall be payable subject to Section 55 of the Residential Tenancies Act 1995, in respect of each house described in the following table the amount shown in the said table opposite the description of such house and this notice shall come into force on the date of this publication in the *Gazette*.

| Address of House  | Allotment, Section, etc.   | Certificate of Title |       | Date and page of<br><i>Government Gazette</i> in<br>which notice declaring<br>house to be substandard<br>published | Maximum rental<br>per week<br>payable in<br>respect of each<br>house<br>\$ |
|---|--|----------------------|-------|--|--|
|   |  | Volume               | Folio |  |  |
| 16A Edgeworth Street,<br>Prospect   | Allotment 57 in Filed Plan<br>4004, Hundred of Yatala            | 6066                 | 813   | 31.10.13, page 4111  | 150.00   |
| 85 Galway Avenue, Broadview   | Allotment 79 in Filed Plan<br>111587, Hundred of Yatala          | 5694                 | 312   | 31.10.13, page 4111  | 181.00   |
| 10 Haddy Street, Port Augusta   | Allotment 11 in Deposited Plan<br>722, Hundred of Davenport      | 6038                 | 893   | 17.10.13, page 3997  | 70.00  |
| 36 Hampton North Street (also<br>known as 36 Hampton Street<br>North), Goodwood | Allotment 34 in Filed Plan<br>9323, Hundred of Adelaide          | 5811                 | 174   | 24.5.12, page 2163   | 195.00   |
| 43 Haynes Street, Elizabeth<br>Grove  | Allotment 3 in Deposited Plan<br>35333, Hundred of<br>Munno Para | 5097                 | 538   | 17.10.13, page 3997  | 155.00   |
| 10 Howards Road, Beverley   | Allotment 32 in Deposited Plan<br>2748, Hundred of Yatala        | 5713                 | 88    | 31.10.13, page 4111  | 163.00   |
| 69 Hughes Street, Unley   | Allotment 139 in Filed Plan<br>12739, Hundred of Adelaide        | 5808                 | 251   | 17.10.13, page 3997  | 294.00   |
| 19 Riverview Drive, Paradise  | Allotment 10 in Deposited Plan<br>6405, Hundred of Adelaide      | 5631                 | 349   | 31.10.13, page 4111  | 150.00   |
| 89 Senate Road,<br>Port Pirie West  | Allotment 12 in Deposited Plan<br>1651, Hundred of Pirie         | 5702                 | 898   | 3.10.13, page 3907   | 75.00  |
| 1 Woodlands Crescent,<br>Beverley   | Allotment 8 in Filed Plan<br>122455, Hundred of Yatala           | 5314                 | 919   | 17.10.13, page 3997  | 157.00   |

Dated at Adelaide, 12 December 2013.

R. HULM, Director, Corporate Services, Housing SA (Delegate SAHT)

## HOUSING IMPROVEMENT ACT 1940

WHEREAS by notice published in the *Government Gazette* on the dates mentioned in the following table the South Australian Housing Trust Board Delegate did declare the houses described in the said table to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940, and whereas the South Australian Housing Trust Board delegate is satisfied that each of the houses described hereunder has ceased to be substandard, notice is hereby given that, in exercise of the powers conferred by the said Part, the South Australian Housing Trust does hereby revoke the said declaration in respect of each house.

| Address of House   | Allotment, Section, etc.  | Certificate of Title |       | Date and page of<br><i>Government Gazette</i> in<br>which notice declaring<br>house to be substandard<br>published |
|--|---|----------------------|-------|--|
|  |   | Volume               | Folio |  |
| 11 Antares Way, Athelstone   | Allotment 167 in Deposited Plan 9344,<br>Hundred of Adelaide    | 5330                 | 85    | 29.10.92, page 1437  |
| Unit 5, 34 Ashford Road, Keswick   | Allotment 236 in Deposited Plan 1288,<br>Hundred of Adelaide    | 5770                 | 802   | 30.8.07, page 3471   |
| Unit 1, 22 Botting Street,<br>Albert Park  | Allotment 125 in Deposited Plan 628,<br>Hundred of Yatala       | 6098                 | 739   | 4.4.13, page 943   |
| Unit 2, 22 (previously known as<br>20) Botting Street, Albert Park                                 | Allotment 125 in Deposited Plan 628,<br>Hundred of Yatala       | 6098                 | 739   | 23.10.69, page 1378  |
| 77 Drake Avenue, Flinders Park   | Allotment 75 in Filed Plan 124569,<br>Hundred of Yatala         | 5744                 | 273   | 19.7.12, page 3146   |
| 30 Gorge Road, Campbelltown  | Allotment 37 in Filed Plan 133588,<br>Hundred of Adelaide       | 5826                 | 119   | 4.11.76, page 1565   |
| 23 Gregory Street, Port Elliot   | Allotment 91 in Filed Plan 204177,<br>Hundred of Goolwa         | 5396                 | 424   | 16.2.12, page 777  |
| 15 (also known as 13-15)<br>Heath Street, Birkenhead   | Allotment 114 in Filed Plan 3636,<br>Hundred of Port Adelaide   | 6122                 | 615   | 31.5.73, page 1221   |
| 52 Jetty Road, Brighton  | Allotment 5 in Deposited Plan 2670,<br>Hundred of Noarlunga     | 5679                 | 166   | 5.9.13, page 3759  |
| Unit 1, 16 Meadow Avenue,<br>Campbelltown  | Allotment 123 in Deposited Plan 3766,<br>Hundred of Adelaide    | 5661                 | 971   | 15.9.11, page 4017   |
| Unit 2, 16 Meadow Avenue,<br>Campbelltown  | Allotment 123 in Deposited Plan 3766,<br>Hundred of Adelaide    | 5661                 | 971   | 21.1.10, page 249  |
| Section 293 Old Port Wakefield<br>Road (previously known as<br>Lot 293 Ridgeway Road),<br>Virginia | Section 293 of Hundred Plan 105800,<br>Hundred of Port Adelaide | 6044                 | 749   | 12.9.91, page 819  |

Dated at Adelaide, 12 December 2013.

R. HULM, Director, Corporate Services, Housing SA (Delegate SAHT)

## EYRE PENINSULA LOCAL GOVERNMENT ASSOCIATION

*Amended Charter of a Regional Subsidiary*

THE District Councils of Ceduna, Cleve, Elliston, Franklin Harbour, Kimba, Lower Eyre Peninsula, Streaky Bay, Tumby Bay, Wudinna and Whyalla City Council, (the Constituent Councils) have resolved to amend the Charter of the Eyre Peninsula Local Government Association Regional Subsidiary to take effect from the date of publishing in the *South Australian Government Gazette* pursuant to Clause 4.5 of the current charter.

This subsidiary is established pursuant to Section 43 of the Local Government Act 1999, for the purpose of a Regional Association of Councils under the Constitution and Rules of the Local Government Association of South Australia, to work with that Association in achieving its vision to be a strong voice and forum for the delivery of community services across Eyre Peninsula.

The amended Charter of the Eyre Peninsula Local Government Association Regional Subsidiary is set out below.

**LOCAL GOVERNMENT ACT 1999**

## EYRE PENINSULA LOCAL GOVERNMENT ASSOCIATION

*Charter***1. Introduction**1.1 *Name*

The name of the subsidiary is the Eyre Peninsula Local Government Association (referred to as 'the EPLGA' in this Charter).

1.2 *Establishment*

1.2.1 the EPLGA was established in 2002 as a regional subsidiary of the councils listed below under Section 43 and Part 2 of Schedule 2 of the Local Government Act 1999 ('the Act').

1.2.2 the Constituent Councils at the date of this amendment to the Charter are as follows:

The District Council of Ceduna;

The District Council of Cleve;

The District Council of Elliston;

The District Council of Franklin Harbour;

The District Council of Kimba;

District Council of Lower Eyre Peninsula;

The City of Port Lincoln;

The District Council of Streaky Bay;

The District Council of Tumby Bay;

The Corporation of the City of Whyalla; and

Wudinna District Council

(referred to collectively as 'the Constituent Councils' in this Charter)

1.2.3 this Charter governs the affairs of the EPLGA.

1.2.4 the EPLGA is subject to the joint direction of the Constituent Councils.

1.2.5 this Charter must be read in conjunction with Schedule 2 to the Act. The EPLGA will conduct its affairs in accordance with Schedule 2 to the Act except as modified by this Charter as permitted by Schedule 2.

**2. Definitions and Interpretation**2.1 *Definitions*

'Absolute majority' means a majority of the whole number of the members of the Board or Constituent Councils, as the case may be.

'Act' means the Local Government Act 1999, as amended from time to time.

'Board' means the board of management of the EPLGA.

'Board Member' means at any time a member of the Board and, where the context so admits, includes a Deputy Board Member.

'Budget' means a budget that conforms to Clause 25 of Schedule 2 to the Act and last adopted by the Board.

'Business Plan' means a business plan that conforms to Clause 24 of Schedule 2 to the Act and last adopted by the Board.

'Constituent Council' means any Council that is from time to time a member of the EPLGA.

'Council' means a council as constituted under the Act.

'Deputy Board Member' means at any time a person appointed and holding office as a Deputy to a Board Member.

'EPLGA' means the Eyre Peninsula Local Government Association.

'Executive Officer' means at any time a person appointed and holding office as Executive Officer of the EPLGA and includes that person's deputy or a person acting in that position.

'LGA' means the Local Government Association of South Australia.

2.2 *Interpretation*

In this Charter: the singular includes the plural and vice versa and words importing a gender include other genders; words importing natural persons include corporations; reference to a section(s) is a section of the Act and includes any section that substantially replaces that section and deals with the same matter; headings are for ease of reference only and do not affect the construction of this Charter.

### 3. Purpose of the EPLGA

- 3.1 To work collaboratively with the LGA to achieve the aims and objectives of the LGA.
- 3.2 To encourage, promote, protect and foster an efficient and effective autonomous, democratic system of local government elected by and responsible to local communities.
- 3.3 To act as a forum for discussion and consideration of matters relating to the powers, functions and duties of the Constituent Councils under the Act and other statutory provisions in relation to the region.
- 3.4 To identify available resources within the region and to co-ordinate or assist in co-ordinating the management of these resources for the betterment of the region's community.
- 3.5 To encourage, assist, seek out, determine, assess and respond to the needs and aspirations of the region's constituents.
- 3.6 To develop, encourage, promote, foster and maintain consultation and co-operation between local government authorities, State and Commonwealth Governments and their instrumentalities.
- 3.7 To develop, encourage, promote, foster and maintain the financial and economic wellbeing and advancement of the region and if desirable for such purpose to undertake, establish, acquire, conduct or dispose of any business, enterprise, undertaking or venture which in the opinion of the EPLGA is necessary, desirable or convenient.
- 3.8 To effectively liaise and work with the State and Commonwealth Governments and their instrumentalities on a regional basis for the general enhancement of the region.

### 4. Powers

The EPLGA will have the following powers (in addition to and without prejudice to any other powers herein expressed or implied or by virtue of any other legislation applicable):

- 4.1 To subscribe to, become a member of and/or co-operate with any other association or organisation whose purposes are wholly or in part similar or complementary to those of the EPLGA and on such terms as the EPLGA deems appropriate.
- 4.2 To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the purposes and the exercise of the powers of the EPLGA.
- 4.3 To raise revenue through subscriptions or levies from Constituent Councils.
- 4.4 To apply for grants from Government Agencies and to seek sponsorship from business enterprises.
- 4.5 To print or publish any newspapers, periodicals, books, leaflets or other writing that the EPLGA may think desirable for the promotion of its purposes.
- 4.6 To acquire, deal with and dispose of real and personal property and rights in relation to real and personal property.
- 4.7 To enter into any kind of contract or arrangement.
- 4.8 To invest funds in a manner consistent with Section 139 of the Act.
- 4.9 To establish committees for the following purposes:
  - 4.9.1 inquiring into and reporting on any matter within the terms of reference determined by the Board;
  - 4.9.2 exercising, forming and discharging delegated powers, functions or duties of the EPLGA; or
  - 4.9.3 investigating opportunities for resource sharing within the region and implementing strategies to take advantage of such opportunities.
- 4.10 To delegate any function or duty except for any of the powers set out in Section 44 of the Act (where such powers are applicable to a subsidiary).
- 4.11 To do anything else necessary or convenient for, or incidental to, the exercise, performance or discharge of its powers, functions or duties.

### 5. Sources of Revenue

The sources of revenue of the EPLGA may include:

- 5.1 Subscriptions to be applied equitably to Constituent Councils under such terms and conditions determined by the Board.
- 5.2 Service charges for services to Constituent Councils under such terms and conditions determined by the Board.
- 5.3 Grants from Government Agencies and the EPLGA.
- 5.4 Sponsorship from business enterprises.
- 5.5 Loan funds or overdrafts on such conditions as the EPLGA sees fit for the purposes of the EPLGA, provided that:
  - 5.5.1 a proposal for borrowing by the EPLGA must be provided to each Constituent Council.
  - 5.5.2 the proposal to borrow must be approved by an absolute majority of the Constituent Councils in writing before it can be considered by the Board.
  - 5.5.3 an order to borrow must be approved by an absolute majority of the Board.
- 5.6 Interest from the investment of funds held by the EPLGA.

### 6. The Board—Role and Membership

- 6.1 The EPLGA will be governed by a Board.
- 6.2 The Board is responsible for the administration of the affairs of the EPLGA.
- 6.3 The Board must ensure, insofar as it is practicable:
  - 6.3.1 that the EPLGA observes the purposes set out in this Charter;
  - 6.3.2 that information provided to the Constituent Councils is accurate; and
  - 6.3.3 that Constituent Councils are kept informed of the solvency of the EPLGA as well as any material developments which may affect the operating capacity and financial affairs of the EPLGA.



#### 6.4 *Membership*

- 6.4.1 Each of the Constituent Councils will be entitled to appoint one person to the Board, with that person being either an elected member or an officer of the Constituent Council.
  - 6.4.2 Each Constituent Council may appoint either an elected member or an officer as a Deputy Board Member who may attend Board meetings in the place of that Council's Board Member who is absent.
  - 6.4.3 If both the Board Member and the Deputy Board Member of a Constituent Council are unable to attend a Board meeting, the Constituent Council affected may appoint a representative with voting powers to attend that Board meeting in accordance with Clause 6.5.
  - 6.4.4 The Board may appoint observers to the Board. Such appointees will not be entitled to vote at meetings.
  - 6.4.5 Board members shall not be entitled to receive a sitting fee except with the prior approval of the Board.
  - 6.4.6 The EPLGA may pay a Board Member's travelling and other expenses that he or she properly incurs in connection with the EPLGA's affairs, provided that the Board Member has received prior written approval from the Board.
- 6.5 A certificate signed by the Chief Executive Officer of the appointing Constituent Council will be sufficient evidence of appointment to the Board.
- 6.6 The President shall preside over all meetings of the Board.
- 6.7 In the absence of the President, the Deputy President will preside over meetings of the Board.
- 6.8 In the absence of the President and Deputy President, the members present at a meeting shall appoint a member from those present for the purposes of that meeting, and that person shall preside for that meeting or until the President or Deputy President is present.

#### 7. **Term of Office—The Board**

- 7.1 Subject only to the following sub-clauses, the term of office of each Board Member will be as determined by the Constituent Council responsible for the appointment of the member.
- 7.2 The Board may by a two-thirds majority vote of the members present (excluding the member subject to this clause):
  - 7.2.1 make a recommendation to the Constituent Council responsible for the appointment of the relevant member seeking the appointing body's approval to terminate the appointment of that member.
- 7.3 The Constituent Council which appointed the member whose term of office has become vacant will be responsible to appoint a replacement member if it decides to accept the recommendation of the Board.
- 7.4 If the Constituent Council affected does not accept the recommendation of the Board in relation to the termination of the appointment of the member concerned then the matter is able to be dealt with in accordance with Clause 19.

#### 8. **Proceedings of the Board**

- 8.1 Subject only to the extent that they are modified by this Clause, the proceedings of the Board will be the same as those for committees of Council as defined in Part 2 of Chapter 6 of the Act and in accordance with the Regulations for 'Other Committees' comprised in Parts 1, 3 and 4 of the Local Government (Proceedings at Meetings) Regulations 2013.

References in Part 2 of Chapter 6 of the Act to 'the Chief Executive Officer' shall be read as if they were references to the Executive Officer of the EPLGA and references to 'the Council' or 'the Committee' shall be read as if they were references to the EPLGA.

To the extent that this Charter and the Act and its associated Regulations are silent, the Board may determine its own meeting procedures.
- 8.2 Subject only to the special provisions of this Clause, no meeting of the Board will commence until a quorum of members is present and no meeting may continue unless there is a quorum of members present. A quorum of members will comprise half the members plus one. A time limit of 30 minutes shall apply from the advertised time of the meeting in which to reach a quorum. Failure to reach a quorum within this time limit shall result in a failed meeting. If at any time during a meeting of the Board there is no quorum then no formal business may be transacted. The members may decide to continue informal discussions and any outstanding business shall be deferred to a future meeting. The meeting will be adjourned to a place and time to be determined by the person chairing the meeting.
- 8.3 For the purpose of this Clause 8 the contemporary linking together by telephone, audio-visual or other instantaneous means ('telecommunications meeting') of a number of the Board Members is deemed to constitute a meeting of the Board, provided that there is collectively a quorum.
- 8.4 Each of the Board Members taking part in the telecommunications meeting must at all times during the meeting be able to hear and be heard by each of the Board Members present.
- 8.5 At the commencement of a telecommunications meeting, each Board Member must announce his/her presence to all of the Board Members taking part in the meeting.
- 8.6 A Board Member must not leave a telecommunications meeting by disconnecting his/her audio-visual or other communication equipment, unless that Board Member has previously notified the chairperson of the meeting.
- 8.7 Subject only to any specific requirement of this Charter, all matters for decision at a meeting of the Board will be decided by a simple majority of the Members present and entitled to vote on the matter. All Members of the Board are entitled to a deliberative vote. Board Members may not vote by proxy.
- 8.8 In the event of equality of votes, the chairperson will not have a casting vote and the matter will be deemed to have lapsed and may at some later time be reconsidered.
- 8.9 Meetings of the Board will be held at such time and such place as the Board decides subject only to the requirement that there will be at least four meetings in a calendar year, with at least one meeting held in every three month period.
- 8.10 A special meeting of the Board may be held at any time and may be called at the request of the President, or in his absence the Deputy President, or at the written request of two members of the Board.
- 8.11 Notice of all meetings will be given in accordance with the provisions applicable to a committee meeting under Part 2 of Chapter 6 of the Act and the associated Regulations.
- 8.12 Meetings of the Board will be open to the public unless the Board so resolves to exclude the public pursuant to Section 90 of the Act.

- 8.13 All members must keep confidential all documents and any information provided to them in confidence for their consideration prior to a meeting of the Board.
- 8.14 The Board must ensure that accurate written minutes of its proceedings are kept and are produced for verification at the subsequent meeting of the Board.
- 9. Officers of the Board**
- 9.1 The Board shall elect, from the elected member Board Members of different Constituent Councils, at the February meeting following the Local Government periodical elections:
- 9.1.1 President, who shall be the chairperson of the Board;
- 9.1.2 Deputy President, who shall be the deputy chairperson of the Board.
- 9.2 In the event that:
- 9.2.1 the President ceases to be a Board Member for any reason whatsoever, the Deputy President will be appointed to the role of President and the Board Members may elect from their members a person to hold the office of Deputy President until the next election;
- 9.2.2 the Deputy President ceases to be a Board Member for any reason whatsoever, the Board Members may elect from their members a person to hold the office of Deputy President until the next election;
- 9.2.3 both the President and Deputy President cease to be a Board Member for any reason whatsoever, the Board Members may elect from their members persons to hold the offices of President and Deputy President until the next election.
- 10. Proprietary of Members of the Board**
- 10.1 The principles regarding conflict of interest prescribed in the Act will apply to all Board Members as if they were elected members of a Council.
- 10.2 The Board Members will not be required to comply with Division 2, Chapter 5 (Register of Interests) of the Act.
- 10.3 The Board Members will at all times act in accordance with their duties of competence and confidentiality and individual fiduciary duties including honesty and the exercise of reasonable care and diligence with respect to the Board as required by Part 4, Division 1, Chapter 5 of the Act and Clause 23 of Part 2 of Schedule 2.
- 11. Administrative Matters**
- 11.1 There will be an Executive Officer of the EPLGA appointed by the Board on such terms and conditions as may be determined by the Board.
- 11.2 The Executive Officer will be responsible to the Board:
- 11.2.1 to ensure that the policies and lawful decisions of the EPLGA are implemented in a timely manner;
- 11.2.2 for the efficient and effective management of the operations and affairs of the EPLGA;
- 11.2.3 to provide advice and reports to the Board on the exercise and performance of the EPLGA powers and functions; and
- 11.2.4 to give effect to the principles of human resource management generally applicable within the local government industry.
- 11.3 The Executive Officer has such powers, functions and duties prescribed by this Clause and as determined necessary by the Board from time to time to ensure the efficient and effective management of the operations and affairs of the EPLGA.
- 11.4 The Board may employ other officers and it may authorise the Executive Officer to employ such other officers on its behalf as are required for the efficient and effective management of the operations and affairs of the EPLGA.
- 11.5 The Board may engage professional consultants and may authorise the Executive Officer to engage professional consultants to provide services to the EPLGA to ensure the proper execution of its decisions, the efficient and effective management of the operation and affairs of the EPLGA and for giving effect to the general management objectives and principles of human resource management prescribed by this Charter.
- 12. Business Plan**
- 12.1 The EPLGA shall have a rolling Business Plan in respect of the ensuing four years.
- 12.2 The Business Plan must:
- 12.2.1 state the services to be provided by the EPLGA;
- 12.2.2 identify how the EPLGA intends to manage service delivery;
- 12.2.3 identify the performance targets which the EPLGA is to pursue;
- 12.2.4 provide a statement of financial and other resources and internal processes that will be required to achieve the performance targets and purposes of the EPLGA; and
- 12.2.5 specify the performance measures that are to be used to monitor and assess performance against targets.
- 12.3 Prior to setting the draft budget each year, the EPLGA must review the Business Plan in conjunction with the Constituent Councils.
- 13. Budget**
- 13.1 The EPLGA must prepare and adopt an annual Budget for the forthcoming financial year.
- 13.2 The Budget must:
- 13.2.1 deal with each principal activity of the EPLGA on a separate basis;
- 13.2.2 be consistent with its Business Plan;
- 13.2.3 comply with standards and principles prescribed by the Local Government (Financial Management) Regulations 2011, as amended from time to time;
- 13.2.4 identify the amount of surplus (deficit) brought forward from the previous year;
- 13.2.5 identify the amount of subscriptions to be made by each Constituent Council;

- 13.2.6 be submitted in draft form to each Constituent Council before 30 April for information of its proposed contribution for the ensuing year; and
- 13.2.7 be adopted by the EPLGA after 31 May but before 30 June.
- 13.3 The adoption of the Budget at a meeting requires approval by a two-thirds majority of the Board Members present at that meeting.
- 13.4 The EPLGA must provide a copy of its Budget to each Constituent Council within five business days after adoption.
- 13.5 The EPLGA must reconsider its Budget in accordance with the Local Government (Financial Management) Regulations 2011, as amended from time to time.
- 13.6 The EPLGA must submit to each Constituent Council, for approval by that Constituent Council, any proposed amendment to the Budget that provides for an additional financial contribution by the Constituent Councils.
- 13.7 In the event that a Constituent Council does not approve a proposed amendment to the Budget, any such Constituent Council will be bound by the amended budget if the amendments are approved by a two thirds majority of the Constituent Councils.
- 14. Accounting**
- 14.1 The EPLGA must ensure that its accounting records, accounts and financial statements are prepared and maintained in accordance with Section 124 of the Act, the Local Government (Financial Management) Regulations 2011 and all relevant Australian Accounting Standards.
- 14.2 Subject to Clause 14.1, the EPLGA will not have any special accounting, internal auditing or financial systems or practices.
- 15. Financial Management**
- 15.1 The Executive Officer shall cause adequate and proper books of account to be kept in relation to all affairs of the EPLGA.
- 15.2 The EPLGA's books of account must be available for inspection by any Board Member or authorised representative of a Constituent Council at any reasonable time on request.
- 15.3 The EPLGA must establish and maintain a bank account with such banking facilities at a bank to be determined by the Board.
- 15.4 The EPLGA may distribute to the Constituent Councils any surplus revenue as determined by the Board, having regard to estimated future expenditure that the Business Plan or Budget envisages in any financial year.
- 15.5 The EPLGA shall give due regard to Chapter 9, Part 4 of the Act when investing funds.
- 15.6 The financial year for the EPLGA is from 1st July to 30th June.
- 16. Audit**
- 16.1 The EPLGA must appoint an auditor.
- 16.2 The EPLGA must provide its audited financial statements to the Chief Executive Officer of each Constituent Council by 30th September in accordance with the Local Government (Financial Management) Regulations 2011, as amended from time to time.
- 16.3 Subject to the approval of the relevant Minister, the EPLGA will not have an Audit Committee.
- 17. Reports and Information**
- 17.1 The EPLGA must submit its annual report on its work and operations, including its audited financial statements, to each Constituent Council before 30 September.
- 17.2 The Board must, at the written request of a Constituent Council, furnish to the Council as soon as practicable, but not later than 4 weeks after the request was made, any information or records in the possession or control of the EPLGA as the Council may require, in such manner and form as the Council may require.
- 18. Common Seal**
- 18.1 The EPLGA will have a common seal which may be affixed to documents requiring execution under the common seal and must be witnessed by the signatures of two Board Members.
- 18.2 The common seal must not be affixed to a document except to give effect to a resolution of the Board. The Executive Officer will maintain a Register which records the resolutions of the Board giving authority to affix the common seal and details of the documents to which the common seal has been affixed, with particulars of the persons who witnessed the fixing of the seal and the date.
- 18.3 Subject to Clause 18.2, the Board made by instrument under seal authorise a person to execute documents on behalf of the EPLGA. The Executive Officer will maintain a Register of such resolutions and details of any documents executed in this way, together with particulars of the person executing the document.
- 19. Disputes**
- 19.1 In the event of any dispute or difference between one or more Constituent Councils and the EPLGA concerning the operations or affairs of the EPLGA, the dispute process shall be initiated by a Constituent Council serving a notice of dispute on the Executive Officer of the EPLGA, with a contemporaneous copy being served on all other Constituent Councils. The Constituent Councils:
- 19.1.1 will attempt to settle the dispute or difference by negotiating in good faith;
- 19.1.2 if good faith negotiations do not settle the dispute or difference within one month of the dispute arising, then the dispute shall be referred to an expert for determination. The expert shall be a person with the skills and expertise necessary to resolve the dispute and shall be nominated by the President of the Local Government Association of South Australia. The expert is an expert and not an arbitrator. The expert's determination shall be final and binding on the Constituent Councils. The costs of the expert will be apportioned and payable in accordance with the expert's determination;
- 19.1.3 if the dispute is unable to be resolved by the expert within six months of the dispute arising, then any Constituent Council may request the Minister to dissolve the EPLGA; and
- 19.1.4 notwithstanding the existence of a dispute or difference, the Constituent Councils will continue to meet any and all of its obligations to the EPLGA.

**20. Alteration to the Charter**

- 20.1 This Charter may be amended by two-thirds majority resolution of the Constituent Councils.
- 20.2 The Executive Officer of the EPLGA must ensure that the amended Charter is published in the *Gazette*.
- 20.3 Before the Constituent Councils vote on a proposal to alter this Charter they must take into account any recommendation of the Board.

**21. Addition of New Member Council**

- 21.1 The Board may consider the addition of a new member Council to the EPLGA.
- 21.2 The Constituent Councils must resolve by a two-thirds majority to approve the addition of a new member Council to the EPLGA and must obtain Ministerial approval.
- 21.3 The Charter will be amended in accordance with the provisions of this Charter to address any new addition.

**22. Withdrawal of a Constituent Council**

- 22.1 Subject to the approval of the Minister, a Constituent Council may withdraw from the EPLGA by giving not less than six months' notice of its intention to do so to all other Constituent Councils and the Executive Officer.
- 22.2 In any event a withdrawal cannot become effective until 30 June following the expiry of the six months in the preceding sub-clause. Until withdrawal becomes effective, the Constituent Council proposing withdrawal from the EPLGA will remain liable for all financial contributions in the remaining period and through its Board Member, the responsibility of ensuring the continued proper conduct of the affairs of the EPLGA
- 22.3 A withdrawing Constituent Council is not entitled to any refund of any financial contributions made to the EPLGA.

**23. Circumstances Not Provided For**

- 23.1 If any circumstances arise to which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, the EPLGA will have the power to determine what action may be taken to ensure the effective administration and purposes of the EPLGA provided that such action will be determined at a meeting of the Board.

**24. Winding Up**

- 24.1 In addition to the provisions of Clause 33 of Schedule 2 of the Act, the EPLGA may be wound up by the Constituent Councils.
- 24.2 In the event of dissolution and after payment of all expenses, any surplus assets shall be returned to the Constituent Councils in proportion to the financial contributions paid in the financial year prior to the passing of the resolution to dissolve.
- 24.3 In the event of dissolution where there are insufficient funds to pay all expenses due by the EPLGA a levy shall be struck to cover the deficiency, such levy being in proportion to the financial contributions payable in the financial year prior to dissolution.

**25. Insolvency**

- 25.1 In the event of the insolvency of the EPLGA each Constituent Council shall be responsible for the liabilities of the EPLGA in proportion to the financial contributions payable in the financial year prior to its insolvency.

T. IRVINE, Executive Officer, Eyre Peninsula Local Government Association

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South Australia

## **Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2013**

under the *Motor Vehicles Act 1959*

### **1—Short title**

This notice may be cited as the *Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2013*.

### **2—Commencement**

This notice will come into operation on the date of publication in this Gazette.

### **3—Approved motor bikes and motor trikes**

For the purposes of Schedules 2 and 3 of the *Motor Vehicles Regulations 2010* and the transitional provisions of the *Motor Vehicles Variation Regulations 2005* (No 233 of 2005), the motor bikes and motor trikes specified in Schedule 1 are approved.

## Schedule 1—Approved motor bikes and motor trikes

### 1—Motor bikes and motor trikes with an engine capacity not exceeding 260 ml

All motor bikes and motor trikes with an engine capacity not exceeding 260 milliliters and a power to weight ratio not exceeding 150 kilowatts per tonne other than the following:

Suzuki RGV250

Kawasaki KR250 (KR-1 and KR1s models)

Honda NSR250

Yamaha TZR250

Aprilia RS250

### 2—Motor bikes and motor trikes with an engine capacity not less than 261 ml and not exceeding 660 ml

The motor bikes and motor trikes listed in the table below.

| Make          | Model                                 | Variant Name | Year    | Capacity |
|---------------|---------------------------------------|--------------|---------|----------|
| AJS           | Model 18                              | Model 18     | Pre1963 | 497      |
|               | Model 20 (formerly known as Model 30) | Model 20     | 1955-61 | 498      |
| ALDY          | All models                            | All models   | Sep 13  | Under125 |
| Aprila        | Moto 6.5                              | Moto 6.5     | 1998-99 | 649      |
|               | Motjito                               | Mojito       |         | 50       |
|               | M35                                   | SR Max 300   | 2012    | 278      |
|               | Pegaso 650                            | Dual Sports  | 1994-01 | 652      |
|               | Pegaso 650                            | Outback      | 2000-01 | 652      |
|               | Pegaso 650                            | Factory 650  | 2007-08 | 660      |
|               | Pegaso 650 I.E                        | Outback      | 2001-02 | 652      |
|               | Pegaso 650 I.E                        | Dual Sports  | 2001-06 | 652      |
|               | RXV4.5                                | RXV4.5       | 2006-08 | 449      |
|               | RXV450                                | VPV          | 2010    | 449      |
|               | RXV5.5                                | RXV5.5       | 2006-08 | 549      |
|               | RXV550                                | VPZ          | 2010    | 553      |
|               | RS125/SBK                             | RS125/SBK    | 2013    | 125      |
|               | SR50R                                 | SR50R        |         | 50       |
|               | SR MT 50                              | SR MT 50     |         | 49       |
|               | SR MT 125                             | SR MT 125    |         | 124      |
|               | SCRABEO 200                           | SCRABEO 200  |         | 181      |
|               | Scarabeo 300                          | VRG          | 2009    | 278      |
|               | Scarabeo 400                          | Scarabeo 400 | 2007    | 399      |
|               | Scarabeo 500                          | Scarabeo 500 | 2007-08 | 460      |
| Sportcity 300 | Sportcity 300                         | 2010-2012    | 278     |          |
| Strada 650    | Road                                  | 2006-08      | 659     |          |
| Strada 650    | Trail                                 | 2006-08      | 659     |          |
| SXV4.5        | SXV450                                | 2006-08      | 449     |          |
| SXV5.5        | SXV550                                | 2006-08      | 553     |          |

|          |   |                      |           |     |
|----------|---|----------------------|-----------|-----|
| Asiawing | LD450   | ODES MCF 450         | 2011-13   | 449 |
|          | SXV5.5  | SXV5.5               | 2006-08   | 553 |
| ATK      | 605   | 605                  | 1995      | 598 |
| Benelli  | Velvet Dusk   | Velvet 400           | 2003-05   | 383 |
| Beta     | RRE3  | RR350                | 2011      | 349 |
|          | RRE3  | RR400                | 2010-11   | 398 |
|          | RRE3  | RR450                | 2010-11   | 449 |
|          | RR450   | RR450                | 2008      | 448 |
|          | RR450   | RR450                | 2000-07   | 448 |
|          | RRE3  | RR520                | 2010-11   | 498 |
|          | RR525   | RR525                | 2008      | 510 |
|          | RR525   | RR525                | 2000-07   | 510 |
|          | FUPA RR E3  | RR 2T 300            | 2012      | 293 |
| BMW      | C650  | C600 Sport           | 2011-2013 | 647 |
|          | C650  | C650 GT/GS           | 2011-2013 | 647 |
|          | F650  | Funduro              | 1995-00   | 652 |
|          | F650CS  | Scarvar              | 2002-05   | 652 |
|          | F650CS  | SE Road              | 2004-06   | 652 |
|          | F650GS (does not include<br>models manufactured<br>after Nov 2007 with<br>800mL engine) | Dakar                | 2000-08   | 652 |
|          | F650GS  |                      |           |     |
|          | F650ST  | F650GS               | 2000-08   | 652 |
|          | F650  | F650ST               | 1998      | 652 |
|          | F650  | G650 GS              | 2009-13   | 652 |
|          | G 450 X   | G650 GS Serato       | 2012-2013 | 652 |
|          | G650GS  | G 450 X              | 2008-10   | 450 |
|          | R50   | Serato               |           |     |
|          | R60   | R50                  | 1969      | 499 |
|          | R65   | R60/5, R60/6         | 1967      | 590 |
|          | R65LS   | R65                  | 1981-88   | 650 |
|          | R69   | R65LS                | 1982-86   | 650 |
|          | F650GD  | R69                  | 1961      | 600 |
|          | LM25W   | F650                 | 2000      | 652 |
| BOLWELL  | All models  | FIRENZE              | 2009      | 263 |
| BOLLINI  |   | All models under 250 |           | 250 |
| BSA      | A50   | A50                  | 1964-70   | 500 |
|          | A65   | A65                  | 1966-69   | 650 |
|          | A7  | A7                   | 1961      | 500 |
|          | B40   | B40                  | 1969      | 350 |
|          | B44   | B44                  | 1967-71   | 440 |
|          | B50   | B50                  | 1971      | 495 |
|          | B50SS Goldstar  | B50SS Goldstar       | 1971      | 498 |
|          | G650 GS   | G650 GS              | 2010      | 652 |
|          | G650 GS Serato  | G650 GS              | 2010      | 652 |
|          | Gold Star   | Gold Star            | 1962      | 500 |
|          | Lightning   | Lightning            | 1964      | 654 |
|          | Spitfire MKIII  | Spitfire MkIII       | 1967      | 650 |
|          | Thunderbolt   | Thunderbolt          | 1967      | 499 |

|                      |                         |                        |           |           |
|----------------------|-------------------------|------------------------|-----------|-----------|
| Buell                | Blast                   | Street Fighter         | 2002-07   | 491       |
| Bug                  | SEE KYMCO               |                        |           |           |
| Bultaco              | Alpina                  | Alpina                 | 1974      | 350       |
|                      | Frontera                | Frontera               | 1974      | 360       |
|                      | Sherpa                  | Sherpa                 | 1974      | 350       |
| CAIFORNIA<br>SCOOTER | All models under 250cc  | All models under 250cc | 2014      | 249       |
| Cagiva               | 360WR                   | 360WR                  | 1998-02   | 348       |
|                      | 410TE                   | 410TE                  | 1996      | 399       |
|                      | 610TE-E                 | 610TEE                 | 1998      | 576       |
|                      | 650 Alazzurra           | 650 Alazzurra          | 1984-88   | 650       |
|                      | 650 Elfant              | 650 Elfant             | 1985-88   | 650       |
|                      | Canyon 500              | Dual Sportse           | 1999-06   | 498       |
|                      | Canyon 600              | Dual Sports            | 1996-98   | 601       |
|                      | River 600               | River 600              | 1995-98   | 601       |
|                      | W16 600                 | W16 600                | 1995-97   | 601       |
| CF Moto              | All models              | All models till Sep 13 | 2012-13   | Under 650 |
|                      | CF650                   | CF650NK-LAM            | 2012-13   | 649       |
|                      | CF650                   | CF650TK-LAM            | 2013      | 649       |
| Cossck               | 650                     | 650                    | 1974      | 649       |
| DAELIM               | All Models              | All Models under 250   | All       | Under 250 |
| Derbi                | Boulevard 50            | Boulevard 50           |           | 50        |
|                      | GP1 250                 | GP1 250                |           | 250       |
|                      | Mulhacen                | Mulhancen              | 2008      | 659       |
|                      | Rambla                  | RA 300                 | 2010      | 278       |
| Dneper               | K650                    | K650                   | 1972      | 650       |
|                      | Dneiper                 | Dneiper                | 1974      | 650       |
|                      | K650                    | K650 Dnepr             | 1967-74   | 650       |
|                      | MT9                     | MT9                    | 1974      | 650       |
| DUCATI               | 400 MONSTER             | 400 MONSTER            | 2002      | 398       |
|                      | 400SIE                  | 400 S I E monster      |           | 398       |
|                      | 400 SS JUNIOR           | 400 SS                 | 1989-96   | 398       |
|                      | 400SS                   | 400SS                  | 1992-95   | 398       |
|                      | 500SL                   | PANTAH                 | 1984      | 499       |
|                      | 500 DESMO               | 500 DESMO SPORT        | 1978      | 497       |
|                      | 600 MONSTER             | 600 MONSTER            | 1994-01   | 583       |
|                      | 600 MONSTER             | DARK                   | 1998-01   | 583       |
|                      | 600 S                   | 600 SUPERSPORT         | 1994-97   | 583       |
|                      | 600M                    | 600M                   | 1994-01   | 583       |
|                      | 600SL                   | PANTAH                 | 1980-84   | 583       |
|                      | 600SS                   | 600SS                  | 1994-98   | 583       |
|                      | 620 MONSTER LITE        | M620 LITE              | 2003-07   | 618       |
|                      | 620 MULTISTRADA<br>LITE | MTS620 24.5KW          | 2005-07   | 618       |
|                      | 659 Monster             | Monster 659            |           | 659       |
|                      | DM 350                  | 350                    | PRE 1985  | 350       |
|                      | DM 450                  | 450                    | PRE 1985  | 448       |
|                      | DM450                   | DM450                  | 1972      | 450       |
|                      | DM500                   | DM500                  | 1981-84   | 498       |
|                      | F3                      | 350 F3                 | 1986-1989 | 349       |
|                      | F4                      | 400 F4                 | 1986      | 400       |



|         |                |                 |          |     |
|---------|----------------|-----------------|----------|-----|
|         | M4             | M620IA LITE     | 2003-04  | 620 |
|         | M5             | MONSTER 659     | 2011     | 659 |
| EAGLE   |                |                 |          |     |
| WING    | Cino 125       | Cino125         |          | 125 |
|         | Elegante 125   | Elegante 125    |          | 125 |
| Enfield | Bullet         | Classic         | 1993-08  | 499 |
|         | Bullet         | Deluxe          | 1993-08  | 499 |
|         | Bullet         | Electra Road    | 2006-08  | 499 |
|         | Bullet 350     | Deluxe          | 1988-01  | 346 |
|         | Bullet350      | Superstar       | 1988-95  | 346 |
|         | Bullet 350     | Classic         | 1993-01  | 346 |
|         | Bullet 500     | 500             | 1995     | 499 |
|         | Bullet 65      | Road            | 2003-04  | 499 |
|         | Lightning      | Road            | 2000-08  | 499 |
|         | Military       | Road            | 2002-08  | 499 |
|         | Taurus         | Diesel          | 2001     | 325 |
|         | Bullet 350 STD | Royal Enfield   | 1960-90  | 346 |
| Fantic  | TZ             | EC300           | 2011-12  | 300 |
|         | TZ             | Gas Gas EC30    | 2012     | 300 |
| Gas-Gas | EC300          | SM Supermotard  | 2002     | 299 |
|         | EC300          | Enduro          | 2001-02  | 299 |
|         | EC400          | FSE Enduro      | 2002-03  | 399 |
|         | EC450          | FSE Enduro      | 2003-05  | 449 |
|         | EC450          | FSE Supermotard | 2003-08  | 449 |
|         | EC450          | FSR Enduro      | 2006-08  | 449 |
|         | FS400          | FS40A           | 2006     | 398 |
|         | FS450          | FS45            | 2006     | 443 |
|         | FS500          | FS50            | 2006     | 503 |
|         | FSE 400        | 400             | 2002     | 398 |
|         | FSE 450        | 450             | 2003-08  | 398 |
|         | Pampera        | 320 Trail       | 1998-02  | 333 |
|         | Pampera        | 400 Trail       | 2006-08  | 399 |
|         | Pamper         | 450             | 2007-08  | 399 |
|         | SM400          | Supermotard     | 2003-08  | 399 |
|         | SM450          | Supermotard     | 2003-08  | 443 |
|         | TT300          | EC300           | 1998-08  | 295 |
| Gilera  | Fuoco 500      | Fuoco 500       | 2007-13  | 493 |
|         | Nexus 500      | Nexus 500       | 2003-08  | 460 |
| Harley  | SS350          | SS350 Sprint    | 1969-74  | 350 |
| Honda   | 600V Transalp  | 600V Transalp   | 1988     | 583 |
|         | Bros           | Bros            | 1992     | 399 |
|         | C70            | Dream           | Pre 1970 | 305 |
|         | CB125e         | CB125e          |          | 125 |
|         | CB175          | CB175 K1-K6     | 1969-74  | 175 |
|         | CB200          | CB200           |          |     |
|         | CB350          | CB350           | 1969     | 348 |
|         | CB350F         | CB350F          | 1973     | 325 |
|         | CB360          | CB360           | 1973-74  | 360 |
|         | CB400          | CB400           | 1981-03  | 395 |
|         | CB400          | CB400           | 2008     | 408 |

|            |                |           |       |
|------------|----------------|-----------|-------|
| CB400F     | CB400F         | 1975-77   | 395   |
| CB400N     | CB400N         | 1981      | 408   |
| CB400T     | CB400T         | 1977      | 399   |
| CB400 ABS  | CB400 ABS      | 2008-2013 | 399   |
| CB450      | CB450          | 1967-75   | 450   |
| CB500      | CB500          | 1977      | 498   |
| CB500F     | CB500F         | 2012      | 471   |
| CB500X     | CB500XA        | 2013      | 471   |
| CB550      | CB550          | 1974-78   | 544   |
| CB650      | CB650          | 1979-82   | 627   |
| CBR125R    | CBR125R        | 2004      | 124.7 |
| CBR250R    | CBR250R        | 1986-7996 | 249.6 |
| CBR500R    | CB500R         | 2012      | 471   |
| CBX550     | CBX550F        | 1982-85   | 572   |
| CJ360      | CJ360          | 1976      | 356   |
| CL450      | CL450          | 1965-77   | 444   |
| CRF250L    | CRF250L        | 2013      | 249   |
| CRF400R    | CRF400R        | 2013      |       |
| CRF450X    | CRF450X        | 2005-08   | 449   |
| CX500      | CX500          | 1977-82   | 495   |
| CX650      | CX650          | 1983-85   | 647   |
| Deauville  | NT650V         | 2002-06   | 647   |
| Fortza 300 | NS S300 Forza  |           | 279   |
| FJS400A    | SW-T400        | 2009      | 399   |
| FT500      | FT500          | 1984      | 498   |
| FTS600D    | Silverwing     | 2006-08   | 582   |
| GB400      | GB400          | 1992      | 399   |
| GB500      | GB507          | 1987-91   | 498   |
| GL400      | GL400          | 1985      | 396   |
| NF02       | SH300          | 2009      | 279   |
| NSS300     | NSS300         | 2013      | 279   |
| NT400      | NT400          | 1989-92   | 400   |
| NTV650     | Revere         | 1989-92   | 647   |
| NX650      | Dominator      | 1988-00   | 644   |
| PCX150     | PCX150         | 153       |       |
| Revere     | Revere         | 1990      | 647   |
| RVF400     | OBI RVF400     | 1992-96   | 399   |
| SH150i     | SH150i         | 2005      | 152.7 |
| SL350      | SL350          | 1972      | 348   |
| Steed      | Steed          | 2002      | 398   |
| Today 50   | Today          |           | 50    |
| VT400      | VT400          |           | 398   |
| VT400C     | Shadow, VT400F | 2009      | 399   |
| VT500      | VT500          | 1983-87   | 491   |
| VT600C     | VT600C         | 1993-00   | 583   |
| VT600C     | SHADOW VLX     | 1988-2008 | 583   |
| VTR250     | Interceptor    | 1997-2013 | 249   |
| XBR500     | XBR500         | 1986-89   | 499   |
| XBR500SH   | XBR500         | 1986-89   | 499   |
| XL350      | XL350          | 1984-87   | 339   |

|           |                 |             |           |     |
|-----------|-----------------|-------------|-----------|-----|
|           | XL500           | XL500       | 1980-84   | 498 |
|           | XL600           | XL600       | 1984 -89  | 589 |
|           | XL600R          | XL600R      | 1984-87   | 589 |
|           | XL600RMG        | XL600RMG    | 1986-88   | 591 |
|           | XL600VH         | Transalp    | 1987-89   | 583 |
|           | XL650V          | Transalp    | 2002-08   | 647 |
|           | XR350           | XR350       | 1983      | 339 |
|           | XR350R          | XR350R      | 1983-84   | 339 |
|           | XR350R          | XR350R      | 1985-86   | 353 |
|           | XR400           | XR400       | 1996-08   | 397 |
|           | XR400 Motard    | XR400 M     | 1996-08   | 397 |
|           | XR400R          | XR400R      | 1996-08   | 397 |
|           | XR500           | XR500       | 1979-85   | 498 |
|           | XR500R          | XR500R      | 1983-84   | 498 |
|           | XR600           | XR600       | 1985      | 591 |
|           | XR600R          | XR600R      | 1985-00   | 591 |
|           | XR650L          | XR650L      | 2001-06   | 644 |
|           | XR650R          | XR650R      | 2000-06   | 649 |
| Hunter    | DD350E-6C       | Daytona     | 2010-13   | 320 |
|           | DD350E-6C       | SPYDER      | 2010-13   | 320 |
|           | DD350E-2        | BOBBER      | 2011-13   | 320 |
| Husaberg  | FE350           | Enduro      | 2012-13   | 350 |
|           | FE400           | Enduro      | 2000      | 399 |
|           | FE450           | Enduro      | 2008-13   | 449 |
|           | FE501E          | Enduro      | 1997-12   | 501 |
|           | FE501           | Enduro      | 2012-13   | 510 |
|           | FE570           | Enduro      | 2008-10   | 565 |
|           | FE600E          | Enduro      | 1997-00   | 595 |
|           | FE650E          | Enduro      | 2004-08   | 628 |
|           | FE650E          | Enduro      | 2000-04   | 644 |
|           | FS450E          | Enduro      | 2004      | 449 |
|           | FS450           | Supermotard | 2008-10   | 449 |
|           | FS570           | Supermotard | 2009-10   | 565 |
|           | FS650C          | Supermotard | 2004-05   | 628 |
|           | FS650E          | Supermotard | 2004-08   | 628 |
|           | FS650E          | Supermotard | 2002-04   | 644 |
|           | FE (Enduro) 4E8 | FE4E8       | 2000      | 399 |
|           | FE (Enduro) 5E8 | FE5E8       | 2000      | 501 |
|           | FE (Enduro) 7E8 | FE7E8       | 2000      | 644 |
|           | FE550           | FE550       | 2004      | 550 |
|           | TE300           | TE Series   | 2010-2013 | 293 |
| Husqvarna | 300WR           | WR300       | 2008-10   | 298 |
|           | 300WR           | WR300       | 2011-2012 | 293 |
|           | 310TE           | TE310 A3    | 2009-13   | 303 |
|           | 310TE           | TE310 A2    | 2008-10   | 298 |
|           | 350TE           | TE350       | 1995      | 349 |
|           | 400SM           | Supermotard | 2002-04   | 400 |
|           | 400TE           | Enduro      | 2000-01   | 400 |
|           | 410TE           | Enduro      | 1998-00   | 400 |
|           | 410TE           | Enduro      | 1994-97   | 415 |

|            |                    |           |        |
|------------|--------------------|-----------|--------|
| 450SM      | Supermotard        | 2003-07   | 449    |
| 450SMR     | Supermotard        | 2003-08   | 449    |
| 450SMRR    | Supermotard        | 2008      | 449    |
| 450TC      | Motocross          | 2001-08   | 449    |
| 450TE      | Enduro             | 2001-07   | 449    |
| 450TE-ie   | Enduro             | 2007-08   | 449    |
| 450TXC     | Trail              | 2007-08   | 449    |
| A3         | A3 TE250/310       | 2012      | 303    |
| A6 SMR 449 | A600AB             | 2010-2012 | 450    |
| A6 TE 449  | A600AATE449        | 2010-13   | 450    |
| A6 SMR 511 | A601AB             | 2010-2012 | 478    |
| A6 TE 511  | A601AATE511        | 2010-13   | 478    |
| A6 SMR 511 | A602AB             | 2012      | 478    |
| A8         | TR650 TERRA        | 2013      | 652    |
| A8         | TR650 STRADA       | 2013      | 652    |
| 510SM      | Supermotard        | 2004-10   | 501    |
| 510TC      | Motocross          | 2004-07   | 501    |
| 510TE      | Enduro             | 2004-08   | 501    |
| 510TE      | Enduro             | 1984-85   | 505    |
| 510TE      | Enduro             | 1986-90   | 510    |
| 510TE-ie   | TE510ie            | 2008      | 510    |
| 570TE      | 570TE(RP)          | 2000      | 577    |
| 610SM      | Dual Sports        | 200-08    | 577    |
| 610TE      | TE610(RP), 610TE-e | 2000      | 577    |
| 610TE      | Dual Sports        | 2008      | 577    |
| AE430      | Enduro             | 1986-88   | 430    |
| WR260      | Enduro             | 1990-91   | 260    |
| WR300      | Enduro             | 2010      | 293    |
| WR360      | Enduro             | 1991-03   | 349    |
| WR400      | Enduro             | 1984-88   | 396    |
| WR430      | Enduro             | 1988      | 430    |
| SM 450ie   | SM 450ie           | 2008      | 449    |
| SM 510ie   | SM 510ie           | 2009      | 501    |
| SMS630     | A401AB, SM630      | 2010-on   | 600    |
| SMR449     | SMR449             | 2011      | 449.6  |
| SMR511     | SMR511             | 2012      | 447.5  |
| TE250R     | ENDURO             | 2010      | 250    |
| TE310R     | Enduro 2013        | 2013      | 302.44 |
| TE449      | Enduro 2014        | 2013      | 449.6  |
| TE511      | Enduro2013         | 2013      | 477.5  |
| TE310ie    | TE310ie            | 2008      | 298    |
| TE630      | 630TE              | 2010      | 600    |
| TR650      | TR650 Terra        | 2013      | 652    |
| TR650      | Strada ABS         |           | 652    |
| WR125      | ENDURO             |           | 124.82 |
| WR250      | Enduro             |           | 249.3  |
| WR260      | Enduro             | 1990-91   | 260    |
| WR300      | Enduro             | 2010-13   | 293    |
| WR360      | Enduro             | 1991-03   | 349    |
| WR400      | Enduro             | 1984-88   | 396    |

|          |                   |                   |           |     |
|----------|-------------------|-------------------|-----------|-----|
|          | WR430             | Enduro            | 1988      | 430 |
| Hyosung  | GT 250 EFI        | GT 250EFI         | 2013      | 249 |
|          | GT250R EFI        | GT250R EFI        | 2013      | 249 |
|          | GT650 RFI         | GT650 EFI         | 2013      | 647 |
|          | GT650R EFI        | GT650R EFI        | 2013      | 647 |
|          | GT650L            | Comet             | 2005-09   | 647 |
|          | GT650RL           | Comet             | 2005-09   | 647 |
|          | GT650SL           | Comet             | 2005-09   | 647 |
|          | GT650-40          | GT650R            | 2010-2012 | 647 |
|          | GT650S-40         | GT650S            | 2010-2013 | 647 |
|          | GT650-40          | GT650             | 2010-2012 | 647 |
|          | GT650R            | GT650R-40         | 2012-13   | 647 |
|          | GT650 Comet       | GT650-40          | 2012-13   | 647 |
|          | GT650S            | GT650SL-40        | 2012      | 647 |
|          | GT650S            | GT650SH40         | 2012      | 647 |
|          | GV250             | Aquila/EFI        |           |     |
|          | GV650C            | Aquila Classic    | 2010-13   | 647 |
|          | GV650L            | Aquila            | 2008-13   | 647 |
|          | GV650S            | Aquila sports EFI |           |     |
|          | GV650-40          | Aquila            | 2010-2012 | 647 |
| Indian   | Velo              | Velo              | 1969      | 500 |
| Jawa     | 350               | 350               | 1974      | 350 |
|          | 634 Road          | 634 Road          | 1984-85   | 343 |
|          | 638 Road          | 638 Road          | 1985-86   | 343 |
| Jonway   | MALIBU            | MALIBU 320        | 2012      | 320 |
| Kawasaki | EN400             | Vulcan            | 1986      | 400 |
|          | EN450             | 450Ltd            | 1995-87   | 454 |
|          | EN500             | Vulcan            | 1990-02   | 500 |
|          | ER-5              | ER500             | 1999-06   | 498 |
|          | ER-6NL ABS        | ER-6NL ABS        | 2014      | 649 |
|          | ER-650C           | Er-6nL            | 2009      | 649 |
|          | ER-650C           | Er-6nL ABS        | 2009-2011 | 649 |
|          | ER650F            | ER-6NL ABS        | 2011-2012 | 649 |
|          | EX300A            | 300 Special       | 2012      | 296 |
|          | EX300A            | EX300B Ninja      | 2012      | 296 |
|          | EX650F            | Ninja 650RL ABS   | 2011-12   | 649 |
|          | EX400             | GPX 400R          | 1984-94   | 399 |
|          | Ninja 650 L model | Ninja 650RL       | 2009      | 649 |
|          | Ninja 650         | Ninja 650RL ABS   | 2009-11   | 649 |
|          | Ninja 650         | Ninja 650L ABS    | 2011-12   | 649 |
|          | EX650C            | Ninja 650RL       | 2009-10   | 649 |
|          | EX650C            | Ninja 650RL ABS   | 2009-11   | 649 |
|          | GPZ550            | GPZ550            | 1981-90   | 553 |
|          | GT550             | Z550              | 1984-88   | 553 |
|          | KL600             | KLR600            | 1984-87   | 564 |
|          | KL650             | KLR650            | 1987-10   | 651 |
|          | KLE500            | Dual Sports       | 1992-08   | 498 |
|          | KLR600            | KL600             | 1984-87   | 564 |
|          | KLR650E           | KL650E            | 1987-2012 | 651 |
|          | KLR650E           | KLR 650           | 2013      | 651 |

|     |                   |                  |           |     |
|-----|-------------------|------------------|-----------|-----|
|     | KLX250S           | KLX250S          | 2013      | 249 |
|     | KLX250SF          | KLX250SF         | 2013      | 249 |
|     | KLX300R           | KLX300R          | 1996-04   | 292 |
|     | KLX400            | KLX400           | 2003      | 400 |
|     | KLX450R           | KLX450R          | 2007-13   | 449 |
|     | KLX650            | KLX650           | 1989-95   | 651 |
|     | KLX650R           | Enduro           | 1993-04   | 651 |
|     | KZ400             | KZ400            | 1974-84   | 398 |
|     | KZ440             | KZ440            | 1985      | 443 |
|     | KZ500             | KZ500            | 1979      | 497 |
|     | KZ550             | KZ550            | 1986      | 547 |
|     | LE650D            | Versys 650L ABS  | 2010-2012 | 649 |
|     | LTD440            | LTD440           | 1982      | 443 |
|     | LX400             | LX400 Eliminator | 1989      | 398 |
|     | Ninja 250R        | Ninja 250R       | 1983-2013 | 249 |
|     | Ninja 300 special | Ninja 300        | 2013-2014 | 296 |
|     | Ninja 650L        | Ninja 650L       | 2013      | 649 |
|     | S2                | S2               | 1972      | 346 |
|     | S3                | S3               | 1974      | 400 |
|     | Versys650L        | Versys650L       | 2013      | 649 |
|     | W400              | EJ400AE          | 2006-09   | 399 |
|     | W1 650            | W650             | 1965-70   | 623 |
|     | Z400B2            | KZ400B2          | 1979      | 398 |
|     | Z400D             | KZ400D           | 1975      | 398 |
|     | Z500              | Z500             | 1980      | 498 |
|     | ZR550             | Zephyr           | 1991-99   | 553 |
|     | ZZR400            | ZZR400           | 1991-92   | 399 |
| KTM | 2T-EXC            | 300 EXC          | 2012      | 293 |
|     | 125 Duke          | 125 Duke         |           | 125 |
|     | 200 Duke          | 200 Duke         |           | 193 |
|     | 390 Duke          | 390 Duke         |           | 390 |
|     | 125 EXC           | 125 EXC          |           | 125 |
|     | 200 EXC           | 200EXC           |           | 193 |
|     | 250 EXC/F         | 250EXC/F         |           | 249 |
|     | 300EXC            | Enduro           | 1984-11   | 280 |
|     | 300EXC-E          | Enduro           | 2002-08   | 293 |
|     | 300EXC            | Enduro           | 2004-07   | 293 |
|     | 300EXC            | Enduro           | 2000-2011 | 297 |
|     | 300EXC-E          | Enduro           | 2007-08   | 293 |
|     | 300GS             | Enduro           | 1990-95   | 280 |
|     | 350EXC-F          | Enduro           | 2011-no   | 347 |
|     | 350EXC Special R  | Enduro           | 2005-06   | 350 |
|     | 360EXC            | Enduro           | 1996-98   | 360 |
|     | 380EXC            | Enduro           | 2000      | 368 |
|     | 4T-EXC RACING     | 350 EXC-F        | 2012      | 350 |
|     | 4T-EXC RACING     | 450 EXC          | 2012      | 449 |
|     | 4T-EXC RACING     | 500 EXC          | 2012      | 510 |
|     | 400EXC            | Enduro           | 2008-11   | 393 |
|     | 400GS             | Enduro           | 1993-99   | 400 |
|     | 400SC             | 400SC            | 1996-98   | 400 |

|            |                   |                      |          |           |
|------------|-------------------|----------------------|----------|-----------|
|            | 400TE             | 400Te                | 2001     | 400       |
|            | 450EXC            | Enduro               | 2002-07  | 448       |
|            | 450EXC            | Enduro               | 2005-11  | 449       |
|            | 450EXC            | Enduro               | 2011-on  | 449       |
|            | 500GS             | Enduro               | 1984-91  | 553       |
|            | 500EXC            | Enduro               | 2011-on  | 510       |
|            | 510EXC            | Enduro               | 1999-02  | 510       |
|            | 520EXC            | Enduro               | 2000-02  | 510       |
|            | 525EXC            | Enduro               | 2002-05  | 510       |
|            | 525EXC-R          | Enduro               | 2005-07  | 510       |
|            | 530EXC            | Enduro               | 2008-11  | 510       |
|            | 600 Enduro        | Enduro               | 1987-93  | 553       |
|            | 600 Enduro Incas  | Enduro               | 1989-90  | 553       |
|            | 625SMC            | 625SMC               | 2004     | 609       |
|            | 660SMC            | 4T-EGS               | 2004     | 654       |
|            | 690 Rally Replica | 4T-EGS               | 2010     | 654       |
|            | Freeride          | Freeride (MY 12 on)  | 2012     | 350       |
|            | IS DUKE           | 390 DULE (C3)        | 2013     | 373       |
| Kymco      | All models        | All Models           |          | Under 300 |
|            | Bug Xciting       | 500i                 | 2008-08  | 498       |
|            | Bug Xciting       | 500Ri                | 2005-08  | 498       |
|            | Bug Xciting       | 500                  | 2005-08  | 498       |
|            | Downtown 300i     | V20000 (300i) ABS    | 2010-12  | 298       |
| Lambretta  | All model         | Lambretta            | Pre2008  | Under 660 |
| Laro       | DD35E-6C          | Pro Street           | 2011     | 320       |
|            | Cruiser250        | Cruiser 250          |          | 234       |
|            | SPT series        | SPT350               | 2011     | 320       |
|            | V Retro 250       | Retro 250            |          | 249       |
| Laverda    | 500               | 500                  | 1979     | 497       |
| Lifan      | All models        | All models           | 2009-10  | Under 300 |
|            | LF400             | LF400                | 2009     | 399       |
| Lifeng     | Regal Raptor      | Cruiser 350          | 2011     | 320       |
| Loncin     | LX 250-8          | LX250-8              |          |           |
| Magelli    | 250 R SE          | 250 R SE             |          | 250       |
|            | 250S              | 250S                 |          | 250       |
| Maico      | Enduro            | 500E                 | 1984-88  | 488       |
| Matchless  | G12               | G12, 650             | Pre1966  | 646       |
|            | G80               | Harris               | 1988-90  | 494       |
|            | G80               | G80                  | Pre 1963 | 497       |
|            | 650               | G11, G12, model 31   | 1958-66  | 646       |
|            | 500               | G80 Major            | 1949-66  | 500       |
| MCI        | All models        | All models under 250 |          | 250       |
| MBK        | Falcone           | Yamaha XT660R        | 2005-08  | 660       |
|            | Yamaha XT660X     | Yamaha XT660X        | 2005-08  | 660       |
| Montessa   | Cota 330          | Trial                | 1985-86  | 328       |
|            | Cota 335          | Trial                | 1986-88  | 327       |
|            | Cota 348T         | Trial                | 1984-87  | 305       |
|            | Cota 350          | Trial                | 1984-85  | 349       |
| Moto Guzzi | 350 GT            | 350 GT               | 1992     | 350       |
|            | Falcone           | Falcone              | 1972     | 498       |

|               |                |                      |            |           |
|---------------|----------------|----------------------|------------|-----------|
|               | V35            | V35                  | 1977-90    | 346       |
|               | V50            | V50                  | 1977-79    | 490       |
|               | V50            | Monza                | 980-85     | 490       |
|               | V65            | V65                  | 1982-94    | 643       |
|               | V65            | Lario                | 1984-89    | 643       |
| Moto Morini   | 3.5 Road       | 3.5 Road             | 1984-85    | 344       |
|               | 350 Sport      | 350 Sport            | 1974-85    | 344       |
|               | 500 Camel      | Trail                | 1984-86    | 479       |
|               | 500 SEI        | 500 SEI              | 1984-85    | 479       |
|               | 500 Strada     | 500 Strada           | 1977-85    | 479       |
|               | 500W           | 500 V-twin           | 1977       |           |
| MuZ           | Baghira        | Enduro               | 1999-02    | 660       |
|               | Mastiff        | Supermotard          | 1999-02    | 660       |
|               | Skorpion       | Replica              | 1998-02    | 660       |
|               | Skorpion       | Sport                | 1998-02    | 660       |
|               | Skorpion       | Traveller            | 1998-02    | 660       |
|               | Skorpion       | Tour                 | 1998-02    | 660       |
| MV Agusta     | 350            | 350                  | 1972-76    | 349       |
| Norton        | 650SS          | 650SS                | 1962-68    | 650       |
|               | ES2            | ES2                  | Pre 1963   | 490       |
|               | Manxman        | Manxman              | 1961       | 650       |
|               | MODEL 50       | MODEL 50             | 1933-63    | 348       |
|               | Model 88       | Dominator            | Pre 1966   | 497       |
|               | Navigator      | Navigator            | 1964       | 350       |
| Oz Trike      | Fun 500        | Fun 500              | Pre 2008   | 500       |
| Panther       | Model 100      | 600                  | Pre 1963   | 598       |
|               | Model 120      | 650                  | Pre 1966   | 645       |
| Peugeot       | Geopolis (400) | AEAA                 | 2007-08    | 399       |
|               | Satelis (400)  | AEAA                 | 2007-08    | 399       |
|               | Satelis (500)  | AFAA                 | 2007-08    | 493       |
| PGO           | All models     | All models under 220 |            | 220       |
| Piaggio       | All models     | All models           | 2010-13    | Under 350 |
|               | MP3 300        | MP3 300              | 2010-13    | 278       |
|               | MP3 400        | MP3 400              | 2013       | 399       |
|               | MP3 500        | MP 3 500             | 2011-13    | 493       |
|               | X7 Evo 300     | Evo 300              | 2009-13    | 278       |
|               | X8 400         | X8 400               | 2007-13    | 399       |
|               | X9 500         | X9 500               | 2001-13    | 460       |
|               | XEVO 400ie     | XEVO 400ie           | 2007-13    | 399       |
| Rickman       | 650            | Triumph              | 1964       | 649       |
| RIYA          | All models     | All models           | Until 2012 | Under 300 |
|               | RY300T         | RY300T               | 2012       | 288       |
| Royal Enfield | Bullet         | Bullet350            | 1988-01    | 500       |
|               | Bullet         | Bullet 500           | 1993-13    | 499       |
|               | Bullet         | Electra              | 2005-13    | 499       |
|               | Bullet         | Classic              | 2005-13    | 499       |
|               | Bullet         | UCE                  | 2009-13    | 499       |
|               | Lightning      | Lightning 500        | 2000-08    | 350       |
|               | Taurus         | Diesel 324           | 1997       | 324       |
|               | Taurus         | Diesel 325           | 2000-01    | 325       |



|           |                    |                    |              |           |
|-----------|--------------------|--------------------|--------------|-----------|
| RS Honda  | XR400M             | Motard             | 2005-08      | 397       |
| Rudge     | 650                | Rudge              | Pre 1961     | 650       |
| Whitworth |                    |                    |              |           |
| SACH      | All models         | All models         | 1980-2013    | 125       |
| Sherco    | S4                 | Enduro             | 2005-06      | Under 125 |
|           | S4                 | Enduro 250         | 2010         | 248       |
|           | S4                 | Enduro 450         | 2010         | 448       |
|           | S4                 | Enduro 510         | 2010         | 510       |
|           | S4                 | Enduro 300         | 2010         | 290       |
| Suzuki    | AN400              | Burgman            | 2006-2012    | 400       |
|           | AN650              | Burgman            | 2002-13      | 638       |
|           | Burgman 650        | Burgman 650        |              | 638       |
|           | Burgman 400ABS     | Burgman 400ABS     |              | 400       |
|           | DR350              | All                | 1991-98      | 349       |
|           | DR400              | DR400              | 1999         | 400       |
|           | DR500              | All                | 1981-84      | 498       |
|           | DR600              | DR600S, DR600R     | 1985-90      | 598       |
|           | DR650              | All                | 1990-08      | 644       |
|           | DR650SE            | DR650SE            | 1997-13      | 644       |
|           | DR-Z250            | DR-Z250            |              | 249       |
|           | DR-Z400E           | DR-Z400E           | 2000-13      | 398       |
|           | DR-Z400S           | DR-Z400S           | 2005-12      | 398       |
|           | DR-Z400SM          | DR-Z400SM          | 2005-12      | 398       |
|           | Gladius            | Gladius            |              | 645       |
|           | GN400              | GN400              | 1980-81      | 400       |
|           | GR650              | All                | 1983-88      | 651       |
|           | GS400              | GS400              | 1976-82      | 400       |
|           | GS450              | All                | 1981-89      | 450       |
|           | GS450E             | GS450E             | 1977-89      | 450       |
|           | GS500              | GS500              | 2000-12      | 487       |
|           | GS500E             | GS500E             | 1976-99      | 492       |
|           | GS500F             | GS500F             | 2003-13      | 487       |
|           | GS550              | All                | 1977-82      | 549       |
|           | GSR400             | GSR400             | 2006-08      | 398       |
|           | GSX400             | F                  | 1981-04      | 398       |
|           | GSX400             | E                  | 1981-84      | 398       |
|           | GSX650F            | GSX650F            |              | 656       |
|           | GSX650FU           | GSX650FU           | 2008-12      | 656       |
|           | GT380              | GT380              | 1973-78      | 380       |
|           | GT500              | GT500              | 1976-78      | 500       |
|           | GT550              | GT550              | 1973-78      | 550       |
|           | Intruder VL/LC 250 | Intruder VL/LC 250 | 2000-current | 249       |
|           | Inazuma 250        | Intruder VL/LC250  | 2013         | 248       |
|           | KATANA550          | KATANA550          | 1981-83      | 550       |
|           | LS650              | Savage             | 1986-89      | 652       |
|           | PE400              | PE400              | 1980-81      | 400       |
|           | RE5                | Rotary             | 1974         | 500       |
|           | SFV650U            | SFV650U            | 2009-12      | 645       |
|           | SP370              | Enduro             | 1978         | 370       |
|           | Gladius            | SVF650 Lams        | 2008/2012    | 645       |

|           |  |                      |                |           |
|-----------|--|----------------------|----------------|-----------|
|           | SV650SU  | SV650SU              | 2008-12        | 645       |
|           | TU250X   | TU250X               |                | 249       |
|           | T500   | T500                 | 1970-74        | 500       |
|           | TS400  | TS400                | 1976           | 400       |
|           | XF650  | Freewind             | 1997-01        | 644       |
| SYM       | All models   | All models under 400 | 2008-12        | 400       |
|           | Citycom 300  | LH30W                | 2008-2012      | 263       |
|           | Firenze  | LM30W                | 2009-2012      | 263       |
|           | LX   | A9                   | 2012           | 399       |
| TGB       | All models   | All models under 300 | 2013           | 300       |
|           | CU   | XMOTION              | 2012           | 264       |
|           | DJ   | DJC                  | 2012           | 264       |
| TM        | 300E   | Enduro               | 2000-08        | 294       |
|           | 3002T  | Enduro               | 2010           | 297       |
|           | 400E   | Enduro               | 2002-03        | 400       |
|           | 450E   | Enduro               | 2003-08        | 449       |
|           | 450MX  | 450MX                | 2008           | 449       |
|           | 4504T  | Enduro               | 2010           | 450       |
|           | 530E   | Enduro               | 2003-08        | 528       |
|           | 530MX  | 530MX                | 2008           | 528       |
|           | 5304T  | Enduro               | 2010           | 528       |
|           | 300 Enduro   | TM300E               | 2000           | 297       |
|           | 450  | TM450                | 2003           | 450       |
|           | 530  | TN530                | 2003           | 528       |
|           | TM300  | TM300                | 2002           | 297       |
|           | TM400  | TM400                | 2002           | 400       |
| Torino    | All models   | All models           | 2013           | Under 250 |
| Triumph   | 21   | 21                   | 1963           | 350       |
|           | Daytona 500  | Daytona 500          | 1970           | 490       |
|           | T100   | Tiger                | Pre 1970       | 498       |
|           | T120   | Bonneville           | 1959-1974      | 649       |
|           | TR5  | Trophy               | 1969           | 449       |
|           | TR6  | Trophy               | 1961-73        | 649       |
|           | TR7  | Tiger                | 1971           | 649       |
|           | Tribsa   | Tribsa               | 1960-70        | 649       |
|           | Thunderbird 650  | 6T, TR65             | 1949-66        | 649       |
|           | Note: Only includes models manufactured up to and including 1983 |                      |                |           |
| Ural      | Dneiper  | Dneiper              | 1974           | 650       |
|           | K650   | K650                 | 1967-74        | 650       |
|           | MT9  | MT9                  | 1974           | 650       |
| Velocette | Thruvton   | Thruvton             | 1965-67        | 499       |
|           | Venom  | Venom                | 1955-70        | 499       |
| Vespa     | All models   | All models           | Until 01/09/13 | 50-300    |
|           | GTS 300 Super  | GTS 300 S            | 2008-13        | 278       |
|           | GTS 300 Super  | GTS 300 S            | 2010           | 278       |
|           | GTV 300 VM   | GTV                  | 2010           | 278       |
| Vor       | 400 Enduro   | 400 Enduro           | 2000           | 399       |

|         |            |                      |           |     |
|---------|------------|----------------------|-----------|-----|
|         | 450 Enduro | 450 Enduro           | 2002      | 450 |
|         | 500 Enduro | 500 Enduro           | 2001      | 503 |
|         | 530 Enduro | 530 Enduro           | 2001      | 530 |
|         | VOR Enduro | 400SM                | 2000-01   | 399 |
|         | VOR Enduro | 500SM                | 2000-01   | 503 |
| Xingyue | XY400Y     | XY400Y               | 2008-09   | 400 |
| Yamaha  | DT400      | DT400                | 1976-77   | 400 |
|         | GS125      | GS125                | 1980s     | 124 |
|         | FZR 250    | FZR 250              |           | 249 |
|         | FZ6R       | FZ6R                 |           | 600 |
|         | FZ600      | FZ600                |           | 600 |
|         | IT426      | IT426                | 1987      | 426 |
|         | IT465      | IT465                | 1987      | 465 |
|         | IT490      | IT490                | 1983      | 490 |
|         | MT03       | MT03                 | 2011      | 660 |
|         | MX400      | MX400                | 1976      | 400 |
|         | RD350      | RD350                | To 1975   | 350 |
|         | RD350LC    | LC350                | 1980 - 86 | 350 |
|         | RD400      | RD400                | 1976      | 398 |
|         | RT2        | RT2                  | 1970      | 360 |
|         | RT350      | RT350                | 1972      | 347 |
|         | SR400      | SR400                | All       | 400 |
|         | SR400      | SR400                | 2001-2008 | 399 |
|         | SR500      | SR500                | 1978-1981 | 499 |
|         | SRX400     | SRX400               | 1985-90   | 400 |
|         | SRX600     | SRX600               | 1996      | 608 |
|         | SZR660     | SZR660               | 1997      | 659 |
|         | Tenere     | Tenere               |           | 660 |
|         | T Max      | Tmax 530             |           | 530 |
|         | TT250R     | TT250R               |           | 223 |
|         | TT350      | TT350                | 1986-01   | 346 |
|         | TT500      | TT500                | 1975      | 500 |
|         | TT600      | TT600                | 1990-1995 | 595 |
|         | TT600E     | TT600E               | 1997      | 595 |
|         | TT600R     | TT600R               | 1998-2000 | 595 |
|         | TTR230     | TT-R230              |           |     |
|         | TX650      | TX650                | 1976      | 653 |
|         | Virago     | XV250                |           | 250 |
|         | WR250R     | WR250R               |           | 250 |
|         | WR250F     | WR250F               |           | 250 |
|         | WR400F     | WR400F               | 1998-2000 | 399 |
|         | WR426F     | Belgarda import only | 2001      | 426 |
|         | WR450      | WR450                | 2002      | 450 |
|         | WR450F     | WR450F               | 2003-05   | 450 |
|         | WR450F     | WR450F               | 2006-13   | 450 |
|         | XC125      | Vity                 |           | 125 |
|         | XJ550      | XJ550                | 1981-82   | 528 |
|         | XJ6        | XJ6FL (25kw)         | 2009-13   | 600 |
|         | XJ6        | XJ6NL (25kw)         | 2009-13   | 600 |
|         | XJ6        | XJ6SL (25kw)         | 2010-12   | 600 |

|                 |                |                            |           |     |
|-----------------|----------------|----------------------------|-----------|-----|
|                 | XJ6            | XJ6NL (35kw)               | 2012      | 600 |
|                 | XJ650R         | XJ650                      | 1980-1986 | 653 |
|                 | XJR400         | XJR400                     | 1999      | 400 |
|                 | XJR400         | 4HM                        | 2003      | 399 |
|                 | XS250          | XS250                      | 1978-1982 | 249 |
|                 | XP500          | XP500                      | 2000-11   | 499 |
|                 | XP500          | XP500                      | 2012      | 530 |
|                 | XS400          | XS400                      | 1978-82   | 391 |
|                 | XS650          | XS650                      | 1972-1984 | 653 |
|                 | XT250          | XT250                      |           | 249 |
|                 | XT350          | XT350                      | 1985-99   | 346 |
|                 | XT500          | XT500                      | 1976-81   | 499 |
|                 | XT550          | XT550                      | 1982-84   | 552 |
|                 | XT600          | XT600                      | 1983-04   | 590 |
|                 | XT660Z T N R   | XT660Z                     | 2012      | 660 |
|                 | XT600Z         | Tenere                     | 1988-89   | 595 |
|                 | XT660R         | XT660R                     | 2004-12   | 659 |
|                 | XT660X         | XT660X                     | 2004-12   | 660 |
|                 | XTZ660         | XT660Z Tenere              | 1996-2012 | 659 |
|                 | XV400          | XV400 Virago               | 1983      | 399 |
|                 | XV535          | XV535 Virago               | All years | 535 |
|                 | XVS400         | XVS400 Dragster            | 2001-03   | 400 |
|                 | XVS650         | XVS650                     | 1997-2012 | 400 |
|                 | XVS650A/custom | XVS650A custom and classic | 2000-12   | 649 |
|                 | XZ400          | XZ400                      | 1982      | 399 |
|                 | XZ550          | XZ550                      | 1982-83   | 550 |
|                 | YP400          | Majesty                    | 2008-12   | 395 |
|                 | YZF-R15        | YZF-R15                    | 2013      | 150 |
| <b>Zero</b>     | DS             |                            |           |     |
|                 | S              |                            |           |     |
| <b>Zongshen</b> | ZS250GS        | ZS250GS                    |           | 250 |

**Note:**

All motorcycles built before December 1960 with an engine capacity not exceeding 660ml are approved.

All motorcycles with electric powered engines are approved.

**Schedule 2—Revocation**

The *Motor Vehicles (Approval of Motor Bikes and Motor Trikes) Notice 2013* made on 21 November 2013 (Gazette no.76, 21 November 2013 p4262) is revoked.

**Ron Shanks**

**DEPUTY REGISTRAR OF MOTOR VEHICLES**

10 December 2013

## PASSENGER TRANSPORT REGULATIONS 2009

*Determination of Fares and Charges for Regular Passenger Services within Metropolitan Adelaide 2013*

PURSUANT to Regulations 149 (1) (a) of the Passenger Transport Regulations 2009, I have determined that the fares and charges to be paid by passengers on a regular passenger service are the fares and charges set out in Schedules 1 and 2.

Schedule 1 fares and charges will be effective from 15 December 2013, Schedule 2 fares and charges will be effective from 20 January 2014.

Dated 12 December 2013.

CHLOË FOX, Minister for Transport Services

**SCHEDULE 1**

Effective from 15 Dec 2013

| Journey  | Ticket Type  | No. of Journeys           | FARES BY PERIOD<br>(and Where tickets available from)           |                                      |                       |                            |
|--|--|---------------------------|---|--------------------------------------|-----------------------|----------------------------|
|  |  |                           | Interpeak   |                                      | Peak                  |                            |
|  |  |                           | Ticket Outlets  | On-board Bus Tram & Train            | Tickets Outlets       | On-board Bus Tram & Train  |
| 1. <b>Regular Fares</b><br>• For journey/journeys of one or two consecutive sections or part thereof completed on one vehicle.<br><br>• For journey/journeys within all zones  | Multitrip***   | na                        | -   | -                                    | -                     | -                          |
|  | Singletrip+<br>Metrocard                               | 1<br>1                    | \$1.38  | \$2.20                               | \$1.78                | \$3.00                     |
|  | Multitrip***<br>Singletrip+<br>Daytrip *+<br>Metrocard | na<br>1<br>Unlimited<br>1 | -<br>-<br>-<br>\$1.80   | -<br>\$3.10<br>-<br>-                | -<br>-<br>-<br>\$3.29 | -<br>\$5.00<br>\$9.40<br>- |
| 2. <b>Concessional Fares</b><br>• For journey/journeys within all zones by holder of a valid travel concession card or tertiary student identification card.<br><br>• For journey/journeys within all zones by holder of a valid secondary student identification card and by child from age of 5 years and under 15 years.<br><br>• On trains only for bicycles and surfboards, accompanied by passenger (each item) for journey/journeys within all zones ** | Multitrip***<br>Singletrip+<br>Daytrip *+<br>Metrocard | na<br>1<br>Unlimited<br>1 | -<br>-<br>-<br>\$0.87   | -<br>\$1.30<br>-<br>-                | -<br>-<br>-<br>\$1.62 | -<br>\$2.60<br>\$4.70<br>- |
|  | Multitrip***<br>Singletrip+<br>Daytrip *+<br>Metrocard | na<br>1<br>Unlimited<br>1 | -<br>-<br>-<br>\$0.87   | -<br>\$1.30<br>-<br>-                | -<br>-<br>-<br>\$1.08 | -<br>\$2.50<br>\$4.70<br>- |
|  | Multitrip***<br>Singletrip+<br>Daytrip+<br>Metrocard   | na<br>1<br>Unlimited<br>1 | -<br>-<br>-<br>\$0.87   | -<br>\$1.30<br>-<br>-                | -<br>-<br>-<br>\$1.62 | -<br>\$2.60<br>\$4.70<br>- |
| * <b>Daytrip Tickets</b><br>A parent/guardian holding a valid Daytrip ticket on weekends, public holidays or South Australian school holidays may be accompanied free of charge by up to two children under 15 years of age.   |  |                           |   |                                      |                       |                            |
| ** <b>Bicycles Travel on Trains</b><br>Bicycles may be carried free on train services at the following times:<br>• Monday to Friday – 9.01 am to 3.00 pm and 6.00 pm until last service<br>• Saturday, Sunday and public holidays – all day when space is available.   |  |                           |   |                                      |                       |                            |
| *** <b>Multitrip tickets are no longer available for sale.</b><br><b>Existing Multitrip tickets in circulation will be honoured and can continue to be used.</b>   |  |                           |   |                                      |                       |                            |
| + <b>Singletrip and Daytrip tickets are not available for sale from Ticket Outlets.</b><br><b>These can be purchased either On-Board Bus, Tram and Train or from Adelaide Metro InfoCentre's at Currie Street and Adelaide Railway Station</b>   |  |                           |   |                                      |                       |                            |
| 3. <b>Special Vehicles</b><br>• Class 3 Special Vehicle<br>• Class 6 Special Vehicle   |  |                           | Fare  | Type of Ticket                       |                       |                            |
|  |  |                           | As determined.<br>Regular fare only (no concessions available). | Zone or Section.<br>Zone or Section. |                       |                            |

|  | Applicable concession or regular fare pro rata.  | Zone or Section. |
|--|--|------------------|
| <p>4. <u>Group Tickets.</u></p> <ul style="list-style-type: none"> <li>Group Tickets for use on trains only (available from station ticket offices, depots with customer service office and Adelaide Metro InfoCentre).</li> </ul> |  |                  |
| <p>5. <u>Mobility Pass</u></p> <ul style="list-style-type: none"> <li>Mobility Pass upon approval from the PTSD available from the Currie Street Adelaide Metro InfoCentre</li> </ul>  | \$64.80  | Monthly Pass     |
| <p>6. <u>Special Annual Ticket</u></p>   | No Charge  |                  |
| <p>7. <u>Peak and Interpeak Periods</u></p>  | <p><b>Regular, Student and Concession</b><br/>                     All times (other than Interpeak)<br/>                     Monday to Friday 9:01am to 3:00pm<br/>                     All Day Sundays<br/>                     All Day Public Holidays</p> <p><b>Seniors Card Holders</b><br/>                     Monday to Friday 7:01am to 9:00am<br/>                     Monday to Friday 3:01pm to 7:00pm<br/>                     (Concession Rates apply)<br/>                     All Other Times including Public Holidays (No Charge)</p> <p>For journey/ journeys within all zones by a holder of a valid Seniors Card</p> |                  |
| <p>8. <u>Seniors Metrocard</u></p>   | No charge – Provided through Office for the Ageing   |                  |
| <p>9. <u>Concession and Student Metrocard</u></p> <ul style="list-style-type: none"> <li>For a Metrocard purchased for use within all zones by a holder of a valid <u>Concession or Student card</u></li> </ul>                    | \$3.50 per card  |                  |
| <p>10. <u>Regular Metrocard</u></p>  | \$5.00 per card  |                  |
| <b><u>SCHEDULE 2</u></b>   |  |                  |
| Effective from 20 Jan 2014   |  |                  |
| <p>11. <u>28 Day Pass</u></p> <ul style="list-style-type: none"> <li>Unlimited Travel on all AdelaideMetro services for 28 Days</li> </ul>   | <p>Regular \$114.00<br/>                     Concession \$57.00<br/>                     Student \$38.00</p>   | 28 Day Pass      |

## PASSENGER TRANSPORT ACT 1994

## SECTION 31

*Personal Accreditation Identification Card*

PURSUANT to Section 31 (1) (b) (ii) of the Passenger Transport Act 1994, conditions may be prescribed in relation to an accreditation under Division 2 of Part 4 of the Act. Under Regulation 13 (1) (e) Passenger Transport Regulations 2009, it is a condition of accreditation for a person while driving a taxi for the purposes of a passenger transport service that they must at all times carry their Personal Accreditation Identification Card (see A below) and display the Taxi Driver Display Identification Card (see B below) issued for that purpose by the Department of Planning, Transport and Infrastructure.

Pursuant to Section 31 (1) (b) (i) of the Passenger Transport Act 1994 it is a condition of accreditation that a person while driving a taxi for the purposes of a passenger transport service, must at all times, display their Taxi Driver Display Identification Card in a position that provides passengers with a clear, unobstructed view of all information printed on the photograph side of the card. The card must be displayed in a location at the centre top of the taxi dashboard in an approved card holder which must be fixed in a secure manner so that it that will not move or be easily removed while the taxi is in service. The card must not be displayed in an inverted manner which makes it difficult for passengers to identify the driver from the photograph and/or to read the text.

A sample of the approved Personal Accreditation Identification Card (A) and the Taxi Driver Display Identification Card (B) are as shown below:

*A—Personal Accreditation Identification Card**B—Taxi Driver Display Identification Card*

The approved card holder for the display of the Taxi Driver Display Identification Card must include the following features:

- A clear plastic card holder affixed to a solid backing that can be securely attached to the dashboard of the taxi in the approved manner.
- The card must be able to be securely held in the card holder so that it cannot be easily removed or dislodged while the taxi is in service.
- The background of the card holder must include the text 'YOUR DRIVER IS' immediately above the area where the card is required to be placed. This text must be visible at all times.

- The card holder must include the text 'IDENTIFICATION PHOTO MUST BE DISPLAYED HERE' in bold red type as part of the background which will be covered when the Taxi Driver Display Identification Card is correctly in place.

A sample image of the approved Taxi Driver Display Identification Card holder is shown below:



Dated 6 December 2013.

B. FRAGOULIS, Executive Director, Public Transport Services, Department of Planning, Transport and Infrastructure

## PUBLIC SECTOR ACT 2009

*Public Sector Agency Workplaces: 27, 30, 31 December 2013*

Availability of Government Services: For details about the availability of Government Services to the public during the 2013 Christmas to New Year week:

- [www.sa.gov.au/services](http://www.sa.gov.au/services)

- Phone: 13 23 24

See also Government pages in telephone directory for contact numbers.

PURSUANT to Part 3 of Schedule 1 of the Public Sector Act 2009, the following workplaces will be closed on Friday 27, Monday 30 and Tuesday, 31 December 2013, except where otherwise indicated.

Please note that while care has been taken to refer to workplaces consequent on recent 'machinery of government' changes, a reference to a workplace is to be taken as that workplace irrespective that it may be in a different public sector agency from that specified.

**CHRISTMAS AND NEW YEAR PERIOD 2013  
Closed Workplaces**

The following workplaces will be closed on Friday 27, Monday 30 and Tuesday 31 December 2013, except where otherwise indicated.

**ATTORNEY-GENERAL'S DEPARTMENT**

Office of the Ombudsman  
Medical Panels SA  
Equal Opportunity Commission  
WorkCover Ombudsman  
Licensing Court of SA (Liquor Licensing)

**Organisational Performance**

Business and Financial Services  
Human Resources

**Legal Advisory Group**

Office of Parliamentary Counsel  
Office of the Solicitor General

**Legal Services Commission**

Noarlunga  
Mount Barker  
Port Adelaide  
Holden Hill



Whyalla  
Port Augusta

**AUDITOR-GENERAL'S DEPARTMENT**

All offices will be closed.

**COURTS ADMINISTRATION AUTHORITY**

**Courts Services**

Supreme Court  
District Court  
Sheriff's Office  
ERD Court

**DEPARTMENT FOR COMMUNITIES AND SOCIAL INCLUSION**

Office for Women

**DEPARTMENT FOR EDUCATION AND CHILD DEVELOPMENT**

Teaching and Learning

**Student, Aboriginal and Family Services**

Aboriginal Services  
Child and Student Well-being  
SA Aboriginal Sports Training Academy  
Special Education  
Engagement and Inclusion  
International Education

**Deputy Chief Executive**

Audit and Risk

**Finance and Infrastructure**

Financial Accounting and Compliance  
Budget and Finance  
Data Management and Information Systems  
Business Services  
FOI Unit  
DECD Publishing  
Distribution Centre  
Fleet Management  
Procurement Unit  
Transport Services  
Education Development Centre  
Resource Allocation

**Human Resources and Workforce Development**

Workforce Development  
Health and Safety  
Workforce Reform  
Industrial Relations  
Ethical Conduct  
Corporate HR  
HR Services—Preschools and Schools  
Strategic Recruitment  
HR Improvements and Recruitment  
HR Systems  
Data and Planning  
Performance and Development  
HR Client Services (information will be available on answering machine).

**Office for Strategy and Performance**

All services will be closed excluding the Media Unit

**Office for Children and Young People**

All services excluding Family Day Care

**Office for Education**

*Regional Offices*—Adelaide Hills, Barossa, Eastern Adelaide, Eyre and Western, Far North and Aboriginal Lands, Fleurieu and Kangaroo Island, Limestone Coast, Murray and Mallee, Northern Adelaide, Southern Adelaide, Western Adelaide, Yorke and Mid North. (Callers to Regional Offices will receive an answering machine message advising that the office is closed and asking them to contact Office for Schools if the matter requires urgent attention).

**DEPARTMENT OF FURTHER EDUCATION, EMPLOYMENT, SCIENCE AND TECHNOLOGY**

Participation and Equity  
Skills Recognition Services

Quality Tertiary Education Science and Research  
Industry Skills Development,  
Digital Economy and Technology  
Strategic Policy Resources and Finance  
Training and Skills Commission  
Corporate Services  
Corporate Communications and Marketing

**DEPARTMENT OF ENVIRONMENT, WATER AND NATURAL RESOURCES**

Office of the Chief Executive

**Botanic Gardens**

Executive Director's Office

**Strategy and Advice**

Group Executive Director's Office  
Conservation and Land Management  
Water and Climate Change  
Governance, Communications and Community Engagement  
Science, Monitoring and Knowledge

**Customer and Corporate Services**

Group Executive Director's Office  
Corporate Services  
Finance  
Asset Management  
Business Services

**State Flora Nursery**

Murray Bridge

**Pirie Street Customer Service Centre**

Mapland  
Fauna Permits

**Crown Lands**

Adelaide Office  
Berri  
Port Augusta  
Mount Gambier  
Kadina

**Partnership and Stewardship**

Group Executive Directorate Office  
Volunteers and Visitor Services  
Fire Management Branch  
Investigation and Compliance  
Major Projects  
Commercial Sites

**Regional Services**

**Adelaide and Mount Lofty Region**

Adelaide Regional Office  
Northern Lofty District Office  
Southern Lofty District Office  
Fleurieu District Office

**Kangaroo Island**

Kangaroo Island Regional Office

**Northern and Yorke**

Clare Regional Office  
Burra (Mid North District) Office  
Crystal Brook Office  
Southern Flinders Office at Mambray Creek

**SA Arid Lands**

Wilpena Office  
Port Augusta Regional Offices (Mackay Street and Railway Station)  
Innamincka Office  
Balcanoona Office  
Simpson Desert

**South East**

Mount Gambier Regional Office  
Canunda (not a public office)  
Naracoorte District Office  
Wyndgate under MDB Region  
Noonameena

|  |  |
|--|--|
| Keith  | Victor Harbor—SCDH                                 |
| Millicent (SEWCDB)   | Public elective surgery                            |
| <b>Eyre Peninsula</b>  | Kangaroo Island                                    |
| Port Lincoln Office  | Elective Surgery                                   |
| Ceduna Office  | Yorke and Lower Northern Rural Region              |
| Streaky Bay Office   | Walleroo   |
|  | Elective surgery                                   |
|  | Day Care   |
| <b>Murray Darling Basin</b>                                  | Clare  |
| Berri Office   | Elective surgery                                   |
| Burra  | Jamestown  |
| Danggali   | Elective surgery                                   |
| Wyangate   | Port Broughton                                     |
| Lameroo  | Day Care Centre                                    |
| Noonameena   | Port Pirie   |
| Alinytjara Wilurara  | Elective surgery                                   |
| Head Office  | Environmental Health Centre                        |
|  | Day Care   |
| <b>NRM Offices—All Offices</b>                               | Industrial Therapy                                 |
|  | Rosemary Cottage                                   |
| <b>DEPARTMENT FOR HEALTH AND AGEING</b>                      | Drop-In Centre                                     |
| <b>Office of the Chief Medical Officer</b>                   | Specialist Clinic                                  |
| <b>Drug and Alcohol Services SA</b>                          | Boomeroo   |
| Driver Assessment Clinic will be closed 27/12/13             | Community Activity Group                           |
|  | Orroroo  |
|  | NRCP Base Day Care                                 |
| <b>Library Services</b>                                      | Crystal Brook                                      |
| DASSA and Mental Health                                      | Day Therapy Programs                               |
| Lyell McEwin Hospital  | Riverton   |
| The Queen Elizabeth Hospital                                 | Leisure Activity Group                             |
| The Royal Adelaide Hospital/SA Pathology                     | South East Health Service                          |
| Modbury Hospital   | Naracoorte   |
| Repatriation General Hospital                                | Elective surgery                                   |
| Noarlunga Hospital   | Bordertown   |
| Women's and Children's Hospital                              | Elective surgery                                   |
|  | Millicent  |
| <b>Health and Community Services Complaints Commissioner</b> | Elective surgery                                   |
| <b>Women's and Children's Health Network</b>                 | Penola   |
| Disability Services  | Penola Medical Clinic                              |
| Southern Women's Health                                      | Nangwarry Medical Clinic                           |
| Women's Health Central                                       | Community Health                                   |
| Women's Health Statewide                                     | Penola Hospital Day Care Centre                    |
| Shopfront Youth Health and Information Service               | Mount Gambier                                      |
|  | Elective Surgery                                   |
| <b>Child and Family Health Sites</b>                         | Eyre Flinders and Far North—West Health Services   |
| Youth Services (Marion)                                      | Port Lincoln                                       |
| Torrens House  | Elective surgery                                   |
| <b>Newborn and Children's Hearing Services</b>               | Ceduna   |
| Child and Family Health Munno Para                           | Elective surgery                                   |
| Child and Family Health Modbury                              | Cleve  |
| Child and Family Health Cowandilla                           | Activity Program                                   |
| Child and Family Health Port Adelaide                        | Eyre Flinders and Far North—East Health Services   |
| Child and Family Health Barmera                              | Quorn  |
| Child and Family Health Waikerie                             | Home Assist  |
|  | Meals on Wheels                                    |
| <b>Country Health SA</b>                                     | Port Augusta                                       |
| Riverland Mallee Coorong Rural Region                        | Flinders Terrace Health Centre                     |
| Berri  | Elective surgery                                   |
| Elective surgery   | Consulting Suite                                   |
| Loxton   | Step Down Unit                                     |
| Elective surgery   | Whyalla  |
| Murray Bridge  | Elective surgery                                   |
| Elective surgery   |  |
| Renmark  | <b>Southern Adelaide Local Health Network</b>      |
| Theatre closed   | <b>Flinders Medical Centre</b>                     |
| <b>Barossa Hills Fleurieu Rural Region</b>                   | Division of Medicine                               |
| Angaston   | Allied Health                                      |
| Elective surgery   | Women's and Children's Division—Paediatric Clinics |
| Tanunda  | Surgical and Specialty Services                    |
| Elective surgery   | —Consulting, Endoscopy and Eye Clinic open for     |
| Eudunda  | emergencies only                                   |
| Day Care Centre  | —Day Ophthalmic Unit open for emergencies only     |
| Kapunda  |  |
| Elective surgery   | <b>Repatriation General Hospital</b>               |
| Kapunda Seniors Leisure Activity Centre                      | Elective Surgery                                   |
| Gawler   | Pre-Admit Clinic                                   |
| Elective surgery   | Chronic Pain Clinic—Emergencies only               |
| Strathalbyn  | Urology Clinics                                    |
| Elective surgery   | MICS (closed on 30/12/13 and 31/12/13)             |
| Mount Barker   | Ward 8   |
| Elective surgery   | IPU  |

Rehabilitation Clinics  
Day Rehabilitation Service  
REACT Services  
OPSA—Emergencies only

**SA Dental Services**

Eyre District  
All CDS/SDS clinics in Port Augusta, Whyalla, Port  
Lincoln and Pika Wiya)  
Mid North/Yorke  
Port Pirie West SDS  
Port Pirie CDS  
Clare CDS/SDS  
Kadina CDS/SDS  
Peterborough  
Maitland  
Riverland/Barossa  
Riverland CDS  
Nuriootpa CDS/SDS  
Berri SDS  
Loxton SDS  
Renmark SDS  
Waikerie SDS  
South East  
Mount Gambier  
Kangaroo Island  
All other clinics

**BreastScreen SA**

Metropolitan screening clinics  
Mobile 1  
Mobile 2  
Mobile 3  
Assessment Clinic

**Ambulatory & Primary Health Care Services**

Falls Prevention Program  
Playford Primary Health Care Services  
Gilles Plains Primary Health care Services  
Salisbury Primary Health Care Services  
Muna Paiendi, Maringga Turtpandi (Gilles Plains)  
Shopfront Youth Health and Information Service

**Royal Adelaide Hospital**

Outpatient Clinics

**The Queen Elizabeth Hospital**

Outpatient Clinics

**Lyell McEwin Hospital**

Outpatient Clinics  
Theatres reduced

**Modbury Hospital**

Outpatient Clinics  
Theatres reduced

**Hampstead Rehabilitation Centre**

Outpatient Clinics

**St Margaret's Rehabilitation Hospital**

Outpatient Clinics

**Mental Health Services**

Elective Outpatient Services in Community Mental Health Centres  
Community Day Programs—The Cottage, Club 84 and Western  
Day Program.

**DEPARTMENT FOR MANUFACTURING, INNOVATION,  
TRADE, RESOURCES AND ENERGY**

Olympic Dam Task Force

**The following Mineral and Energy Resources offices will be  
closed:**

Andamooka  
Coober Pedy  
Jamestown  
Marla

**DEPARTMENT OF THE PREMIER AND CABINET**

Office for Public Sector Renewal

**State Records SA**

Gepps Cross Research Centre  
South Australian Archives Centre, Leigh Street Adelaide

**Arts and Cultural Affairs**

Arts SA Central  
Art Lab  
Country Arts SA (all sites)  
SA Film Corporation  
State Opera of SA  
State Theatre Company

**State Development****Government Services Group**

Service SA  
Mitcham Customer Service Centre  
Naracoorte Customer Service Centre  
Port Pirie Customer Service Centre  
Prospect Customer Service Centre  
Regency Park Customer Service Centre  
Tranmere Customer Service Centre  
Whyalla Customer Service Centre

**DEPARTMENT OF PLANNING, TRANSPORT AND  
INFRASTRUCTURE**

Building Management (Facilities management services hotlines in  
operation)  
Office for Recreation and Sport

**Transport Services Division**

Vehicle Identity Inspections (Regency Park ID inspection office  
open)

**DEPARTMENT OF TREASURY AND FINANCE**

Super SA

**ENVIRONMENT PROTECTION AUTHORITY**

All offices will be closed (the public can still contact the EPA via  
its pollution complaints hotline).

**DEPARTMENT OF PRIMARY INDUSTRIES AND  
REGIONS SA****Agribusiness and Regions**

Agribusiness Development  
Regional Development and Strategic Policy  
Mount Gambier and Port Lincoln

**Biosecurity SA**

Emergency Management  
National Livestock Identification System/Registrations/  
Property Identification Code  
Natural Resource Management Biosecurity/Branched Broomrape  
Animal Health  
Plant Health/Food Safety  
Rural Chemicals  
South Australian Shellfish Quality Assurance

**Corporate Services****People, Governance and Assets**

Business Services and Asset Management  
Corporate Services and Governance  
Service Delivery  
Records and Information Management  
People and Culture (Emergency Contact only)

**Finance and Prudential Management**

Budget Strategy  
Directorate  
Financial Services  
Procurement  
Prudential and Rural Financial Services

**Information and Communication Technology**

Directorate  
Information and Communication Technology  
Spatial Information Services

**Risk and Audit (Emergency contact only)****Fisheries and Aquaculture**

Head Office

**Rural Solutions SA**

Adelaide  
Clare  
Kingscote  
Lenswood  
Loxton  
Mount Gambier  
Murray Bridge  
Nuriootpa  
Port Augusta  
Port Lincoln  
Struan

**TAFE SA**

All campuses and the TAFE SA Infoline will be closed

**OTHER PUBLIC SECTOR AGENCIES**

Office of Zero Waste  
Adelaide Convention and Exhibition Centre  
Adelaide Entertainment Centre  
Defence SA  
South Australian Certificate of Education Board  
Forestry SA (Head Office)  
South Australian Tourism Commission (Office)

**RETIREMENT VILLAGES ACT 1987****SECTION 36 (1)***Voluntary Termination of Retirement Village Scheme*

TAKE notice that I, Jack Snelling, Minister for Health and Ageing, pursuant to Section 36 (1) of the Retirement Villages Act 1987 (the Act), hereby terminate the Uplands Drive Retirement Village Scheme situated at 48 Uplands Drive, Murray Bridge, S.A. 5253 and comprising all of the land and improvements in Certificate of Title Register Book Volume 6070, Folio 155. I do so being satisfied for the purposes of Section 36 (2) of the Act that there were no longer any retirement village residents in occupation. The date of termination was 29 July 2013.

Dated 4 December 2013.

JACK SNELLING, Minister for Health  
and Ageing

**MOTOR VEHICLES (SPECIFIED EVENT) NOTICE 2013**

PURSUANT to Regulation 25 (4) of the Motor Vehicles Regulations 2010.

**1. Short title**

This notice may be cited as the Motor Vehicles (Specified Event) Notice 2013.

**2. Commencement**

This notice will come into operation on the day it is published in the *Government Gazette*.

**3. Specified event, period and conditions**

In accordance with Regulation 25 (4) of the Motor Vehicles Regulations 2010 and with the concurrence of the Minister for Transport and Infrastructure (as the Minister responsible for the operation of the Motor Vehicles Act 1959), I, the Minister for Tourism:

- (a) specify the Santos Tour Down Under as an event;
- (b) specify the period commencing at 12.01 a.m. on 5 January 2014 and ending at 11.58 p.m. on 31 January 2014 as the period during which motor vehicles approved by me may be driven, or caused to stand, on a road in relation to the Santos Tour Down Under; and
- (c) specify that the following condition applies to driving such a motor vehicle, or causing such a motor vehicle to stand, on a road in relation to the Santos Tour Down Under:

All such vehicles must display number plate covers of a design approved by the Registrar of Motor Vehicles over their vehicle number plates at all times during the period specified in paragraph (b).

Dated 6 December 2013.

LEON BIGNELL, Minister for Tourism

**ROADS (OPENING AND CLOSING) ACT 1991:  
SECTION 24****NOTICE OF CONFIRMATION OF ROAD  
PROCESS ORDER***Road Closure—The Golden Way, Wynn Vale*

BY Road Process Order made on 15 July 2013, the City of Tea Tree Gully ordered that:

1. Portion of The Golden Way situate adjoining Rodeo Drive and Allotments 60 and 62 in Deposited Plan 38291, more particularly delineated and lettered 'A' on Preliminary Plan No. 13/0006 be closed.

2. Issue a Certificate of Title to the City of Tea Tree Gully for the whole of the land subject to closure which land is being retained by council to be merged with adjoining Council Reserve.

On 29 November 2013 that order was confirmed by the Minister for Transport and Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 92552 being the authority for the new boundaries.

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

Dated 12 December 2013.

M. P. BURDETT, Surveyor-General

**ROAD TRAFFIC ACT 1961***Authorised Officers to Conduct Drug Screening Tests*

I, GARY T. BURNS, Commissioner of Police, do hereby notify that on and from 6 December 2013, the following persons were authorised by the Commissioner of Police to conduct drug screening tests as defined in and for the purposes of the:

Road Traffic Act 1961;  
Harbors and Navigation Act 1993; and  
Rail Safety National Law (South Australia) Act 2012.

| PD Number | Officer Name           |
|-----------|------------------------|
| 72019     | Leske, Darian Carl     |
| 57859     | Tajnikar, Michael John |
| 47944     | Wight, Sharon Lynette  |
| 79367     | Williams, Kylie Jean   |

GARY T. BURNS, Commissioner of Police

**ROAD TRAFFIC ACT 1961***Authorised Officers to Conduct Oral Fluid Analysis*

I, GARY T. BURNS, Commissioner of Police, do hereby notify that on and from 6 December, 2013, the following persons were authorised by the Commissioner of Police to conduct oral fluid analyses as defined in and for the purposes of the:

Road Traffic Act 1961;  
Harbors and Navigation Act 1993; and  
Rail Safety National Law (South Australia) Act 2012.

| PD Number | Officer Name           |
|-----------|------------------------|
| 72019     | Leske, Darian Carl     |
| 37185     | Oates, Dale Peter      |
| 79548     | Shaw, Tristan Charles  |
| 57859     | Tajnikar, Michael John |
| 47944     | Wight, Sharon Lynette  |
| 79367     | Williams, Kylie Jean   |
| 79568     | Winsor, John Michael   |

GARY T. BURNS, Commissioner of Police

## ROAD TRAFFIC ACT 1961

*Authorised Officers to Conduct Drug Screening Tests*

I, GARY T BURNS, Commissioner of Police, do hereby notify that on and from 6 December, 2013, the following persons were authorised by the Commissioner of Police to conduct drug screening tests as defined in and for the purposes of the:

Road Traffic Act 1961;  
Harbors and Navigation Act 1993; and  
Rail Safety National Law (South Australia) Act 2012.

| PD Number | Officer Name               |
|-----------|----------------------------|
| 73510     | Bates, Sam Benjamin        |
| 74320     | Fergusson, Nicholas Graham |
| 48505     | Hall, Matthew Jonathon     |
| 73703     | Jonker, Thomas             |
| 72765     | Longmire, Evan Vincent     |
| 74311     | Malec, Andrew James        |
| 74305     | Pearson, Samuel Edward     |
| 48613     | Treloar, Benjamin Richard  |
| 74283     | Velthuizen, Paul Adriaan   |
| 72681     | Wilson, Brent William      |

GARY T. BURNS, Commissioner of Police

## MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the Minister for Mineral Resources and Energy proposes to grant an Exploration Licence over the undermentioned area.

Applicant: Tarcila Resources Pty Ltd  
Location: North Lake Gairdner area—Approximately 120 km east-south-east of Tarcoola.  
Pastoral Leases: Coondambo and Kokatha.  
Term: 2 years  
Area in km<sup>2</sup>: 412  
Ref.: 2012/00200

Plan and co-ordinates can be found on the DMITRE website: [http://www.minerals.dmitre.sa.gov.au/public\\_notices](http://www.minerals.dmitre.sa.gov.au/public_notices) or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

## MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the Minister for Mineral Resources and Energy proposes to grant an Exploration Licence over the undermentioned area.

Applicant: Tarcila Resources Pty Ltd  
Location: Lake Gairdner area—Approximately 70 km south-west of Woomera.  
Term: 2 years  
Area in km<sup>2</sup>: 2 393  
Ref.: 2013/00127

Plan and co-ordinates can be found on the DMITRE website: [http://www.minerals.dmitre.sa.gov.au/public\\_notices](http://www.minerals.dmitre.sa.gov.au/public_notices) or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Mining Registrar

## MINING ACT 1971

*Notice pursuant to Section 29 (1a) and 29 (5) (b) (ii) of the Mining Act 1971*

NOTICE is hereby given that when any exploration licence under the Mining Act 1971 ('the Act') expires, from the first day of January, until the last day of January (inclusive) of 2014:

- (1) Pursuant to subsection 29 (1a) of the Act an application for a corresponding licence may not be made for the succeeding period:
  - (a) commencing on the day the exploration licence expired ('the expiration date'); and
  - (b) ending at midnight on Sunday, 6 April 2014.
- (2) Applications for a corresponding licence may be made between the dates of Monday, 7 April 2014 and Friday, 11 April 2014 (inclusive) and pursuant to subsection 29 (5) (b) (ii) of the Act, subsection 29 (4) will not apply to applications made on any of those dates. (See Note 2.)
- (3) This notice becomes effective 12 December 2013.

Dated 12 December 2013.

J. MARTIN,  
General Manager Mineral Tenements,  
Mining Registrar,  
Mineral Resources  
Department for Manufacturing, Innovation, Trade, Resources and Energy  
Delegate of the Minister for Mineral Resources and Energy

NOTE 1: The succeeding period will commence on the day that an exploration licence expires ('the expiration date'). The succeeding period will run for a minimum of four weeks from the expiration date and will always end at midnight on a Sunday.

NOTE 2: The effect of this notice is that:

- No applications for a corresponding licence may be made during the succeeding period.
- The succeeding period will always expire on a Sunday. From the immediately following Monday to the immediately following Friday, applications for a corresponding licence may be made ('the application week').
- Applications made in the application week will not be dealt with under subsection 29 (4) i.e., on a first come first served basis, but under subsection 29 (6) i.e., on a merits basis.
- If no applications are made in the application week, the land in question will cease to be subject to the notice and any applications for an exploration licence made after that time will be dealt with under subsection 29 (4).

## MINING ACT 1971

*Notice pursuant to Section 29 (1a) and 29 (5) (b) (ii) of the Mining Act 1971*

NOTICE is hereby given that when any exploration licence under the Mining Act 1971 ('the Act') expires, from the first day of February, until the last day of February (inclusive) of 2014:

- (1) Pursuant to subsection 29 (1a) of the Act an application for a corresponding licence may not be made for the succeeding period:
  - (a) commencing on the day the exploration licence expired ('the expiration date'); and
  - (b) ending at midnight on Sunday, 4 May 2014.
- (2) Applications for a corresponding licence may be made between the dates of Monday, 5 May 2014 and Friday, 9 May 2014 (inclusive) and pursuant to subsection 29 (5) (b) (ii) of the Act, subsection 29 (4) will not apply to applications made on any of those dates. (See Note 2.)
- (3) This notice becomes effective 12 December 2013.

Dated 12 December 2013.

J. MARTIN,  
General Manager Mineral Tenements,  
Mining Registrar,  
Mineral Resources  
Department for Manufacturing, Innovation, Trade, Resources and Energy  
Delegate of the Minister for Mineral Resources and Energy

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NOTE 1: The succeeding period will commence on the day that an exploration licence expires ('the expiration date'). The succeeding period will run for a minimum of four weeks from the expiration date and will always end at midnight on a Sunday.

NOTE 2: The effect of this notice is that:

- No applications for a corresponding licence may be made during the succeeding period.
- The succeeding period will always expire on a Sunday. From the immediately following Monday to the immediately following Friday, applications for a corresponding licence may be made ('the application week').
- Applications made in the application week will not be dealt with under subsection 29 (4) i.e., on a first come first served basis, but under subsection 29 (6) i.e., on a merits basis.
- If no applications are made in the application week, the land in question will cease to be subject to the notice and any applications for an exploration licence made after that time will be dealt with under subsection 29 (4).

## MINING ACT 1971

*Notice pursuant to Section 29 (1a) and 29 (5) (b) (ii) of the Mining Act 1971*

NOTICE is hereby given that when any exploration licence under the Mining Act 1971 ('the Act') expires, from the first day of March, until the last day of March (inclusive) of 2014:

- (1) Pursuant to subsection 29 (1a) of the Act an application for a corresponding licence may not be made for the succeeding period:
  - (a) commencing on the day the exploration licence expired ('the expiration date'); and
  - (b) ending at midnight on Sunday, 1 June 2014.
- (2) Applications for a corresponding licence may be made between the dates of Monday, 2 June 2014 and Friday, 6 June 2014 (inclusive) and pursuant to subsection 29 (5) (b) (ii) of the Act, subsection 29 (4) will not apply to applications made on any of those dates. (See Note 2.)
- (3) This notice becomes effective 12 December 2013.

Dated 12 December 2013.

J. MARTIN,  
General Manager Mineral Tenements,  
Mining Registrar,  
Mineral Resources  
Department for Manufacturing, Innovation, Trade, Resources and Energy  
Delegate of the Minister for Mineral Resources and Energy

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NOTE 1: The succeeding period will commence on the day that an exploration licence expires ('the expiration date'). The succeeding period will run for a minimum of four weeks from the expiration date and will always end at midnight on a Sunday.

NOTE 2: The effect of this notice is that:

- No applications for a corresponding licence may be made during the succeeding period.
  - The succeeding period will always expire on a Sunday. From the immediately following Monday to the immediately following Friday, applications for a corresponding licence may be made ('the application week').
  - Applications made in the application week will not be dealt with under subsection 29 (4) i.e., on a first come first served basis, but under subsection 29 (6) i.e., on a merits basis.
  - If no applications are made in the application week, the land in question will cease to be subject to the notice and any applications for an exploration licence made after that time will be dealt with under subsection 29 (4).
-

## MINING ACT 1971

*Notice pursuant to Section 29 (1a) and 29 (5) (b) (ii) of the Mining Act 1971*

NOTICE is hereby given that when any exploration licence under the Mining Act 1971 ('the Act') expires, from the first day of April, until the last day of April (inclusive) of 2014:

- (1) Pursuant to subsection 29 (1a) of the Act an application for a corresponding licence may not be made for the succeeding period:
  - (a) commencing on the day the exploration licence expired ('the expiration date'); and
  - (b) ending at midnight on Sunday, 6 July 2014.
- (2) Applications for a corresponding licence may be made between the dates of Monday, 7 July 2014 and Friday, 11 July 2014 (inclusive) and pursuant to subsection 29 (5) (b) (ii) of the Act, subsection 29 (4) will not apply to applications made on any of those dates. (See Note 2.)
- (3) This notice becomes effective 12 December 2013.

Dated 12 December 2013.

J. MARTIN,  
General Manager Mineral Tenements,  
Mining Registrar,  
Mineral Resources  
Department for Manufacturing, Innovation, Trade, Resources and Energy  
Delegate of the Minister for Mineral Resources and Energy

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NOTE 1: The succeeding period will commence on the day that an exploration licence expires ('the expiration date'). The succeeding period will run for a minimum of four weeks from the expiration date and will always end at midnight on a Sunday.

NOTE 2: The effect of this notice is that:

- No applications for a corresponding licence may be made during the succeeding period.
- The succeeding period will always expire on a Sunday. From the immediately following Monday to the immediately following Friday, applications for a corresponding licence may be made ('the application week').
- Applications made in the application week will not be dealt with under subsection 29 (4) i.e., on a first come first served basis, but under subsection 29 (6) i.e., on a merits basis.
- If no applications are made in the application week, the land in question will cease to be subject to the notice and any applications for an exploration licence made after that time will be dealt with under subsection 29 (4).

## MINING ACT 1971

*Notice pursuant to Section 29 (1a) and 29 (5) (b) (ii) of the Mining Act 1971*

NOTICE is hereby given that when any exploration licence under the Mining Act 1971 ('the Act') expires, from the first day of May, until the last day of May (inclusive) of 2014:

- (1) Pursuant to subsection 29 (1a) of the Act an application for a corresponding licence may not be made for the succeeding period:
  - (a) commencing on the day the exploration licence expired ('the expiration date'); and
  - (b) ending at midnight on Sunday, 3 August 2014.
- (2) Applications for a corresponding licence may be made between the dates of Monday, 4 August 2014 and Friday, 8 August 2014 (inclusive) and pursuant to subsection 29 (5) (b) (ii) of the Act, subsection 29 (4) will not apply to applications made on any of those dates. (See Note 2.)
- (3) This notice becomes effective 12 December 2013.

Dated 12 December 2013.

J. MARTIN,  
General Manager Mineral Tenements,  
Mining Registrar,  
Mineral Resources  
Department for Manufacturing, Innovation, Trade, Resources and Energy  
Delegate of the Minister for Mineral Resources and Energy

---

NOTE 1: The succeeding period will commence on the day that an exploration licence expires ('the expiration date'). The succeeding period will run for a minimum of four weeks from the expiration date and will always end at midnight on a Sunday.

NOTE 2: The effect of this notice is that:

- No applications for a corresponding licence may be made during the succeeding period.
  - The succeeding period will always expire on a Sunday. From the immediately following Monday to the immediately following Friday, applications for a corresponding licence may be made ('the application week').
  - Applications made in the application week will not be dealt with under subsection 29 (4) i.e., on a first come first served basis, but under subsection 29 (6) i.e., on a merits basis.
  - If no applications are made in the application week, the land in question will cease to be subject to the notice and any applications for an exploration licence made after that time will be dealt with under subsection 29 (4).
-

## MINING ACT 1971

*Notice pursuant to Section 29 (1a) and 29 (5) (b) (ii) of the Mining Act 1971*

NOTICE is hereby given that when any exploration licence under the Mining Act 1971 ('the Act') expires, from the first day of June, until the last day of June (inclusive) of 2014:

- (1) Pursuant to subsection 29 (1a) of the Act an application for a corresponding licence may not be made for the succeeding period:
  - (a) commencing on the day the exploration licence expired ('the expiration date'); and
  - (b) ending at midnight on Sunday, 31 August 2014.
- (2) Applications for a corresponding licence may be made between the dates of Monday, 1 September 2014 and Friday, 5 September 2014 (inclusive) and pursuant to subsection 29 (5) (b) (ii) of the Act, subsection 29 (4) will not apply to applications made on any of those dates. (See Note 2.)
- (3) This notice becomes effective 12 December 2013.

Dated 12 December 2013.

J. MARTIN,  
 General Manager Mineral Tenements,  
 Mining Registrar,  
 Mineral Resources  
 Department for Manufacturing, Innovation, Trade, Resources and Energy  
 Delegate of the Minister for Mineral Resources and Energy

NOTE 1: The succeeding period will commence on the day that an exploration licence expires ('the expiration date'). The succeeding period will run for a minimum of four weeks from the expiration date and will always end at midnight on a Sunday.

NOTE 2: The effect of this notice is that:

- No applications for a corresponding licence may be made during the succeeding period.
- The succeeding period will always expire on a Sunday. From the immediately following Monday to the immediately following Friday, applications for a corresponding licence may be made ('the application week').
- Applications made in the application week will not be dealt with under subsection 29 (4) i.e., on a first come first served basis, but under subsection 29 (6) i.e., on a merits basis.
- If no applications are made in the application week, the land in question will cease to be subject to the notice and any applications for an exploration licence made after that time will be dealt with under subsection 29 (4).

## MINING ACT 1971

*Notice pursuant to Section 29 (1a) and 29 (5) (b) (ii) of the Mining Act 1971*

NOTICE is hereby given that when any exploration licence under the Mining Act 1971 ('the Act') expires, from the first day of July, until the last day of July (inclusive) of 2014:

- (1) Pursuant to subsection 29 (1a) of the Act an application for a corresponding licence may not be made for the succeeding period:
  - (a) commencing on the day the exploration licence expired ('the expiration date'); and
  - (b) ending at midnight on Sunday, 5 October 2014.
- (2) Applications for a corresponding licence may be made between the dates of Monday, 6 October 2014 and Friday, 10 October 2014 (inclusive) and pursuant to subsection 29 (5) (b) (ii) of the Act, subsection 29 (4) will not apply to applications made on any of those dates. (See Note 2.)
- (3) This notice becomes effective 12 December 2013.

Dated 12 December 2013.

J. MARTIN,  
 General Manager Mineral Tenements,  
 Mining Registrar,  
 Mineral Resources  
 Department for Manufacturing, Innovation, Trade, Resources and Energy  
 Delegate of the Minister for Mineral Resources and Energy

NOTE 1: The succeeding period will commence on the day that an exploration licence expires ('the expiration date'). The succeeding period will run for a minimum of four weeks from the expiration date and will always end at midnight on a Sunday.

NOTE 2: The effect of this notice is that:

- No applications for a corresponding licence may be made during the succeeding period.
- The succeeding period will always expire on a Sunday. From the immediately following Monday to the immediately following Friday, applications for a corresponding licence may be made ('the application week').
- Applications made in the application week will not be dealt with under subsection 29 (4) i.e., on a first come first served basis, but under subsection 29 (6) i.e., on a merits basis.
- If no applications are made in the application week, the land in question will cease to be subject to the notice and any applications for an exploration licence made after that time will be dealt with under subsection 29 (4).



## MINING ACT 1971

*Notice pursuant to Section 29 (1a) and 29 (5) (b) (ii) of the Mining Act 1971*

NOTICE is hereby given that when any exploration licence under the Mining Act 1971 ('the Act') expires, from the first day of August, until the last day of August (inclusive) of 2014:

- (1) Pursuant to subsection 29 (1a) of the Act an application for a corresponding licence may not be made for the succeeding period:
  - (a) commencing on the day the exploration licence expired ('the expiration date'); and
  - (b) ending at midnight on Sunday, 2 November 2014.
- (2) Applications for a corresponding licence may be made between the dates of Monday, 3 November 2014 and Friday, 7 November 2014 (inclusive) and pursuant to subsection 29 (5) (b) (ii) of the Act, subsection 29 (4) will not apply to applications made on any of those dates. (See Note 2.)
- (3) This notice becomes effective 12 December 2013.

Dated 12 December 2013.

J. MARTIN,  
General Manager Mineral Tenements,  
Mining Registrar,  
Mineral Resources  
Department for Manufacturing, Innovation, Trade, Resources and Energy  
Delegate of the Minister for Mineral Resources and Energy

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NOTE 1: The succeeding period will commence on the day that an exploration licence expires ('the expiration date'). The succeeding period will run for a minimum of four weeks from the expiration date and will always end at midnight on a Sunday.

NOTE 2: The effect of this notice is that:

- No applications for a corresponding licence may be made during the succeeding period.
- The succeeding period will always expire on a Sunday. From the immediately following Monday to the immediately following Friday, applications for a corresponding licence may be made ('the application week').
- Applications made in the application week will not be dealt with under subsection 29 (4) i.e., on a first come first served basis, but under subsection 29 (6) i.e., on a merits basis.
- If no applications are made in the application week, the land in question will cease to be subject to the notice and any applications for an exploration licence made after that time will be dealt with under subsection 29 (4).

## MINING ACT 1971

*Notice pursuant to Section 29 (1a) and 29 (5) (b) (ii) of the Mining Act 1971*

NOTICE is hereby given that when any exploration licence under the Mining Act 1971 ('the Act') expires, from the first day of September, until the last day of September (inclusive) of 2014:

- (1) Pursuant to subsection 29 (1a) of the Act an application for a corresponding licence may not be made for the succeeding period:
  - (a) commencing on the day the exploration licence expired ('the expiration date'); and
  - (b) ending at midnight on Sunday, 30 November 2014.
- (2) Applications for a corresponding licence may be made between the dates of Monday, 1 December 2014 and Friday, 5 December 2014 (inclusive) and pursuant to subsection 29 (5) (b) (ii) of the Act, subsection 29 (4) will not apply to applications made on any of those dates. (See Note 2.)
- (3) This notice becomes effective 12 December 2013.

Dated 12 December 2013.

J. MARTIN,  
General Manager Mineral Tenements,  
Mining Registrar,  
Mineral Resources  
Department for Manufacturing, Innovation, Trade, Resources and Energy  
Delegate of the Minister for Mineral Resources and Energy

---

NOTE 1: The succeeding period will commence on the day that an exploration licence expires ('the expiration date'). The succeeding period will run for a minimum of four weeks from the expiration date and will always end at midnight on a Sunday.

NOTE 2: The effect of this notice is that:

- No applications for a corresponding licence may be made during the succeeding period.
  - The succeeding period will always expire on a Sunday. From the immediately following Monday to the immediately following Friday, applications for a corresponding licence may be made ('the application week').
  - Applications made in the application week will not be dealt with under subsection 29 (4) i.e., on a first come first served basis, but under subsection 29 (6) i.e., on a merits basis.
  - If no applications are made in the application week, the land in question will cease to be subject to the notice and any applications for an exploration licence made after that time will be dealt with under subsection 29 (4).
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## MINING ACT 1971

*Notice pursuant to Section 29 (1a) and 29 (5) (b) (ii) of the Mining Act 1971*

NOTICE is hereby given that when any exploration licence under the Mining Act 1971 ('the Act') expires, from the first day of October, until the last day of October (inclusive) of 2014:

- (1) Pursuant to subsection 29 (1a) of the Act an application for a corresponding licence may not be made for the succeeding period:
  - (a) commencing on the day the exploration licence expired ('the expiration date'); and
  - (b) ending at midnight on Sunday, 4 January 2015.
- (2) Applications for a corresponding licence may be made between the dates of Monday, 5 January 2015 and Friday, 9 January 2015 (inclusive) and pursuant to subsection 29 (5) (b) (ii) of the Act, subsection 29 (4) will not apply to applications made on any of those dates. (See Note 2.)
- (3) This notice becomes effective 12 December 2013.

Dated 12 December 2013.

J. MARTIN,  
General Manager Mineral Tenements,  
Mining Registrar,  
Mineral Resources  
Department for Manufacturing, Innovation, Trade, Resources and Energy  
Delegate of the Minister for Mineral Resources and Energy

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NOTE 1: The succeeding period will commence on the day that an exploration licence expires ('the expiration date'). The succeeding period will run for a minimum of four weeks from the expiration date and will always end at midnight on a Sunday.

NOTE 2: The effect of this notice is that:

- No applications for a corresponding licence may be made during the succeeding period.
- The succeeding period will always expire on a Sunday. From the immediately following Monday to the immediately following Friday, applications for a corresponding licence may be made ('the application week').
- Applications made in the application week will not be dealt with under subsection 29 (4) i.e., on a first come first served basis, but under subsection 29 (6) i.e., on a merits basis.
- If no applications are made in the application week, the land in question will cease to be subject to the notice and any applications for an exploration licence made after that time will be dealt with under subsection 29 (4).

## MINING ACT 1971

*Notice pursuant to Section 29 (1a) and 29 (5) (b) (ii) of the Mining Act 1971*

NOTICE is hereby given that when any exploration licence under the Mining Act 1971 ('the Act') expires, from the first day of November, until the last day of November (inclusive) of 2014:

- (1) Pursuant to subsection 29 (1a) of the Act an application for a corresponding licence may not be made for the succeeding period:
  - (a) commencing on the day the exploration licence expired ('the expiration date'); and
  - (b) ending at midnight on Sunday, 1 February 2015.
- (2) Applications for a corresponding licence may be made between the dates of Monday, 2 February 2015 and Friday, 6 February 2015 (inclusive) and pursuant to subsection 29 (5) (b) (ii) of the Act, subsection 29 (4) will not apply to applications made on any of those dates. (See Note 2.)
- (3) This notice becomes effective 12 December 2013.

Dated 12 December 2013.

J. MARTIN,  
General Manager Mineral Tenements,  
Mining Registrar,  
Mineral Resources  
Department for Manufacturing, Innovation, Trade, Resources and Energy  
Delegate of the Minister for Mineral Resources and Energy

---

NOTE 1: The succeeding period will commence on the day that an exploration licence expires ('the expiration date'). The succeeding period will run for a minimum of four weeks from the expiration date and will always end at midnight on a Sunday.

NOTE 2: The effect of this notice is that:

- No applications for a corresponding licence may be made during the succeeding period.
  - The succeeding period will always expire on a Sunday. From the immediately following Monday to the immediately following Friday, applications for a corresponding licence may be made ('the application week').
  - Applications made in the application week will not be dealt with under subsection 29 (4) i.e., on a first come first served basis, but under subsection 29 (6) i.e., on a merits basis.
  - If no applications are made in the application week, the land in question will cease to be subject to the notice and any applications for an exploration licence made after that time will be dealt with under subsection 29 (4).
-

## MINING ACT 1971

*Notice pursuant to Section 29 (1a) and 29 (5) (b) (ii) of the Mining Act 1971*

NOTICE is hereby given that when any exploration licence under the Mining Act 1971 ('the Act') expires, from the first day of December, until the last day of December (inclusive) of 2014:

- (1) Pursuant to subsection 29 (1a) of the Act an application for a corresponding licence may not be made for the succeeding period:
  - (a) commencing on the day the exploration licence expired ('the expiration date'); and
  - (b) ending at midnight on Sunday, 1 March 2015.
- (2) Applications for a corresponding licence may be made between the dates of Monday, 2 March 2015 and Friday, 6 March 2015 (inclusive) and pursuant to subsection 29(5) (b) (ii) of the Act, subsection 29 (4) will not apply to applications made on any of those dates. (See Note 2.)
- (3) This notice becomes effective 12 December 2013.

Dated 12 December 2013.

J. MARTIN,  
General Manager Mineral Tenements,  
Mining Registrar,  
Mineral Resources  
Department for Manufacturing, Innovation, Trade, Resources and Energy  
Delegate of the Minister for Mineral Resources and Energy

---

NOTE 1: The succeeding period will commence on the day that an exploration licence expires ('the expiration date'). The succeeding period will run for a minimum of four weeks from the expiration date and will always end at midnight on a Sunday.

NOTE 2: The effect of this notice is that:

- No applications for a corresponding licence may be made during the succeeding period.
  - The succeeding period will always expire on a Sunday. From the immediately following Monday to the immediately following Friday, applications for a corresponding licence may be made ('the application week').
  - Applications made in the application week will not be dealt with under subsection 29 (4) i.e., on a first come first served basis, but under subsection 29 (6) i.e., on a merits basis.
  - If no applications are made in the application week, the land in question will cease to be subject to the notice and any applications for an exploration licence made after that time will be dealt with under subsection 29 (4).
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## THE UNIVERSITY OF ADELAIDE

**Statute 1/2012****A Statute to make Statute Chapter 3 and revoke Statutes 12 and 25**

1. Statute Chapter 3.—Of Student Misconduct is made.
2. Statute Chapter 12.—Of Student Conduct is revoked.
3. Statute Chapter 25.—Miscellaneous is revoked.

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**Statute Chapter 3.—of Student Misconduct**

1. Misconduct by a student is an offence under this statute.
2. For the purposes of this statute:
  - 2.1. **misconduct** means:
    - a. a breach of or conduct in contravention of a statute, rule or by-law of the University; or
    - b. a breach of any policy issued by the Vice-Chancellor or Council and published on the University's website from time to time; or
    - c. a failure to comply with any reasonable direction of a University employee or a member of the University community who is in a position of authority in relation to the student; or
    - d. any other unjustified act or omission of a student which adversely affects the University or any member of the University community in his or capacity as such; or
    - e. any other conduct specified or included in the examples of misconduct in the Student Misconduct Rules whether or not the conduct otherwise falls within 2.1 a-d;and includes attempting any of a, b, d or e.
  - 2.2. **student** means:
    - a. a person who is enrolled in, or has deferred enrolment in, or is on formal leave of absence or suspension from, an academic program, a course or a group of courses at or offered by the University or an affiliated educational establishment that leads to a University award; or
    - b. a person who is authorised to participate in learning or research training activities of any type at the University; or
    - c. a student of another education institution who is authorised to have access to University premises or facilities or both;and includes a person who was a student at the time that the alleged misconduct took place.
  - 2.3. **member of the University community** means:
    - a. any student; or
    - b. any member of staff; or
    - c. any person or organisation associated with the University, including alumni, titleholders, contractors and people or organisations associated with clinical, professional, vocational or practical placements for students, in respect of activities connected with the University.
3. Unless another statute or by-law provides another process, an allegation of misconduct made by a member of the University against a student shall be investigated and determined in accordance with the Student Misconduct Rules.
4. The Student Misconduct Tribunal is established by this statute.
  - 4.1. The members of the Tribunal will be appointed in accordance with the provisions of the Student Misconduct Rules.
  - 4.2. One member of the Tribunal will be appointed as the Chair and another as the deputy Chair in accordance with the provisions of the Student Misconduct Rules.

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- 4.3. The deputy may in the absence of the Chair exercise any power conferred on the Chair by the Student Misconduct Rules.
  - 4.4. If both the Chair and the deputy are unable or unavailable to act in relation to a particular matter or for a particular period, the Vice-Chancellor may appoint an existing member of the Tribunal, or appoint a new member (who need not be a member of the University community) to exercise all powers conferred on the Chair by the Student Misconduct Rules in respect of that matter or period.
  - 4.5. A member who completes his or her term of office and is not reappointed may continue to act as a member of the Tribunal for the purpose of completing the hearing and determination of proceedings part heard at the completion of the term.
  - 4.6. In relation to any matter referred to the Tribunal for determination, the Tribunal consists of a panel of at least three of its members chosen by the Chair to constitute the Tribunal for the purposes of the proceedings (one of which may be the Chair) save that, if one member is unable to continue after the commencement of the case, the remaining members of the tribunal may proceed to hear and determine the case.
  - 4.7. The procedures of the Tribunal shall be governed by the Student Misconduct Rules.
5. If, after conducting an inquiry into a matter which is referred to it under the Student Misconduct Rules, the Tribunal is satisfied that a student has committed misconduct, it may impose any or all of the following penalties for misconduct, in accordance with the Student Misconduct Rules:
    - a. a fine up to the maximum of A\$3000;
    - b. an order for the student to undertake a specified number of hours of unpaid service to the University;
    - c. exclusion of the student from all, or any specified portion of, the University grounds for a specified period or indefinitely;
    - d. exclusion of the student from participation in any defined aspect of any University academic program or course, or any use of any University facility or service, for a specified period or indefinitely;
    - e. substitution or adjustment of any academic mark or grade obtained by the student in any examination or other form of assessment;
    - f. cancellation of a prize, scholarship or bursary awarded by the University;
    - g. cancellation of enrolment in one, some or all courses or academic programs in which the student is enrolled;
    - h. preclusion from conferral of any award or revocation of a conferred award;
    - i. suspension as a student of the University or from enrolment in any program or course for a specified period;
    - j. permanent expulsion from the University.
  6. A tribunal, at the time it imposes any penalty, may suspend the penalty with or without conditions.
  7. A tribunal may order payment of compensation for any loss or damage sustained by the University or member of the University community which results from a student's misconduct.
  8. The Student Misconduct Rules shall provide for an appeals process and specify the grounds for appeal.
  9. Without limiting any power that they may otherwise have, the Vice-Chancellor or any other officer or employee of the University may, where authorised by the Student Misconduct Rules and subject to the provisions of those Rules, suspend or exclude a student from any academic program or course, admission to any award, use of any service or facility or entry upon all or part of University grounds for up to seven calendar days or until determination of any complaint in respect of misconduct made against the student.
  10. The principles of procedural fairness apply to any proceedings or determination under this statute and the Student Misconduct Rules.
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# Rules of the University



THE UNIVERSITY  
*of* ADELAIDE

## Student Misconduct Rules

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## 1. OVERVIEW

Being a student at the University of Adelaide means being a member of an extended University community. Each individual member of the University community has a responsibility to behave in ways that do not adversely affect the University or the University community.

These rules are made in accord with Statute Chapter 3—of Student Misconduct (the Statute) and must be read in conjunction with the Statute.

## 2. SCOPE

### 2.1 *Students*

- a. 'Student' is defined in the Statute.
- b. These rules apply to all students, wherever they may study or reside. Where students are pursuing a course of study that is delivered outside South Australia, the requirements of these rules may be modified or dispensed with to the extent that the relevant Authorised Officer or Student Misconduct Tribunal Chair believes necessary for their effective application.
- c. The student misconduct procedures under the Statute and these rules may be applied in respect of a misconduct allegation, notwithstanding that the student alleged to have engaged in the misconduct ceases to be a student at any time after the alleged misconduct occurred.

### 2.2 *Academic honesty and research misconduct process*

- a. Subject to any other provision of these rules, allegations of a breach of the Academic Honesty Policy by coursework students must be dealt with in accord with the Coursework students: Academic Dishonesty Procedures.
- b. Subject to any other provision of these rules, allegations of a breach of the Responsible Conduct of Research Policy by higher degree by research students must be dealt with in accord with the Procedure for Managing Complaints of Research Misconduct/Serious Misconduct and Breaches of the Code for the Responsible Conduct of Research.

## 3. MISCONDUCT

### 3.1 *Definition of misconduct*

'Misconduct' is defined in Statute Chapter 3—of Student Misconduct.

### 3.2 *Examples of misconduct*

Examples of misconduct include but are not limited to:

- a. Publishing material which is abusive, offensive, vilifying, harassing or untrue about the University, any of its faculties, schools or programs, any member of the University community or any of the University's controlled entities or affiliates, in any forum or medium, including (but not limited to) print, internet, social networking, email and broadcasting forums;
- b. Engaging in disorderly conduct in contravention of the University By-Laws, including interrupting academic activities of the University by means of noise or unseemly behaviour; assaulting, threatening, or attempting to assault or threaten any other person; and using abusive or indecent language or engaging in offensive, indecent or improper acts, conduct or behaviour;
- c. Engaging in other activities prohibited by the University By-Laws, including dangerous or careless driving on University grounds; or carrying an offensive weapon; or skateboarding on University grounds; or bringing, keeping or consuming alcoholic liquor on University grounds, except as lawfully authorised;
- d. Threatening or assaulting any person on University grounds or threatening or assaulting any member of the University community or causing a member of the University community to hold reasonable fear for their safety or physical or psychological well-being;
- e. Misusing, interfering with, endangering, damaging, stealing or causing the loss of any property or facilities which are owned or controlled by the University or which are lawfully on University premises, including intellectual property;
- f. Entering any University premises, or premises linked to University activities, that the student is not permitted to enter;

- g. Obstructing an officer or employee of the University or a person acting with the lawful authority of the University in the performance of his or her duties;
- h. Engaging in conduct that hinders or prevents the use by others of University facilities or the participation by others in University activities;
- i. Failing to adhere to conditions of use of University facilities and equipment, including health, safety and welfare requirements;
- j. Failing to adhere to requirements of external organisations or codes of conduct relevant to the student's course of study while in placement, practicum or work experience;
- k. Engaging in or being party to conduct intended to deceive the University or a member of the University community such as providing false or unauthorised documentation or making false or misleading statements or impersonating another;
- l. Bribing a member of staff of the University;
- m. Engaging in or being party to conduct that is likely to bring the University into disrepute or prejudice the management and good governance of the University;
- n. Failing to comply with a penalty imposed by or a decision of the Tribunal under these rules or with an undertaking given to the Tribunal;
- o. Making frivolous or unreasonable complaints under these rules.

### 3.3 *Academic dishonesty and research misconduct*

A student shall have committed misconduct and shall be taken by the Tribunal to have done so if:

- a. an Academic Dishonesty Review Committee established under the Academic Dishonesty Procedures has made a finding that the student has been in breach of the Academic Honesty Policy for a third or subsequent occasion and that Academic Dishonesty Review Committee has referred the matter to the Tribunal for determination of a penalty; or
- b. an Independent Internal or External Panel established under the Procedure for Managing Complaints of Research Misconduct/Serious Misconduct and Breaches of the Code for the Responsible Conduct of Research has made a finding of research misconduct or serious misconduct and the Delegate of the Vice-Chancellor under those Procedures has referred the matter to the Tribunal for determination of a penalty.

## 4. **AUTHORISED OFFICERS**

- a. The Vice-Chancellor may appoint such persons as he or she sees fit as Authorised Officers for the purposes of these rules.
- b. An Authorised Officer may delegate in writing his/her powers under these rules (except this power of delegation) for a specific matter to a senior academic staff member or senior professional staff member, in which case the powers and responsibilities of an Authorised Officer in these rules apply to that delegate.

## 5. **IMMEDIATE EXCLUSION**

### 5.1 *Authorities and circumstances*

Any person with responsibility for management of a University facility or activity has authority to summarily exclude a student from those facilities or participation in those activities where the person believes that the student is committing or has committed an act of misconduct in relation to use of the facilities or participation in the activity; and that

- a. the student is disrupting, or causing or encouraging others to disrupt, the use of facilities or participation in activities; or
- b. there is a threat to the safety of persons or property.



### 5.2 *Period of exclusion*

An order for exclusion under rule 5.1 may be made orally and take effect immediately and must specify the period of exclusion within the following limits:

| <b>Facility or activity</b>   | <b>Period of exclusion</b>           |
|---|--------------------------------------|
| Exclusion from a structured learning activity, including a lecture, tutorial, demonstration, laboratory practical, or examination | up to the duration of the activity   |
| Exclusion from a field trip   | up to the duration of the field trip |
| Exclusion in any other circumstance   | up to 24 hours                       |

### 5.3 *Follow-up procedures*

Timeline: Within one full business day of order being made.

- a. Where the student's name is known to the person making the order, the terms of the order and the reasons for them must be confirmed to the student in writing by a method specified in rule 15.1.
- b. A report of the incident (which may be a copy of the confirmation to the student) must also be provided to an Authorised Officer and to the Student Conduct Officer to place on the Student Misconduct Register.
- c. The Authorised Officer may take further action, at their discretion, under rule 6.

## 6. **REPORTING AN ALLEGATION OF MISCONDUCT**

### 6.1 *Lodging a report*

- a. A person who wishes to report an allegation of misconduct by a student must do so in writing to an Authorised Officer.
- b. The Authorised Officer to whom the report is made will usually be the Authorised Officer who has the closest link to that person or the location where the breach took place.
- c. Reports by students about the conduct of other students in breach of the Fair Treatment Policy should initially be addressed through the Student Grievance Resolution Process.
- d. An Authorised Officer may of his or her own motion, without receiving a report, directly initiate action against a student under the Local Review and Resolution process, or refer an allegation in writing to a Student Misconduct Tribunal.

### 6.2 *Authorised Officer responsibilities*

Timeline: Within five business days of receipt of report.

- a. Before proceeding to deal with a report under rule 6.2.b or act under rule 6.1.d, an Authorised Officer must determine whether they have any direct interest in the allegation, or whether there are circumstances that would prevent their acting impartially, and if so, they must briefly document the nature of their interest or the relevant circumstances and refer the matter in writing to another Authorised Officer or to a delegate.
- b. On receipt of the allegation, and after making such enquiries as he or she decides are necessary or prudent in the circumstances, the Authorised Officer must decide to:
  - deal with the allegation under the Local Review and Resolution process, or
  - refer the allegation to the Student Conduct Officer for determination by the Student Misconduct Tribunal.

Before making such a decision, the Authorised Officer must refer to the Student Misconduct Register to ascertain whether there has been prior misconduct by the student.

- c. If the Authorised Officer has reason to believe that the student's conduct or behaviour involves or might involve a risk of the kind specified in rule 10.1, the Authorised Officer must refer the allegation immediately to an Executive Dean or the Deputy Vice-Chancellor and Vice-President (Academic) or the Deputy Vice-Chancellor and Vice-President (Research).
- d. A referral to the Student Conduct Officer for determination by the Tribunal must contain a signed acknowledgement by the Authorised Officer and any person who made a report under 6.1 that a copy of the report may be provided to the student in accord with Student Misconduct Tribunal processes.

## 7. LOCAL REVIEW AND RESOLUTION

Where an authorised officer considers that the nature of the allegation is such that, if proven, it can be appropriately dealt with without imposing a penalty for misconduct specified in the Statute, he or she may determine that the allegation should be dealt with under the Local Review and Resolution process.

### 7.1 *Authorised Officer responsibilities and powers*

Timeline: Within 10 business days of the Authorised Officer's decision that an allegation is to be dealt with under the Local Review and Resolution process.

The Authorised Officer must:

- a. Investigate the allegation. The Authorised Officer may make such enquiries as he or she sees fit, including discussing the report with the complainant and any witnesses, and making inquiries with any internal or external experts.
- b. Keep a record summarising the investigations that he or she has made.
- c. Inform the student orally or in writing of the substance of the allegation and any adverse evidence and give the student a reasonable opportunity to respond.
- d. Make a decision on whether an act of misconduct occurred, on the balance of probabilities.
- e. Make a determination for resolution. Options for resolution include any or all of:
  - Determination that further action is not warranted;
  - Direction that student cease actions which are subject of allegation;
  - Direction that student provide a formal apology in terms prescribed by the University;
  - Obtaining an undertaking in writing from the student that the misconduct will not be repeated;
  - Written warning that student will be referred to a Student Misconduct Tribunal if their actions lead to further reports of alleged misconduct.

For the avoidance of doubt, these rules do not limit any powers that the Authorised Officer may have, apart from these rules, to take action relating to the need for improved behaviour by the student, including limiting the student's choice of tutorials; recommending that the student seek counselling; requiring the student to rely on recorded lectures rather than attending lectures for a limited period; or requiring the student to stay away from a local facility in specified situations.

### 7.2 *Further referral*

At any stage the Authorised Officer may:

- a. Seek to have the complaint resolved by mediation and may utilise such mediation services as may be available to the University, through the Student Policy and Appeals office.
- b. Refer the allegation to the Early Intervention Group, concurrent with or as an alternative to this process.
- c. Refer the allegation, and any information that comes to light during the investigation, to the Student Misconduct Tribunal if the Authorised Officer deems the complaint to be too serious or too complex for resolution under this process, or where there have been multiple prior episodes of misconduct.

### 7.3 *Record*

- a. The Authorised Officer must make a written record of the outcome of the Local Review and Resolution, and provide a copy to the student by a method specified in rule 15.1.
- b. Except when the Authorised Officer determines that further action is not warranted, the Authorised Officer must also provide a copy of the record of outcome to the Student Conduct Officer for the Student Misconduct Register.
- c. The record shall not appear on the student's file held on the Student Administration System.

## 8. STUDENT MISCONDUCT TRIBUNAL

Where the Authorised Officer determines that the appropriate resolution of the allegation, if proven, may require the imposition of a penalty for misconduct of a kind which is specified in the Statute, he

or she must refer the matter to the Student Conduct Officer for determination by the Student Misconduct Tribunal.

#### 8.1 *Authority*

The Student Misconduct Tribunal (the Tribunal) is established by the Statute and has the authority to hear and determine allegations of misconduct against students and to impose any of the penalties specified in the Statute in accordance with these Rules.

#### 8.2 *Chair*

The Vice-Chancellor must appoint a Chair and a Deputy Chair of the Tribunal, each to serve for two years.

#### 8.3 *Staff Members of the Tribunal*

Before the commencement of each calendar year on the request of the Student Conduct Officer, each of the Executive Deans, the Dean of Graduate Studies and the Pro Vice-Chancellor (Student Experience) must nominate three senior academic or professional staff members (including at least one of each, and at least one man and one woman) as members of the Tribunal for that year.

#### 8.4 *Constitution of the Tribunal to Hear Matters*

- a. The Tribunal must sit with at least three members comprising:
  - the Chair or, when unavailable, the Deputy Chair or another person appointed for that purpose by the Vice-Chancellor and President; and
  - at least two staff members of the Tribunal selected by the Chair who must first consult with the Pro Vice-Chancellor (Student Experience) (where the allegation is against a coursework student) or the Dean of Graduate Studies (where the allegation is against a higher degree by research student).
- b. The Chair and selected members must decline to sit as members of the Tribunal if they have an interest or there are other circumstances that would prevent their acting impartially or would give rise to a reasonable apprehension that they may not act impartially.

### 9. **PRELIMINARY REVIEW**

#### 9.1 *Review by Chair*

Timeline: As soon as practicable.

- a. On receipt of a report of alleged misconduct, the Student Conduct Officer must notify the Chair of the Tribunal.

Timeline: Within five business days of notification by Student Conduct Officer.

- b. The Chair of the Tribunal must undertake a preliminary review of the allegations of misconduct.
- c. The Chair may dismiss the report if he or she determines on a preliminary review that the report is frivolous or vexatious or that the matter is trifling and does not warrant any further consideration by the Tribunal.
- d. If the Chair finds that the report should be dismissed under rule 9.1.c, the Chair must notify the reporter and the student of the outcome in writing. No further action may be taken by the reporter.
- e. If the Chair does not decide to dismiss the report under rule 9.1.c, the Chair may:
  - determine whether the report, on the face of it, would be more appropriately dealt with by the Local Review and Resolution Process under rule 7 and, if so, refer it to an Authorised Officer for such determination

OR

- determine that the matter should proceed before the Tribunal.

#### 9.2 *Referral for interim exclusion or suspension under rule 10*

Where, in the opinion of the Chair, the allegations in the report, if proven, may give rise to a risk of the kind referred to in rule 10.1.b, he or she may refer the allegation immediately to the Deputy Vice-Chancellor and Vice-President (Academic) or Deputy Vice-Chancellor and Vice-President (Research) or an Executive Dean for consideration of the exercise of the urgent interim exclusion or suspension power in rule 10.

### 9.3 *Interview with student*

As part of the preliminary assessment, the Chair may, if he or she sees fit, request an interview with the student about whom the report of alleged misconduct is made. The interview may be in person or, with the consent of the Chair, by use of any technology that gives the student and Chair a reasonable opportunity to participate. The student may be accompanied by a support person.

### 9.4 *Referral to Tribunal under rule 3.3 or rule 10.4*

A preliminary review will not be undertaken for matters referred to the Tribunal under rule 3.3 or rule 10.4

## 10. **URGENT INTERIM EXCLUSION OR SUSPENSION**

### 10.1 *Authorities*

- a. The Vice-Chancellor, Deputy Vice-Chancellor and Vice-President (Academic), Deputy Vice-Chancellor and Vice-President (Research) and Executive Deans each have authority to exercise the powers of exclusion and suspension set out in section 9 of the Statute.
- b. The power to suspend or exclude may be exercised where the person exercising the power holds a reasonable belief that the student's conduct or behaviour may constitute misconduct and involves or might involve a serious risk of:
  - injury to the health, safety or wellbeing of a member of the University community or any person on University grounds, or
  - damage to University property, or
  - disruption to any University-sanctioned activity, or
  - damage to the University's reputation or interests, or
  - further misconduct, or
  - covering up or attempting to cover up an incidence of misconduct.
- c. In exercising this authority, the decision maker may inform himself or herself by any manner he or she thinks fit; and is not required to accord a hearing to the student, but must make a reasonable effort (having regard to the seriousness and urgency of the risk) to provide the student with an opportunity to explain why the exclusion or suspension ought not to be imposed or ought to be limited.
- d. Where the student is an international student, the decision maker must consult with the Manager, International Student Centre (if it is reasonably practical to do so) before making any decision.

### 10.2 *Duration of urgent interim exclusion or suspension*

- a. An order to exclude or suspend may take effect immediately on notification to the student, whether orally or in writing and may be imposed for a specified period or until the final determination of the alleged misconduct by the Tribunal.
- b. The exclusion or suspension order continues to operate until:
  - the period, if any, specified by the decision maker has expired;
  - it is revoked by the decision maker on his or her own motion or by application from the student; or
  - the matter is finally determined by the Tribunal.

### 10.3 *Notice to student*

Timeline: Within one full business day of the initial notification to the student.

The decision maker must provide written notice, in a manner specified in rule 15.1, to a student excluded or suspended under this rule containing:

- a. the terms of the exclusion/suspension;
- b. the reason/s for the exclusion/suspension;
- c. a statement that the matter will be referred to the Tribunal;
- d. notice of the student's right to consult an Education and Welfare Officer or other support person for assistance with the Tribunal hearing; and

- e. a copy of the Student Misconduct Rules and Statute.

#### 10.4 *Notice to others*

Timeline: Within one full business day of the initial notification of the student.

The decision maker must refer the matter to the Tribunal for determination, through the Student Conduct Officer, and must also provide a copy of the student notification to:

- a. the Manager, Security;
- b. the Executive Dean of any Faculty in whose program the student is enrolled, and/or the Head of any School/unit with which the student is associated;
- c. any other staff member whose responsibilities, in the opinion of the decision maker, require them to know of the order against the student (for example, the Manager, International Student Centre, in respect of international students).

### 11. **STUDENT MISCONDUCT TRIBUNAL PROCEDURE**

#### 11.1 *Notice to student*

Timeline: Within five business days of a decision by the Chair of the Tribunal to proceed with a hearing or the receipt of the referral of a matter under clause 10.4.

- a. The Tribunal Chair must ensure the student is notified in writing of the allegation by a means specified in rule 15.1.
- b. The notice must include the following:
  - details of the allegation and of the substance of the evidence which supports it;
  - an invitation to the student to provide a written explanation, submission and/or evidence in response to the allegation;
  - an invitation to the student to attend a formal hearing, to be held on a date no earlier than 15 business days after the date of deemed receipt of the notice, and no later than 30 business days after the date of deemed receipt of the notice;
  - notice that the student may be accompanied by a support person at the hearing;
  - notice that the hearing will proceed whether there is a written submission or not, and whether the student attends or not;
  - a copy of the Student Misconduct Rules and Statute; and
  - notice of the members of the Tribunal who are to hear the matter.

#### 11.2 *Student's status pending investigation (once student notified)*

- a. The Tribunal Chair may, if he or she considers it appropriate, order that a student's results be withheld or that the student be not permitted to qualify for an award until any proceedings relating to a misconduct allegation against the student have been finalised and the appeal period has expired.
- b. The student and the General Manager, Student Services & Administration, or any other person that the Chair considers should be given notice, must be notified of any such order immediately.

#### 11.3 *Student responsibilities*

Timeline: At least three business days before the hearing.

After receiving notice of the hearing, the student must advise the Tribunal in writing:

- a. whether they intend to attend the hearing;
- b. whether they intend to bring a support person; and
- c. whether they intend to provide additional documentation. If so, it must be provided no later than two business days before the start of the hearing.

#### 11.4 *Hearing procedures*

- a. A hearing shall proceed without undue formality. The rules of evidence and court procedures do not apply, and no witness is to be sworn.
- b. The Tribunal may inform itself of any matter relevant to the making of a finding by whatever means it chooses, provided that the student is given a reasonable opportunity to respond to any material that the Tribunal proposes to take into account.

- c. The Tribunal may give such directions as it considers necessary or appropriate, including as to the provision of evidence, the making of written or verbal submissions, and any other relevant matter.
- d. A hearing is held in closed session; however, the Tribunal may appoint an executive officer who may attend the hearing.
- e. Notes of the hearing may be taken.
- f. The Tribunal may adjourn a hearing to another date within 20 business days of the original hearing date. Every hearing must be completed as quickly as possible subject to the requirements of procedural fairness. The hearing shall be conducted at such place or places determined by the Chair and the student and witnesses may at the Chair's discretion appear or give evidence at the hearing by the use of technology.
- g. A hearing may proceed in the absence of the student if the student does not respond under rule 11.3, or indicates they will not attend, or does not attend. However, if information or allegations are presented at the hearing which were not notified under rule 11.1, the student must be given a further opportunity to respond and appear.
- h. A student is not obliged to answer questions asked by the Tribunal.
- i. A student's support person has no right to be heard, except with the permission of the Tribunal, and may be excluded if they disrupt or unreasonably interfere with or impede the conduct of the hearing.
- j. A support person cannot appear in place of the student. If a support person is present, the student must also be present, either in person or via any technology that is approved by the Chair.

#### 11.5 *Admission of misconduct*

- a. A student may admit an act of misconduct at any time.
- b. When a student admits both the occurrence and the substance of an act of misconduct, the Tribunal may, at its discretion, make a finding of misconduct and proceed to the determination of a penalty, without holding or continuing with a hearing.
- c. If the Tribunal decides not to hold a hearing under rule 11.5.b, it must invite the student to make a submission on any mitigating circumstances that might be relevant to the penalty before making its determination.

#### 11.6 *Referral under Rule 3.3*

Timeline: Within five business days of receipt of a referral under Rule 3.3.

- a. The Tribunal Chair must ensure the student is notified in writing of the referral by a means specified in rule 15.1.
- b. The notice must include the following:
  - the basis on which the matter has been referred to the Tribunal to determine a penalty;
  - a copy of supporting documents provided to the Tribunal with the referral;
  - an invitation to the student to provide a written submission on any mitigating circumstances to be taken into account by the Tribunal in determining the penalty;
  - a date by which any submission must be received;
  - notice that the Tribunal may proceed to make a determination with or without a hearing;
  - notice that the Tribunal may proceed to make a determination whether or not the student provides a written submission or attends the hearing (if scheduled);
  - notice that the student may be accompanied by a support person at the hearing (if scheduled);
  - a copy of the Student Misconduct Rules and Statute; and
  - notice of the members of the Tribunal who will be making the determination.
- c. After considering any submission from the student received within the time stipulated in the notice, the Tribunal may, at its discretion, proceed to determine a penalty with or without holding a hearing. If the Tribunal decides to hold a hearing, the Tribunal Chair must ensure the student is notified in writing by a means specified in rule 15.1 at least fifteen (15) business days prior to the hearing date.

- d. Rule 11.2 may be applied in respect of any referrals under Rule 3.3.

## 12. STUDENT MISCONDUCT TRIBUNAL OUTCOMES

### 12.1 *Finding*

- a. Except in the case of a referral under Rule 3.3, a Student Misconduct Tribunal must make its finding as to whether a student has or has not engaged in misconduct on the balance of probabilities.
- b. A decision of a Tribunal is made by majority. If the decision is split evenly, the Chair has the final decision.

### 12.2 *Penalties*

- a. The penalties for misconduct are provided in the Statute.
- b. Where a Student Misconduct Tribunal:
- makes a finding that a student has engaged in misconduct; or
  - has had a matter referred to it under Rule 3.3
- it may impose any or all of the penalties referred to in the Statute as it considers appropriate.
- c. A Tribunal, at the time it imposes any penalty, may suspend the penalty on such conditions, if any, as it sees fit.
- d. In determining the appropriate penalty and whether to suspend that penalty the Tribunal shall take into account such matters as it considers are relevant which may include:
- The nature and seriousness of the misconduct, including its impact on other members of the University community and the University itself;
  - The student's previous record of misconduct and previous penalties imposed;
  - The student's subjective circumstances and whether these were aggravating or mitigating factors;
  - Whether the student admits the misconduct and/or has expressed remorse for the conduct;
  - The penalties imposed for similar cases in the past;
  - The extent to which the misconduct was planned or deliberate;
  - The degree of advantage gained or potentially gained;
  - The importance of specific and general deterrence;
  - The potential impact on the student, including their capacity to successfully complete their course or program of study;
  - The consequences on the student of any failure by a University officer or tribunal to meet timelines specified in these rules.
- e. Where the student is an international student, the Tribunal must seek advice from the Manager, International Student Centre (where practical), as to the implications of any proposed penalty. However any decision on penalty is that of the Tribunal alone.

### 12.3 *Notifications*

Timeline: Within 10 business days of the decision being made.

- a. Student:
- The Tribunal must provide the student with written notice of:
- the finding, with reasons;
  - any penalty imposed; and
  - the grounds on which the decision may be appealed.
- b. Others:
- The Tribunal must provide a copy of the student notification to:
- the Student Conduct Officer; and

- any other staff member whose responsibilities require them to know of the order against the student in order to administratively implement a penalty or otherwise. In the case of suspension, exclusion or expulsion this may include:
  - o the Manager, Security;
  - o the Executive Dean of any Faculty in whose program the student is enrolled, and/or the Head of any School/unit with which the student is associated;
  - o the Manager, Student Administration, the Manager, International Student Centre and the Academic Director, Singapore Operations;
  - o the original person who reported the misconduct.
- c. Nothing in these rules should be taken as restricting the power of the Tribunal in an appropriate case to receive submissions on penalty after it has given a finding, with reasons, on whether misconduct was established.

### 13. APPEAL

Timeline: Within 20 business days of the notification to the student of the Student Misconduct Tribunal's decision.

- a. A student may appeal the Tribunal's final decision through the Student Grievance and Appeals Committee. No other person or body may appeal.
- b. An Appeal may only be made on one or more of the following grounds:
  - a failure to comply with procedural fairness, which could have materially affected the outcome of the hearing or the determination of the penalty;
  - the existence of new evidence which was not reasonably ascertainable by the student at or before the hearing, and which would have materially affected the outcome of the hearing or the determination of the penalty.
- c. A penalty imposed by a Tribunal does not come into effect until the appeal period has expired or, if an appeal is lodged, the appeal is finalised, unless the Tribunal or Student Grievance and Appeals Committee determines otherwise.
- d. The Student Grievance and Appeals Committee may set aside or vary the orders of the Tribunal and may remit the matter to the Tribunal for further determination or impose, in substitution for the penalty of the Tribunal, any penalty that the Tribunal was empowered to impose.

### 14. IMPLEMENTATION OF DECISIONS AND PENALTIES

#### 14.1 *Compensation*

When a Student Misconduct Tribunal orders payment of compensation, the Tribunal must specify the means by which the student can make payment to the University.

#### 14.2 *Exclusion*

A student who is excluded must not, for the duration of the order, attend such classes or participate in such activities or enter such parts of the University grounds or use such University facilities as is ordered by the Tribunal.

#### 14.3 *Suspension (by Tribunal)*

- a. A student who is suspended from a course or program remains a student but their enrolment in that course or program is withdrawn, and the Tribunal may order that they not pursue any other academic course or program at the University during the period of suspension. No study undertaken by the student at another institution during a period of suspension may be granted credit towards any University of Adelaide program at any time.
- b. A student in an award course who is suspended after the Census Date for that course has no right to a tuition fee refund or remission of HECS-HELP, FEE-HELP or OS-HELP liability or refund or remission of any other fees or liabilities for that course; and will have the result WF recorded against every course from which they are suspended.
- c. A student suspended from any other course of study or activity at any time has no right to a refund of fees for that course or activity.

#### 14.4 *Suspension (under urgent, interim power in rule 10)*

- a. A student who is suspended from a course or program remains a student but their enrolment in that course or program is withdrawn, and the decision maker under rule 10



may order that they not pursue any other academic course or program during the period of suspension.

- b. A student in an award course who is suspended after the Census Date for that course has no right to a tuition fee refund or remission of HECS-HELP, FEE-HELP or OS-HELP liability or refund or remission of any other fees or liabilities for that course; and will have a Fail grade recorded against every course from which they are suspended.
- c. If the Tribunal finds that the student did not engage in misconduct, the Tribunal may order, at its discretion, that a tuition fee refund or remission of liability be made in respect of the period of urgent, interim suspension, and that the Fail grade be substituted with WNF. It may also, after hearing from the student and the Course Coordinator of each course from which the student was suspended, order that the student be given an opportunity to complete an Assessment Task Extension or Replacement Examination under the Modified Arrangements for Coursework Assessment Policy or any policy which relates to such matters.

#### 14.5 *Expulsion*

- a. A student who is expelled from the University ceases to be a student and the student's academic transcript records that they have been permanently expelled. All enrolments are cancelled and the student must not be admitted to a program or enrolled in a course or permitted to participate in any formal University activity (other than one open to the general public) at any future time, except as provided under rule 14.10.
- b. A student who is expelled after a Census Date has no right to any tuition fee refund or remission of HECS-HELP, FEE-HELP or OS-HELP liability or refund or remission of any other liability or fee for the course/s in which they were previously enrolled or have previously completed. The result WF will be recorded against every uncompleted course in which the student was enrolled.
- c. A student undertaking any other course of study or activity at the time of expulsion has no right to a refund of fees for that course or activity.
- d. Any unpaid fees or fines may be treated as a non-student bad debt, and recovered under the University's debtor management policies.

#### 14.6 *Substitution or adjustment of mark or grade*

A lower mark or grade, including a Fail grade, may be substituted for a previously obtained mark or grade, and recorded on the student's academic transcript.

#### 14.7 *Preclusion from conferral of award / revocation of award*

These penalties will be recorded on the student's academic transcript.

#### 14.8 *Fines and compensation orders*

- a. An order for payment of a fine or monetary compensation must specify the date by which the payment must be made, and may make provision for payment in instalments. The fine or compensation must not be ordered to be paid prior to the expiry of the period in which to appeal the imposition of that penalty.
- b. Non-payment of a fine or compensation, or an instalment of same, by the due date will result in action against the student being taken under the University's Student Debtors procedures, in addition to any other consequences under these rules.

#### 14.9 *Failure to comply with penalties imposed by Tribunal*

If a student fails to pay a fine or compensation order imposed by a Tribunal under these rules within 14 business days of the due date or within any further period which may arise as a result of lodging an appeal or is granted by the Deputy Vice-Chancellor and Vice-President (Academic) (in the case of coursework students) or the Deputy Vice-Chancellor and Vice-President (Research) (in the case of Higher Degree by Research students), or the student contravenes an exclusion or suspension order, the Deputy Vice-Chancellor and Vice-President may:

- a. exclude or suspend a student from all or any of the University's activities, facilities or premises, or withdraw the rights and privileges that person would otherwise be entitled to, or
- b. direct that the student not be permitted to enrol or re-enrol in any course or program, or to receive an academic transcript, or to receive the results of any assessment in any course or program or to have conferred an award of the University, on such conditions as he or she thinks fit.

#### 14.10 *Application for re-admission*

A student who is expelled from the University may apply to the Deputy Vice-Chancellor and Vice-President (Academic) (for a coursework program) or to the Deputy Vice-Chancellor and Vice-President (Research) (for a Higher Degree by Research program) for re-admission to the University after a period of 10 years.

The Deputy Vice-Chancellor and Vice-President may refuse the application, or grant it on whatever terms and conditions he or she thinks fit.

### 15. GENERAL PROVISIONS

#### 15.1 *Written communication to students*

Written communication with students may be delivered in accord with the following table, and will be deemed to have been received in accord with the following table:

| <b>Notice is sufficient if it is in writing and delivered by <u>one</u> of the following means:</b>  | <b>Notice is deemed to have been received:</b>                        |
|--|---|
| a. emailed to the student's allocated University email account. If the student does not have a University email account, one of the three methods below must be used.  | 24 hours after the time it was sent                                   |
| b. given to the student in person  | immediately   |
| c. posted by ordinary or express post to the student at <ul style="list-style-type: none"> <li>• the address shown on the student's record on the Student Administration System or,</li> <li>• if the student is not on the Student Administration System, the last recorded address for that student, on the date of posting</li> </ul> | on the third business day after it was sent                           |
| d. delivered by courier to the student at <ul style="list-style-type: none"> <li>• the address shown on the student's record on the Student Administration System or,</li> <li>• if the student is not on the Student Administration System, the last recorded address for that student, on the date of delivery</li> </ul>              | on the date recorded in the courier's records as the date of delivery |

#### 15.2 *Recordkeeping*

All records created during the application of these rules must be retained in accordance with the University's recordkeeping requirements.

#### 15.3 *Student Misconduct Register*

- a. A Student Misconduct Register must be maintained by the Student Conduct Officer in the Division of the Deputy Vice-Chancellor and Vice-President (Academic), and stored in the Records Management Office.
- b. The Register is confidential, and access may only be granted by the Student Conduct Officer or the General Manager, Student Services and Administration.
- c. An individual student's entry on the Register will be retained and destroyed in accord with the University's Records Disposal Schedules.

#### 15.4 *Referral to Police or External Authorities or Regulators*

- a. If it appears to the Chair that an allegation may, if proved, constitute a criminal offence he or she must refer the report to Legal & Risk, whose staff may notify the matter to the police or other external authority or regulator.
- b. The Chair may, after hearing from the student and a representative of Legal & Risk, determine, in his or her discretion, whether or not to proceed to determine the matter notwithstanding any notification under rule 15.4.a.
- c. For the avoidance of doubt these rules do not in any way restrict the ability of the University or of any individual to contact police or relevant authorities in respect of any matter.

#### 15.5 *Annual report*

Timeline: By the end of March each year.

The Chair of the Student Misconduct Tribunal must make an annual report to the Deputy Vice-Chancellor and Vice-President (Academic) summarising the number, nature and outcomes of the cases referred to it, and at any time may make recommendations for improvement to University processes and practices.

### 15.6 *Name and other changes*

- a. Where a power is conferred by these rules on a person holding a particular office and the title of that office is changed or the office no longer exists, the power shall be taken to have been conferred on any person holding such office as declared by the Vice-Chancellor in writing to be the successor or new title of the specified office.
- b. Where the rules refer to a policy, procedure, scheme or body and such policy, procedure, scheme or body no longer exists in that form or its title is changed, the Rules shall be taken to refer to any such policy, procedure, scheme or body as declared by the Vice-Chancellor in writing to be its successor or new title.

## 16. DEFINITIONS

**Senior academic staff member:** A member of staff appointed at Level C or above.

**Senior professional staff member:** A member of staff appointed at HEO 7 or above.

**Student Conduct Officer:** A member of staff appointed within the Division of the Deputy Vice-Chancellor and Vice-President (Academic) to provide administrative support and advice on these rules and to the Student Misconduct Tribunal.

**University activities, facilities, grounds, premises:** Includes University activities, facilities, grounds or premises in off-shore campuses

Approved by Council 6/12, 10 September 2012

Came into effect on 22 November 2012 with the confirmation by the Governor of Statute Chapter 3 'Of Student Misconduct', (See *South Australian Government Gazette* No 73, p 5153)

Amendments to rule 3.3, 9.4 and 12.2b, insertion of new rule 11.6, and minor amendments, approved by Council on 2 December 2013.

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### THE UNIVERSITY OF ADELAIDE

*By-laws made under The University of Adelaide Act 1971*

THE by-laws of the University of Adelaide are amended by adding the following paragraph:

7.3 An authorised person may remove from University grounds any persons who are trespassing on University grounds.

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## TRAINING AND SKILLS DEVELOPMENT ACT 2008

### Part 4—Apprenticeships/Traineeships

Pursuant to the provision of the Training and Skills Development Act 2008, the Training and Skills Commission (TaSC) gives notice that determines the following Trades or Declared Vocations in addition to the *Gazette* notices of:

- |                       |                      |                       |                       |
|-----------------------|----------------------|-----------------------|-----------------------|
| 1. 25 September 2008  | 2. 23 October 2008   | 3. 13 November 2008   | 4. 4 December 2008    |
| 5. 18 December 2008   | 6. 29 January 2009   | 7. 12 February 2009   | 8. 5 March 2009       |
| 9. 12 March 2009      | 10. 26 March 2009    | 11. 30 April 2009     | 12. 18 June 2009      |
| 13. 25 June 2009      | 14. 27 August 2009   | 15. 17 September 2009 | 16. 24 September 2009 |
| 17. 9 October 2009    | 18. 22 October 2009  | 19. 3 December 2009   | 20. 17 December 2009  |
| 21. 4 February 2010   | 22. 11 February 2010 | 23. 18 February 2010  | 24. 18 March 2010     |
| 25. 8 April 2010      | 26. 6 May 2010       | 27. 20 May 2010       | 28. 3 June 2010       |
| 29. 17 June 2010      | 30. 24 June 2010     | 31. 8 July 2010       | 32. 9 September 2010  |
| 33. 23 September 2010 | 34. 4 November 2010  | 35. 25 November 2010  | 36. 16 December 2010  |
| 37. 23 December 2010  | 38. 17 March 2011    | 39. 7 April 2011      | 40. 21 April 2011     |
| 41. 19 May 2011       | 42. 30 June 2011     | 43. 21 July 2011      | 44. 8 September 2011  |
| 45. 10 November 2011  | 46. 24 November 2011 | 47. 1 December 2011   | 48. 8 December 2011   |
| 49. 16 December 2011  | 50. 22 December 2011 | 51. 5 January 2012    | 52. 19 January 2012   |
| 53. 1 March 2012      | 54. 29 March 2012    | 55. 24 May 2012       | 56. 31 May 2012       |
| 57. 7 June 2012       | 58. 14 June 2012     | 59. 21 June 2012      | 60. 28 June 2012      |
| 61. 5 July 2012       | 62. 12 July 2012     | 63. 19 July 2012      | 64. 2 August 2012     |
| 65. 9 August 2012     | 66. 30 August 2012   | 67. 13 September 2012 | 68. 4 October 2012    |
| 69. 18 October 2012   | 70. 25 October 2012  | 71. 8 November 2012   | 72. 29 November 2012  |
| 73. 13 December 2012  | 74. 25 January 2013  | 75. 14 February 2013  | 76. 21 February 2013  |
| 77. 28 February 2013  | 78. 7 March 2013     | 79. 14 March 2013     | 80. 21 March 2013     |
| 81. 28 March 2013     | 82. 26 April 2013    | 83. 23 May 2013       | 84. 30 May 2013       |
| 85. 13 June 2013      | 86. 20 June 2013     | 87. 11 July 2013      | 88. 1 August 2013     |
| 89. 8 August 2013     | 90. 15 August 2013   | 91. 29 August 2013    | 92. 29 November 2013  |
| 93. 5 December 2013   |                      |                       |                       |

### Trades or Declared Vocations and Required Qualifications and Training Contract Conditions for the

#### Automotive Industry Retail, Service and Repair Training Package AUR12 v1

| *Trade/ #Declared Vocation/<br>Other Occupation | Code     | Title                                  | Nominal<br>Term of<br>Training<br>Contract<br>(mths) | Probationary<br>Period<br>(mths) |
|---|----------|--|--|----------------------------------|
| # Customer Servicing<br>(Automotive Sales)      | AUR31012 | Certificate III in Automotive<br>Sales | 36   | 3                                |

## TRAINING AND SKILLS DEVELOPMENT ACT 2008

### Part 4—Apprenticeships/Traineeships

Pursuant to the provision of the Training and Skills Development Act 2008, the Training and Skills Commission (TaSC) gives notice that determines the following:

Trades or Declared Vocations in addition to the *Gazette* notices of:

- |                       |                      |                       |                       |
|-----------------------|----------------------|-----------------------|-----------------------|
| 1. 25 September 2008  | 2. 23 October 2008   | 3. 13 November 2008   | 4. 4 December 2008    |
| 5. 18 December 2008   | 6. 29 January 2009   | 7. 12 February 2009   | 8. 5 March 2009       |
| 9. 12 March 2009      | 10. 26 March 2009    | 11. 30 April 2009     | 12. 18 June 2009      |
| 13. 25 June 2009      | 14. 27 August 2009   | 15. 17 September 2009 | 16. 24 September 2009 |
| 17. 9 October 2009    | 18. 22 October 2009  | 19. 3 December 2009   | 20. 17 December 2009  |
| 21. 4 February 2010   | 22. 11 February 2010 | 23. 18 February 2010  | 24. 18 March 2010     |
| 25. 8 April 2010      | 26. 6 May 2010       | 27. 20 May 2010       | 28. 3 June 2010       |
| 29. 17 June 2010      | 30. 24 June 2010     | 31. 8 July 2010       | 32. 9 September 2010  |
| 33. 23 September 2010 | 34. 4 November 2010  | 35. 25 November 2010  | 36. 16 December 2010  |
| 37. 23 December 2010  | 38. 17 March 2011    | 39. 7 April 2011      | 40. 21 April 2011     |
| 41. 19 May 2011       | 42. 30 June 2011     | 43. 21 July 2011      | 44. 8 September 2011  |
| 45. 10 November 2011  | 46. 24 November 2011 | 47. 1 December 2011   | 48. 8 December 2011   |
| 49. 16 February 2012  | 50. 22 December 2011 | 51. 5 January 2012    | 52. 19 January 2012   |
| 53. 1 March 2012      | 54. 29 March 2012    | 55. 24 May 2012       | 56. 31 May 2012       |
| 57. 7 June 2012       | 58. 14 June 2012     | 59. 21 June 2012      | 60. 28 June 2012      |
| 61. 5 July 2012       | 62. 12 July 2012     | 63. 19 July 2012      | 64. 2 August 2012     |
| 65. 9 August 2012     | 66. 30 August 2012   | 67. 13 September 2012 | 68. 4 October 2012    |
| 69. 18 October 2012   | 70. 25 October 2012  | 71. 8 November 2012   | 72. 29 November 2012  |
| 73. 13 December 2012  | 74. 25 January 2013  | 75. 14 February 2013  | 76. 21 February 2013  |
| 77. 28 February 2013  | 78. 7 March 2013     | 79. 14 March 2013     | 80. 21 March 2013     |
| 81. 28 March 2013     | 82. 26 April 2013    | 83. 23 May 2013       | 84. 30 May 2013       |
| 85. 13 June 2013      | 86. 20 June 2013     | 87. 11 July 2013      | 88. 1 August 2013     |
| 89. 8 August 2013     | 90. 15 August 2013   | 91. 29 August 2013    |                       |

### Trades or Declared Vocations and Required Qualifications and Training Contract Conditions for the Maritime Training Package (MAR13 v1)

| *Trade<br>#Declared<br>Vocation<br>Other Occupation | Code     | Title   | Nominal<br>Term of<br>Training<br>Contract | Probationary<br>Period |
|---|----------|---|--|------------------------|
| # Shore-based Linesperson                           | MAR10213 | Certificate I in Maritime Operations (Linesperson)                    | 12 months                                  | 1 months               |
| # Coxswain  | MAR20113 | Certificate II in Maritime Operations (Coxswain)                      | 12 months                                  | 1 months               |
| # Marine Engine Driver<br>Grade 3                   | MAR20213 | Certificate II in Maritime Operations (Marine Engine Driver Grade 3)  | 12 months                                  | 1 months               |
| # Integrated Rating                                 | MAR30113 | Certificate III in Maritime Operations (Integrated Rating)            | 24 months                                  | 2 months               |
| # Marine Engine Driver<br>Grade 2                   | MAR30213 | Certificate III in Maritime Operations (Marine Engine Driver Grade 2) | 24 months                                  | 2 months               |

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|                                |          |  |    |   |
|--------------------------------|----------|--|----|---|
| # Master 5 Skipper Grade 3     | MAR30413 | Certificate III in Maritime Operations (Master up to 24 metres)      | 24 | 2 |
| # Marine Engine Driver Grade 1 | MAR40213 | Certificate IV in Maritime Operations (Marine Engine Driver Grade 1) | 36 | 3 |
| # Master 4 Skipper Grade 2     | MAR40313 | Certificate IV in Maritime Operations (Master up to 35 metres)       | 36 | 3 |

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**WORKERS REHABILITATION AND COMPENSATION ACT 1986****WORKERS COMPENSATION TRIBUNAL RULES 2009**

I, WILLIAM DAVID JENNINGS, President of the Workers Compensation Tribunal of South Australia, by virtue of the provisions of Section 88E of the Workers Rehabilitation and Compensation Act 1986 and all the enabling powers, do hereby;

1. Amend Rule 11—Assignment, Place And Conduct Of Proceedings, by adding sub rule (4) after existing sub-rule (3) and renumber the following sub-rules consequentially as set out below, and
2. Amend Rule 10—Documents by adding sub-rule (8) as set out below.

These amendments to commence on the day of Gazettal, Thursday 12 December 2013.

Given under my hand and the seal of the Workers Compensation Tribunal of South Australia.

Dated this 5<sup>th</sup> day of December 2013.

(LS)

**Judge W. D. JENNINGS**  
**PRESIDENT, WORKERS COMPENSATION TRIBUNAL**

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**RULE ELEVEN—ASSIGNMENT, PLACE AND CONDUCT OF PROCEEDINGS**

- (1) Subject to any express provision of the Act and Rules, the President may assign any proceedings to any Member of the Tribunal as may seem appropriate and may alter that assignment in order to resolve the proceedings more effectively.
  - (a) If the President is satisfied that a proceeding is vexatious, is an abuse of process or there is other good reason such as a failure of the party lodging the proceedings to purge a contempt of the Tribunal or to pay a fine imposed as a result of a contempt, the President may decline to assign the proceedings and if the proceedings have already been assigned may withdraw that assignment and may direct the Registrar to strike out the proceedings.
  - (b) Before declining to assign proceedings or withdrawing an assignment and directing the Registrar to strike out the proceedings, the President must inform the party that that course is being contemplated and must give a reasonable opportunity to enable the party to make submissions as to whether that course should be proceeded with.
- (2) If a party wishes that proceedings be heard at a place other than Adelaide, then that party must make a specific request to the member to whom the matter has been referred or if there is no such member to the Registrar nominating that other place.
- (3) If a party, other than the party lodging the application or the compensating authority, wishes to participate in the conciliation conference, or any other proceedings (other than proceedings pursuant to s 54 or Schedule 1 of the Act) that party must complete the form titled “Notice of Desire to be Heard” with sufficient copies of such notice and sufficient details of the relevant parties to enable the Registrar to serve such parties.

- (4) On the application of a party to a dispute or on the Conciliation Officer's own initiative if proper grounds exist, a Conciliation Officer may strike out a Notice of Desire to be Heard in which case the party who filed that Notice will no longer be regarded as a party to the proceedings. Proper grounds shall include the party's failure to attend before a Conciliation Officer when directed to do so.
- (5) Where a matter is assigned to a member of the Tribunal, that member shall decide the manner and order of procedure in which the matter shall be conducted so that the issues raised are resolved as expeditiously as possible.
- (6) Subject to the provisions of the Act and the Rules:
  - (a) a Presidential Member of the Tribunal hearing a matter may adjourn for hearing or consideration in chambers any proceeding which in his or her opinion may more conveniently be disposed of in chambers; and if sitting in chambers may adjourn any proceeding to be heard in open court;
  - (b) in any case in which, in the opinion of the President, the proper conduct of the business of the Tribunal so requires a Presidential Member may either generally or in any particular proceeding direct that any interlocutory proceeding which is part heard before that member be assigned to another Presidential Member for determination.
- (7) If a judicial determination or other hearing before a member has been commenced and the member hearing the matter is unable to proceed, another member as the case may be, may proceed with it upon the transcript and exhibits and such other evidence that the parties may wish to adduce. That member shall if requested by a party recall any witness whose evidence is material and disputed. The member may also recall any other witness.

#### **RULE TEN—DOCUMENTS**

- (1) Except as otherwise provided by the Act, or Regulations promulgated thereunder, or the Rules, all documents shall be filed in the Registry and shall bear a heading in accordance with the appropriate form description.
- (2) Upon filing, each document shall be numbered in accordance with the directions of the Registrar.
- (3) All documents filed in the Tribunal shall contain the telephone number, the facsimile number and, if available, the e-mail address at which the party or their agent or that party's registered agent or legal representative on whose behalf the document is filed, may be contacted, together with an address for service to which documents may be sent.
- (4) Every agent or solicitor whose name appears on a document filed in the Registry is deemed to have the authority to issue it and accept service of proceedings in relation to it, unless any party upon application to the Tribunal proves the contrary.
- (5) A party may change their address for service; their agent or solicitor; or their telephone or facsimile number or e-mail address, by filing or causing to be filed a form in accordance with the form titled "Notice of Change of Address for Service" in the Registry and serving a copy upon each other party and in like manner an agent or solicitor may notify that they are no longer acting for a party for whom they have previously acted in that proceeding and such notice shall include the address for service of their former client.
- (6) Documents may be lodged at the Registry electronically on such conditions as the President may prescribe from time to time. All documents to be issued by the Tribunal may be issued by it electronically.



(7) If a document is to be filed in electronic form and requires a particular signature or authentication, the person proposing to file the document must, before doing so:

- (a) bring into existence a hard copy of the document; and
- (b) ensure that it is signed or authenticated as required.

The person filing the document in electronic form:

- (a) must keep a signed or authenticated hard copy of the document so as to be available:
  - (i) for production to the Tribunal; and
  - (ii) for inspection at the request of a party or an officer of the Tribunal; and
- (b) must comply with any requirements imposed by practice direction with regard to the preservation, production or inspection of the document; and
- (c) is taken to undertake to the Tribunal that the requirements of this rule have been and will be complied with in relation to the document.

A document lodged in electronic form is accepted as filed at the time shown in the receipt issued by the Registrar as the time of receipt of the document.

A party who files a document by transmitting it in electronic form to the Registry's e-mail address, by so doing undertakes to the Tribunal that the requirements of these rules with regard to the document have been, and will be, complied with.

(8) Power to reject documents submitted for filing.

- (a) A document is an abuse of the process of the Tribunal if it contains matter that is scandalous, frivolous or vexatious.
  - (b) If it appears to the Registrar that a document submitted for filing is an abuse of the process of the Tribunal, the Registrar must refer the matter to a Presidential Member.
  - (c) If the Presidential Member so directs, the Registrar will reject the document.
  - (d) If it appears to the Tribunal that a document that is an abuse of the process of the Tribunal has been filed in the Tribunal, the Tribunal may direct that it be struck from the file. Such a direction may be given either on the initiative of the Tribunal or on an application by a party.
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South Australia

## **Criminal Law (Sentencing) (Sentences of Indeterminate Duration) Amendment Act (Commencement) Proclamation 2013**

### **1—Short title**

This proclamation may be cited as the *Criminal Law (Sentencing) (Sentences of Indeterminate Duration) Amendment Act (Commencement) Proclamation 2013*.

### **2—Commencement of Act**

The *Criminal Law (Sentencing) (Sentences of Indeterminate Duration) Amendment Act 2013* (No 77 of 2013) will come into operation on 12 December 2013.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 12 December 2013

AGO0179/13CS

South Australia

## **Electoral (Miscellaneous) Amendment Act (Commencement) Proclamation 2013**

### **1—Short title**

This proclamation may be cited as the *Electoral (Miscellaneous) Amendment Act (Commencement) Proclamation 2013*.

### **2—Commencement of Act**

The *Electoral (Miscellaneous) Amendment Act 2013* (No 48 of 2013) will come into operation on 12 December 2013.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 12 December 2013

AGO0170/04CS

South Australia

## **National Gas (South Australia) (Gas Trading Exchanges) Amendment Act (Commencement) Proclamation 2013**

### **1—Short title**

This proclamation may be cited as the *National Gas (South Australia) (Gas Trading Exchanges) Amendment Act (Commencement) Proclamation 2013*.

### **2—Commencement of Act**

The *National Gas (South Australia) (Gas Trading Exchanges) Amendment Act 2013* (No 54 of 2013) will come into operation on 12 December 2013.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 12 December 2013

MRE13/018SC

South Australia

## **Constitution (Prorogation of Parliament) Proclamation 2013**

under section 6 of the *Constitution Act 1934*

### **1—Short title**

This proclamation may be cited as the *Constitution (Prorogation of Parliament) Proclamation 2013*.

### **2—Commencement**

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

### **3—Prorogation of Parliament**

The Parliament of South Australia is prorogued until 27 February 2014.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 12 December 2013

DPC13/072CS

South Australia

## **Local Government (Boundary Adjustment—The District Council of Cleve and The District Council of Franklin Harbour) Proclamation 2013**

under sections 9 and 11 of the *Local Government Act 1999*

### **1—Short title**

This proclamation may be cited as the *Local Government (Boundary Adjustment—The District Council of Cleve and The District Council of Franklin Harbour) Proclamation 2013*.

### **2—Commencement**

This proclamation will come into operation on 1 July 2014.

### **3—Boundary adjustment between councils**

- (1) The boundaries of the area of The District Council of Franklin Harbour are altered by severing from that area the Hundreds of Heggaton and Mangalo.
- (2) The boundaries of the area of The District Council of Cleve are altered by incorporating in that area the Hundreds of Heggaton and Mangalo.

### **Made by the Governor**

on the recommendation of the Boundary Adjustment Facilitation Panel and with the advice and consent of the Executive Council  
on 12 December 2013

PLN0038/13CS

South Australia

## **Tobacco Products Regulation (Exemption—The Shadow King) Proclamation 2013**

under section 71 of the *Tobacco Products Regulation Act 1997*

### **1—Short title**

This proclamation may be cited as the *Tobacco Products Regulation (Exemption—The Shadow King) Proclamation 2013*.

### **2—Commencement**

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

### **3—Interpretation**

In this proclamation—

*Act* means the *Tobacco Products Regulation Act 1997*;

*prescribed period* means the period commencing on 2 March 2014 and ending on 15 March 2014;

*prescribed production* means the stage production of *The Shadow King* produced by the Malthouse Theatre.

### **4—Application of proclamation**

This proclamation applies to the following persons:

- (a) a person employed by, or in relation to, the prescribed production;
- (b) an occupier of Her Majesty's Theatre, 58 Grote Street, Adelaide;
- (c) an employer with responsibility for a workplace consisting of Her Majesty's Theatre in relation to the prescribed production.

### **5—Exemption from section 46 of the Act**

- (1) A person to whom this proclamation applies is exempt from the operation of section 46 of the Act in relation to smoking occurring in the course of a performance or rehearsal of the prescribed production during the prescribed period.
- (2) An exemption under this clause is subject to the following conditions:
  - (a) smoking may only occur on a stage on which the prescribed production is being performed or rehearsed, or in a rehearsal room used in relation to the prescribed production;
  - (b) the area in which smoking may occur under the exemption must be well ventilated;
  - (c) the audience for a performance of the prescribed production must be warned that there will be smoking during the performance;
  - (d) a person may only smoke a tobacco product of a kind contemplated by paragraph (g) of the definition of *tobacco product* in section 4 of the Act.

- (3) If a person contravenes or fails to comply with a condition of an exemption specified in subclause (2), the exemption does not, while the contravention or non-compliance continues, operate in that person's favour.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 12 December 2013

HEAC-2013-00102

South Australia

## **Electoral Variation Regulations 2013**

under the *Electoral Act 1985*

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### **Contents**

#### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### **Part 2—Variation of *Electoral Regulations 2009***

- 4 Variation of regulation 9—How-to-vote cards (section 66)
  - 5 Substitution of regulation 15
    - 15 Prescribed requirements for how-to-vote cards (section 112A)
  - 6 Variation of Schedule 1—Forms
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Electoral Variation Regulations 2013*.

#### **2—Commencement**

These regulations will come into operation on the day on which the *Electoral (Miscellaneous) Amendment Act 2013* comes into operation.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Electoral Regulations 2009***

#### **4—Variation of regulation 9—How-to-vote cards (section 66)**

- (1) Regulation 9(1)(a)—delete paragraph (a) and substitute:
  - (a) must—
    - (i) if a candidate is contesting a seat in the Legislative Council—be no larger than 65 mm in length and 145 mm in width; and
    - (ii) if a candidate is contesting a seat in the House of Assembly—be no larger than 150 mm in length and 90 mm in width; and
    - (iii) contain the following information:
      - (A) the words "how-to-vote";

- (B) the name of the candidate, group of candidates or all candidates;
  - (C) the name and address of the person who authorised the card;
  - (D) if the card is to be distributed in printed form—the name and address of the printer;
  - (E) if a candidate is contesting a seat in the House of Assembly—the name of the district being contested;
  - (F) in the case of a House of Assembly election—
    - immediately before the surname of all candidates contesting the election, figures surrounded by a square indicating the order of preference the candidate recommends for each candidate; or
    - if the candidate to whom the how-to-vote card relates has lodged a voting ticket under section 63 of the Act, immediately before the surname of that candidate, a figure "1" surrounded by a square, together with a statement to the effect that the elector must express a preference for all other candidates as the elector sees fit;
  - (G) in the case of a Legislative Council election—
    - immediately before the surname of all candidates whose names appear on the how-to-vote card, figures surrounded by a square indicating the order of preference the candidate or group of candidates recommends for each of those candidates, together with a statement to the effect that an elector must express a preference for all other candidates; or
    - if a candidate or group of candidates contesting the election has lodged a voting ticket under section 63 of the Act, a figure "1" in a voting ticket square, together with a statement to the effect that if there is an expression of a preference in that square there is no necessity for an elector to express a preference for all the candidates; or
    - if a candidate or group of candidates contesting the election chooses to print the names of all candidates on the card, a statement directing the voter to express a preference for all the candidates; and
- (2) Regulation 9(1)(b)—delete "have printed on it" and substitute:
- contain



- (3) Regulation 9(1)—after paragraph (b) insert:  
and  
(c) may be submitted in electronic form.
- (4) Regulation 9(3)—delete "printed" and substitute:  
contained

## **5—Substitution of regulation 15**

Regulation 15—delete the regulation and substitute:

### **15—Prescribed requirements for how-to-vote cards (section 112A)**

- (1) For the purposes of section 112A(1)(b) of the Act, the information referred to in subparagraphs (i) and (ii) of that paragraph must be printed on the how-to-vote card in readily legible type that is—
- (a) in the case of a card that is A6 size or smaller—not smaller than Arial font 10 points; or
  - (b) in the case of a card that is larger than A6 size but smaller than A3 size—not smaller than Arial font 14 points; or
  - (c) in the case of a card that is larger than A3 size—not smaller than Arial font 20 points.
- (2) For the purposes of subregulation (1), the comparison between the size of a how-to-vote card and a standard paper size mentioned in that subsection is to be done by comparing the area of the how-to-vote card with the area of the standard paper size (regardless of the shape of the how-to-vote card).
- (3) For the purposes of section 112A(2)(a) and (b) of the Act, a how-to-vote card lodged under that subsection—
- (a) may be lodged in electronic form; and
  - (b) must contain the following information:
    - (i) the words "how-to-vote";
    - (ii) if the how-to-vote card is lodged by or on behalf of a candidate or group of candidates—the name of the candidate, group of candidates or all candidates;
    - (iii) the name and address of the person who authorised the card;
    - (iv) if the card is to be distributed in printed form—the name and address of the printer;
    - (v) if a candidate is contesting a seat in the House of Assembly—the name of the district being contested;
    - (vi) in the case of a House of Assembly election—
      - (A) immediately before the surname of all candidates contesting the election, figures surrounded by a square indicating the order of preference the candidate recommends for each candidate; or

- (B) if the how-to-vote card relates to a candidate for whom a voting ticket has been lodged under section 63 of the Act and is identical to a card submitted by or for the candidate under section 66 of the Act, immediately before the surname of that candidate, a figure "1" surrounded by a square, together with a statement to the effect that the elector must express a preference for all other candidates as the elector sees fit;
- (vii) in the case of a Legislative Council election—
- (A) immediately before the surname of all candidates whose names appear on the how-to-vote card, figures surrounded by a square indicating the order of preference the candidate or group of candidates recommends for each of those candidates, together with a statement to the effect that an elector must express a preference for all other candidates; or
  - (B) if a candidate or group of candidates contesting the election has lodged a voting ticket under section 63 of the Act, a figure "1" in a voting ticket square, together with a statement to the effect that if there is an expression of a preference in that square there is no necessity for an elector to express a preference for all the candidates; or
  - (C) if a candidate or group of candidates contesting the election chooses to print the names of all candidates on the card, a statement directing the voter to express a preference for all the candidates.

**6—Variation of Schedule 1—Forms**

Schedule 1, Form 6—delete Form 6 and substitute:

| Application for a Postal Vote   |  |       |      |
|---|--|-------|------|
| Office Use Only   |  |       |      |
| 1. Complete Your Details - Please Print   |  |       |      |
| Surname   |  |       |      |
| Given Names   |  |       |      |
| Residential Address<br>for which you claim to be enrolled<br><small>Post Office box, RMD &amp; RSD numbers are not acceptable.</small>  |  |       |      |
| Date of Birth   | Day  | Month | Year |
| Contact Number  |  |       |      |
| 2. Address To Send Ballot Papers  |  |       |      |
| Please send ballot papers for this election/referendum to me at this address  |  |       |      |
| 3. Declaration  |  |       |      |
| I declare that I:   |  |       |      |
| <ul style="list-style-type: none"> <li>• have not already voted in this election/referendum; and</li> <li>• am eligible for a postal vote for one of the following reasons: (✓ tick one box)</li> </ul> |  |       |      |
| <input type="checkbox"/> Distance   | <input type="checkbox"/> Advanced Pregnancy                      |       |      |
| <input type="checkbox"/> Travelling   | <input type="checkbox"/> Religion                                |       |      |
| <input type="checkbox"/> Illness  | <input type="checkbox"/> Working                                 |       |      |
| <input type="checkbox"/> Caring for Others  | See back of this application for detailed description of reasons |       |      |
| Signature or Mark of Elector  |  | Date  |      |
|   |  | / /   |      |
| Signature of Authorised Witness<br><small>only if elector is unable to sign (see reverse)</small>   |  | Date  |      |
|   |  | / /   |      |

**Qualification To Apply For A Postal Vote**

You are entitled to apply for a postal vote if you are unable to vote at a booth on polling day for one of the following reasons -

- **Distance** - Reside more than 8 kilometres from any polling booth
- **Travelling** - Away from residential address on polling day
- **Illness** - Sickness, infirmity or disability
- **Caring for Others** - Caring for a person who is sick, infirm or disabled
- **Advanced Pregnancy**
- **Religion** - Membership in a religious order or religious beliefs
- **Working** - Working throughout the hours of polling

**Obligations of Authorised Witness**

An elector who is unable to write may, in the presence of an *authorised witness*, make his/her distinguishing **mark** in the space provided for the applicant's signature.

*Authorised witness*

- is any person (other than a candidate in the election) who is at least 18 years of age;
- can only witness this application if he/she has seen the applicant **mark** it.

**Application By Post**

Completed applications must be returned directly to the Electoral Commission and must be received by 5pm on the Thursday immediately before the election/referendum at:

Electoral Commission SA,

GPO Box 666,  
Adelaide SA 5001

Level 6, 60 Light Square  
Adelaide SA 5000

or an appointed overseas office.

The location of overseas offices will be published in local newspapers prior to the election/referendum and on the Electoral Commission SA website at:

[www.ecsa.sa.gov.au](http://www.ecsa.sa.gov.au)

**For Further Information**

If you have any queries please contact the Electoral Commission SA

Enquiry Line: 1300 655 232

TTY: 08 7424 7451

For fax contact information refer to [www.ecsa.sa.gov.au](http://www.ecsa.sa.gov.au)

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 12 December 2013

No 277 of 2013

AGO017/04CS

South Australia

## **Local Government (Procedures at Meetings) Regulations 2013**

under the *Local Government Act 1999*

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## Schedule 1—Revocation of *Local Government (Procedures at Meetings) Regulations 2000*

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### Part 1—Preliminary

#### 1—Short title

These regulations may be cited as the *Local Government (Procedures at Meetings) Regulations 2013*.

#### 2—Commencement

These regulations will come into operation on 1 January 2014.

#### 3—Interpretation

- (1) In these regulations, unless the contrary intention appears—

*Act* means the *Local Government Act 1999*;

*clear days*—see subregulations (2) and (3);

*deputation* means a person or group of persons who wish to appear personally before a council or council committee in order to address the council or committee (as the case may be) on a particular matter;

*formal motion* means a motion—

- (a) that the meeting proceed to the next business; or
- (b) that the question be put; or
- (c) that the question lie on the table; or
- (d) that the question be adjourned; or
- (e) that the meeting be adjourned<sup>1</sup>;

*Guiding Principles*—see regulation 4;

*member* means a member of the council or council committee (as the case may be);

*point of order* means a point raised to draw attention to an alleged breach of the Act or these regulations in relation to the proceedings of a meeting;

*presiding member* means the person who is the presiding member of a council or council committee (as the case may be) and includes any person who is presiding at a particular meeting;

*written notice* includes a notice given in a manner or form determined by the council.

- (2) In the calculation of *clear days* in relation to the giving of notice before a meeting—

- (a) the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and
- (b) Saturdays, Sundays and public holidays will be taken into account.

- (3) For the purposes of the calculation of *clear days* under subregulation (2), if a notice is given after 5 p.m. on a day, the notice will be taken to have been given on the next day.

- (4) For the purposes of these regulations, a vote on whether *leave of the meeting* is granted may be conducted by a show of hands (but nothing in this subregulation prevents a division from being called in relation to the vote).

**Note—**

- 1 See regulation 12 for specific provisions about formal motions.

#### **4—Guiding Principles**

The following principles (the *Guiding Principles*) should be applied with respect to the procedures to be observed at a meeting of a council or a council committee:

- (a) procedures should be fair and contribute to open, transparent and informed decision-making;
- (b) procedures should encourage appropriate community participation in the affairs of the council;
- (c) procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;
- (d) procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.

## **Part 2—Meetings of councils and key committees**

### **Division 1—Preliminary**

#### **5—Application of Part**

The provisions of this Part apply to or in relation to—

- (a) the meetings of a council; and
- (b) the meetings of a council committee performing regulatory activities; and
- (c) the meetings of any other council committee if the council has, by resolution, determined that this Part should apply to that committee.

#### **6—Discretionary procedures**

- (1) Subject to the requirements of the Act, if a provision of this Part is expressed to be capable of being varied at the discretion of the council pursuant to this regulation, then a council may, by a resolution supported by at least  $\frac{2}{3}$  of the members of the council entitled to vote on the resolution, determine that a code of practice prepared or adopted by the council that establishes its own procedures for the relevant matter or matters will apply in substitution for the relevant provision (and such a determination will have effect according to its terms).
- (2) A council should, at least once in every financial year, review the operation of a code of practice under this regulation.
- (3) A council may at any time, by resolution supported by at least  $\frac{2}{3}$  of the members of the council entitled to vote on the resolution, alter a code of practice, or substitute or revoke a code of practice.
- (4) A council must, in considering the exercise of a power under this regulation, take into account the Guiding Principles.
- (5) A person is entitled to inspect (without charge) the code of practice of a council under this regulation at the principal office of the council during ordinary office hours.



- (6) A person is entitled, on payment of a fee fixed by the council, to a copy of the code of practice.
- (7) Regulation 12(4) does not apply to a motion under subregulation (3).
- (8) This regulation does not limit or derogate from the operation of regulation 20<sup>1</sup>.

**Note—**

- 1 Furthermore, if a matter is not dealt with by the Act or these regulations (including under a code of practice under this regulation), then the relevant procedure will be—
  - (a) as determined by the council; or
  - (b) in the case of a council committee where a determination has not been made by the council—as determined by the committee.

(See sections 86(8) and 89(1) of the Act.)

## **Division 2—Prescribed procedures**

### **7—Commencement of meetings and quorums**

- (1) A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.
- (2) If the number of apologies received by the chief executive officer indicates that a quorum will not be present at a meeting, the chief executive officer may adjourn the meeting to a specified day and time.
- (3) If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the presiding member or, in the absence of a presiding member, the chief executive officer, will adjourn the meeting to a specified day and time.
- (4) If a meeting is adjourned for want of a quorum, the chief executive officer will record in the minute book the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.
- (5) If a meeting is adjourned to another day, the chief executive officer must—
  - (a) give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and
  - (b) give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the council.

### **8—Minutes**

- (1) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.
- (2) No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.
- (3) On the confirmation of the minutes, the presiding member will—
  - (a) initial each page of the minutes, which pages are to be consecutively numbered; and
  - (b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.

- (4) The minutes of the proceedings of a meeting must include—
- (a) the names of the members present at the meeting; and
  - (b) in relation to each member present—
    - (i) the time at which the person entered or left the meeting; and
    - (ii) unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and
  - (c) each motion or amendment, and the names of the mover and seconder; and
  - (d) any variation, alteration or withdrawal of a motion or amendment; and
  - (e) whether a motion or amendment is carried or lost; and
  - (f) any disclosure of interest made by a member; and
  - (g) an account of any personal explanation given by a member; and
  - (h) details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and
  - (i) a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section; and
  - (j) details of any adjournment of business; and
  - (k) a record of any request for documents to be tabled at the meeting; and
  - (l) a record of any documents tabled at the meeting; and
  - (m) a description of any oral briefing given to the meeting on a matter of council business; and
  - (n) any other matter required to be included in the minutes by or under the Act or any regulation.

## 9—Questions

- (1) A member may ask a question on notice by giving the chief executive officer written notice of the question at least 5 clear days before the date of the meeting at which the question is to be asked.
- (2) If notice of a question is given under subregulation (1)—
  - (a) the chief executive officer must ensure that the question is placed on the agenda for the meeting at which the question is to be asked; and
  - (b) the question and the reply must be entered in the minutes of the relevant meeting.
- (3) A member may ask a question without notice at a meeting.
- (4) The presiding member may allow the reply to a question without notice to be given at the next meeting.
- (5) A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made.
- (6) The presiding member may rule that a question with or without notice not be answered if the presiding member considers that the question is vague, irrelevant, insulting or improper.

## 10—Petitions

- (1) A petition to the council must—
  - (a) be legibly written or typed or printed; and
  - (b) clearly set out the request or submission of the petitioners; and
  - (c) include the name and address of each person who signed or endorsed the petition; and
  - (d) be addressed to the council and delivered to the principal office of the council.
- (2) If a petition is received under subregulation (1), the chief executive officer must ensure that the petition or, if the council has so determined as a policy of the council, a statement as to the nature of the request or submission and the number of signatures or the number of persons endorsing the petition, is placed on the agenda for the next ordinary meeting of the council or, if so provided by a policy of the council, a committee of the council.
- (3) Subregulation (2) may be varied at the discretion of the council pursuant to regulation 6.

## 11—Deputations

- (1) A person or persons wishing to appear as a deputation at a meeting must deliver (to the principal office of the council) a written request to the council.
- (2) The chief executive officer must transmit a request received under subregulation (1) to the presiding member.
- (3) The presiding member may refuse to allow the deputation to appear at a meeting.
- (4) The chief executive officer must take reasonable steps to ensure that the person or persons who requested a deputation are informed of the outcome of the request.
- (5) If the presiding member refuses to allow a deputation to appear at a meeting, the presiding member must report the decision to the next meeting of the council or council committee (as the case may be).
- (6) The council or council committee may resolve to allow a deputation to appear despite a contrary ruling by the presiding member.
- (7) A council may refer the hearing of a deputation to a council committee.

## 12—Motions

- (1) A member may bring forward any business in the form of a written notice of motion.
- (2) The notice of motion must be given to the chief executive officer at least 5 clear days before the date of the meeting at which the motion is to be moved.
- (3) A motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last general election of the council must be brought by written notice of motion.
- (4) If a motion under subregulation (3) is lost, a motion to the same effect cannot be brought—
  - (a) until after the expiration of 12 months; or
  - (b) until after the next general election,whichever is the sooner.
- (5) Subject to the Act and these regulations, a member may also bring forward any business by way of a motion without notice.

- (6) The presiding member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.
- (7) The presiding member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the council or council committee (as the case may be).
- (8) A motion will lapse if it is not seconded at the appropriate time.
- (9) A member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion.
- (10) A member may only speak once to a motion except—
  - (a) to provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or
  - (b) with leave of the meeting; or
  - (c) as the mover in reply.
- (11) A member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion.
- (12) A member who has not spoken in the debate on a question may move a formal motion.
- (13) A formal motion must be in the form of a motion set out in subregulation (14) (and no other formal motion to a different effect will be recognised).
- (14) If the formal motion is—
  - (a) that *the meeting proceed to the next business*, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceeds with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceeds to the next item of business; or
  - (b) that *the question be put*, then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the presiding member without further debate; or
  - (c) that *the question lie on the table*, then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business and the question can then only be retrieved at a later time by resolution (and, if so retrieved, debate is then resumed at the point of interruption); or
  - (d) that *the question be adjourned*, then the effect of the motion, if successful, is that the question is disposed of for the time being but debate can be resumed at the later time (at the point of interruption); or
  - (e) that *the meeting be adjourned*, then the effect of the motion, if successful, is that the meeting is brought to an end immediately without the consideration of further business.
- (15) If seconded, a formal motion takes precedence and will be put by the presiding member without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).
- (16) A formal motion does not constitute an amendment to a substantive motion.
- (17) If a formal motion is lost—
  - (a) the meeting will be resumed at the point at which it was interrupted; and

- (b) if the formal motion was put during debate (and not at the end of debate) on a question, then a similar formal motion (ie, a motion to the same effect) cannot be put until at least 1 member has spoken on the question.
- (18) A formal motion for adjournment must include the reason for the adjournment and the details for resumption.
- (19) Any question that lies on the table as a result of a successful formal motion under subregulation (14)(c) lapses at the next general election.
- (20) The chief executive officer must report on each question that lapses under subregulation (19) to the council at the first ordinary meeting of the council after the general election.
- (21) Subregulations (9), (10) and (11) may be varied at the discretion of the council pursuant to regulation 6.

### **13—Amendments to motions**

- (1) A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion.
- (2) An amendment will lapse if it is not seconded at the appropriate time.
- (3) A person who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in so doing, be taken to have spoken to the motion to which the amendment relates.
- (4) If an amendment is lost, only 1 further amendment may be moved to the original motion.
- (5) If an amendment is carried, only 1 further amendment may be moved to the original motion.
- (6) Subregulations (1), (3), (4) and (5) may be varied at the discretion of the council pursuant to regulation 6.

### **14—Variations etc**

- (1) The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.
- (2) The presiding member must immediately put the question for leave to be granted and no debate will be allowed on that question.

### **15—Addresses by members etc**

- (1) A member must not speak for longer than 5 minutes at any 1 time without leave of the meeting.
- (2) A member may, with leave of the meeting, raise a matter of urgency.
- (3) A member may, with leave of the meeting, make a personal explanation.
- (4) The subject matter of a personal explanation may not be debated.
- (5) The contribution of a member must be relevant to the subject matter of the debate.
- (6) Subregulations (1) and (2) may be varied at the discretion of the council pursuant to regulation 6.

### **16—Voting**

- (1) The presiding member, or any other member, may ask the chief executive officer to read out a motion before a vote is taken.

- (2) The presiding member will, in taking a vote, ask for the votes of those members in favour of the question and then for the votes of those members against the question (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.
- (3) A person who is not in his or her seat is not permitted to vote.
- (4) Subregulation (3)—
  - (a) may be varied at the discretion of the council pursuant to regulation 6; and
  - (b) does not apply in relation to a member participating in a council committee meeting by telephone or electronic means approved in accordance with procedures determined by the council or council committee for the purposes of section 89 of the Act.

### **17—Divisions**

- (1) A division will be taken at the request of a member.
- (2) If a division is called for, it must be taken immediately and the previous decision of the presiding member as to whether the motion was carried or lost is set aside.
- (3) The division will be taken as follows—
  - (a) the members voting in the affirmative will, until the vote is recorded, stand in their places; and
  - (b) the members voting in the negative will, until the vote is recorded, sit in their seats; and
  - (c) the presiding member will count the number of votes and then declare the outcome.
- (4) The chief executive officer will record in the minutes the names of members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote).
- (5) Subregulation (3) may be varied at the discretion of the council pursuant to regulation 6.

### **18—Tabling of information**

- (1) A member may require the chief executive officer to table any documents of the council relating to a motion that is before a meeting (and the chief executive officer must then table the documents within a reasonable time, or at a time determined by the presiding member after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that he or she is unwilling to vote on the motion until the documents are tabled, then the matter must not be put to the vote until the documents are tabled).
- (2) The chief executive officer may, in tabling a document, indicate that in his or her opinion consideration should be given to dealing with the document on a confidential basis under section 90 or 91 of the Act.

### **19—Adjourned business**

- (1) If a formal motion for a substantive motion to be adjourned is carried—
  - (a) the adjournment may either be to a later hour of the same day, to another day, or to another place; and
  - (b) the debate will, on resumption, continue from the point at which it was adjourned.
- (2) If debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was interrupted.

- (3) Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.
- (4) The provisions of this regulation may be varied at the discretion of the council pursuant to regulation 6.

## **20—Short-term suspension of proceedings**

- (1) If the presiding member considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of this Division for a period of time in order to allow or facilitate informal discussions, the presiding member may, with the approval of at least  $\frac{2}{3}$  of the members present at the meeting, suspend the operation of this Division (or any part of this Division) for a period determined by the presiding member.
- (2) The Guiding Principles must be taken into account when considering whether to act under subregulation (1).
- (3) If a suspension occurs under subregulation (1)—
  - (a) a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and
  - (b) the meeting may proceed provided that a quorum is maintained but, during the period of suspension—
    - (i) the provisions of the Act must continue to be observed<sup>1</sup>; and
    - (ii) no act or discussion will have any status or significance under the provisions which have been suspended; and
    - (iii) no motion may be moved, seconded, amended or voted on, other than a motion that the period of suspension should be brought to an end; and
  - (c) the period of suspension should be limited to achieving the purpose for which it was declared; and
  - (d) the period of suspension will come to an end if—
    - (i) the presiding member determines that the period should be brought to an end; or
    - (ii) at least  $\frac{2}{3}$  of the members present at the meeting resolve that the period should be brought to an end.

### **Note—**

- 1 See particularly Part 4 of Chapter 5, and Chapter 6, of the Act.

## **21—Chief executive officer may submit report recommending revocation or amendment of council decision**

- (1) The chief executive officer may submit a report to the council recommending the revocation or amendment of a resolution passed since the last general election of the council.
- (2) The chief executive officer must ensure that the report is placed on the agenda for the meeting at which the report is to be considered.
- (3) The provisions of this regulation may be varied at the discretion of the council pursuant to regulation 6.

## **Part 3—Meetings of other committees**

### **22—Application of Part**

The provisions of this Part apply to or in relation to the meetings of any council committee that is not subject to the operation of Part 2.

### **23—Notice of meetings for members**

Pursuant to section 87(15) of the Act, section 87 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (4) and (7) to (10) of that section provided as follows:

- (a) that notice of a meeting of the committee may be given in a form determined by the committee after taking into account the nature and purpose of the committee; and
- (b) that notice need not be given for each meeting separately; and
- (c) that if ordinary meetings of the committee have a set agenda then notice of such a meeting need not contain, or be accompanied by, the agenda for the meeting; and
- (d) that it is not necessary for the chief executive officer to ensure that each member of the committee at the time that notice of a meeting is given is supplied with a copy of any documents or reports that are to be considered at the meeting.

### **24—Public notice of committee meetings**

Pursuant to section 88(7) of the Act, section 88 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (2), (3) and (4) provided as follows:

- (a) that public notice need not be given for each meeting separately; and
- (b) that public notice may be given by displaying a notice and agenda in a place or places determined by the chief executive officer after taking into account the nature and purpose of the committee.

### **25—Minutes**

- (1) The minutes of the proceedings of a meeting must include—
  - (a) the names of the members present at the meeting; and
  - (b) each motion carried at the meeting; and
  - (c) any disclosure of interest made by a member; and
  - (d) details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and
  - (e) a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section.
- (2) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

## **Part 4—Miscellaneous**

### **26—Quorum for committees**

- (1) The prescribed number of members of a council committee constitutes a quorum of the committee and no business can be transacted at a meeting unless a quorum is present.



- (2) For the purposes of this regulation, the *prescribed number* of members of a council committee is—
  - (a) unless paragraph (b) applies—a number ascertained by dividing the total number of members of the committee by 2, ignoring any fraction resulting from the division, and adding 1; or
  - (b) a number determined by the council.

**Note—**

See also section 41(6) of the Act.

## **27—Voting at committee meetings**

- (1) Subject to the Act and these regulations, a question arising for decision at a meeting of a council committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.
- (2) Each member of a council who is a member of a council committee and who is present at a meeting of the committee must, subject to a provision of the Act to the contrary, vote on a question arising for decision at that meeting.
- (3) The presiding member of a council committee has a deliberative vote on a question arising for decision at the meeting but does not, in the event of an equality of votes, have a casting vote.

## **28—Points of order**

- (1) The presiding member may call to order a member who is in breach of the Act or these regulations.
- (2) A member may draw to the attention of the presiding member a breach of the Act or these regulations, and must state briefly the nature of the alleged breach.
- (3) A point of order takes precedence over all other business until determined.
- (4) The presiding member will rule on a point of order.
- (5) If an objection is taken to the ruling of the presiding member, a motion that the ruling not be agreed with must be moved immediately.
- (6) The presiding member is entitled to make a statement in support of the ruling before a motion under subregulation (5) is put.
- (7) A resolution under subregulation (5) binds the meeting and, if a ruling is not agreed with—
  - (a) the ruling has no effect; and
  - (b) the point of order is annulled.

## **29—Interruption of meetings by members**

- (1) A member of a council or council committee must not, while at a meeting—
  - (a) behave in an improper or disorderly manner; or
  - (b) cause an interruption or interrupt another member who is speaking.
- (2) Subregulation (1)(b) does not apply to a member who is—
  - (a) objecting to words used by a member who is speaking; or
  - (b) calling attention to a point of order; or
  - (c) calling attention to want of a quorum.

- (3) If the presiding member considers that a member may have acted in contravention of subregulation (1), the member must be allowed to make a personal explanation.
- (4) Subject to complying with subregulation (3), the relevant member must leave the meeting while the matter is considered by the meeting.
- (5) If the remaining members resolve that a contravention of subregulation (1) has occurred, those members may, by resolution—
  - (a) censure the member; or
  - (b) suspend the member for a part, or for the remainder, of the meeting.
- (6) A member who—
  - (a) refuses to leave a meeting in contravention of subregulation (4); or
  - (b) enters a meeting in contravention of a suspension under subregulation (5),is guilty of an offence.  
Maximum penalty: \$1 250.

### **30—Interruption of meetings by others**

A member of the public who is present at a meeting of a council or council committee must not—

- (a) behave in a disorderly manner; or
- (b) cause an interruption.

Maximum penalty: \$500.

## **Schedule 1—Revocation of *Local Government (Procedures at Meetings) Regulations 2000***

The *Local Government (Procedures at Meetings) Regulations 2000* are revoked.

### **Note—**

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

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 12 December 2013

No 278 of 2013

13MSLGR03CS

South Australia

## Work Health and Safety Variation Regulations 2013

under the *Work Health and Safety Act 2012*

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## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Work Health and Safety Variation Regulations 2013*.

### 2—Commencement

- (1) Subject to subregulation (2), these regulations come into operation on the day on which they are made.
- (2) Regulations 5 to 45 (inclusive), 48 and 50 to 56 (inclusive) will come into operation on 1 January 2014.

### 3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

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

### 4—Variation of regulation 2—Commencement

- (1) Regulation 2(3)(i)—delete subparagraph (i)
- (2) Regulation 2(5)—delete "Regulation 488" and substitute:  
Regulations 347, 348 and 488

### 5—Variation of regulation 5—Definitions

- (1) Regulation 5, definition of **boiler**, (d)—after subparagraph (ii) insert:
  - (iii) AMBSC Part 3—*Australian Miniature Boiler Safety Committee Code for Sub-Miniature Boilers*;
  - (iv) AMBSC Part 4—*Australian Miniature Boiler Safety Committee Code for Duplex Steel Boilers*; or
- (2) Regulation 5, definition of **combustible dust**—delete the definition and substitute:

**combustible dust** means finely divided solid particles (including dust, fibres or flyings), that are—

  - (a) suspended in air or settle out of the atmosphere under their own weight; and
  - (b) able to burn or glow in air; and

- (c) able to form an explosive mixture with air at atmospheric pressure and normal temperature;

**combustible liquid** means a liquid, other than a flammable liquid, that has a flash point, and a fire point, less than its boiling point;

- (3) Regulation 5, definition of **competent person**, (c)—delete "and testing"
- (4) Regulation 5, definition of **concrete placement unit with delivery boom**—delete the definition
- (5) Regulation 5—after the definition of **excavation work** insert:  
**exploration site**, in Chapter 10, means a place where activities are carried out for the purpose of exploring for minerals by mechanical means that disturb the ground;
- (6) Regulation 5, definition of **exposure standard**—delete "Standard" and substitute:  
Standards
- (7) Regulation 5—after the definition of **external review** insert:  
**extraction site**, in Chapter 10, means a place where activities are carried out for the purpose of extracting minerals from the ground or injecting minerals into the ground;
- (8) Regulation 5, definition of **gantry crane**, (a)—delete paragraph (a) and substitute:  
(a) consists of a bridge beam or beams supported at 1 or both ends by legs mounted to end carriages;
- (9) Regulation 5, definition of **incidental diving work**, (c)—delete paragraph (c);
- (10) Regulation 5, definition of **inflatable device (continuously blown)**—delete the definition and substitute:  
**inflatable device (continuously blown)** means an amusement device that is an inflatable device that relies on a continuous supply of air pressure to maintain its shape;  
**inrush hazard**, in Chapter 10, means a hazard involving the potential inrush of any substance;
- (11) Regulation 5—after the definition of **membrane filter method** insert:  
**mine**—see regulation 609;  
**mine holder**—see regulation 614;  
Note—  
A mine holder is a person conducting a business or undertaking.  
**mine operator**—see regulation 613;  
Note—  
A mine operator is a person conducting a business or undertaking.  
**mineral**—see regulation 611;  
**mining operations**—see regulation 610;
- (12) Regulation 5, definition of **passenger ropeway**, (b)—delete "; and" and substitute:  
; but



- (13) Regulation 5, definition of *passenger ropeway*, (c)(iv)—delete "that require a system of this kind"
- (14) Regulation 5, definition of *powered mobile plant*, examples—delete the examples
- (15) Regulation 5, definition of *primary emergency service organisation*—delete the definition and substitute:  
*primary emergency service organisations* means the South Australian Metropolitan Fire Service and the South Australian Country Fire Service;
- (16) Regulation 5—after the definition of *principal contractor* insert:  
*principal mining hazard*—see regulation 612;
- (17) Regulation 5—after the definition of *rigging work* insert:  
*rope*, in Chapter 10, includes cable;
- (18) Regulation 5, definition of *shaft*—after "depth" insert:  
(and in Chapter 10, *shaft* includes a drift or horizontal shaft)
- (19) Regulation 5, definition of *specified VET course*, (d)—delete "accredited"
- (20) Regulation 5—after the definition of *WHS management plan* insert:  
*winder*, in Chapter 10, means any plant that is used to move, by means of 1 or more ropes, conveyances in a shaft for the transport of persons, material or plant;
- (21) Regulation 5—after the definition of *work box* insert:  
*Workplace Exposure Standards for Airborne Contaminants* means the *Workplace Exposure for Airborne Contaminants* published by Safe Work Australia on its website on 18 April 2013 as in force or remade from time to time;

## **6—Variation of regulation 20—Removal of health and safety representatives**

Regulation 20(2)(a)(ii)—after "works;" insert:

and

## **7—Variation of regulation 24—Continuity of engagement of worker**

Regulation 24(c)—delete "authorised"

## **8—Variation of regulation 43—Duty to prepare, maintain and implement emergency plan**

Regulation 43(3)—delete "consider" and substitute:

have regard to

## **9—Variation of regulation 82—Exceptions**

- (1) Regulation 82(1b)(b)(ii)—delete "14" and substitute:

28

- (2) Regulation 82(1a) and (1b)—redesignate subregulations (1a) and (1b) (as varied) as, respectively, subregulations (1b) and (1a) and reverse the order of the subregulations

- (3) Regulation 82(2)(a)—delete "relocating" and substitute:

moving

(4) Regulation 82—after subregulation (2) insert:

- (3) For the purposes of subregulation (2)(a), *moving* includes operating the plant in order to load the plant onto, or unload it from, a vehicle or equipment used to move it.

### **10—Variation of regulation 84—Duty of person conducting business or undertaking to ensure direct supervision**

Regulation 84(1)—delete "regulations 82(1)(b)" and substitute:

regulation 82(1)

### **11—Variation of regulation 85—Evidence of licence—duty of person conducting business or undertaking**

(1) Regulation 85(2)—after "regulation 82(1)" insert:

or (1a)

(2) Regulation 85(3)—delete "regulations 82(1)(b)" and substitute:

regulations 82(1)

(3) Regulation 85(4)—delete "the written evidence given to the person" and substitute:

a record of the written evidence provided

### **12—Insertion of regulation 91A**

After regulation 91 insert:

#### **91A—Conditions of licence**

- (1) The regulator may impose any conditions the regulator considers appropriate on a high risk work licence.
- (2) Without limiting subregulation (1), the regulator may impose conditions in relation to 1 or more of the following:
- (a) control measures that must be implemented in relation to the carrying out of work or activities under the licence;
  - (b) the circumstances in which work or activities authorised by the licence may be carried out.
- (3) The regulator must give the licence holder written notice of any conditions imposed on the licence.

#### **Notes—**

- 1 A person must comply with the conditions of a licence (see section 45 of the Act).
- 2 A decision to impose a condition on a licence is a reviewable decision (see regulation 676).

### **13—Variation of regulation 104—Provisions relating to renewal of licence**

(1) Regulation 104(1)(b)—after "90" insert:

, 91A

(2) Regulation 104(1)(b)—delete "regulation 89" and substitute:

those regulations

**14—Variation of regulation 106—Suspension or cancellation of licence**

- (1) Regulation 106(1)—after paragraph (a) insert:
  - (ab) the licence holder has failed to comply with a condition of the licence;
- (2) Regulation 106—after subregulation (2) insert:
  - (3) If the regulator suspends a licence, the regulator may vary the conditions of the licence, including by imposing different or additional conditions.
  - (4) A variation of conditions under subregulation (3) takes effect when the suspension of the licence ends.

**Notes—**

- 1 A decision to suspend a licence, to cancel a licence or to disqualify the licence holder from applying for a further licence is a reviewable decision (see regulation 676).
- 2 A variation of licence conditions is a reviewable decision (see regulation 676).

**15—Substitution of regulation 108**

Regulation 108—delete the regulation and substitute:

**108—Notice to and submissions by licence holder**

- (1) Before suspending or cancelling a high risk work licence, the regulator must give the licence holder a written notice of—
  - (a) the proposed suspension or cancellation; and
  - (b) any proposed disqualification; and
  - (c) any proposed variation of licence conditions.
- (2) A notice under subregulation (1) must—
  - (a) outline all relevant allegations, facts and circumstances known to the regulator; and
  - (b) advise the licence holder that the licence holder may, by a specified date (being not less than 28 days after giving the notice), make a submission in relation to the proposed suspension or cancellation, any proposed disqualification and any proposed variation of licence conditions.

**16—Variation of regulation 109—Notice of decision**

Regulation 109(2)(b)—after subparagraph (iv) insert:

- (v) if licence conditions are to be varied—the variation; and
- (vi) if licence conditions are to be varied—that the variation will take effect when the suspension ends; and

## 17—Substitution of regulation 171

Regulation 171—delete the regulation and substitute:

### 171—Competence of worker—general diving work—general qualifications

A person must not carry out general diving work (other than incidental diving work and limited scientific diving work) unless the person has 1 or more of the following qualifications:

- (a) certification in relation to a specified VET course for general diving work that includes the type of general diving work to be carried out by the person;
- (b) a certificate for general diving work, issued by a training organisation, that demonstrates that the person has achieved the competencies specified in AS/NZS 4005.2:2000 (*Training and certification of recreational divers*) or AS/NZS 2815 (*Training and certification of occupational divers*) that are relevant to the type of general diving work to be carried out by the person.

Note—

See section 44 of the Act.

### 171A—Competence of worker—general diving work—additional knowledge and skill

In addition to regulation 171, a person must not carry out general diving work (other than incidental diving work and limited scientific diving work) unless the person has, through training, qualification or experience, acquired sound knowledge and skill in relation to the following:

- (a) the application of diving physics;
- (b) the use, inspection and maintenance of diving equipment (including emergency equipment) and air supply of the type to be used in the proposed general diving work;
- (c) the use of decompression tables or dive computers;
- (d) dive planning;
- (e) ways of communicating with another diver and with persons at the surface during general diving work;
- (f) how to safely carry out general diving work of the type proposed to be carried out;
- (g) diving physiology, emergency procedures and first aid.

Note—

See section 44 of the Act.

## 18—Variation of regulation 172—Competence of worker—incidental diving work

Regulation 172(1)—delete subregulation (1) and substitute:

- (1) A person must not carry out incidental diving work unless the person—
  - (a) has the training, qualification or experience referred to in regulation 171A; and

- (b) has relevant diving experience; and
- (c) is accompanied and supervised in the water by a person who has the competencies referred to in regulation 171.

### **19—Variation of regulation 173—Competence of worker—limited scientific diving work**

Regulation 173(1)(a)—delete "regulation 171(b)" and substitute:

regulation 171A

### **20—Variation of regulation 174—Competence of competent person supervising general diving work**

Regulation 174(a)—delete "regulation 171(a)" and substitute:

regulation 171

### **21—Variation of regulation 206—Proper use of plant and controls**

Regulation 206(3)—delete "regulation 23" and substitute:

regulation 39

### **22—Variation of regulation 235—Major inspection of registered mobile cranes and tower cranes**

(1) Regulation 235—after subregulation (2) insert:

- (3) A major inspection carried out under and in accordance with an equivalent provision of a corresponding WHS law is taken to be a major inspection for the purposes of this regulation.

(2) Regulation 235(6) and (7)—delete subregulations (6) and (7) and substitute:

(6) In this regulation—

*major inspection* means—

- (a) an examination of all critical components of the crane, if necessary by stripping down the crane and removing paint, grease and corrosion to allow a thorough examination of each critical component; and
- (b) a check of the effective and safe operation of the crane.

### **23—Variation of regulation 238—Operation of amusement drives and passenger ropeways**

Regulation 238(1) and (2)—delete subregulations (1) and (2) and substitute:

- (1) The person with management or control of an amusement device or passenger ropeway at a workplace must ensure that the device or ropeway is operated only by a person who has been provided with instruction and training in its proper operation.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

- (2) The person with management or control of an amusement device or passenger ropeway at a workplace must ensure that—
  - (a) the amusement device or passenger ropeway is checked before it is operated on each day on which it is to be operated; and
  - (b) the amusement device or passenger ropeway is operated without passengers before it is operated with passengers on each day on which it is to be operated; and
  - (c) the daily checks and operation of the amusement device or passenger ropeway without passengers are properly and accurately recorded in a log book for the device or ropeway.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

Expiation fee:

- (a) in the case of an individual—\$720;
- (b) in the case of a body corporate—\$3 600.

#### **24—Variation of regulation 239—Storage of amusement devices and passenger ropeways**

- (1) Regulation 239(1) and (2)—after "amusement device" wherever occurring insert:  
or passenger ropeway
- (2) Regulation 239(1) and (2)—after "the device" wherever occurring insert:  
or ropeway

#### **25—Variation of regulation 241—Annual inspection of amusement device or passenger ropeway**

Regulation 241(5)(c)—before "is determined by" insert:

in the case of any amusement device or passenger ropeway—

#### **26—Variation of regulation 244—Altered plant designs to be registered**

Regulation 244—after subregulation (2) insert:

- (3) This regulation does not apply in relation to a tower crane or a gantry crane if—
  - (a) the crane is relocated for use in a different workplace; and
  - (b) the design of the supporting structure or foundations of the crane is altered in accordance with a site-specific design prepared for the purpose of the safe operation of the crane at the new location; and
  - (c) the design of the crane is not altered in any other way.

#### **27—Variation of regulation 274—Registration of document**

Regulation 274(2)—after paragraph (f) insert:

- (g) the expiry date of the registration.

**28—Variation of regulation 347—Manifest of hazardous chemicals**

Regulation 347(3)(a)—delete "the" and substitute:

a

**29—Variation of regulation 359—Fire protection and firefighting equipment**

Regulation 359(1)(b)—delete "organisation" and substitute:

organisations

**30—Variation of regulation 361—Emergency plans**

Regulation 361(2)—delete "the primary" and substitute:

a primary

**31—Variation of regulation 328—Application of Chapter 7 Part 1**

Regulation 328(8), definition of *combustible liquid*—delete the definition

**32—Variation of regulation 421—Application of Chapter 8 Part 3**

Regulation 421—after its present contents (now to be designated as subregulation (1)) insert:

- (2) Regulations 425, 426, 427, 428, 429 and 430 do not apply to residential premises.

**33—Variation of regulation 491—Who may apply for a licence**

Regulation 491(2)—delete "493, 494 or 495 (as applicable)" and substitute:

495

**34—Variation of regulation 517—Provisions relating to renewal of licence**

Regulation 517(3)—delete "unless" and substitute:

if

**35—Variation of regulation 547—Re-notification if quantity of Schedule 15 chemical increases**

Regulation 547(1)(c)—delete paragraph (c) and substitute:

- (c) in relation to which the regulator—
- (i) has not conducted an inquiry under this Division; or
  - (ii) on conducting an inquiry, has not determined the facility or proposed facility to be a major hazard facility under regulation 541.

**36—Variation of regulation 552—Content**

Regulation 552(e)—after "regulation 557" insert:

or, if the major hazard facility is also a mine, the emergency plan prepared under regulation 664

**37—Variation of regulation 557—Emergency plan**

Regulation 557—after subregulation (8) insert:

- (9) This regulation does not apply to the operator of a major hazard facility that is also a mine if—
  - (a) the operator has prepared an emergency plan for the mine that complies with regulation 664; and
  - (b) the plan addresses all matters required to be addressed under this regulation and includes all matters specified in Schedule 16.

**38—Variation of regulation 558—Safety management system**

Regulation 558—after subregulation (4) insert:

- (5) This regulation does not apply to the operator of a major hazard facility that is also a mine if—
  - (a) the operator has established a safety management system for the mine that complies with regulation 621; and
  - (b) the system—
    - (i) deals with all matters required to be addressed by a safety management system under this regulation and includes all matters specified in Schedule 17; and
    - (ii) is readily accessible to persons who use it.

**39—Variation of regulation 559—Review of risk management**

- (1) Regulation 559(1)(b)— after "emergency plan" insert:

(unless, in the case of a major hazard facility that is also a mine, the operator of the facility is not required to prepare an emergency plan for the facility under regulation 557 because the operator has prepared a suitable emergency plan under regulation 664)

- (2) Regulation 559(1)(c)—after "safety management system" insert:

(unless, in the case of a major hazard facility that is also a mine, the operator of the facility is not required to establish a safety management system for the facility under regulation 558 because the operator has established a suitable safety management system under regulation 661)

- (3) Regulation 559—after subregulation (4) insert:

- (5) If a major hazard facility is also a mine and an emergency plan that complies with regulation 664 has been prepared in relation to the facility, the plan must be reviewed in accordance with regulation 670.
- (6) If a major hazard facility is also a mine and a safety management system that complies with regulation 621 has been established in relation to the facility, the system must be reviewed in accordance with regulation 625.

**40—Variation of regulation 598—Provisions relating to renewal of licence**

Regulation 598(b)—delete "regulation 580" and substitute:

those regulations



## 41—Substitution of Chapter 10

Chapter 10—delete the Chapter and substitute:

### Chapter 10—Mines

#### Part 1—Preliminary

##### 609—Meaning of *mine*

- (1) In this Chapter, a *mine*—
  - (a) is a place that is—
    - (i) a workplace at which mining operations are carried out; or
    - (ii) a tourist mine; and
  - (b) includes any fixtures, fittings, plant or structures at the place that are used or were formerly used for mining operations.
- (2) In this Chapter, a *tourist mine* means a workplace—
  - (a) used only for tourism purposes but at which mining operations were formerly carried out; and
  - (b) at which there is a principal mining hazard that was present at the workplace when the mining operations were carried out.
- (3) In this Chapter, an *underground mine* means that part of a mine that is beneath the surface of the earth and includes plant and structures that extend continuously from the surface into that part of the mine.
- (4) In this Chapter, *underground mine* does not include a part of a mine in which highwall mining is being carried out.
- (5) In subregulation (4), *highwall mining* means the underground extraction of coal carried out—
  - (a) by remotely controlled plant that drives the extraction from a place in an open cut mine; and
  - (b) without requiring any person to be present at any part of the extraction.

##### 610—Meaning of *mining operations*

- (1) In this Chapter, *mining operations* are—
  - (a) activities (*mining activities*) carried out for the purpose of—
    - (i) extracting minerals from the ground or injecting minerals into the ground; or
    - (ii) exploring for minerals by mechanical means that disturb the ground; and
  - (b) activities carried out in connection with mining activities at a site, or at a site adjoining or in the vicinity of a site, at which the mining activities are carried out.

- (2) Without limiting subregulation (1), the activities referred to in that subregulation include the following:
- (a) handling or storing extracted materials;
  - (b) preparing or processing extracted materials;
  - (c) constructing—
    - (i) a site where a mining activity is carried out; or
    - (ii) a site where an activity referred to in subregulation (1)(b) is carried out;
  - (d) activities associated with decommissioning, making safe or closure of an extraction site or exploration site;
  - (e) educational activities and tourist activities carried out at a site, or at a site adjoining or in the vicinity of a site, at which the mining activities are carried out.
- (3) In this Chapter, *mining operations* do not include the following:
- (a) an activity carried out in relation to the extraction of minerals on private land for the private and non-commercial use of the owner of the land;
  - (b) fossicking;
  - (c) any activity where the extraction of minerals is incidental to the activity.

**Example—**

Civil works such as tunnelling to create a road.

**611—Meaning of *mineral***

In this Chapter, *mineral*—

- (a) means—
  - (i) a naturally occurring element or inorganic compound; or
  - (ii) coal, lignite, peat or oil shale; or
  - (iii) rock, stone, gravel or sand; and
- (b) does not include—
  - (i) water; or
  - (ii) petroleum or any other substance, the recovery or production of which is governed by the *Petroleum and Geothermal Energy Act 2000*.

**612—Meaning of *principal mining hazard***

- (1) In this Chapter, a *principal mining hazard* is any activity, process, procedure, plant, structure, substance, situation or other circumstance relating to the carrying out of mining operations that has a reasonable potential to result in multiple deaths in a single incident or a series of recurring incidents, in relation to any of the following:
- (a) ground or strata failure;

- (b) inundation or inrush of any substance;
  - (c) mine shafts and winding operations;
  - (d) roads or other vehicle operating areas;
  - (e) air quality or dust or other airborne contaminants;
  - (f) fire or explosion;
  - (g) gas outbursts;
  - (h) spontaneous combustion;
  - (i) a hazard identified by the mine operator of a mine under regulation 34.
- (2) In this Chapter, a *principal mining hazard* at a mine that is a facility for the purposes of Chapter 9 does not include a major incident hazard.

### 613—Meaning of *mine operator*

- (1) In this Chapter, the *mine operator* of a mine is the mine holder of the mine, unless the mine holder appoints another person to be the mine operator.
- (2) The mine holder of a mine may appoint a person to be the mine operator only if—
- (a) the person is conducting a business or undertaking and is appointed in accordance with regulation 615 to carry out mining operations at the mine on behalf of the mine holder; and
  - (b) the mine holder authorises the person to have management or control of the mine and to discharge the duties of a mine operator under the Act.
- (3) To avoid doubt, a reference in these regulations to a person conducting a business or undertaking at a mine includes a reference to the mine operator of the mine.

#### Notes—

- 1 See section 5 of the Act for the meaning of *person conducting a business or undertaking*.
- 2 The mine operator may also have duties under sections 19, 20 and 21 of the Act.

### 614—Meaning of *mine holder*

- (1) In this Chapter, the *mine holder* of a mine is the person who is conducting a business or undertaking with control over a right or entitlement to carry out mining operations at the mine.
- (2) Without limiting subregulation (1), a person is conducting a business or undertaking with control over a right or entitlement to carry out mining operations if—
- (a) a mining authorisation is required for carrying out those operations; and
  - (b) the person holds the required mining authorisation.

- (3) To avoid doubt, a reference in these regulations to a person conducting a business or undertaking at a mine includes a reference to the mine holder of the mine.
- (4) In subregulation (2)—
- mining authorisation** means—
- (a) a lease, claim, tenement, licence, permit or other authority authorising the carrying out of mining operations issued under the *Mining Act 1971*, the *Opal Mining Act 1995* or another Act; or
- (b) a Special Tenement under the *Roxby Downs (Indenture Ratification) Act 1982*.

**Notes—**

- 1 See section 5 of the Act for the meaning of *person conducting a business or undertaking*.
- 2 The mine holder may also have duties under section 20 of the Act as the person with management or control of the mine.

**614A—Application of Chapter 9**

- (1) Chapter 9 (Major hazard facilities) applies in relation to a mine.
- (2) In this Chapter—
- major incident** has the same meaning as in Chapter 9.

**615—Appointment of mine operator**

- (1) An appointment of a person to be the mine operator of a mine must—
- (a) be in writing; and
- (b) be made in the manner and form required by the regulator; and
- (c) include a signed statement that the person to be appointed as mine operator agrees to the appointment; and
- (d) specify—
- (i) the name and contact details of the mine operator, including postal and business addresses; and
- (ii) when the appointment takes effect; and
- (e) describe the location of the mine, including—
- (i) the boundaries of all extraction and exploration sites; and
- (ii) land title identification.
- (2) The mine holder must give the mine operator all relevant information held by or under the control of the mine holder that may reasonably be required by the mine operator to discharge the duties imposed on the mine operator under the Act.

**Maximum penalty:**

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**Example—**

A mine survey plan prepared under regulation 675S.

- (3) The mine operator of a mine who ceases or intends to cease being the mine operator must ensure, so far as is reasonably practicable, that all records the mine operator has kept under the Act are given to the mine holder for the mine, or the person who is to become the new mine operator, before the new mine operator commences in that role.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) In the case of a body corporate—\$30 000.

**Example—**

A mine record kept under regulation 675Y.

**Note—**

The new mine operator will be required to keep the records for at least the remainder of the period that the Act or these regulations require the record to be kept.

**616—Notification of mine operator to regulator**

- (1) The mine holder of a mine must give notice to the regulator in accordance with this regulation.

Maximum penalty:

- (a) in the case of an individual—\$3 600;
  - (b) in the case of a body corporate—\$18 000.
- (2) If the mine holder of a mine is the mine operator, the mine holder must give the regulator notice of this fact before mining operations commence at the mine.
  - (3) If the mine holder of a mine is not the mine operator, the mine holder must give the regulator notice of the appointment of the mine operator of the mine.
  - (4) A notice under subregulation (2) or (3) must—
    - (a) be in writing; and
    - (b) be made in the manner and form required by the regulator; and
    - (c) describe the location of the mine, including—
      - (i) the boundaries of all extraction and exploration sites; and
      - (ii) land title identification.
  - (5) A notice under subregulation (3) must be accompanied by a copy of the appointment document.
  - (6) The mine holder must give written notice to the regulator of any change to the appointment of a mine operator or any termination of the appointment.
  - (7) The mine holder must take all reasonable steps to ensure that a notice under subregulation (3) or (6) is given before the appointment or the change or termination takes effect.

## Part 2—Managing Risks

### Division 1—General requirements

#### Subdivision 1—Control of risk

##### 617—Managing risks to health and safety

- (1) A person conducting a business or undertaking at a mine must manage risks to health and safety associated with mining operations at the mine, in accordance with Chapter 3 Part 1.

**Note—**

WHS Act—sections 19, 20 and 21, as applicable (see regulation 9).

- (2) A person conducting a business or undertaking at a mine must ensure that a risk assessment is conducted by a competent person for the purposes of subregulation (1).

Maximum penalty:

- (a) in the case of an individual—\$3 600;
  - (b) in the case of a body corporate—\$18 000.
- (3) In conducting a risk assessment, the person must have regard to—
    - (a) the nature of the hazard; and
    - (b) the likelihood of the hazard affecting the health or safety of a person; and
    - (c) the severity of the potential health and safety consequences.
  - (4) Nothing in subregulation (3) limits the operation of any other requirement to conduct a risk assessment under these regulations.

**Note—**

A number of specific risk control duties are linked to this regulation. See regulations 631, 635, 640, 641 and 646.

##### 618—Review of control measures

- (1) A person conducting a business or undertaking at a mine must review and as necessary revise control measures implemented under regulation 617 in the following circumstances:
  - (a) an audit of the effectiveness of the safety management system for the mine indicates a deficiency in a control measure;
  - (b) a worker is moved from a hazard or assigned to different work in response to a recommendation contained in a health monitoring report provided under Part 3;
  - (c) an incident referred to in regulation 675V occurs.

**Notes—**

- (1) WHS Act—sections 19, 20 and 21, as applicable (see regulation 9).
- (2) This requirement is in addition to the requirement under regulation 38 (see regulation 33).

- (3) This regulation applies to a mine operator (see regulation 613(3)).
- (2) The mine operator of a mine must ensure that a control measure that is the subject of a request by a health and safety representative under regulation 38(4) is reviewed and as necessary revised, whether the request is made directly to the mine operator or notified to the mine operator under subregulation (3) by another person conducting a business or undertaking at the mine.

**Notes—**

- (1) WHS Act—sections 19, 20 and 21, as applicable (see regulation 9).
- (2) This requirement is in addition to the requirement under regulation 38 (see regulation 33).
- (3) A person conducting a business or undertaking at the mine who is not the mine operator of the mine must immediately notify the mine operator of a request made to the person under regulation 38(4).
- Maximum penalty:
- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.
- (4) A health and safety representative for workers at the mine may request a review of a control measure under regulation 38(4) as if the circumstances referred to in subregulation (1) were included in regulation 38(4)(a).

**619—Record of certain reviews of control measures—mine operator**

- (1) This regulation applies to a mine operator at a mine who has, under regulation 38, reviewed a control measure in response to—
- (a) a notifiable incident; or
- (b) an incident referred to in regulation 675V.
- (2) The mine operator at a mine must keep a record of the following:
- (a) the work health and safety issues arising from the incident;
- (b) recommendations arising from consideration of the incident;
- (c) a summary of any changes to the safety management system for the mine and any affected principal mining hazard management plan for the mine.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**620—Record of certain reviews of control measures—other persons conducting a business or undertaking**

- (1) This regulation applies to a person conducting a business or undertaking at a mine, other than the mine operator, who has, under regulation 38, reviewed a control measure in response to a notifiable incident.

- (2) A person conducting a business or undertaking at a mine must keep a record of the following:
  - (a) the work health and safety issues arising from the incident;
  - (b) recommendations arising from consideration of the incident.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

## **Subdivision 2—Safety management system**

### **621—Duty to establish and implement safety management system**

- (1) The mine operator of a mine must establish a safety management system for the mine, in accordance with this Subdivision.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

- (2) The mine operator must implement the safety management system for the mine, so far as is reasonably practicable.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

- (3) The safety management system must form part of any overall management system that is in place at the mine.

- (4) The safety management system must be designed to be used by the mine operator as the primary means of ensuring, so far as is reasonably practicable—

- (a) the health and safety of workers at the mine; and
- (b) that the health and safety of other persons is not put at risk from the mine or work carried out as part of mining operations.

- (5) Subject to subregulation (6), the safety management system must provide a comprehensive and integrated system for the management of all aspects of risks to health and safety in relation to the operation of the mine.

- (6) The safety management system must comply with subregulation (5) to the extent appropriate to the mine having regard to—

- (a) the nature, complexity and location of the mining operations; and
- (b) the risks associated with those operations.

- (7) The safety management system must be documented.

- (8) The mine operator of a mine that is also a determined major hazard facility is not required to establish a safety management system under regulation 558 for the operation of the major hazard facility if—

- (a) the mine operator has established a safety management system for the facility for the purposes of this regulation; and



- (b) the system deals with all matters required to be addressed by a safety management system under regulation 558 and includes all matters specified in Schedule 17; and
- (c) the system is readily accessible to persons who use it.

## **622—Content of safety management system**

- (1) The safety management system document for a mine must set out the following:

- (a) the mine operator's health and safety policy, including broad aims in relation to the safe operation of the mine;
- (b) the arrangements for managing risks in accordance with regulation 617;

**Note—**

This includes all control measures implemented in accordance with specific requirements under this Chapter (see regulation 33).

- (c) the systems, procedures, plans and other control measures that will be used to control risks to health and safety associated with mining operations at the mine, including—
  - (i) the principal mining hazard management plans for the mine prepared under Division 2; and
  - (ii) in the case of an underground mine—the ventilation control plan and ventilation plan prepared for the mine under Division 4 Subdivision 2;
- (d) the management structure for the management of work health and safety at the mine, including—
  - (i) arrangements for filling temporary and permanent vacancies; and
  - (ii) requirements relating to acting positions in the structure; and
  - (iii) the competency requirements for positions in the structure;
- (e) the arrangements in place, between any persons conducting a business or undertaking at the mine, for consultation, co-operation and the co-ordination of activities in relation to compliance with their duties under the Act;
- (f) if a contractor is working or likely to work at the mine—the control measures that will be used to control risks to health and safety associated with the contractor's work at the mine, including—
  - (i) how the contractor's work management system will be integrated with the safety management system for the mine; and

- (ii) the process for assessing health and safety policies and procedures (including competency requirements) of the contractor and integrating them into the safety management system; and
    - (iii) the arrangements for monitoring and evaluating compliance by the contractor with the health and safety requirements of the safety management system;
  - (g) the emergency procedures and all other matters in the emergency plan for the mine prepared under Division 5;
  - (h) the procedures and conditions under which persons at the mine or a part of the mine are to be withdrawn to a place of safety and to remain withdrawn as a precautionary measure where a risk to health and safety warrants that withdrawal;
  - (i) the arrangements for the provision of information, training and instruction required under regulation 39;
  - (j) the induction procedures for workers at the mine;
  - (k) the arrangements in place for the supervision needed to protect workers and other persons at the mine from risks to their health and safety from work carried out at the mine;
  - (l) the arrangements in place for health monitoring under Part 3;
  - (m) the safety role for workers developed under Part 4;
  - (n) the procedures for notifiable incident response and investigation at the mine;
  - (o) the procedures for records management for the mine to ensure compliance with the Act;
  - (p) the arrangements in place for all other monitoring and assessment and regular inspection of the working environment of the mine to be carried out for the purposes of the Act;
  - (q) the performance management system under regulation 623;
  - (r) the resources that will be applied for the effective implementation and use of the safety management system.
- (2) The safety management system document must—
- (a) contain a level of detail of the matters referred to in subregulation (1) that is appropriate to the mine having regard to—
    - (i) the nature, complexity and location of the mining operations; and
    - (ii) the risks associated with those operations; and
  - (b) so far as is reasonably practicable, be set out and expressed in a way that is readily understandable by persons who use it.
- (3) If any matter referred to in subregulation (1) is addressed in a plan or other document prepared under these regulations for a mine, it is sufficient if the safety management system for the mine refers to the plan or document.

### 623—Performance standards and audit

The safety management system for a mine must include the following:

- (a) performance standards for measuring the effectiveness of all aspects of the safety management system that—
  - (i) are sufficiently detailed to show how the mine operator will ensure the effectiveness of the safety management system; and
  - (ii) include steps to be taken to continually improve the safety management system;
- (b) the way in which the performance standards are to be met;
- (c) a system for auditing the effectiveness of the safety management system for the mine against the performance standards, including the methods, frequency and results of the audit process.

### 624—Maintenance

The mine operator of a mine must maintain the safety management system for the mine so that the safety management system remains effective.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

### 625—Review

- (1) The mine operator of a mine must ensure that the safety management system for the mine is reviewed at least once every 3 years and as necessary revised to ensure it remains effective.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**Note—**

Regular testing of the emergency plan is also required (see regulation 669).

- (2) In addition, if a risk control measure is revised under regulation 38 or 618, the mine operator must ensure that the safety management system for the mine is reviewed and as necessary revised in relation to all aspects of risk control addressed by the revised control measure.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

- (3) In addition, if the mine is a determined major hazard facility, the mine operator for the mine must review and as necessary revise the safety management system if a circumstance referred to in regulation 559(2) exists.

Maximum penalty:

- (a) in the case if an individual—\$6 000;

- (b) in the case of a body corporate—\$30 000.

### **Subdivision 3—Information to adjoining mine operators**

#### **626—Duty to provide information to mine operator of adjoining mine**

The mine operator of a mine must as soon as practicable, on request, provide to the mine operator of any adjoining mine any information that the mine operator has about conditions at the mine or any activities or proposed activities at the mine that could create a risk to the health and safety of persons at the adjoining mine.

Maximum penalty:

- (a) in the case of an individual—\$3 600;
- (b) in the case of a body corporate—\$18 000.

### **Division 2—Principal mining hazard management plans**

#### **627—Identification of principal mining hazards and conduct of risk assessments**

- (1) The mine operator of a mine must identify all principal mining hazards at the mine.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

- (2) The mine operator must conduct, in relation to each principal mining hazard identified, a risk assessment that involves a comprehensive and systematic investigation and analysis of all aspects of risk to health and safety associated with the principal mining hazard.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

- (3) The mine operator, in conducting a risk assessment under subregulation (2), must—

- (a) use investigation and analysis methods that are appropriate to the principal mining hazard being considered; and
- (b) consider the principal mining hazard individually and also cumulatively with other hazards at the mine.

#### **628—Preparation of principal mining hazard management plan**

- (1) The mine operator of a mine must prepare a principal mining hazard management plan for each principal mining hazard at the mine, having regard to the matters set out in Schedule 19.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

- (2) A principal mining hazard management plan must—
- (a) provide for the management of all aspects of risk control in relation to the principal mining hazard; and
  - (b) so far as is reasonably practicable, be set out and expressed in a way that is readily understandable by persons who use it.
- (3) A principal mining hazard management plan must—
- (a) describe the nature of the principal mining hazard to which the plan relates; and
  - (b) describe how the principal mining hazard relates to other hazards at the mine; and
  - (c) describe the analysis methods used in identifying the principal mining hazard to which the plan relates; and
  - (d) include a record of the risk assessment conducted in relation to the principal mining hazard; and
  - (e) describe the investigation and analysis methods used in determining the control measures to be implemented; and
  - (f) describe all control measures to be implemented to manage risks to health and safety associated with the principal mining hazard; and
  - (g) describe the arrangements in place for providing the information, training and instruction required by regulation 39 in relation to the principal mining hazard; and
  - (h) refer to any design principles, engineering standards and technical standards relied on for control measures for the principal mining hazard; and
  - (i) set out the reasons for adopting or rejecting all control measures considered.

**Note—**

A principal mining hazard management plan forms part of the safety management system for a mine (see regulation 622(1)(c)(i)).

**629—Review**

- (1) The mine operator of a mine must ensure that a principal mining hazard management plan is reviewed and as necessary revised if a risk control measure specified in the plan is revised under regulation 38 or 618.

**Maximum penalty:**

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**Note—**

A principal mining hazard management plan is part of the safety management system for a mine (see regulation 622(1)(c)(i), which must be audited under regulation 623, maintained under regulation 624 and reviewed and as necessary revised under regulation 625).

- (2) If a principal mining hazard management plan is revised, the mine operator must record the revisions, including any revision of a risk assessment, in writing in the plan.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

### **Division 3—Specific control measures—all mines**

#### **Subdivision 1—Operational controls**

##### **630—Communication between outgoing and incoming shifts**

The mine operator of a mine at which more than 1 shift is worked each day must implement a system that ensures that, as soon as practicable at the commencement of each shift—

- (a) the supervisor of each outgoing shift provides a written report to the supervisor of the incoming shift, in relation to the state of the mine workings and plant and any other matters that relate to work health or safety; and
- (b) the supervisor of the incoming shift communicates the content of the report to the workers on the incoming shift.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**Note—**

For requirements relating to communication with workers carrying out remote or isolated work at the mine, see regulation 48.

##### **631—Movement of mobile plant**

- (1) In complying with regulation 617, the mine operator of a mine must manage risks to health and safety associated with the movement of mobile plant at the mine.
- (2) In managing risks to health and safety associated with the movement of mobile plant at the mine, the mine operator must have regard to all relevant matters including the following:
  - (a) the design, layout, construction and maintenance of all roads and other areas at the mine used by mobile plant;
  - (b) interactions between mobile plant, especially between large and small mobile plant;
  - (c) interactions between mobile plant and fixed plant or structures;
  - (d) interactions between mobile plant and pedestrians (including the use of pre-movement warnings for mobile plant in mine workings);
  - (e) the operation of remotely controlled mobile plant;

- (f) the maintenance, testing and inspection of brakes, steering, lights and other safety features of the mobile plant.

**Note—**

Division 7 of Chapter 5 Part 1 includes requirements relating to mobile plant in all workplaces.

### **632—Prohibited uses**

The mine operator of a mine must take all reasonable steps to ensure an item or substance specified in Schedule 20, column 1 is not used in a place or for a purpose that is prohibited or restricted as set out in Schedule 20, column 2 opposite that item or substance.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

### **633—Closure, suspension or abandonment of mine**

- (1) If the mine operator of a mine closes the mine, the mine operator must, at the time of the closure, ensure, so far as is reasonably practicable, that the mine is safe, including by being secure against unauthorised entry by any person.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

- (2) If mining operations at a mine are suspended, the mine operator must ensure, so far as is reasonably practicable, that the mine is safe, including by being secure against unauthorised entry by any person, during the period of suspension.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

- (3) The mine operator of a mine must not abandon the mine.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

- (4) In this regulation—

***mine operator*** of a mine includes the mine holder of the mine.

**Note—**

Section 16 of the Act provides for circumstances in which more than 1 person has the same duty.

- (5) This regulation does not apply in relation to a precious stones tenement under the *Opal Mining Act 1995*.

**634—Minimum age to work in mine**

The mine operator of a mine must take all reasonable steps to ensure that—

- (a) a person under the age of 16 years is not engaged to carry out work in any open cut workings or in an underground mine; and
- (b) a person under the age of 18 years is not engaged to carry out work in an underground mine, unless the person is over the age of 16 years and is an apprentice or trainee under direct supervision in relation to the work.

Maximum penalty:

- (a) in the case of an individual—\$3 600;
- (b) in the case of a body corporate—\$18 000.

**Subdivision 2—Air quality and monitoring**

Note—

General requirements for managing risks from airborne contaminants and hazardous atmospheres are set out in Divisions 7 and 8 of Chapter 3 Part 2 (all workplaces, including mines), and Division 4 of this Part sets out additional requirements relating to all underground mines (Subdivision 2).

**635—Temperature and moisture content of air**

In complying with regulation 617, the mine operator of a mine must—

- (a) manage risks to health and safety associated with extremes of either or both the temperature and moisture content of air; and
- (b) if risks associated with extreme heat exist in an underground mine—implement control measures (including monitoring) to manage heat stress in places in the mine where—
  - (i) persons work or travel; and
  - (ii) the wet bulb temperature exceeds 27°C.

**636—Ensuring exposure standards for dust not exceeded**

- (1) The mine operator of a mine must ensure that no person at the mine is exposed to 8-hour time-weighted average atmospheric concentrations of airborne dust that exceed—
  - (a) for respirable dust—3.0 mg per cubic metre of air;
  - (b) for inhalable dust—10.0 mg per cubic metre of air.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) The *Workplace Exposure Standards for Airborne Contaminants* apply in relation to a concentration referred to in subregulation (1)(a) or (b) as if that concentration were an exposure standard referred to in those Standards.



- (3) In subregulation (1)—

*inhalable* has the same meaning as in the *Workplace Exposure Standards for Airborne Contaminants*;

*respirable* has the same meaning as in the *Workplace Exposure Standards for Airborne Contaminants*;

*8-hour time-weighted average* has the same meaning as in the *Workplace Exposure Standards for Airborne Contaminants*.

### **637—Monitoring exposure to airborne dust**

Regulation 50 applies to the mine operator of a mine in relation to airborne dust as if the concentration of airborne dust referred to in regulation 636(1)(a) or (b) were an exposure standard to which regulation 50 applies.

### **638—Air monitoring—use of devices**

The mine operator of a mine who uses air monitoring devices to comply with air monitoring requirements under regulation 50 and this Chapter must ensure that—

- (a) the devices used are suitable and effective having regard to—
  - (i) the nature of the monitoring being carried out; and
  - (ii) the substance being monitored; and
- (b) the devices are positioned to ensure that they work to best effect.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

### **639—Air monitoring—signage**

The mine operator of a mine, in complying with air monitoring requirements under regulation 50 and this Chapter, must ensure that signs are erected at the mine that explain—

- (a) the meaning of any warning produced by an air monitoring device; and
- (b) what persons must do in response to the warning.

Maximum penalty:

- (a) in the case of an individual—\$3 600;
- (b) in the case of a body corporate—\$18 000.

## **Subdivision 3—Fitness for work**

### **640—Fatigue**

In complying with regulation 617, the mine operator of a mine must manage risks to health and safety associated with worker fatigue.

**641—Alcohol and drugs**

- (1) In complying with regulation 617, the mine operator of a mine must manage risks to health and safety associated with the consumption of alcohol by workers.
- (2) In complying with regulation 617, the mine operator of a mine must manage risks to health and safety associated with the use of drugs by workers.

**Division 4—Specific control measures—underground mines****Subdivision 1—All underground mines—operational controls****642—Inrush hazards**

- (1) The mine operator of an underground mine must implement a system for the mine that ensures—
  - (a) the identification of all reasonably foreseeable inrush hazards at the mine; and
  - (b) the determination of the presence and location of an inrush hazard by exploratory bore-holes (including a way of sealing or otherwise controlling a bore-hole to prevent inrush) or other exploratory methods; and
  - (c) communication of the location of identified inrush hazards, including inrush hazards being approached, to all affected persons; and
  - (d) the determination of whether or not an identified inrush hazard is a principal mining hazard; and
  - (e) if an identified inrush hazard is a principal mining hazard—the identification, establishment and maintenance of an inrush control zone for the inrush hazard in accordance with this regulation.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) An inrush control zone must be located in the vicinity of the inrush hazard and—
  - (a) if the exact location of the inrush hazard is known—extend at least 50 metres from the location of the inrush hazard; or
  - (b) if the exact location of the inrush hazard is not known—extend any greater distance from the suspected location of the inrush hazard determined by a risk assessment conducted under regulation 627.
- (3) The mine operator must ensure, in relation to each inrush control zone, that control measures and procedures are implemented to control the risk of inrush.

- (4) The mine operator must ensure that an inrush control zone is not mined before—
  - (a) control measures and procedures have been implemented under subregulation (3); and
  - (b) the persons who are to work in the zone have been trained in relation to the implementation of those controls and procedures.
- (5) If an identified inrush hazard is not at an accessible place at the mine, it is sufficient to control the risk from inrush by—
  - (a) providing adequate separation of solid rock between the mine workings and the assessed worst case position of the potential source of inrush; and
  - (b) complying with the requirements of any applicable principal mining hazard management plan prepared for inrush hazards.
- (6) The mine operator of an underground mine, before connecting any underground mine workings at the mine to any other workings (including disused workings), must—
  - (a) ensure that the other workings are inspected for water, gas and any other circumstance that may be an inrush hazard; and
  - (b) if it is not possible to safely gain access to the workings to be connected—ensure that exploratory bore-holes or other exploratory methods are used to determine the location of the other workings.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

### **643—Connecting workings**

- (1) The mine operator of an underground mine must ensure that, if 2 working faces are approaching each other at an underground mine, 1 of the workings is stopped, made safe and barricaded as soon as practicable before the distance separating the faces creates a risk to health or safety.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

- (2) The mine operator of an underground mine, before connecting any underground mine workings to any other workings (including disused workings) must ensure that the other workings are inspected for water, gas, misfires, butts and any other circumstance that may be a risk to the health or safety of any person at the mine, other than a risk associated with an inrush hazard.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**644—Winding systems**

- (1) The mine operator of an underground mine must ensure that every winding system used or that may be put into use at the mine includes the following:
- (a) ropes that will enable the shaft conveyance to bear the weight that can reasonably be expected to be borne by the shaft conveyance;
  - (b) controls and limiting devices to prevent any shaft conveyance from being overwound or overrun or from travelling at an unsafe speed;
  - (c) brakes that can bring the system to rest;
  - (d) devices that detect slack rope or drum slip conditions, or tail rope malfunctions;
  - (e) devices that cause the winder to stop when a condition or malfunction referred to in paragraph (d) is detected;
  - (f) warning systems to alert persons at the mine to any emergency in a shaft;
  - (g) remote monitoring of the functions of the system;
  - (h) an effective means of communication—
    - (i) between the surface and any shaft conveyance used for carrying persons; and
    - (ii) between the point of control of the winder and the entry to every shaft that is in use.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) The mine operator must ensure that the winding system for each shaft that is in use or that may be put into use at the mine, and all components of the winding system, are tested at intervals that ensure the safe performance of the system.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (3) The mine operator must ensure that energy lockout devices are fitted to all mechanical and electrical plant associated with any shaft at the mine, including any mechanical and electrical plant associated with the operation, maintenance or use of the shaft.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (4) In this regulation—

**winding system** means a system where the winder is driven by a motor or engine of not less than 25kW.

**645—Operation of shaft conveyances**

- (1) The mine operator of an underground mine must ensure that material or plant being carried in a shaft conveyance—
  - (a) does not protrude from the shaft conveyance, while it is moving, so as to contact a wall of the shaft or any thing in the shaft; and
  - (b) is so secured to the shaft conveyance that it cannot leave the shaft conveyance except by being deliberately removed.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) The mine operator of an underground mine must ensure that persons being carried in a shaft conveyance are adequately protected from another shaft conveyance in the same shaft and from any material or plant being carried by the other shaft conveyance.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (3) The mine operator of an underground mine must ensure that, if a shaft conveyance that combines a cage and skip is used, material is not carried in the skip while persons are being carried in the cage.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (4) The mine operator of an underground mine must ensure that control measures are implemented to prevent a shaft conveyance from becoming detached or falling down the shaft.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (5) The mine operator of an underground mine must ensure, so far as is reasonably practicable, that facilities for loading material or plant onto or into a shaft conveyance are designed and operated so as to prevent spillage into the shaft.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**646—Dust explosion**

- (1) In complying with regulation 617, the mine operator of an underground mine must manage risks to health and safety associated with an explosion associated with dust at the mine.

- (2) In managing risks to health and safety associated with dust at the mine, the mine operator must implement control measures that, so far as is reasonably practicable—
  - (a) minimise the generation of potentially explosive dusts; and
  - (b) suppress, collect and remove potentially explosive airborne dusts; and
  - (c) suppress any dust explosion; and
  - (d) restrict the propagation of any dust explosion so that other areas are not affected.

## **Subdivision 2—All underground mines—air quality and ventilation**

### **Note—**

General requirements for managing risks from airborne contaminants and hazardous atmospheres are set out in Division 3 Subdivision 2 of this Part (all mines, including underground mines) and in Divisions 7 and 8 of Chapter 3 Part 2 (all workplaces, including mines).

## **647—Air quality—airborne contaminants**

- (1) The mine operator of an underground mine must ensure that the concentration of any airborne contaminant (including any asphyxiant or explosive gas) is as low as is reasonably practicable.  
Maximum penalty:
  - (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) The mine operator must comply with subregulation (1)—
  - (a) so far as is reasonably practicable, by suppression or the installation of a ventilation or exhaust extraction system; or
  - (b) if this is not reasonably practicable, by some other suitable means.
- (3) This regulation does not limit regulations 49 and 636.

## **648—Air quality—minimum standards for ventilated air**

- (1) The mine operator of an underground mine must ensure that the ventilation system for the mine provides air that is of sufficient volume, velocity and quality to ensure that the general body of air in the areas in which persons work or travel—
  - (a) has a concentration of oxygen that is at least 19.5% under normal atmospheric pressure; and
  - (b) has dust levels that—
    - (i) are as low as is reasonably practicable; and
    - (ii) do not exceed the relevant levels specified in regulation 636; and
  - (c) if diesel engines are used underground—has a concentration of diesel particulates that is as low as is reasonably practicable.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) In addition to subregulation (1), the mine operator of an underground mine must ensure that the ventilation system for the mine provides air that is of sufficient quality to ensure that the general body of air in the areas in which persons work or travel has a level of contaminants that—
- (a) is as low as is reasonably practicable; and
  - (b) does not exceed the exposure level for that contaminant specified in the relevant exposure standard referred to in regulation 49.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (3) This regulation does not apply in relation to an area of the mine—
- (a) that is required to be entered in an emergency or for a mines rescue purpose; and
  - (b) in which all persons are wearing self-contained breathing apparatus.

#### **649—Air monitoring—air quality**

The mine operator of an underground mine must ensure that air monitoring is carried out at the mine if the mine operator is not certain on reasonable grounds whether or not regulation 648 is being complied with.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

#### **650—Requirements if air quality requirements and exposure standards not complied with**

- (1) This regulation applies if monitoring reveals that in an underground mine—
- (a) the oxygen level specified in regulation 648(1)(a) is not met; or
  - (b) a dust level referred to in regulation 648(1)(b)(ii) is exceeded; or
  - (c) an exposure level referred to in regulation 648(2)(b) is exceeded.
- (2) The mine operator of an underground mine must immediately notify any affected workers or other persons at the mine of the relevant circumstance referred to in subregulation (1).

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (3) The mine operator of an underground mine must ensure that the air quality at the mine is retested by a competent person as soon as practicable.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

### **651—Records of air monitoring**

- (1) The mine operator of a mine must keep a record of air monitoring carried out at the mine under regulation 649.

Maximum penalty:

- (a) in the case of an individual—\$1 250;
  - (b) in the case of a body corporate—\$6 000.
- (2) A record of air monitoring must include—
    - (a) the results of the monitoring; and
    - (b) details of the dates, location and frequency of the monitoring; and
    - (c) the sampling method and equipment used.
  - (3) A record of air monitoring carried out under regulation 649 must be kept for 7 years after the record is made.
  - (4) The mine operator must keep a record of air monitoring available for inspection under the Act.

Maximum penalty:

- (a) in the case of an individual—\$1 250;
  - (b) in the case of a body corporate—\$6 000.
- (5) The mine operator must keep a record of air monitoring readily accessible to workers and other persons at the mine.

Maximum penalty:

- (a) in the case of an individual—\$3 600;
- (b) in the case of a body corporate—\$18 000.

### **652—Ventilation system—further requirements**

- (1) The mine operator of an underground mine must ensure that the air supplied to the ventilation system at the mine is obtained from the purest source available.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) The mine operator must ensure the following:
    - (a) ventilation circuits at the mine do not allow uncontrolled recirculation of air;
    - (b) plant and structures that regulate airflow are maintained in good working order;
    - (c) unventilated headings are not entered unless—
      - (i) the purpose of entry is to establish ventilation; and



- (ii) adequate auxiliary ventilation is provided to the person entering the heading.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (3) The mine operator must ensure that, in areas of the mine where persons work or travel, the ventilation system for the mine provides an average air velocity of at least 0.3 metres per second measured across the work or travel area.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

### **653—Monitoring and testing of ventilation system**

- (1) The mine operator of an underground mine must monitor and test all aspects of the operation of the ventilation system at intervals that ensure that the system complies with regulations 648 and 652.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

- (2) The mine operator of a mine must keep a record of all monitoring and testing of the ventilation system at the mine for at least 7 years.

Maximum penalty:

- (a) in the case of an individual—\$1 250;
- (b) in the case of a body corporate—\$6 000.

- (3) The mine operator must keep the record available for inspection under the Act.

Maximum penalty:

- (a) in the case of an individual—\$1 250;
- (b) in the case of a body corporate—\$6 000.

- (4) The mine operator must keep the record readily accessible to workers and other persons at the mine.

Maximum penalty:

- (a) in the case of an individual—\$3 600;
- (b) in the case of a body corporate—\$18 000.

### **654—Duty to prepare ventilation control plan**

- (1) The mine operator of an underground mine must ensure that a ventilation control plan is prepared to provide for the management of all aspects of ventilation at the mine.

Maximum penalty:

- (a) in the case of an individual—\$6 000;

- (b) in the case of a body corporate—\$30 000.
- (2) The ventilation control plan must describe all control measures implemented in relation to ventilation at the mine.
- (3) Without limiting subregulation (2), the ventilation control plan must include a description of the following, if applicable to the mine:
  - (a) the design and operation of the ventilation system, including the standards applying to the placement, operation, maintenance and monitoring of ventilation plant;
  - (b) arrangements for inspecting, monitoring, maintaining and testing the ventilation system;
  - (c) arrangements for managing risks to health and safety associated with potential inrush hazards and leakage into intake airways of atmospheric contaminants from goaf areas and abandoned sealed workings;
  - (d) arrangements for managing risks to health and safety associated with intake air travelling across the face of a permanent seal at the mine;
  - (e) arrangements for an alternate and independent way of operating the main ventilation fan system in the event of a loss of power supply to the main ventilation system;
  - (f) arrangements for managing risks to health and safety associated with ignition sources, in the event that the ventilation system fails to adequately ventilate the mine;
  - (g) procedures to ensure the health and safety of persons at the mine in the event of a total or partial ventilation failure for more than 30 consecutive minutes.

### **655—Review of ventilation control plan**

The mine operator of an underground mine must ensure that a ventilation control plan is reviewed and as necessary revised if a risk control measure specified in the plan is revised under regulation 38 or 618.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

### **656—Ventilation plan**

- (1) The mine operator of an underground mine must ensure that a plan of the ventilation system for the mine is prepared.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) The ventilation plan must show—
    - (a) the direction, course and volume of air currents; and

- (b) the position of all air doors, stoppings, fans, regulators and other ventilation plant and structures and ventilation monitoring devices at the mine.

### **Subdivision 3—Underground coal mines**

**Note—**

Subdivision 3 (comprising regulations 657 to 663) appears in some corresponding WHS laws but does not apply in this State because there is no underground coal mining activity.

### **Division 5—Emergency management**

**Note—**

The requirements of this Division are in addition to the requirements in relation to emergency plans under Division 4 of Chapter 3 Part 2.

### **Subdivision 1—Emergency plans for all mines**

#### **664—Duty to prepare emergency plan**

- (1) The mine operator of a mine must prepare an emergency plan for the mine in accordance with this Subdivision.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) In addition to the matters required by regulation 43(1), the emergency plan must—
    - (a) address all aspects of emergency response, including by ensuring—
      - (i) the establishment of a system that enables all persons at the mine to be promptly located; and
      - (ii) the provision of adequate rescue equipment; and
      - (iii) that an adequate number of persons trained in the use of rescue equipment are available to respond effectively to the emergency if a person is working at the mine; and
      - (iv) the provision of adequate patient transport if a person is working at a mine; and
    - (b) include all matters specified in Schedule 22; and
    - (c) so far as is reasonably practicable, be set out and expressed in a way that is readily understandable by persons who use it.
  - (3) The emergency plan for a mine must comply with the matters in subregulation (2)(a) and (b) to the extent that the matters are applicable to the mine having regard to—
    - (a) the nature, complexity and location of the mining operations; and
    - (b) the risks associated with those operations.

- (4) The emergency plan for a mine must contain an appropriate level of detail about the matters set out in subregulation (2)(a) and (b) having regard to all relevant matters including—
  - (a) the nature, complexity and location of the mining operations; and
  - (b) the risks associated with those operations.
- (5) The mine operator of a mine that is also a determined major hazard facility is not required to prepare an emergency plan under regulation 557 for the major hazard facility if—
  - (a) the mine operator has prepared an emergency plan for the facility for the purposes of this regulation; and
  - (b) the plan addresses all matters required to be addressed in an emergency plan under regulation 557 and includes all matters specified in Schedule 16.

### **665—Consultation in preparation of emergency plan**

- (1) In preparing an emergency plan, the mine operator must consult with—
  - (a) the primary emergency services with responsibility for the area in which the mine is located; and
  - (b) any other emergency service organisation, including any mines rescue organisation, that may be required to participate in implementing the emergency plan; and
  - (c) in relation to the principal mining hazards that may cause or contribute to an incident that may adversely affect the health and safety of persons in the area surrounding the mine—the local authority for the local authority area in which the mine is located; and
  - (d) if the mine is a major hazard facility—the local authority in relation to the off-site health and safety consequences of a major incident occurring.
- (2) Subregulation (1)(a) does not apply to a mine operator who has on-site emergency resources and capability or access to off-site emergency resources and capability that are sufficient to address all aspects of emergency response at the mine.
- (3) The mine operator must ensure that the emergency plan addresses any recommendation made by the emergency service organisations consulted under subregulation (1) in relation to—
  - (a) the testing of the emergency plan, including the way in which it will be tested, the frequency of testing and whether or not the emergency service organisations will participate in the testing; and
  - (b) what incidents or events at the mine should be notified to the emergency service organisations.
- (4) The mine operator must have regard to any other recommendation or advice given by a person consulted under subregulation (1).

**666—Implementation of emergency plan**

- (1) The mine operator of a mine must immediately implement the emergency plan for the mine in the event of an emergency.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) If the mine is a determined major hazard facility, the mine operator must—
- (a) immediately implement the emergency plan if—
    - (i) a major incident occurs in the course of the operation of the major hazard facility; or
    - (ii) an event occurs that could reasonably be expected to lead to a major incident; and
  - (b) notify the emergency service organisations consulted under regulation 665(1) of the occurrence of an incident or event referred to in regulation 665(3)(b).

**667—Copies to be kept and provided**

- (1) The mine operator of a mine must keep a copy of the emergency plan at the mine.

Maximum penalty:

- (a) in the case of an individual—\$3 600;
  - (b) in the case of a body corporate—\$18 000.
- (2) The mine operator must ensure that a copy of the emergency plan is available on request to any emergency service organisation consulted under regulation 665(1)(a).

Maximum penalty:

- (a) in the case of an individual—\$3 600;
- (b) in the case of a body corporate—\$18 000.

**668—Resources for emergency plan**

The mine operator of a mine must ensure that—

- (a) all resources, including rescue equipment, specified in the emergency plan for the mine are provided in accordance with the plan; and
- (b) all equipment, including rescue equipment, specified in the emergency plan is maintained in good working order.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**669—Testing of emergency plan**

- (1) The mine operator must test the emergency plan at least once a year having regard to the recommendations made by the emergency service organisations consulted under regulation 665 in preparing the plan.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) In addition, if the mine is a determined major hazard facility, the mine operator must test the emergency plan in accordance with the recommendations made by the emergency service organisations referred to in regulation 665(1) before applying for a licence for the major hazard facility.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**Note—**

More frequent testing may be required—see regulation 43.

**670—Review**

- (1) If a risk control measure is revised under regulation 38 or 618, the mine operator of the mine must ensure that the emergency plan is reviewed and as necessary revised in relation to all aspects of risk control addressed by the revised control measure.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) In addition, if the mine is a determined major hazard facility, the mine operator for the mine must review and as necessary revise the emergency plan if a circumstance referred to in regulation 559(2) exists.

Maximum penalty:

- (a) in the case if an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (3) In reviewing and revising the emergency plan for the purposes of subregulation (2), the operator must consult with the emergency service organisations referred to in regulation 665.

**Subdivision 2—Underground mines****671—Emergency exits**

- (1) The mine operator of an underground mine must ensure that the mine has at least 2 trafficable exits to the surface that comply with subregulations (2) and (3).

Maximum penalty:

- (a) in the case of an individual—\$6 000;

- (b) in the case of a body corporate—\$30 000.
- (2) Each exit must—
  - (a) be accessible from each level in the mine in which stoping operations are being carried out; and
  - (b) allow for the passage of rescue persons and rescue equipment; and
  - (c) be marked or signposted so that it can be readily located in an emergency; and
  - (d) be maintained so that it remains effective.
- (3) The exits must be located so as to ensure, so far as is reasonably practicable, that an incident or event that occurs in relation to one exit, that prevents the exit from being used for the purpose of escape from the mine, does not prevent persons from using the other exit to escape.
- (4) The mine operator of a mine is not required to comply with subregulation (1) in either of the following circumstances if the mine operator ensures that the mine has at least 1 trafficable exit to the surface that complies with subregulation (2):
  - (a) a single entry drive or shaft is being developed;
  - (b) the most distant area of the mine is no more than 250 metres from the mine entrance.

#### **672—Safe escape and refuge**

- (1) The mine operator of an underground mine must provide adequate means of communicating with all affected persons when the emergency plan for the mine is implemented.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**Example—**

An alarm system.

- (2) The mine operator of an underground mine must provide adequate means of escape that enable persons to safely reach an exit or refuge, including through conditions of reduced visibility or irrespirable or unsafe atmospheres.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

#### **673—Signage for refuges**

The mine operator of an underground mine that includes a refuge must ensure that signs are prominently displayed at the mine showing the location of each refuge.

Maximum penalty:

- (a) in the case of an individual—\$3 600;

- (b) in the case of a body corporate—\$18 000.

#### **674—Self-rescuers**

- (1) The mine operator of an underground mine must ensure that a person who is to go underground is provided with an appropriate self-contained self-rescuer if there is a risk of an irrespirable atmosphere in the underground mine (including during an emergency).

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) The mine operator must ensure that the person is trained in the use of, and is able to use, the self-rescuer provided.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

#### **675—Personal protective equipment in emergencies**

- (1) This regulation applies in relation to a worker who is to enter an underground mine in an emergency in order to carry out first aid or rescue procedures.
- (2) The mine operator of the underground mine must ensure that oxygen or air supplied respiratory equipment is available for use by, and is provided to, the worker in an emergency in which—
  - (a) the concentration of oxygen falls below a safe oxygen level; or
  - (b) the atmosphere in the underground mine has a harmful concentration of an airborne contaminant; or
  - (c) there is a serious risk of the atmosphere in the underground mine becoming affected in the way referred to in paragraph (a) or (b) while the worker is in the underground mine.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (3) The mine operator must ensure that suitable personal protective equipment is available for use by, and is provided to, the worker in an emergency in which—
    - (a) there has been an inundation or inrush of any substance in the underground mine; or
    - (b) there is a serious risk of an inundation or inrush of any substance occurring while the worker is in the underground mine.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.



- (4) The mine operator must ensure, so far as is reasonably practicable, that a worker uses the personal protective equipment provided under subregulation (2) or (3).

Maximum penalty:

- (a) in the case of an individual—\$6 000;  
(b) in the case of a body corporate—\$30 000.

## **Division 6—Information, training and instruction**

### **675A—Duty to inform workers about safety management system**

- (1) The mine operator of a mine must ensure that, before a worker commences work at the mine—

- (a) the worker is given a summary of the safety management system for the mine that is relevant to the worker's work at the mine; and  
(b) the worker is informed of the right to see the documented safety management system for the mine prepared under regulation 621.

Maximum penalty:

- (a) in the case of an individual—\$6 000;  
(b) in the case of a body corporate—\$30 000.

- (2) The mine operator must ensure that the documented safety management system is available on request to a worker at the mine.

Maximum penalty:

- (a) in the case of an individual—\$6 000;  
(b) in the case of a body corporate—\$30 000.

- (3) The mine operator must ensure that—

- (a) a principal mining hazard management plan prepared under regulation 628 is readily accessible to a worker who is or may be exposed to the risks to which the plan relates; and  
(b) a ventilation control plan, prepared under regulation 654, is readily accessible to all workers at the mine; and  
(c) the emergency plan for the mine, prepared under regulation 664, is readily accessible to all workers at the mine.

Maximum penalty:

- (a) in the case of an individual—\$6 000;  
(b) in the case of a body corporate—\$30 000.

- (4) If the safety management system is revised under regulation 625, the mine operator must ensure, so far as is reasonably practicable, that each worker at the mine is made aware of any revision that is relevant to work being carried out by the worker.

Maximum penalty:

- (a) in the case of an individual—\$6 000;  
(b) in the case of a body corporate—\$30 000.

**Note—**

In relation to the provision of information to workers, also see regulation 39 and section 19(3)(f) of the Act.

**675B—Duty to provide information, training and instruction**

- (1) This regulation applies in addition to regulation 39.
- (2) The mine operator of a mine must ensure that each worker at the mine is provided with suitable and adequate information, training and instruction in relation to the following:
  - (a) all hazards associated with the work being carried out by the worker;
  - (b) the implementation of risk control measures relating to the work being carried out by the worker, including controls in relation to fatigue, the consumption of alcohol and the use of drugs;
  - (c) the content and implementation of the safety management system for the mine;
  - (d) the emergency plan for the mine;
  - (e) the safety role for workers implemented under regulation 675Q.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**675C—Information for visitors**

The mine operator of a mine must ensure that a visitor who enters the mine with the authority of the mining operator is, as soon as practicable—

- (a) informed about risks associated with mining operations to which the visitor may be exposed at the mine; and
- (b) instructed in health and safety precautions the visitor should take at the mine; and
- (c) instructed in the actions the visitor should take if the emergency plan for the mine is implemented while the visitor is at the mine.

Maximum penalty:

- (a) in the case of an individual—\$3 600;
- (b) in the case of a body corporate—\$18 000.

**675D—Review of information, training and instruction**

The mine operator of a mine must ensure that information, training and instruction provided to workers under regulations 675A and 675B or to visitors under regulation 675C are reviewed and as necessary revised to ensure that they remain relevant and effective.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**675E—Record of training**

The mine operator of a mine must—

- (a) make a record of any training provided to a worker under regulation 675B; and
- (b) keep the record while the worker remains engaged at the mine.

Maximum penalty:

- (a) in the case of an individual—\$1 250;
- (b) in the case of a body corporate—\$6 000.

**Part 3—Health Monitoring****675F—Health monitoring of worker**

- (1) The mine operator of a mine must ensure that health monitoring is provided in accordance with subregulation (2) to a worker at a mine engaged to carry out work at a mine if—
  - (a) there is a significant risk of an adverse effect on the worker's health because of the worker's exposure to a hazard associated with mining; and
  - (b) valid techniques are available to detect that effect on the worker's health.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) The health monitoring must be carried out—
    - (a) in accordance with this Part; and
    - (b) at intervals determined by a registered medical practitioner with experience in health monitoring.

**675G—Duty to inform of health monitoring**

The mine operator of a mine, who is required to ensure that health monitoring is provided to a worker, must give information about the health monitoring requirements to—

- (a) a person who is likely to be engaged to carry out work that triggers the requirement for health monitoring; and
- (b) a worker at the mine, before the worker commences work that triggers the requirement for health monitoring.

Maximum penalty:

- (a) in the case of an individual—\$3 600;
- (b) in the case of a body corporate—\$18 000.

**675H—Duty to ensure health monitoring is carried out or supervised by registered medical practitioner with experience**

- (1) The mine operator of a mine must ensure, so far as is reasonably practicable, that the health monitoring of a worker under this Part is carried out by or under the supervision of a registered medical practitioner with experience in health monitoring.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) The mine operator must ensure that the worker is consulted in relation to the selection of the registered medical practitioner.

Maximum penalty:

- (a) in the case of an individual—\$3 600;
- (b) in the case of a body corporate—\$18 000.

**675I—Duty to pay costs of health monitoring**

- (1) The mine operator of a mine who engages a worker at the mine must pay all expenses relating to health monitoring referred to in this Part.

Maximum penalty:

- (a) in the case of an individual—\$3 600;
  - (b) in the case of a body corporate—\$18 000.
- (2) If the mine operator of a mine has not engaged a worker at the mine, the mine operator must ensure that the person conducting the business or undertaking that engaged the worker pays all expenses relating to health monitoring.

Maximum penalty:

- (a) in the case of an individual—\$3 600;
- (b) in the case of a body corporate—\$18 000.

**675J—Duty to provide registered medical practitioner with information**

The person conducting a business or undertaking who commissions health monitoring for a worker must provide the following information to the registered medical practitioner carrying out or supervising the health monitoring:

- (a) the name and address of the mine operator;
- (b) the name and date of birth of the worker;
- (c) the work that the worker is, or will be, carrying out that has triggered the requirement for health monitoring;
- (d) if the worker has started the work—how long the worker has been carrying out the work.

Maximum penalty:

- (a) in the case of an individual—\$3 600;

- (b) in the case of a body corporate—\$18 000.

### **675K—Health monitoring report**

- (1) Health monitoring must be documented in a health monitoring report in the form approved by the regulator.
- (2) The health monitoring report must include the following:
  - (a) the name and date of birth of the worker;
  - (b) the name and registration number of the registered medical practitioner;
  - (c) the name and address of—
    - (i) the mine operator; and
    - (ii) the person conducting a business or undertaking who commissioned the health monitoring;
  - (d) the date of the health monitoring;
  - (e) an explanation of the results;
  - (f) any advice indicating any adverse health effect resulting from exposure to a risk associated with mining operations;
  - (g) any recommendation that the mine operator take remedial measures, including whether the worker can continue to carry out the type of work that triggered the requirement for health monitoring;
  - (h) whether medical counselling is required for the worker in relation to the work that triggered the requirement for health monitoring.

### **675L—Person conducting business or undertaking to obtain health monitoring report**

The person conducting a business or undertaking who has commissioned health monitoring must take all reasonable steps to obtain a health monitoring report from the registered medical practitioner who carried out or supervised the monitoring as soon as practicable after the monitoring is carried out in relation to a worker.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

### **675M—Person conducting business or undertaking to give health monitoring report to mine operator of mine**

A person conducting a business or undertaking must, on request, give a copy of the health monitoring report required to be kept under regulation 675P(1) to the mine operator of any mine at which the worker carries out work.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**675N—Duty to give health monitoring report to worker**

The mine operator of a mine must take all reasonable steps to ensure that a worker at the mine who is provided with health monitoring is given a copy of the health monitoring report as soon as practicable after the monitoring is carried out.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**675O—Duty to give health monitoring report to regulator**

The mine operator of a mine must take all reasonable steps to ensure that a copy of a health monitoring report relating to a worker at the mine is given to the regulator as soon as practicable if the report contains—

- (a) any advice indicating any adverse health effect resulting from exposure to a risk associated with mining operations; or
- (b) a recommendation that the mine operator should move the worker from a hazard or assign the worker to different work.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**675P—Health monitoring reports kept as records**

- (1) The person conducting a business or undertaking that engaged a worker at the mine must ensure that a health monitoring report in relation to the worker is kept as a confidential record.

Maximum penalty:

- (a) in the case of an individual—\$1 250;
- (b) in the case of a body corporate—\$6 000.

- (1a) The person must ensure that a health monitoring report in relation to a worker is kept for at least—

- (a) for hazards known to have a cumulative or delayed health effect—30 years after the record is made; or
- (b) for other hazards—7 years after the record is made.

Maximum penalty:

- (a) in the case of an individual—\$1 250;
- (b) in the case of a body corporate—\$6 000.

- (2) A person conducting a business or undertaking who obtains a health monitoring report in relation to a worker under this Part must not disclose the report to another person without the worker's written consent.

Maximum penalty:

- (a) in the case of an individual—\$1 250;
- (b) in the case of a body corporate—\$6 000.

- (3) Subregulation (2) does not apply if the report is disclosed to—
- (a) a mine operator to whom a copy report is given under regulation 675M; or
  - (b) the regulator under regulation 675O; or
  - (c) a new mine operator to whom all records are given under regulation 615(3); or
  - (d) a person who must keep the report confidential under a duty of professional confidentiality; or
  - (e) a health and safety representative in accordance with section 71(2) of the Act.
- (4) The person conducting a business or undertaking that engaged a worker at the mine must ensure, so far as is reasonably practicable, that any health monitoring report kept in relation to a worker under subregulation (1) is given to the worker if the business or undertaking at the mine is to be wound up or otherwise cease to exist.

Maximum penalty:

- (a) in the case of an individual—\$1 250;
- (b) in the case of a body corporate—\$6 000.

## **Part 4—Consultation and Workers' Safety Role**

### **675Q—Safety role for workers in relation to principal mining hazards**

The mine operator of a mine must implement a safety role for the workers at the mine that enables them to contribute to—

- (a) the identification under regulation 627 of principal mining hazards that are relevant to the work that the workers are or will be carrying out; and
- (b) the consideration of control measures for risks associated with principal mining hazards at the mine; and
- (c) the conduct of a review under regulation 629.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

### **675R—Mine operator must consult with workers**

For the purposes of section 49(f) of the Act, the mine operator of a mine must consult with workers at the mine in relation to the following:

- (a) the development, implementation and review of the safety management system for the mine;
- (b) conducting risk assessments for principal mining hazard management plans;
- (c) preparing, testing and reviewing the emergency plan for the mine;

- (d) the implementation of the workers' safety role under regulation 675Q;
- (e) developing and implementing strategies to protect persons at the mine from any risk to health and safety arising from the following:
  - (i) the consumption of alcohol or use of drugs by any person;
  - (ii) worker fatigue.

**Note—**

See section 49 of the Act for other consultation duties of a person conducting a business or undertaking.

## **Part 5—Mine Survey Plans**

### **675S—Survey plan of mine must be prepared**

- (1) The mine operator of a mine must ensure that a detailed survey plan of the mine is prepared by a competent person.  
Maximum penalty:
  - (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) The plan must (unless it relates to a precious stones field under the *Opal Mining Act 1995*) reference the mine to the *Geocentric Datum of Australia* and the *Australian Height Datum*.
- (3) The plan must show the following (if present at the mine):
  - (a) the workings of the mine, including disused workings and bore holes;
  - (b) the location of electrical installations;
  - (c) the location of telephones and other fixed plant associated with the radio and telecommunications systems;
  - (d) water dams and tailings dams;
  - (e) natural features surrounding the mine;
  - (f) places for the storage of hydrocarbons or explosives;
  - (g) points of entry and exit, including emergency exits;
  - (h) refuges (in an underground mine).
- (4) In complying with subregulation (1), the mine operator of a mine must take all reasonable steps to obtain historical mine surveys of the mine to ensure the accuracy of the mine survey plan.
- (5) In subregulation (2)—

***Australian Height Datum*** means the *Australian Height Datum* described in the *Division of National Mapping Technical Report No.12, The Adjustment of the Australian Levelling Survey, 1970-71* (2nd edition, 1975);

***Geocentric Datum of Australia*** means the *Geocentric Datum of Australia* as defined in Commonwealth of Australia Gazette No. 35 of 6 September 1995 (GDA94 geocentric data set);



**Note—**

Regulation 656 requires the mine operator of an underground mine to prepare a plan of the ventilation system for the mine.

**675T—Review of survey plan**

- (1) The mine operator of a mine must review and as necessary revise the mine survey plan—
  - (a) if it no longer accurately reflects the workings that have been carried out at the mine or the workings that are proposed to be carried out at the mine; or
  - (b) if there are reasonable grounds to believe that the mine survey plan is not accurate; or
  - (c) at least once every 12 months.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
  - (b) in the case of a body corporate—\$30 000.
- (2) Subregulation (1)(c) does not apply if the mining operations at the mine have been discontinued or suspended for more than 12 months.

**675U—Survey plan to be available**

- (1) The mine operator of a mine must keep the current mine survey plan and all previous versions of the plan available for inspection under the Act.

Maximum penalty:

- (a) in the case of an individual—\$3 600;
  - (b) in the case of a body corporate—\$18 000.
- (2) The mine operator of a mine must make the current mine survey plan available on request to workers at the mine.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

**Part 6—Provision of information to regulator****Notes—**

- (1) This Part applies in addition to Part 3 of the Act.
- (2) Unless provided otherwise, incidents referred to in this Part include notifiable incidents (see section 35 of the Act).

**675V—Duty to notify regulator of certain incidents**

- (1) The mine operator of a mine must take all reasonable steps to ensure that the regulator is notified as soon as possible after becoming aware of an incident arising out of the carrying out of mining operations at the mine.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

- (2) The notification must—
- (a) be in writing; and
- Example—**
- The notice may be given by fax, email or other electronic means.
- (b) be in a form required by the regulator; and
  - (c) in the case of an incident that results in an illness or injury, contain the details specified in Schedule 23.

- (3) In this regulation—

**high potential incident** means an incident or event referred to in section 37(a) to (l) of the Act that would have been a dangerous incident under section 37 if a person were in the vicinity at the time when the incident or event occurred and in usual circumstances a person could have been in that vicinity at that time;

**incident** means an incident (other than a notifiable incident) that—

- (a) results in illness or injury that requires medical treatment within the meaning of item 13.2 of Schedule 24; or
- (b) is a high potential incident.

**Note—**

This regulation does not apply in relation to notifiable incidents about which notification must be given under Part 3 of the Act.

### **675W—Quarterly reports**

- (1) The mine operator of a mine must give the regulator a quarterly work health and safety report in accordance with this regulation.

Maximum penalty:

- (a) in the case of an individual—\$6 000;
- (b) in the case of a body corporate—\$30 000.

- (2) The report must—

- (a) be given at the times or intervals (including annually) and in the manner and form required by the regulator; and
- (b) contain the information specified in Schedule 24.

**Note—**

This regulation applies in relation to notifiable incidents and incidents within the meaning of regulation 675V.

- (3) The mine operator of a mine is not required to give the regulator a report under this regulation before 1 January 2015.

### **675X—Duty to notify mine operator of notifiable incidents**

A person who conducts a business or undertaking at a mine must ensure that the mine operator is notified as soon as practicable of any incident that has been notified to the regulator under section 38 of the Act.

Maximum penalty:

- (a) in the case of an individual—\$6 000;

- (b) in the case of a body corporate—\$30 000.

**Note—**

Section 38 of the Act requires a person who conducts a business or undertaking to ensure that the regulator is notified about notifiable incidents.

## **Part 7—Mine Record**

### **675Y—Mine record**

- (1) The mine operator of a mine must keep a mine record for the mine.  
Maximum penalty:
  - (a) in the case of an individual—\$3 600;
  - (b) in the case of a body corporate—\$18 000.
- (2) The mine record must contain—
  - (a) a record of any notice issued in relation to the mine under Part 10 of the Act; and
  - (b) a copy of any provisional improvement notice issued in relation to the mine under Part 5 Division 7 of the Act; and
  - (c) a record of every incident notified to the regulator under Part 3 of the Act or under regulation 675V; and
  - (d) a summary of all records kept under regulations 619 and 620; and
  - (e) each report under regulation 630 by a shift supervisor at the mine.

### **675Z—Mine record must be kept and available**

- (1) The mine operator of a mine must keep a record that forms part of the mine record for 7 years from the date the record was made.  
Maximum penalty:
  - (a) in the case of an individual—\$1 250;
  - (b) in the case of a body corporate—\$6 000.
- (2) The mine operator must keep the mine record for the mine available for inspection under the Act.  
Maximum penalty:
  - (a) in the case of an individual—\$1 250;
  - (b) in the case of a body corporate—\$6 000.
- (3) The mine operator must ensure that the mine record for the mine is available to workers at the mine on request.  
Maximum penalty:
  - (a) in the case of an individual—\$1 250;
  - (b) in the case of a body corporate—\$6 000.
- (4) For the purposes of subregulation (3), the mine operator is only required to make available a summary of a record referred to in regulation 675Y(2)(c).

- (5) Subregulation (3) does not require or permit the mine operator to provide personal or medical information in relation to a worker without the worker's written consent unless the information is in a form that—
- (a) does not identify the worker; and
  - (b) could not reasonably be expected to lead to the identification of the worker.

#### **42—Variation of regulation 676—Which decisions under these regulations are reviewable**

- (1) Regulation 676(1), table—after item 2 insert:

|    |   |           |
|----|---|-----------|
| 2A | 91A—Imposition of condition when granting licence | Applicant |
| 2B | 91A—Imposition of condition when renewing licence | Applicant |

- (2) Regulation 676(1), table—after item 7 insert:

|    |                                     |                |
|----|-------------------------------------|----------------|
| 7A | 106—Variation of licence conditions | Licence holder |
|----|-------------------------------------|----------------|

#### **43—Variation of regulation 683A—Applications to IRC**

Regulation 683A(1)—delete "Schedule 19" and substitute:

Schedule 18A

#### **44—Variation of 683B—Summonses**

Regulation 683B—delete "Schedule 19" wherever occurring and substitute in each case:

Schedule 18A

#### **45—Insertion of regulation 699A**

After regulation 699 insert:

##### **699A—Incident notification—prescribed dangerous incident**

For the purposes of section 37 of the Act, the unplanned loss of control of heavy earthmoving machinery (including failure of braking or steering) at a mine is a dangerous incident.

#### **46—Substitution of regulation 723**

Regulation 723—delete the regulation and substitute:

##### **723—Pipeline builder's duties (regulation 390)**

If, before the day on which regulation 390 commences, a notice is given as required under regulation 55 of the *Dangerous Substances Regulations 2002* of an intention to re-lay, renew or carry out repairs to a pipeline, the person who gave the notice will be taken to have complied with the requirements of regulation 390(2) of these regulations with respect to the activity to which the notice relates.

**47—Variation of regulation 726—Application of regulations 475 and 476 (Air monitoring)**

Regulation 726(2)—delete "first" and substitute:

second

**48—Variation of regulation 730—Diving work**

Regulation 730(1) and (2)—delete "regulation 171(a)" wherever occurring and substitute in each case:

regulation 171

**49—Variation of regulation 737—Roll-over protection on tractors (regulation 216)**

Regulation 737—delete "first" and substitute:

second

**50—Variation of Schedule 2—Fees**

- (1) Schedule 2, clause 1, table—delete the rows relating to "Application for asbestos assessor licence" and "Application for renewal of asbestos assessor licence"
- (2) Schedule 2, clause 1, table—delete the rows relating to "Application for blaster's licence" and "Application for renewal of blaster's licence"

**51—Variation of Schedule 3—High risk work licences and classes of high risk work**

- (1) Schedule 3, item 15—delete "including" and substitute:  
excluding
- (2) Schedule 3, item 15—after "Use of a non-slewing mobile crane with a capacity exceeding 3 tonnes" insert:  
Use of a reach stacker
- (3) Schedule 3, item 16—delete "including" and substitute:  
excluding
- (4) Schedule 3, item 16—after "Use of a non-slewing mobile crane with a capacity exceeding 3 tonnes" insert:  
Use of a reach stacker
- (5) Schedule 3, item 17—delete "including" and substitute:  
excluding
- (6) Schedule 3, item 17—after "Use of a non-slewing mobile crane with a capacity exceeding 3 tonnes" insert:  
Use of a reach stacker
- (7) Schedule 3, item 18—delete "including" and substitute:  
excluding
- (8) Schedule 3, item 18—after "Use of a non-slewing mobile crane with a capacity exceeding 3 tonnes" insert:  
Use of a reach stacker

**52—Variation of Schedule 5—Registration of plant and plant designs**

- (1) Schedule 5, clause 1, item 1.9—delete "placement units with delivery" and substitute:  
placing
- (2) Schedule 5, clause 1, item 1.10—delete "and prefabricated formwork"
- (3) Schedule 5, clause 2(1)—after paragraph (a) insert:
  - (ab) any pressure equipment (other than a gas cylinder) excluded from the scope of AS 1200:2000 (*Pressure equipment*); or

**Note—**  
See section A1 of Appendix A to AS/NZS 1200:2000.
- (4) Schedule 5, clause 2(1)—after paragraph (b) insert:
  - (ba) a reach stacker; or
- (5) Schedule 5, clause 3, item 3.7—delete "placement units with delivery" and substitute:  
placing
- (6) Schedule 5, clause 4(1)—delete subclause (1) and substitute:
  - (1) The items of plant listed in clause 3 do not include—
    - (a) any pressure equipment (other than a gas cylinder) excluded from the scope of AS/NZS 1200:2000 (*Pressure equipment*); or

**Note—**  
See section A1 of Appendix A to AS/NZS 1200:2000.

    - (b) a crane or hoist that is manually powered; or
    - (c) a reach stacker.

**53—Variation of Schedule 10—Prohibited carcinogens, restricted carcinogens and restricted hazardous chemicals**

Schedule 10, Table 10.3, item 10—delete "For spray painting"

**54—Variation of Schedule 16—Matters to be included in emergency plan for major hazard facility**

Schedule 16, table, item 3.1—after "under regulation 557" insert:

(or, if the facility is also a mine, under regulation 664)

**55—Redesignation of Schedule 19**

Schedule 19—redesignate the Schedule as Schedule 18A

**56—Insertion of Schedules 19 to 24**

After Schedule 18A (as so redesignated by regulation 55) insert:

**Schedule 19—Principal mining hazard management plans—additional matters to be considered**

**Regulation 628**

### **1—Ground or strata instability**

The following matters must be considered in developing the control measures to manage the risks of ground or strata instability:

- (a) the local geological structure;
- (b) the local hydrogeological environment, including surface and ground water;
- (c) the geotechnical characteristics of the rocks and soil, including the effects of time, oxidation and water on rock support and stability;
- (d) any natural or induced seismic activity;
- (e) the location and loadings from existing or proposed mine infrastructure such as waste dumps, tailings storage, haul roads and mine facilities;
- (f) any previously excavated or abandoned workings;
- (g) the proposed and existing mining operations, including the nature and number of excavations, the number and size of permanent or temporary voids or openings, backfilling of mined areas and stopes, abutments, periodic weighting and windblast;
- (h) the proposed blasting activities, including airblast.

### **2—Inundation and inrush**

The following matters must be considered in developing the control measures to manage the risks of inundation and inrush:

- (a) the potential sources of inundation, including extreme weather, overflow or failure of levies and dam structures, failure or blocking of flow channels (either regular, overflow or emergency);
- (b) the potential sources of inrush including current, disused or abandoned mine workings along the same seam or across strata, surface water bodies, backfill operations, highly permeable aquifers, bore-holes, faults or other geological weaknesses;
- (c) the potential for the accumulation of water, gas or other substances or materials that could liquefy or flow into other workings or locations;
- (d) the magnitude of all potential sources and maximum flow rates;
- (e) the worst possible health and safety consequences of each potential source, including the accuracy of plans of other workings, variation in rock properties and geological weaknesses.

### **3—Mine shafts and winding operations**

The following matters must be considered in developing the control measures to manage the risks associated with mine shafts and winding operations:

- (a) the stability and integrity of the shaft;
- (b) the potential for fires in underground operations, the shaft or winder areas;

- (c) the potential for any unintended or uncontrolled movement of the conveyances within the shaft;
- (d) the potential for a detached conveyance to fall down the shaft;
- (e) the potential for fall of persons, equipment, materials or support structure into or within, the shaft;
- (f) the potential for failure of, or damage to, health and safety related equipment and controls, including the following:
  - (i) ropes bearing the weight of the shaft conveyance;
  - (ii) controls and limiting devices to prevent overwind, overrun, overspeed and the exceeding of other selected limits;
  - (iii) equipment and controls to detect, prevent or cause the winder to stop in the event of slack rope, drum slip or tail rope malfunctions;
  - (iv) braking systems including emergency brakes and systems for preventing free-fall of a conveyance;
  - (v) warning systems for any emergency in the shaft;
  - (vi) communication systems;
- (g) the potential for injury to persons in a conveyance from material being carried in the conveyance or falling from another conveyance;
- (h) the need to enable persons to escape from a stalled conveyance;
- (i) the competency of the operator of the winder.

#### **4—Roads and other vehicle operating areas**

The following matters must be considered in developing the control measures to manage the risks associated with roads and other vehicle operating areas:

- (a) mobile plant characteristics, including stopping distances, manoeuvrability, operating speeds, driver position, driver line of sight and remote control mobile plant;
- (b) the effect on road conditions of expected environmental conditions during operating periods (including time of day, weather, temperature and visibility);
- (c) the impact of road design and characteristics, including grade, camber, surface, radius of curves and intersections;
- (d) the impact of mine design, including banks and steep drops adjacent to vehicle operating areas;
- (e) the volume and speed of traffic and the potential for interactions between mobile plant with different operating characteristics, including heavy and light vehicles;
- (f) the potential for interactions between mobile plant and pedestrians, including consideration of park up areas and driver access;



- (g) the potential for interaction between mining mobile plant and public traffic;
- (h) the potential for interaction between mobile plant and fixed structures, including overhead and underground power lines, tunnel walls and roofs.

### **5—Air quality, dust and other airborne contaminants**

The following matters must be considered in developing the control measures to manage the risks associated with air quality, airborne dust and other airborne contaminants:

- (a) the types of dust and other chemical and biological contaminants likely to be in the air from both natural sources, including naturally occurring asbestos, and introduced sources;
- (b) the levels of oxygen, dust and other contaminants in the natural or supplied air of a mine;
- (c) the temperature and humidity of the air;
- (d) the length of exposure, having regard to extended shifts and reduced recovery periods.

### **6—Fire and explosion**

The following matters must be considered in developing the control measures to manage the risks of fire and explosion:

- (a) the potential sources of flammable, combustible and explosive substances and materials, both natural and introduced, including gas, dust, fuels, solvents and timber;
- (b) the potential sources of ignition, fire or explosion, including plant, electricity, static electricity, spontaneous combustion, lightning, hot work and other work practices;
- (c) the potential for propagation of fire or explosion to other parts of the mine.

### **7—Gas outbursts**

The following matters must be considered in developing the control measures to manage the risks of gas outbursts:

- (a) the potential for gas release into the working area of a mine from both natural and introduced sources in a concentration that could lead to fire, explosion or asphyxiation;
- (b) the potential for accumulation of gases in working areas and abandoned areas of the mine;
- (c) the nature of the gas that could be released;
- (d) the gas levels in the material being mined;
- (e) gas seam pressures.

## 8—Spontaneous combustion

The following matters must be considered in developing the control measures to manage the risks of spontaneous combustion:

- (a) the potential for spontaneous combustion to occur in the material being mined, including by—
  - (i) evaluating the history of the mine in relation to spontaneous combustion; and
  - (ii) evaluating any adjacent or previous mining operations in the same seam; and
  - (iii) the conduct of scientific testing;
- (b) mine ventilation practices;
- (c) the design of the mine;
- (d) the impact of gases generated by spontaneous combustion on mine environmental conditions.

## Schedule 20—Prohibited uses in mines

### Regulation 632

| <b>Column 1<br/>Item</b>   | <b>Column 2<br/>Prohibited use</b>   |
|--|--|
| Internal combustion engine (other than a compression ignition engine)  | All uses underground   |
| Compressed natural gas   | In an underground mine in an internal or external combustion engine  |
| Hydrogen   | In an underground mine in an internal or external combustion engine  |
| Liquid petroleum gas   | In an underground mine in an internal or external combustion engine  |
| Petrol and fuel  | In an underground mine in an internal or external combustion engine unless suitable for safe use underground                               |
|  | <b>Example—</b>  |
|  | Diesel fuel  |
| Ignition sources   | At any mine, while carrying, handling or using any explosive or initiating system or within 8 metres of any explosive or initiating system |
| <b>Examples—</b>   |  |
| Cigarettes, matches, lighters, naked flame, naked light, firearms      |  |
|  | At a work area at a mine, where solvents are used  |
|  | At a work area at a mine, where flammable vapours are present  |
|  | At any mine, in a shaft conveyance   |
|  | At any mine, in a refuge chamber during an emergency   |
| Explosives, detonators and exploders (excluding explosive power tools) | All uses at any mine, unless for the purpose of shotfiring   |

## **Schedule 21—Concentration levels for atmospheric contaminants**

### **Note—**

Schedule 21 appears in some corresponding WHS laws but does not apply in this State because there is no underground coal mining activity.

## **Schedule 22—Matters to be included in emergency plan for a mine**

### **Regulation 664**

#### **1—Site and hazard detail**

- 1.1 The location of the mine, including its street address and the nearest intersection (if any).

#### **Note—**

Sufficient detail must be provided to enable a person not familiar with the site to find it.

- 1.2 The current mine survey plan required under Chapter 10 Part 5.
- 1.3 A brief description of the nature of the mine and mining operations.
- 1.4 The maximum number of persons, including workers, likely to be present at the mine on a normal working day.
- 1.5 The emergency planning assumptions for different emergencies, and likely areas affected.
- 1.6 The protective resources available to control an incident that could result in an emergency.
- 1.7 The emergency response procedures, including procedures for isolating areas of the mine in an emergency.
- 1.8 The infrastructure likely to be affected by an emergency.

#### **2—Command structure and site personnel**

- 2.1 The command philosophy and structure to be activated in an emergency, so that it is clear what actions will be taken, who will take these actions and how, when and where they will be taken.
- 2.2 Details of the person who can clarify the content of the emergency plan if necessary.
- 2.3 The contact details of, and the way to contact, the persons at the mine responsible for liaising with emergency services.
- 2.4 A list of 24 hour emergency contacts.
- 2.5 Arrangements for assisting emergency services.

#### **3—Notifications**

- 3.1 In the event of the occurrence of a notifiable incident or an event that could reasonably be expected to lead to a notifiable incident, procedures for notifying—
  - (a) any person whose health or safety may be affected, even if—

- (i) the person is located underground; or
    - (ii) there is no electrical power that can be used for the notification; and
  - (b) the emergency services in circumstances where emergency services are required.
- 3.2 On-site and off-site warning systems.
- 3.3 Contact details for emergency services and other support services that can assist in providing resources and implementing evacuation plans in an emergency.
- 3.4 On-site communication systems.

#### **4—Resources and equipment**

- 4.1 On-site emergency resources, including—
- (a) first aid equipment, facilities, services and personnel; and
  - (b) emergency equipment and personnel; and
  - (c) gas detectors, wind velocity detectors, sand, lime, neutralising agents, absorbents, spill bins and decontamination equipment.
- 4.2 Off-site emergency resources, including arrangements for obtaining additional external resources (specific to the likely incidents), including mines rescue services, as necessary.
- 4.3 Arrangements for mines rescue that state the following:
- (a) the minimum mines rescue training to be provided;
  - (b) any arrangements for the mine operator and mine operators of mines in the vicinity to assist each other in an emergency;
  - (c) how inertisation equipment is to be used;
  - (d) the procedures to be followed in carrying out mines rescue.
- 4.4 For an underground mine, a means of communication between the surface of the mine and any underground area of the mine where persons are located, that is effective even if there is no electrical connection between the surface and the relevant underground area.

#### **5—Procedures**

- 5.1 Procedures for the safe evacuation of, and accounting for, all persons at the mine.
- 5.2 Procedures and control points for utilities, including gas, water and electricity.
- 5.3 Procedures in the event of the ventilation system at the mine failing totally or for more than 30 minutes.

### **Schedule 23—Information to be included in notification of mining incident**

#### **Regulation 675V**

## 1—Person injured

- 1.1 The name, date of birth and gender of any person who has suffered an illness or injury as a result of the incident.
- 1.2 If a person who has suffered an illness or injury as a result of the incident is a worker, the following information:
  - (a) the worker's occupation;
  - (b) the worker's usual start and finish time, and start time on the day of the incident;
  - (c) the number of hours worked immediately before the incident;
  - (d) the name of the person conducting the business or undertaking in which the person works;
  - (e) the nature of the engagement of the worker.
- 1.3 If the worker is self-employed, the name of the business or undertaking.
- 1.4 The industry in which the business or undertaking is primarily conducted.

## 2—Incident

- 2.1 When the incident occurred, including—
  - (a) the date of the incident;
  - (b) the time of the incident;
  - (c) in the case of an illness, the date on which the illness was first reported by or on behalf of the person suffering the illness.
- 2.2 A description of the incident, including—
  - (a) what each affected person was doing just before the incident; and
  - (b) a description of all substances, including hazardous chemicals, and all plant and processes involved in the incident; and
  - (c) the classification of—
    - (i) the mechanism of the incident; and
    - (ii) the agency of the illness or injury (that is, how the incident caused the illness or injury); and
    - (iii) the nature and bodily location of the illness or injury.
- 2.3 In item 2.2(c), *classification* means the code assigned by the Types of Occurrence Classification System published by the National Health and Safety Committee, as in force from time to time.
- 2.4 Item 2.2(c) applies only in relation to an incident that occurs after 1 January 2015.

## 3—Consequences of incident

- 3.1 Whether or not the incident has resulted in any of the following:
  - (a) a fatality;
  - (b) permanent incapacity;

- (c) the inability of a worker to work for 1 day or more, not including the incident day, whether the worker is rostered on that day or not;
  - (d) the worker carrying out restricted work;
  - (e) medical treatment.
- 3.2 An indication of whether the incident is likely to result in any of the circumstances referred to in item 3.1.
- 3.3 An indication of whether the incident has the potential to result in any of the circumstances referred to in item 3.1.

## **Schedule 24—Information to be included in mine quarterly report**

### **Regulation 675W**

#### **1—Meaning of *incident***

In this Schedule, *incident* means—

- (a) a notifiable incident; or
- (b) an incident within the meaning of regulation 675V.

#### **2—Mine holder**

The name of the mine holder for the mine.

#### **3—Mine operator**

The name of the mine operator of the mine.

#### **4—The mine**

The location of the mine.

#### **5—Commodity processed**

A description of the primary commodity processed at the mine site during the reporting period.

#### **6—Number of workers**

The average number of workers who worked at the mine site during the reporting period.

#### **7—Number of hours worked**

The total number of hours (including additional shifts and overtime) worked at the mine during the reporting period.

#### **8—Number of incidents**

The total number of incidents occurring during the reporting period.

#### **9—Number of lost time injuries**

The total number of incidents that resulted in the inability of a worker to work for 1 day or more (not including the incident day) during the reporting period.

**10—Days lost from work**

The total number of days (not including the incident day) lost from work by workers during the reporting period as a result of incidents.

**11—Number of restricted duty days**

The total number of days on which workers carried out restricted duties during the reporting period as a result of incidents.

**12—Number of workers placed on restricted duties**

The total number of workers placed on restricted duties during the reporting period as a result of incidents.

**13—Number of medical treatment injuries**

13.1 The total number of injuries and illnesses of workers arising from incidents that required medical treatment during the reporting period but did not result in the inability of a worker to work for 1 day or more (not including the incident day).

13.2 In item 13.1, *medical treatment* means the management or care of a patient including:

- (a) the suturing of a wound;
- (b) the treatment of fractures;
- (c) the treatment of bruises by drainage of blood;
- (d) the treatment of second and third degree burns,

but does not include diagnostic procedures, observation, counselling, first aid or therapeutic measures taken solely for preventative purposes.

**14—Number of deaths**

The total number of deaths that occurred during the reporting period as a result of incidents.

**15—Other information**

The information set out in Schedule 23 in relation to each incident, if that information has not already been provided to the regulator.

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 12 December 2013

No 279 of 2013

IR0056/13CS & IR0073/13CS

South Australia

## Explosives Variation Regulations 2013

under the *Explosives Act 1936*

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-



## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Explosives Variation Regulations 2013*.

### 2—Commencement

These regulations will come into operation on 1 January 2014.

### 3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## Part 2—Variation of *Explosives Regulations 2011*

### 4—Variation of regulation 14.01—Permit for sale and custody of explosives

Regulation 14.01—after "this Part" insert:

and Part 14A

### 5—Insertion of Part 14A

After Part 14 insert:

## Part 14A—Mining—blasters' licences

### Division 1—Preliminary

#### 14A.01—Interpretation

(1) In this Part—

*blaster's licence* means a licence authorising the conduct of a blasting operation;

*blasting explosive* means an explosive that is used to provide the majority of the force when blasting rock or similar material, and includes the components for the initiation of the explosive such as a booster, detonator, fuse, shock tube or ignitor;

*blasting operation* means an operation or that part of an operation consisting of the use of blasting explosives conducted in the course of mining operations;

*butt* means any portion of a shothole that remains in the ground or other material being blasted after a charge has been fired;

*charge* means blasting explosives that are placed in a shothole or other place for firing;

*detonator* means a plain, electric, electronic or non-electric type detonator, detonating relay, connector or bunch block or other device with detonators;

*high temperature blasting* and *hot material* have the same meaning as in AS 2187.2 *Explosives - Storage and use - Part 2 - Use of explosives*;

*licensee* means the holder of a blaster's licence under this Part;

*mine* has the same meaning as in Chapter 10 of the *Work Health and Safety Regulations 2012*;

*mining operations* has the same meaning as in Chapter 10 of the *Work Health and Safety Regulations 2012*;

*mine operator* has the same meaning as in Chapter 10 of the *Work Health and Safety Regulations 2012*;

*opal mining* or *opal mining operations* means mining operations carried out in the course of prospecting or mining for precious stones;

*precious stones* means opal and other minerals declared to be precious stones under the *Opal Mining Act 1995*;

*shotfirer* means a natural person responsible for the conduct of a blasting operation;

*shothole* means a hole made for the purposes of placing in position explosives which are to be fired;

*site* means the site of a mine and includes the area in the vicinity of a mine;

*use*, in relation to explosives, means the preparation, assembling, charging or firing of explosives.

- (2) In this Part, a reference to a quantity of explosives is, in the case of an explosive article that contains explosive and non-explosive components, a reference to the mass (in kilograms) of the explosive components exclusive of any non-explosive components (ie the net explosive quantity).
- (3) However, if the net explosive quantity cannot be readily determined, the quantity of explosives in the article will be taken to be the mass of the article (in kilograms).

## **Division 2—Blasters' licences**

### **14A.02—Requirement to hold licence to conduct blasting operation**

- (1) Subject to subregulation (2), a person must not conduct a blasting operation unless the person holds a licence (a *blaster's licence*) authorising the conduct of the operation.  
Maximum penalty: \$5 000.
- (2) A person must not conduct a blasting operation in the course of opal mining operations unless the person holds a blaster's licence specifically endorsed for opal mining and authorising the conduct of the operations.  
Maximum penalty: \$5 000.
- (3) Despite subregulations (1) and (2), a person is not required to hold a licence authorising the conduct of the blasting operation if the person holds a current permit, licence or other authority granted under the law of another State or a Territory of the Commonwealth authorising the person to conduct a blasting operation of the same kind and the person complies with any conditions of that permit, licence or other authority.
- (4) Subregulation (3) does not apply to a person conducting a blasting operation in the course of opal mining operations if—
  - (a) the person has been residing in the State for at least 6 months; or

- (b) the person has relied on the permit, licence or other authority to conduct a blasting operation in the State within the last 6 months; or
  - (c) the Chief Inspector determines, by notice in writing to the person, that it is inappropriate for the person to rely on the permit, licence or other authority for the purposes of this regulation.
- (5) A person who assists the holder of a blaster's licence to conduct a blasting operation in the course of opal mining operations need not hold a blaster's licence.

#### **14A.03—Grant or renewal of licence**

- (1) The Chief Inspector may, on application by a person, grant or renew, or refuse to grant or renew, a blaster's licence.
- (2) A body corporate is not entitled to apply for (or to be issued) a blaster's licence.
- (3) An application for the grant or renewal of a blaster's licence must—
  - (a) be made to the Chief Inspector in a manner and form approved by the Chief Inspector; and
  - (b) contain the information required by the Chief Inspector; and
  - (c) be accompanied by the relevant fee.
- (4) An applicant must provide further information, or cause assessments or investigations to be carried out (at his or her expense), reasonably required by the Chief Inspector for the purposes of determining the application.
- (5) A natural person is not entitled to be granted a blaster's licence unless the person—
  - (a) has attained the age of 18 years; and
  - (b) has qualifications and experience considered appropriate by the Chief Inspector.
- (6) The Chief Inspector may refuse to grant or renew a blaster's licence on 1 or more of the following grounds:
  - (a) the protection of the safety or health of persons or the safety of property;
  - (b) that the applicant is not a fit and proper person to hold the licence having regard, in particular, to—
    - (i) the applicant's record of non-compliance with these regulations, the Act or other relevant laws (including the *Work Health and Safety Act 2012*); and
    - (ii) any mental illness or incapacity suffered or previously suffered by the applicant;
  - (c) that there is no genuine reason for the applicant to be engaged in the activity authorised or proposed to be authorised by the licence or to acquire explosives authorised or proposed to be authorised by the licence;
  - (d) any other relevant ground.

**14A.04—Duration and conditions of blaster's licence**

- (1) Subject to this Division, a blaster's licence takes effect on the day it is granted and, unless cancelled earlier, expires 3 years after that day.
- (2) A blaster's licence is subject to the condition that the licensee—
  - (a) must only use or dispose of blasting explosives of a kind specified in the licence; and
  - (b) must only use an initiation method of a type specified in the licence; and
  - (c) must only conduct types of blasting operations specified in the licence.
- (3) The Chief Inspector may fix other conditions that will apply to a blaster's licence.
- (4) The Chief Inspector may, on application or at the Chief Inspector's own initiative, substitute, add, remove or vary a condition of a blaster's licence.
- (5) Without limiting subregulation (4), the Chief Inspector may vary a condition on the Chief Inspector's own initiative if satisfied that the licensee has contravened or failed to comply with the Act or these regulations or another relevant law or that other sufficient cause exists.

**14A.05—Acquisition of explosives under licence**

- (1) Subject to conditions of the licence to the contrary, a blaster's licence authorises the licensee, and any person over the age of 18 years authorised by the licensee to act on his or her behalf, to acquire explosives of a kind that may be used in blasting operations under the licence.
- (2) Despite regulation 14.01, a person may sell, give or supply explosives to a person who is not the holder of a current permit to purchase explosives if the person is a licensee authorised by his or her licence to acquire the explosives or a person acting on behalf of such a licensee in accordance with subregulation (1).

**14A.06—Cancellation or suspension of licence**

The Chief Inspector may suspend or cancel a blaster's licence if satisfied that—

- (a) the licensee has contravened or failed to comply with these regulations, the Act or another relevant law; or
- (b) the licensee has contravened or failed to comply with a condition of the licence; or
- (c) events have occurred such that the licensee would not now be granted the licence; or
- (d) other sufficient cause exists.

**14A.07—Return of licence**

If a blaster's licence granted to a person is suspended or cancelled, that person must, at the direction of the Chief Inspector, return the licence to the Chief Inspector.

Maximum penalty: \$5 000.

**14A.08—Retention of licence while explosives remain in possession**

- (1) A licensee or former licensee must retain his or her blaster's licence (even after it has expired) for so long as explosives acquired under the licence remain in the person's custody, possession or control.

Maximum penalty: \$5 000.

- (2) If an original or replacement licence is lost, stolen or destroyed, it is sufficient for the purposes of subregulation (1) if a replacement licence is retained.

**14A.09—Transitional provision**

- (1) A blaster's licence in force under Chapter 10 of the *Work Health and Safety Regulations 2012* immediately before 1 January 2014 will be taken to be a blaster's licence under this Division.

- (2) The licence under this Division—

- (a) will expire 3 years after the day on which it was granted; and
- (b) is subject to the same conditions to which the licence was subject immediately before the commencement of this clause.

- (3) An application for the grant or renewal of a blaster's licence made under regulation 636 or 675G of the *Work Health and Safety Regulations 2012* but not finally determined before 1 January 2014 is to be taken to be an application to the Chief Inspector for the grant or renewal of the equivalent licence under regulation 14A.03 and is to be dealt with accordingly.

**Division 3—Mining****14A.10—Application of Division**

This Division does not apply in relation to opal mining operations.

**14A.11—Responsibilities of shotfirer and employer or contractor**

- (1) If a following requirement of this Division is not complied with in respect of a blasting operation, the following persons are each guilty of an offence:

- (a) the shotfirer who conducted the operation;
- (b) any person who employed the shotfirer to conduct the operation;
- (c) if the blasting operation was conducted at a mine—the mine operator of the mine.

Maximum penalty: \$5 000.

- (2) A person who employs or engages a shotfirer in connection with blasting operations must comply with all reasonable requests of the shotfirer in regard to matters necessary to enable the shotfirer to comply with these regulations and to observe safe practices.

Maximum penalty: \$5 000.

#### **14A.12—Attendance of shotfirer at blasting operation and supervision of others**

The shotfirer must personally supervise the blasting operation and in particular—

- (a) the shotfirer must be present at the immediate site of the operation while—
  - (i) explosives are placed in a shothole; or
  - (ii) a charge is fired; or
  - (iii) the area is inspected for misfires after a charge is fired; and
- (b) the shotfirer must, at all times while work is being undertaken in connection with the operation, be readily available to attend the immediate site of the operation to provide direction or deal with any accident or emergency.

#### **14A.13—Hazard identification and risk control etc**

- (1) The shotfirer who is supervising a blasting operation is responsible for the safety of all persons who could be endangered by the blasting operation and must ensure—
  - (a) that he or she has sufficient knowledge about the explosives and their safe handling for the proper performance of his or her responsibilities (including the responsibility of taking action in an emergency); and
  - (b) that appropriate steps are taken (before the blasting operation is commenced and as reasonably required during the blasting operation)—
    - (i) to identify all reasonably foreseeable hazards arising from the blasting operation; and
    - (ii) to assess the risks associated with each hazard identified; and
    - (iii) to eliminate, or where that is not reasonably practicable, minimise those risks; and
    - (iv) to ensure that each other person engaged in the blasting operation receives—
      - (A) sufficient information, instruction and training for the proper performance of his or her responsibilities in relation to the explosives; and
      - (B) where reasonably necessary—suitable and adequate assistance and supervision.
- (2) If a blasting operation involves use of explosives, risk assessment and control must take place under subregulation (1)(b)(ii) and (iii) immediately before each occasion on which the explosives are used.

- (3) For the purposes of eliminating or minimising risks associated with hazards involved in the blasting operation (identified in accordance with this regulation), consideration must be given to limiting the size or number of the explosive charges used and using blasting mats or other means to provide protection against debris resulting from the blast.
- (4) A shotfirer who is supervising a blasting operation must, immediately on becoming aware of a dangerous situation or potentially dangerous situation arising from the blasting operation, ensure that appropriate action is taken, so far as is reasonably practicable—
  - (a) to protect the safety or health of any person or the safety of property immediately endangered; and
  - (b) to eliminate or minimise any risk associated with the situation.

#### **14A.14—Storage of blasting explosives**

Blasting explosives being used or awaiting use in a blasting operation must be stored in suitable, robust containers conspicuously marked to indicate their contents under the supervision of a competent person responsible for the explosives.

#### **14A.15—Action in event of thunderstorm or duststorm**

On the approach of a thunderstorm or duststorm to the site of a blasting operation—

- (a) all explosives not loaded into shotholes must be safely and securely stored; and
- (b) all persons must withdraw from the vicinity of the blasting operation until the storm has passed; and
- (c) if explosives have been loaded into shotholes, the area must be kept under observation by a person responsible for the explosives who has acquired through training, qualification or experience the knowledge and skills to carry out the task, or made reasonably secure against unauthorised access, until the operation is resumed.

#### **14A.16—No other work in vicinity of blasting explosives**

Work not connected with a blasting operation must not be carried out in the immediate vicinity of a place at which blasting explosives are awaiting use or being used in the blasting operation.

#### **14A.17—Ensuring explosives are not damaged or defective**

Explosives that are damaged or defective must not be used in a blasting operation.

#### **14A.18—Reduction of ground vibration and airblast**

Appropriate steps must be taken to reduce ground vibration and airblast from the blasting operation (see AS 2187.2 *Explosives - Storage and use - Part 2 - Use of explosives*).

**14A.19—Use of explosives in darkness**

If blasting explosives are used or disposed of in a blasting operation between sunset and sunrise, an adequate level of artificial light must be provided to ensure that the operations can be conducted safely and in accordance with these regulations.

**14A.20—Capping of fuses and preparation of primer cartridges**

- (1) Fuses must not be capped nor primer cartridges prepared within 10 metres of any explosives.
- (2) No person not directly engaged in the work of capping fuses or preparing primer cartridges may come within 7 metres of the place where the work is being carried out.

**14A.21—Charging of shotholes**

- (1) Metal tools, bars or rods or implements with exposed metal must not be used for the purpose of placing blasting explosives into shotholes.
- (2) Blasting explosives must not be rammed or forced into a shothole.
- (3) Each detonator used in connection with blasting explosives in a shothole must be protected from impact.

**14A.22—Safety fuse firing**

- (1) Before a roll or coil of safety fuse is first used, the burning rate of the fuse must be determined by burning a 1 metre sample of the fuse.
- (2) The fuse must not be used unless the burning rate of the sample is between 90 and 120 seconds per metre.
- (3) The length of safety fuse used to fire explosives must be sufficient to allow a person to unhurriedly withdraw to a safe place after igniting the fuse and, in any event, must not be less than 1 metre.
- (4) If more than 1 fuse but not more than 8 fuses are to be ignited at the 1 firing, 1 of the following means of ignition must be used:
  - (a) a 2-minute fuse igniter;
  - (b) a non-electric multiple fuse igniter;
  - (c) plastic igniter cord;
  - (d) electric igniters of a kind approved by the Chief Inspector.
- (5) If more than 8 fuses are to be ignited at the 1 firing, 1 of the following means of ignition must be used:
  - (a) if each fuse is at least 2 metres in length and not more than 15 fuses are to be ignited at the 1 firing—
    - (i) a 2-minute fuse igniter;
    - (ii) a non-electric multiple fuse igniter;
  - (b) in any case—
    - (i) plastic igniter cord;
    - (ii) electric igniters of a kind approved by the Chief Inspector.



- (6) If more than 8 fuses are to be ignited at the 1 firing, a person (in addition to the shotfirer) must be present and readily available to provide assistance in case of accident or emergency.

#### **14A.23—Electrical firing**

- (1) Storage or dry cell batteries must not be used to fire explosives unless the batteries are part of an exploder.
- (2) Exploders, circuit testers and firing cables used in a blasting operation must be constructed, tested and maintained in accordance with Appendix B of AS 2187.2 *Explosives - Storage and use - Part 2 - Use of explosives* (although exploders and circuit testers do not require approval of the Chief Inspector).

#### **14A.24—Blasting in hot material**

Any blasting in hot material or high temperature blasting must be conducted in accordance with clauses 12.6 and 12.7 of AS 2187.2 *Explosives - Storage and use - Part 2 - Use of explosives*.

#### **14A.25—Exclusion of people from area**

- (1) Before a charge is fired, steps must be taken to ensure that no person is in a position where he or she could be injured or killed by the blast or affected by dust or gases generated by the blast.
- (2) After firing a charge, steps must be taken to ensure that—
  - (a) no person enters the area until fumes and toxic gases generated by the blast are no longer present; and
  - (b) no person (other than the shotfirer or a person authorised by the shotfirer) enters the area until the area has been thoroughly inspected for butts, unexploded charges or parts of charges and any butts and unexploded charges or parts of charges dealt with in accordance with this Division.

#### **14A.26—Butts and misfires**

- (1) If a butt is found after a charge has been fired, no work (except work necessary to make the butt and surrounding area safe) may be performed in the vicinity of the butt until the shotfirer is satisfied that it is safe to do so and, in particular, no holes may be drilled into, or within 150 millimetres of, the butt.
- (2) If an unexploded charge is found after firing or there is reason to suspect all or part of a charge failed to explode (ie a misfire occurred), the requirements of clause 10 of AS 2187.2 *Explosives - Storage and use - Part 2 - Use of explosives* must be complied with.

#### **14A.27—Disposal of blasting explosives**

Blasting explosives must not be disposed of except by a method allowed by clause 11 of AS 2187.2 *Explosives - Storage and use - Part 2 - Use of explosives*.

## **Division 4—Opal mining**

### **14A.28—Application of Division**

This Division applies in relation to opal mining operations.

### **14A.29—Responsibilities of holder of blaster's licence**

- (1) A person who is responsible for the conduct of a blasting operation is responsible for the safety of all persons who could be endangered by the blasting operation.
- (2) A person who is responsible for the conduct of a blasting operation must, before the blasting operation is commenced, conduct a risk assessment of the blasting operation and ensure that appropriate steps are taken to eliminate, or where that is not reasonably practicable, to minimise any risk that is identified by that risk assessment.
- (3) A risk assessment under subregulation (2) must include consideration of the following matters:
  - (a) static electricity, lightning, electrical activity and dust storms;
  - (b) naked flames;
  - (c) fly rock;
  - (d) fumes;
  - (e) dust;
  - (f) the location of plant and equipment;
  - (g) possible effects on neighbouring mines;
  - (h) the possibility of a person entering the area;
  - (i) the means for leaving the blasting site;
  - (j) the need to check after the blast for—
    - (i) loose rocks in roofs and walls; and
    - (ii) misfires, or unexploded charges; and
    - (iii) blasting fumes.
- (4) Explosives must be disposed of in a safe manner in accordance with AS 2187.2 *Explosives - Storage and use - Part 2 - Use of explosives*.
- (5) If a requirement of this regulation is not complied with, the holder of the relevant blaster's licence is guilty of an offence.

Maximum penalty: \$5 000.

### **14A.30—Responsibility of other persons involved in blasting operations**

A person who assists the holder of a blaster's licence in the conduct of a blasting operation must comply with all reasonable instructions or directions of the licence holder in regard to the matters necessary to enable compliance with these regulations and to observe safe practices.

Maximum penalty: \$5 000.

**6—Variation of Schedule V—Fees**

Schedule V—after item 8 insert:

**9—Blaster's licence**

|  |         |
|--|---------|
| Fee for application for blaster's licence            | \$67.00 |
| Fee for application for renewal of blaster's licence | \$67.00 |

**Note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 12 December 2013

No 280 of 2013

IR0073/13CS

South Australia

## **Dangerous Substances Variation Regulations 2013**

under the *Dangerous Substances Act 1979*

---

### **Contents**

#### Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

#### Part 2—Variation of *Dangerous Substances Regulations 2002*

- 4 Revocation of regulation 55
- 

### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Dangerous Substances Variation Regulations 2013*.

#### **2—Commencement**

These regulations will come into operation on 1 January 2014.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Dangerous Substances Regulations 2002***

#### **4—Revocation of regulation 55**

Regulation 55—delete the regulation

#### **Note—**

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

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

with the advice and consent of the Executive Council  
on 12 December 2013

No 281 of 2013

IR0073/13CS

South Australia

# **National Gas (South Australia) (Gas Trading Exchanges) Variation Regulations 2013**

under the *National Gas (South Australia) Act 2008*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Variation provisions

### **Part 2—Variation of *National Gas (South Australia) Regulations***

- 4 Variation of Schedule 3—Civil penalties
  - 5 Variation of Schedule 4—Conduct provisions
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *National Gas (South Australia) (Gas Trading Exchanges) Variation Regulations 2013*.

### **2—Commencement**

These regulations will come into operation on the day on which the *National Gas (South Australia) (Gas Trading Exchanges) Amendment Act 2013* comes into operation.

### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## **Part 2—Variation of *National Gas (South Australia) Regulations***

### **4—Variation of Schedule 3—Civil penalties**

Schedule 3—at the end of Schedule 3 insert:

Rule 542

Rule 543

Rule 544

### **5—Variation of Schedule 4—Conduct provisions**

Schedule 4—at the end of Schedule 4 insert:

Rule 542

Rule 543

Rule 544

**Made by the Governor**

on the unanimous recommendation of the Ministers of the participating jurisdictions and with the advice and consent of the Executive Council  
on 12 December 2013

No 282 of 2013

## GOVERNMENT GAZETTE ADVERTISEMENT RATES

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***Last Gazette for 2013 will be Thursday, 19 December 2013***

Closing date for notices for publication will be  
**4 p.m. Tuesday, 17 December 2013**

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Closing date for notices for publication will be  
**4 p.m. Tuesday, 7 January 2014**

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## ADELAIDE CITY COUNCIL

*Representation Review*

NOTICE is hereby given that the Corporation of the City of Adelaide has completed a review of its elector representation arrangements, including all aspects of the composition of the Council and the issue of the division, or potential division, of the area of the Council into wards, in accordance with the provisions of Section 20 (5) of the City of Adelaide Act 1998 and Section 12 (4) of the Local Government Act 1999.

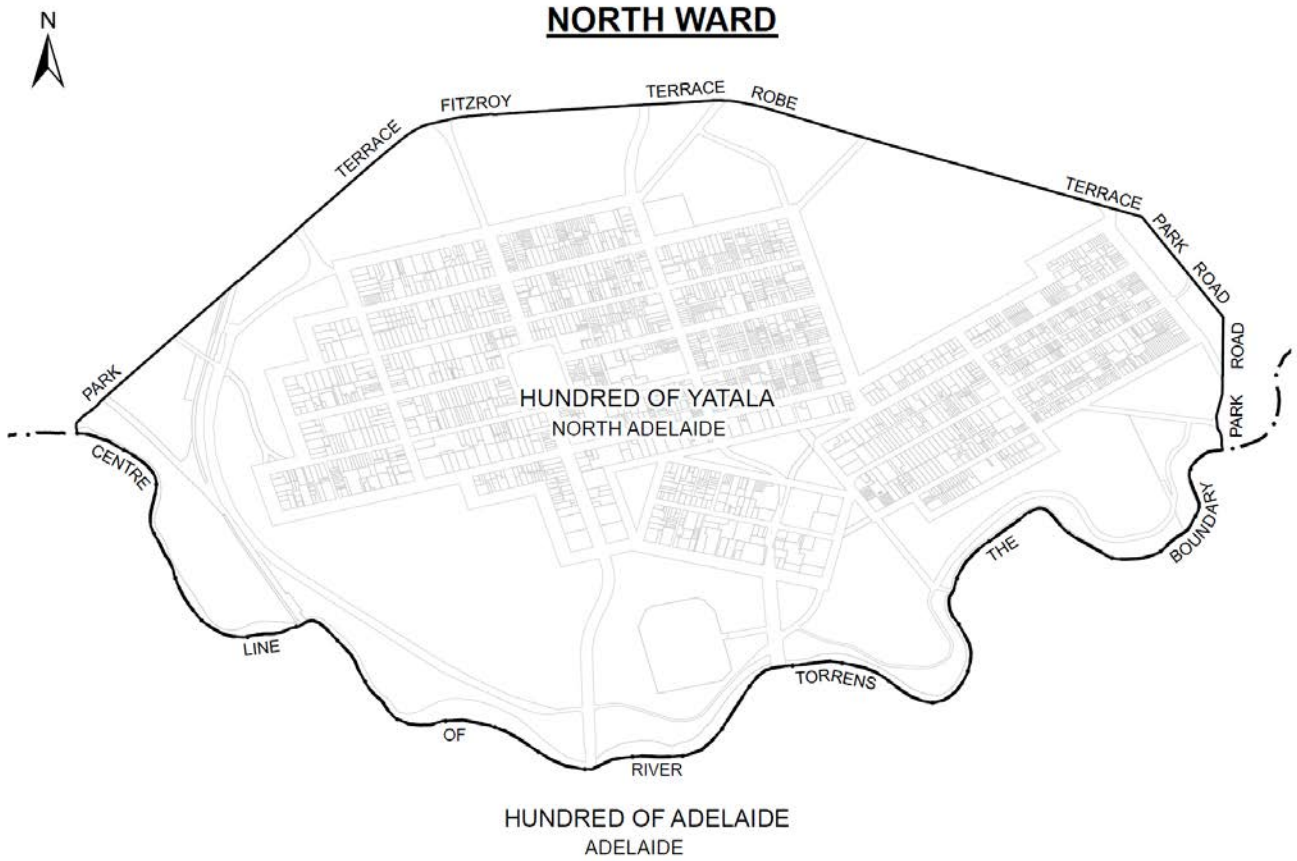
Pursuant to Section 12 (13) (a) of the Local Government Act, the Electoral Commissioner has certified that the review undertaken by the Council satisfies the requirements of Section 20 (5) of the City of Adelaide Act 1998 and Section 12 (4) of the Local Government Act 1999. As such, the following structure will take effect as from polling day of the periodic Local Government election to be held in November 2014:

- The elected Council will comprise an elected Lord Mayor, four Area Councillors, and seven Ward Councillors.
- The Council area will be divided into three Wards, as defined in Schedules 1 to 3 inclusive, with each of the North and South wards being represented by two Ward Councillors, and the Central ward being represented by three Ward Councillors.
- The wards will be identified as North, Central and South.

SCHEDULE 1

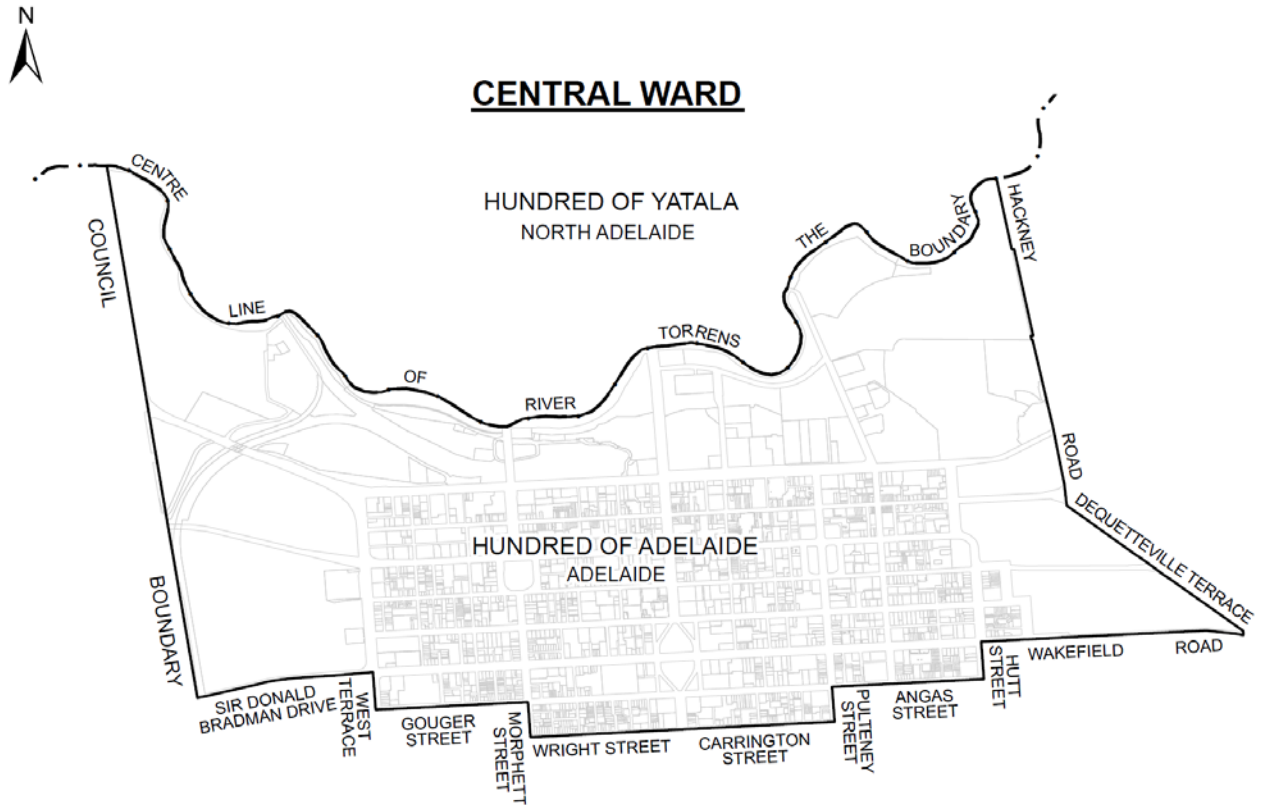
*North Ward*

Comprising that portion of the Council area contained within the boundary of Park Terrace, Fitzroy Terrace, Robe Terrace, Park Road and the centre line of River Torrens.



SCHEDULE 2  
Central Ward

Comprising that portion of the Council area contained within the boundary of Hackney Road, Dequetteville Terrace, Wakefield Road, Hutt Street, Angas Street, Pulteney Street, Carrington Street, Wright Street, Morphett Street, Gouger Street, West Terrace, Sir Donald Bradman Drive, Council Boundary and the centre line of River Torrens.



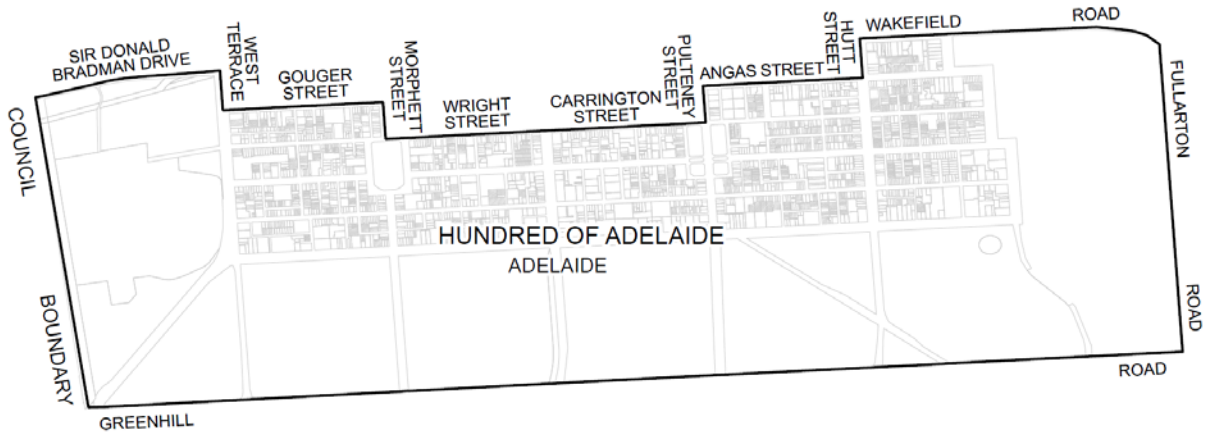
SCHEDULE 3

*South Ward*

Comprising that portion of the Council area contained within the boundary of Sir Donald Bradman Drive, West Terrace, Gouger Street, Morphett Street, Wright Street, Carrington Street, Pulteney Street, Angas Street, Hutt Street, Wakefield Road, Fullarton Road, Greenhill Road and Council Boundary.



**SOUTH WARD**



P. SMITH, Chief Executive Officer

## CITY OF MARION

*Elector Representation Review*

NOTICE is hereby given that the City of Marion has reviewed its composition and elector representation arrangements, in accordance with the provisions of Section 12 (4) of the Local Government Act 1999.

Pursuant to Section 12 (13) (a) of the said Act, the Electoral Commissioner has certified that the review undertaken by Council satisfies the requirements of Section 12 of the Local Government Act 1999 and may therefore be put into effect as from the day of the first periodic election held after the publication of this notice.

The revised representation arrangements are as follows:

The City of Marion will comprise the Mayor (as the principal member) and 12 Ward Councillors.

The Council Area will be divided into six wards, as defined in the following Schedules, with each ward being represented by two Ward Councillors.

## THE FIRST SCHEDULE

Woodlands Ward: Alter and adjust the boundaries of the existing Woodlands Ward as follows:

Beginning at the point where the Glenelg tram line meets South Road, the boundary runs south along South Road, followed by west on Celtic Avenue until it meets the Tonsley railway line. It then heads north-west along the Tonsley railway line until it meets Daws Road, followed by west along Daws Road until it meets the Noarlunga railway line. The boundary then heads south along the Noarlunga railway line, followed by north along Marion Road and finally, north east along the Glenelg tram line until it returns to South Road.

The changes are more particularly delineated on the plan published herewith and marked 'A'.

The name 'Woodlands Ward' to be retained.

## THE SECOND SCHEDULE

Warriparinga Ward: Alter and adjust the boundaries of the existing Warriparinga Ward as follows:

Beginning at the point where the Noarlunga railway line meets Daws Road, the boundary travels east along Daws Road, followed by south east along the Tonsley railway line until it meets Celtic Avenue. The boundary then runs east along Celtic Avenue to South Road, followed by south along South Road and Main South Road until it meets the O'halloran Hill suburb boundary and then runs west along the O'halloran Hill suburb boundary until it reaches Morphett Road. It then heads north along Morphett Road and turns east on Seacombe Road. The boundary then heads north on Miller Street, continuing north on Diagonal Road, north on Finnis Street, then north on Boyle Street and continues north along the Marion suburb boundary until it meets the Noarlunga railway line. The Warriparinga Ward boundary then travels north east along the Noarlunga railway line until it returns to the point where it began at Daws Road.

The changes are more particularly delineated on the plan published herewith and marked 'B'.

The name 'Warriparinga Ward' to be retained.

## THE THIRD SCHEDULE

Southern Hills Ward: Alter and adjust the boundaries of the existing Southern Hills Ward as follows:

Beginning at the point where Davenport Street meets Seacombe Road, the boundary runs east along Seacombe Road, followed by south along Morphett Road and then east along the O'halloran Hill suburb boundary until it meets the City of Marion boundary. It then follows the City of Marion boundary south west to the point where it meets Lonsdale Road and then heads north along Lonsdale Road and Ocean Boulevard, east on Arthur Road and north on Davenport Street to return to Seacombe Road where it began.

The changes are more particularly delineated on the plan published herewith and marked 'C'.

The name 'Southern Hills Ward' to be retained.

## THE FOURTH SCHEDULE

Coastal Ward: Alter and adjust the boundaries of the existing Coastal Ward as follows:

Beginning at the point where the City of Marion boundary meets Ocean Boulevard, the boundary travels south along Ocean Boulevard and Lonsdale Road until it meets the southern boundary of the City of Marion. It then follows the Council boundary west to the coast and continues north along the City of Marion boundary until it returns to Ocean Boulevard.

The changes are more particularly delineated on the plan published herewith and marked 'D'.

The name 'Coastal Ward' to be retained.

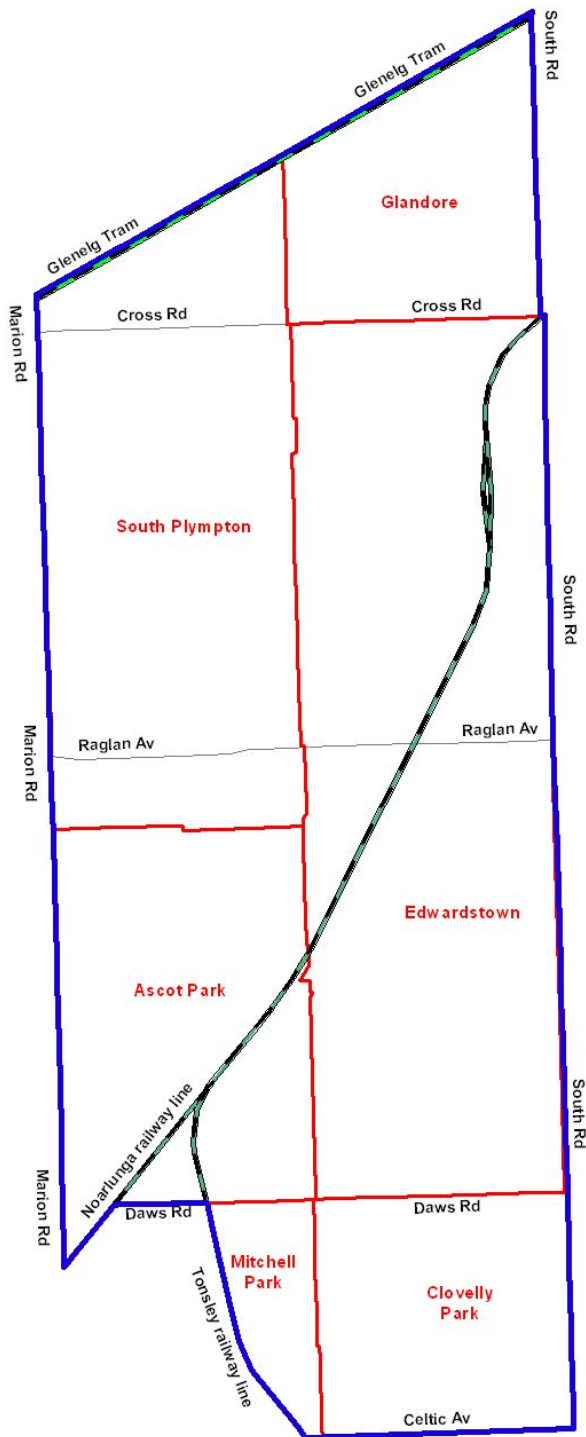
## THE FIFTH SCHEDULE

Mullawirra Ward: Comprising that portion of the City of Marion contained within the existing Mullawirra Ward. The existing Mullawirra Ward to retain the name 'Mullawirra Ward'.

## THE SIXTH SCHEDULE

Warracowie Ward: Comprising that portion of the City of Marion contained within the existing Warracowie Ward. The existing Warracowie Ward to retain the name 'Warracowie Ward'.

# PLAN A Woodlands Ward



**Legend**

- Ward Boundary
- Suburb Boundaries
- Train or Tram Line
- Roads

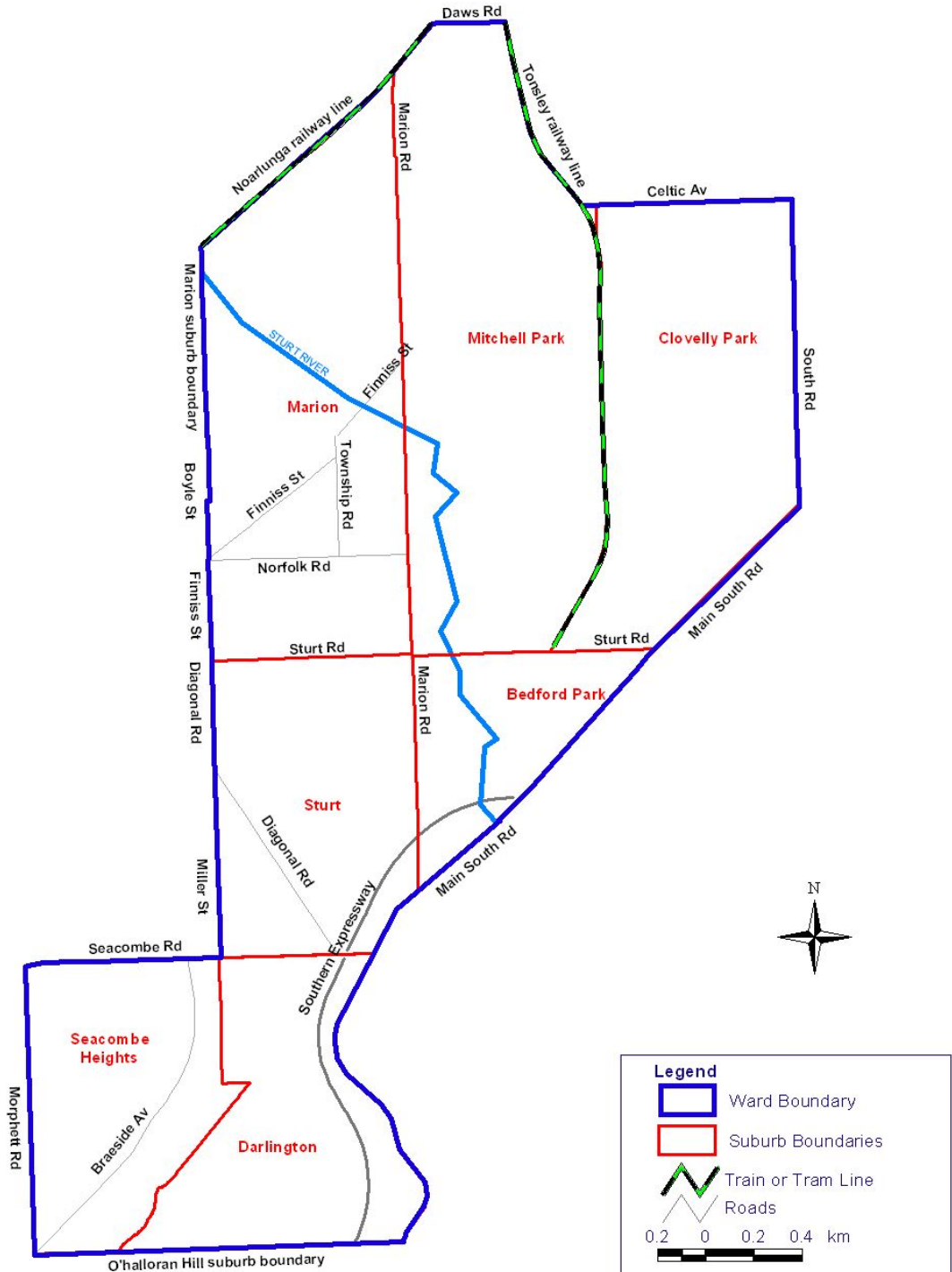
0.2 0 0.2 0.4 km

Data Source: SA Govt DPTI supplied by the City of Marion and Spatial Marketing boundary data.

Map Prepared by Debbie Nankervis  
dbnankervis@bigpond.com - November 2013



# PLAN B Warriparinga Ward

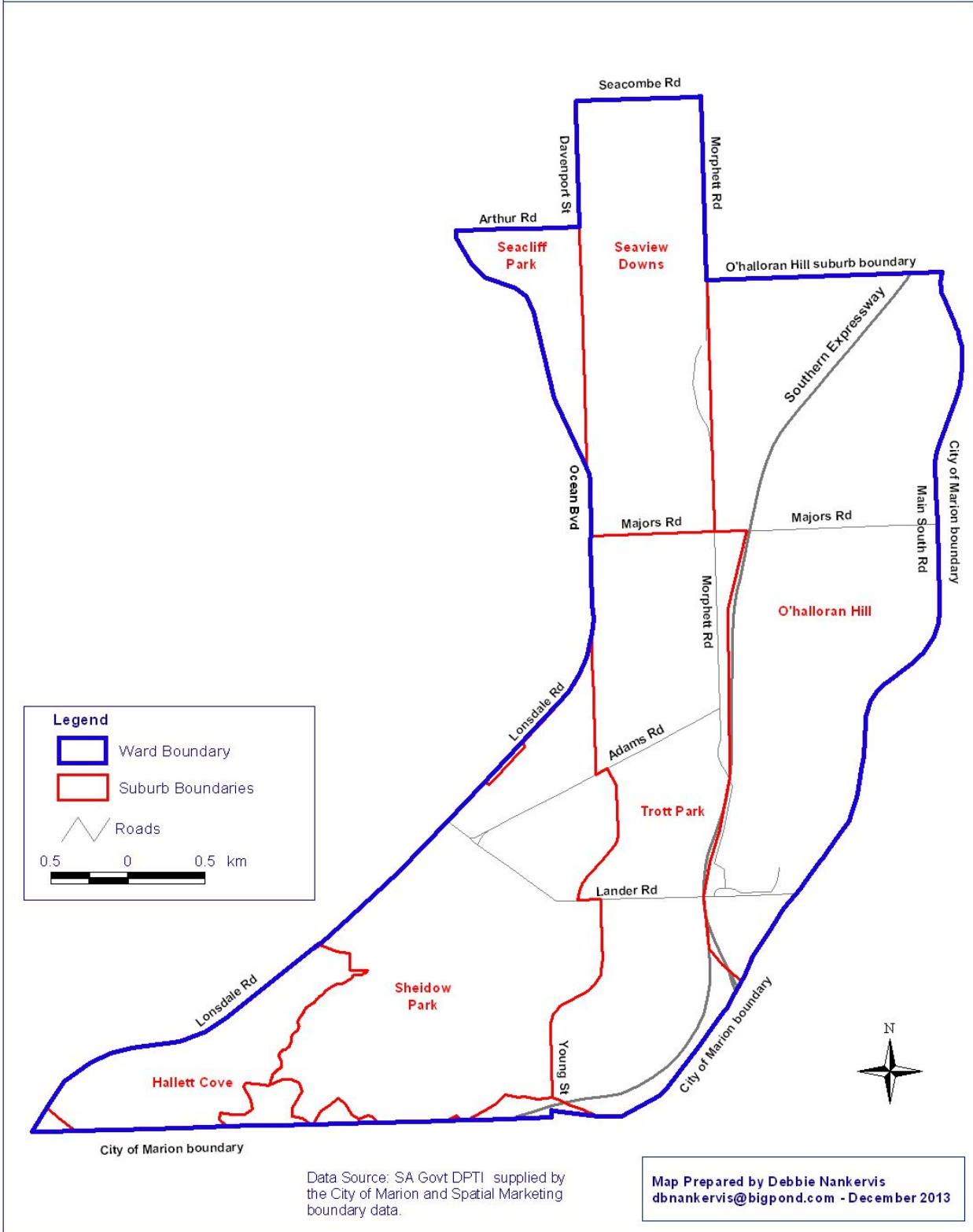


Data Source: SA Govt DPTI supplied by the City of Marion and Spatial Marketing boundary data.

Map Prepared by Debbie Nankervis  
dbnankervis@bigpond.com - December 2013

# PLAN C

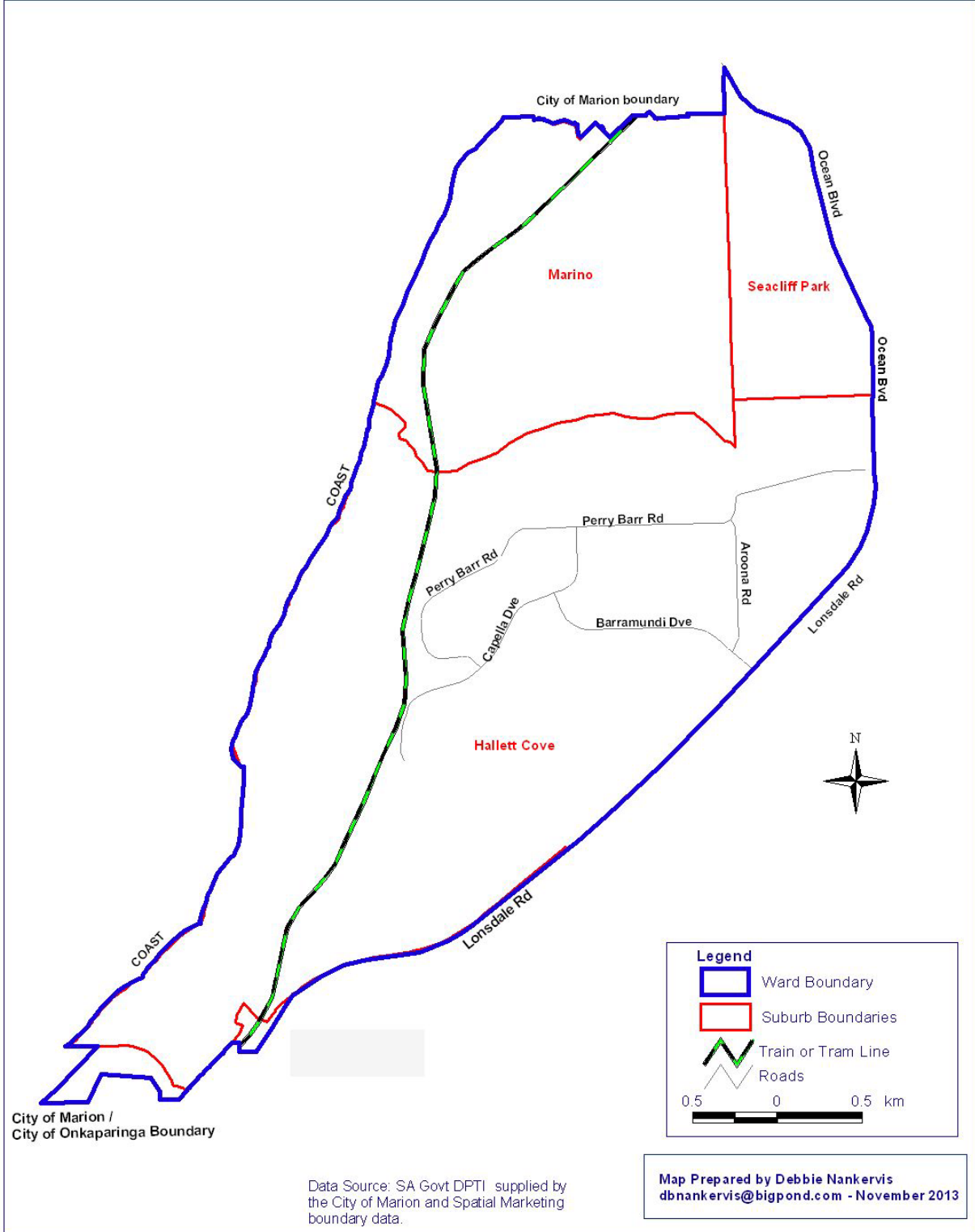
## Southern Hills Ward



Data Source: SA Govt DPTI supplied by the City of Marion and Spatial Marketing boundary data.

Map Prepared by Debbie Nankervis  
dbnankervis@bigpond.com - December 2013

# PLAN D Coastal Ward



Data Source: SA Govt DPTI supplied by the City of Marion and Spatial Marketing boundary data.

Map Prepared by Debbie Nankervis  
dbnankervis@bigpond.com - November 2013

## CITY OF BURNSIDE

*Council Meeting Dates*

NOTICE is hereby given that the City of Burnside Council adopted on 26 November 2013 (C9499) that for the month of December 2013, only one ordinary meeting of Council be held at 7 p.m. on 10 December 2013; that no ordinary meeting of Council be held on 24 December 2013; that for the month of January 2014, only one ordinary meeting of Council be held, at 7 p.m. on 28 January 2014 and that no ordinary meeting of Council be held on 14 January 2014.

P. DEB, Chief Executive Officer

## CITY OF SALISBURY

## DEVELOPMENT ACT 1993

*Salisbury (City), Mixed Use (Bulky Goods, Entertainment and Leisure) Zone Development Plan Amendment—  
Public Consultation*

NOTICE is hereby given that the City of Salisbury, pursuant to Sections 24 and 25 of the Development Act 1993, has prepared a Development Plan Amendment (DPA) to amend its Development Plan.

The Amendment will change the Development Plan by proposing to:

- Rezone land on the North Western corner of Main North Road and Kings Road, Salisbury South, from Industry to Mixed Use (Bulky Goods, Entertainment and Leisure).
- Introduce a Desired Character Statement to guide development within the zone.
- Introduce Objectives and Principles of Development Control that guide the location and amount of developable land uses.

The proposed combination of land uses includes:

- Entertainment, Leisure and Recreation precinct potentially including a cinema complex, indoor wave pool, indoor rock climbing, ten pin bowling and bmx/skate centre).
- Bulky goods (e.g. a home improvement superstore).
- Outlet retail comprising premium outlet shops with a minimum floor area of 200 m<sup>2</sup>.

- 'bulky retail' component providing a large format (minimum 10 000 m<sup>2</sup> floor area), warehouse style shop providing bulk purchasing of a limited number of brand name products for small and medium businesses and individuals (with a limit of no more than 45% of products being foodstuff).

The DPA will be on public consultation from Thursday, 12 December 2013 until Friday, 14 February 2014.

Copies of the DPA are available during normal office hours at:

- City of Salisbury offices, 12 James Street, Salisbury; or
- City of Salisbury Library, John Street, Salisbury.

Alternatively, the DPA can be viewed on the Internet at:

- the City of Salisbury website [www.salisbury.sa.gov.au](http://www.salisbury.sa.gov.au);
- or for more information on the DPA process go to [www.sa.gov.au](http://www.sa.gov.au) and type 'development plan amendments' in the search bar to be directed to the consultation on amendments for development plans.

A public information session will be held on Wednesday, 29 January 2014 at 5 p.m. to 7 p.m. in the Gallery at the City of Salisbury offices at 12 James Street, Salisbury.

Written submissions regarding the DPA should be submitted no later than 5 p.m. on Friday, 14 February 2014. All submissions should be addressed to John Harry, Chief Executive Officer, City of Salisbury, P.O. Box 8, Salisbury, S.A. 5108 and should clearly indicate whether you wish to be heard in support of your submission at the public hearing. If you wish to lodge your submission electronically, please email it to: [city@salisbury.sa.gov.au](mailto:city@salisbury.sa.gov.au).

A public hearing will be held on Wednesday, 26 February 2014 at 6.30 p.m. at the City of Salisbury Council offices, 12 James Street, Salisbury, at which time interested persons may be heard in relation to the DPA and submissions. The public meeting will not be held if no submissions are received or if no submissions request to be heard.

Copies of all submissions will be available for inspection at the City of Salisbury Council offices, 12 James Street, Salisbury, from Friday, 14 February 2014 until the conclusion of the public meeting on Wednesday, 26 February 2014.

If you would like further information about the DPA, contact Peter Jansen, Principal Planner—Land Use Policy on (08) 8406 8222.

Dated 10 December 2013.

J. HARRY, Chief Executive Officer

## ALEXANDRINA COUNCIL

*Review of Electoral Representation*

NOTICE is hereby given the Alexandrina Council has completed a review of its electoral representation arrangements, including all aspects of the composition and ward structure of Council, in accordance with the requirements of Section 12 (4) of the Local Government Act 1999 (the Act).

Pursuant to Section 12 (13) (a) of the Act, the Electoral Commissioner has certified that the review undertaken by Council satisfies the requirements of Section 12 of the Act. As such, the following structure will take effect as from polling day of the periodic Local Government election to be held in November 2014.

- The elected Council will comprise of a Mayor elected from the whole of the area and eleven ward councillors.
- The council area will be divided into five wards, as defined in Schedules 1 to 5 including inset detail for Schedule 4 and Schedule 5.
- The wards will be identified as Nangkita Kuitpo, Strathalbyn, Angas Bremer, Port Elliot Middleton and Goolwa Hindmarsh Island.
- The wards will be represented by Nangkita Kuitpo ward with one member, Strathalbyn, Angas Bremer, and Port Elliot Middleton wards each with two members and Goolwa Hindmarsh Island ward with four members.

SCHEDULE 1

*Nangkita Kuitpo Ward*

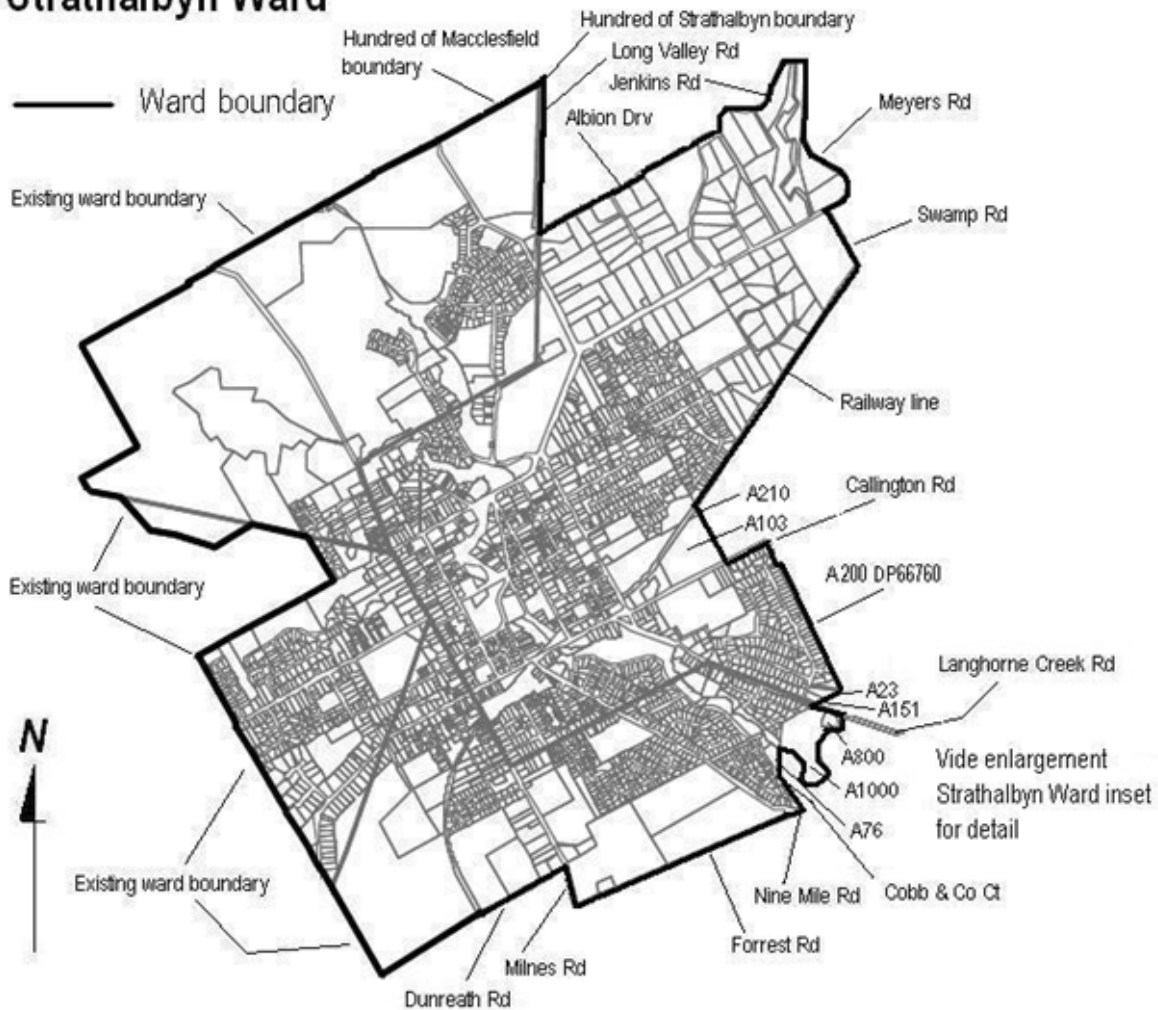
Commencing at a point on the council boundary at the intersection of the Hundred boundaries of Nangkita and Goolwa, proceeding along the western, north-western and northern council boundaries, then southerly along the existing eastern Ward boundary to Deep Creek Road, then westerly along the Hundred of Nangkita boundary to the commencement point.



SCHEDULE 2  
*Strathalbyn Ward*

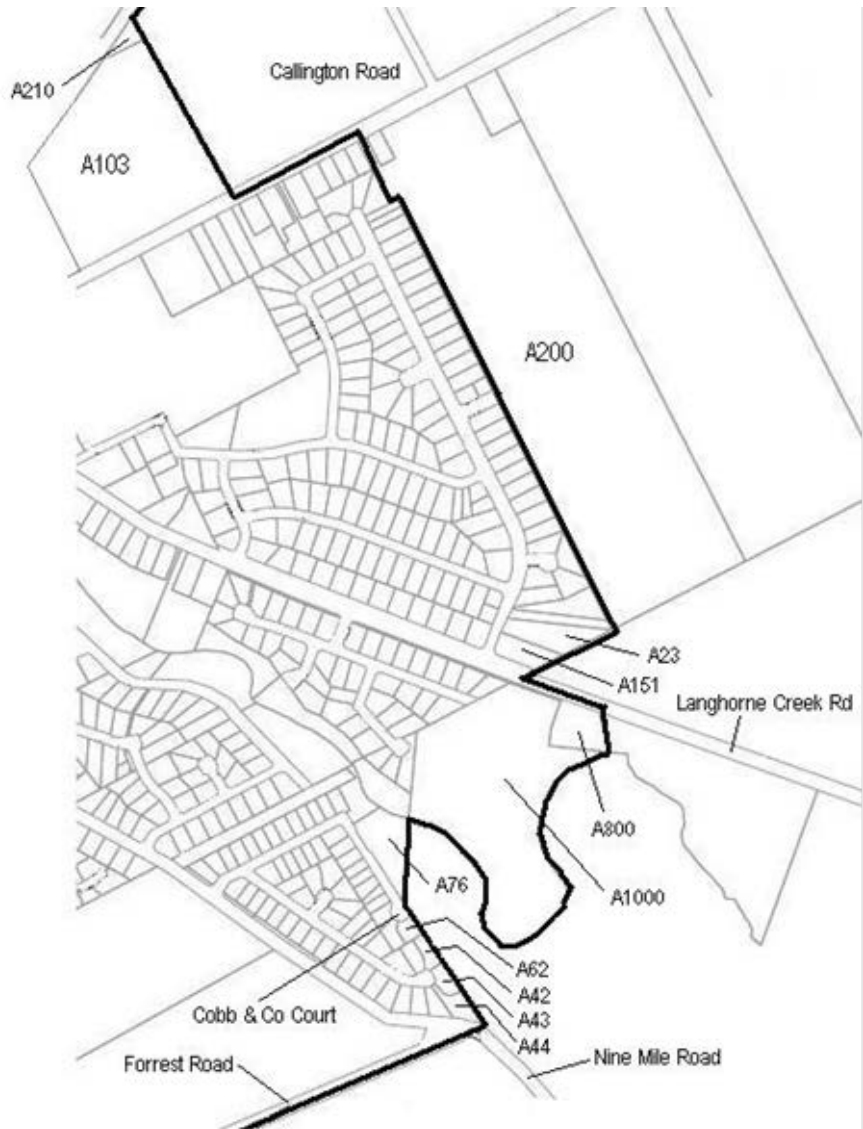
Commencing at a point on the Ward boundary at the intersection of the Hundred boundaries of Macclesfield and Strathalbyn, proceeding southerly along Long Valley Road, north-easterly along Albion Drive and Jenkins Road, southerly along Meyers Road and Swamp Road, then south-westerly along the railway line, then following the north-eastern boundaries of A210 and A103, easterly along Callington Road, then along the south-western boundary of A200, along the south-eastern boundaries of A23 and A151, then south-easterly along Langhorne Creek Road, along the eastern boundary of A800, the southern boundary of A1000, the eastern boundary of A76 to Cobb & Co. Court, then along the north-eastern boundaries of A62, A42, A43 and A44 to Nine Mile Road, then south-westerly along Forrest Road, northerly along Milnes Road, south-westerly along Dunreath Road then continuing south-westerly, north-westerly and north-easterly along the existing Ward boundary to the commencement point.

### Strathalbyn Ward



### Strathalbyn Ward Inset Detail

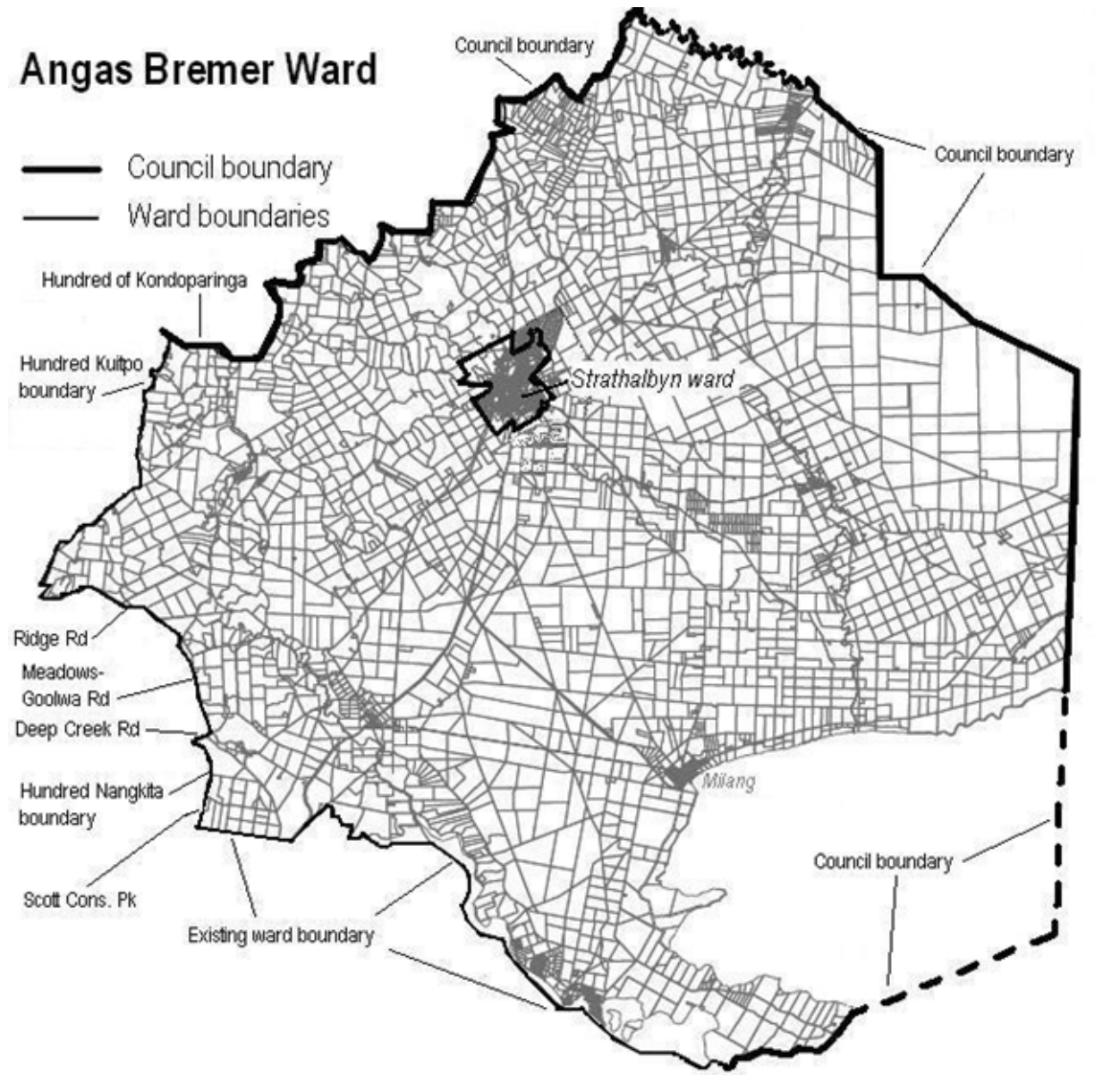
— Ward boundary





SCHEDULE 3  
*Angas Bremer Ward*

Commencing at a point on the council boundary at the intersection of the Hundred boundaries of Kuitpo and Kondoparinga, proceeding along the northern, eastern and south-eastern council boundaries, then north-westerly along the existing southern Ward boundary to the south-eastern corner of Scott Conservation Park, then northerly along the Hundred of Nangkita boundary to Deep Creek Road, then generally northerly along the existing Ward boundary to the commencement point and excluding the area as described in Schedule 2, Strathalbyn Ward.



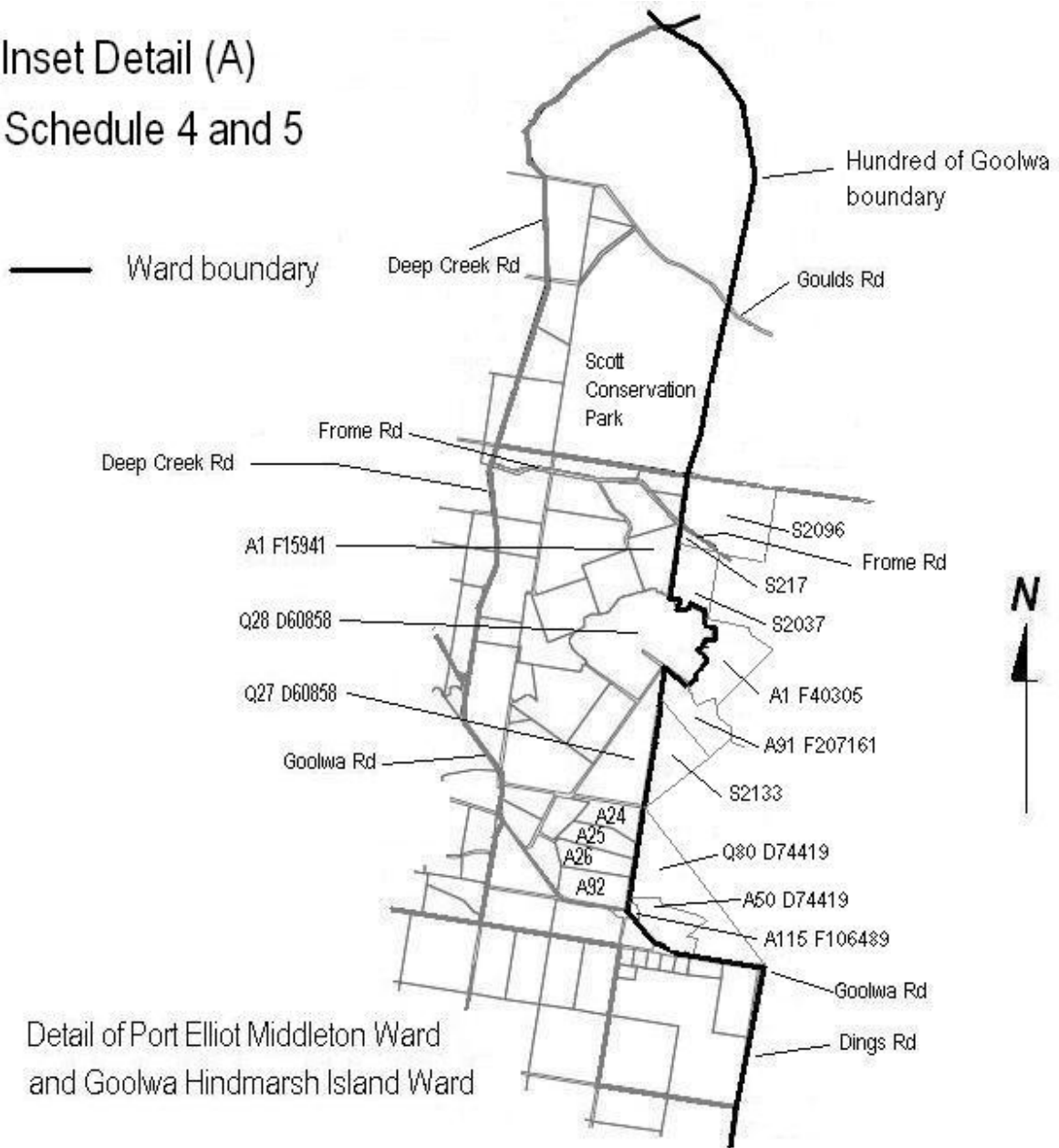
SCHEDULE 4

Port Elliot Middleton Ward

Commencing at a point on the council boundary at the intersection of the existing Ward boundaries of Goolwa Hindmarsh Island and Port Elliot Middleton, proceeding along the southern and western council boundaries, then following the northern and eastern boundaries of the Hundred of Goolwa to Frome Road, continuing southerly along the eastern boundaries of A1, Q28, Q27, A24, A25, A26 and A92, then easterly along Goolwa Road and southerly along Dings Road, then generally southerly along the existing Ward boundary to the commencement point.



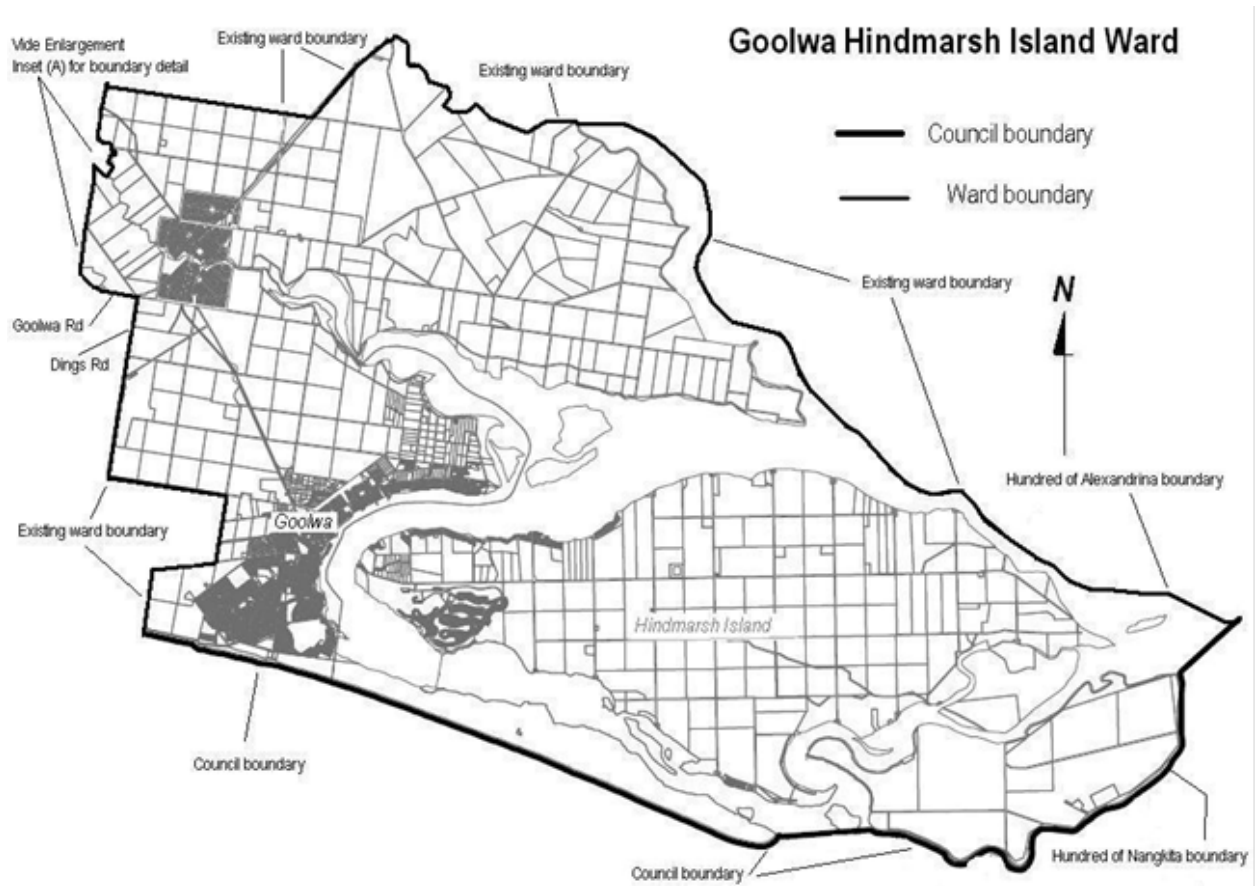
### Inset Detail (A) Schedule 4 and 5



SCHEDULE 5

*Goolwa Hindmarsh Island Ward*

Commencing at a point on the council boundary at the intersection of the Hundred boundaries of Alexandrina and Nangkita, proceeding westerly along the southern council boundary, then northerly along the existing Ward boundary to Dings Road, continuing northerly along Dings Road, westerly along Goolwa Road, then following the western boundaries of A115, A50, Q80 and S2133, the western and northern boundaries of A91, the western boundary of A1, the southern and western boundaries of S2037, the western boundaries of S217 and S2096, then easterly and south-easterly along the existing Ward boundary to the commencement point.



P. DINNING, Chief Executive

## THE BERRI BARMERA COUNCIL

## BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

*By-law No. 1—Permits and Penalties*

A by-law to create a permit system for Council by-laws, to fix maximum and continuing penalties for offences, and for the construction of Council by-laws.

All previous by-laws made or adopted by the Council, prior to the date this by-law is made, are hereby repealed effective from the day on which this by-law comes into effect.

1. *Definitions*

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

- 1.1 *person* includes a natural person, a body corporate, an incorporated association and an unincorporated association;
- 1.2 *Council* means The Berri Barmera Council;
- 1.3 *permission* means the permission of the Council, or such other person as the Council may by resolution authorise for that purpose, given in writing prior to the act, event or activity to which it relates.

2. *Permits*

- 2.1 Where a by-law requires that permission be obtained, any person seeking the grant of permission must submit a written application to the Council in the form (if any) and accompanied by the fee (if any) prescribed by the Council.
- 2.2 The Council, or such other person as the Council may by resolution authorise for that purpose, may attach such conditions (including but not limited to time limits, renewals and transfer requirements) to a grant of permission as it thinks fit, and may vary or revoke such conditions or impose new conditions by notice in writing to the permit holder.
- 2.3 A permit holder must comply with every such condition.
- 2.4 The Council, or such other person as the Council may by resolution authorise for that purpose, may suspend or revoke such grant of permission at any time by notice in writing to the permit holder.
- 2.5 The Council may by resolution fix, vary or revoke fees or charges for the granting of permission for any of the activities requiring permission under the Council's by-laws.

3. *Offences and Penalties*

- 3.1 A person who contravenes, or fails to comply with, any by-law of the Council is guilty of an offence and shall be liable to a maximum penalty being the maximum penalty referred to in the Local Government Act 1999 that may be fixed by by-law for any breach of a by-law.
- 3.2 A person who is convicted of an offence against any by-law of the Council in respect of a continuing act or omission is liable, in addition to the penalty otherwise applicable, to a further penalty for each day during which the act or omission is continued, such penalty being the maximum amount referred to in the Local Government Act 1999 which may be prescribed by by-law for offences of a continuing nature.

4. *Construction*

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

The foregoing by-law was duly made and passed at a meeting of The Berri Barmera Council held on 26 November 2013, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

D. BEATON, Chief Executive Officer

## THE BERRI BARMERA COUNCIL

## BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

*By-law No. 2—Moveable Signs*

TO set standards for moveable signs on streets and roads and to provide conditions for and the placement of such signs.

1. *Definitions*

In this by-law:

- 1.1 *authorised person* has the same meaning as in the Local Government Act 1999;
- 1.2 *banner* means a strip of cloth, plastic or other material hung or attached to a pole, fence or other structure;
- 1.3 *business premises* means the premises from which a business, trade or calling is conducted;
- 1.4 *footpath area* means:
  - 1.4.1 that part of a road between the property boundary of the road and the edge of the carriageway on the same side as that boundary; or
  - 1.4.2 a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;
- 1.5 *moveable sign* has the same meaning as in the Local Government Act 1999;
- 1.6 *road* has the same meaning as in the Local Government Act 1999;
- 1.7 *road related area* has the same meaning as the Road Traffic Act 1961.

2. *Construction and Design*

A moveable sign must:

- 2.1 be of a kind known as an 'A' Frame or sandwich board sign, an 'inverted T' sign, or a flat sign, or, with the permission of the Council, a sign of some other kind;
- 2.2 be designed, constructed and maintained in good condition so as not to present a hazard to any member of the public;
- 2.3 be of strong construction so as to be stable when in position and to be able to keep its position in adverse weather conditions;
- 2.4 not contain sharp or jagged edges or corners;
- 2.5 not be unsightly or offensive in appearance or content;
- 2.6 not rotate or contain moving parts;
- 2.7 not contain flashing lights or be illuminated internally;
- 2.8 not have balloons, streamers or other things attached to it;
- 2.9 be constructed of timber, cloth, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 2.10 not have a display area exceeding one square metre in total or, if the sign is two-sided, one square metre on each side;
- 2.11 for signs located within the townships of Berri, Barmera, Glossop, Cobdogla, Loveday and Monash—not exceed 900 mm in perpendicular height, or have a base with any side exceeding 600 mm in length or 600 mm in depth;
- 2.12 for signs located outside the townships of Berri, Barmera, Glossop, Cobdogla, Loveday and Monash — not exceed 1 000 mm in any dimension;
- 2.13 in the case of an 'A' frame or sandwich board sign:
  - 2.13.1 be hinged or joined at the top;
  - 2.13.2 be of such construction that its sides shall be securely fixed or locked in position when erected;
  - 2.13.3 have a base area not in excess of 600 mm;
- 2.14 in the case of an 'inverted T' sign, contain no struts or supports that run between the display area and the base of the sign.

### 3. Appearance

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

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

### 4. Placement

A moveable sign must:

- 4.1 only be placed on the footpath area of a road;
- 4.2 not be placed on a footpath area that is less than 2.5 m wide;
- 4.3 be adjacent to the premises of the business to which it relates when located within the townships of Berri, Barmera, Glossop, Cobdogla, Loveday and Monash;
- 4.4 be located adjacent to the most direct access road from the Sturt Highway or Old Sturt Highway of the business to which it relates when located in out of town areas;
- 4.5 not be placed closer than 1.5 m to the kerb (or, if there is no kerb, to the edge of the carriageway of a road or the shoulder of the road, whichever is the greater);
- 4.6 in the case of a flat sign, be in line with and against the property boundary of the street or road;
- 4.7 be placed no less than 1.2 m away from any structure, fixed object, tree, bush or plant (including another moveable sign);
- 4.8 not be fixed, tied or chained to or, leaned against any other structure, fixed object, tree, bush or plant (including another moveable sign);
- 4.9 not be placed on a sealed part of any footpath area, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 metres wide;
- 4.10 not be placed within one metre of the corner of a street or road;
- 4.11 not be placed on a landscaped area other than landscaping that comprises only lawn;
- 4.12 not be placed on a designated parking area or within one metre of an entrance to or exit from premises;
- 4.13 not be placed within 10 m of an intersection;
- 4.14 not unreasonably:
  - 4.14.1 restrict the use of the footpath area or road; or
  - 4.14.2 endanger the safety of members of the public.

### 5. Restrictions

A moveable sign displayed on a road must:

- 5.1 on the townships of Berri, Barmera, Glossop, Cobdogla, Loveday and Monash only display material which advertises a business being conducted on business premises adjacent to the sign, or the products available from that business;
- 5.2 not contain or display brand names of a product unless the name of the business is also displayed on the sign;
- 5.3 be limited to one per business premises;
- 5.4 only be displayed when the business is open to the public
- 5.5 be securely fixed in position such that it cannot be blown over or swept away;

- 5.6 not be placed in such a position or in such circumstances that the safety of any user of the road is at risk;
- 5.7 not be displayed during the hours of darkness unless it is clearly visible;
- 5.8 not to be displayed on a median strip, traffic island or on a carriage way of a road.

### 6. Banners

A banner must:

- 6.1 only be displayed on a road, footpath area or road related area;
- 6.2 be securely fixed to a pole, fence or other structure so that it does not hang loose or flap;
- 6.3 not, without the Council's permission, be attached to any building, structure, fence, vegetation or other item owned by the Council on a road, or other improvement to a road owned by the Council;
- 6.4 not be displayed more than one month before and two days after the event it advertises;
- 6.5 not be displayed for a continuous period of more than one month and two days in any twelve month period;
- 6.6 not exceed 3 m<sup>2</sup> in size.

### 7. Exemptions

- 7.1 Paragraphs 4.3, 5.1, 5.2 and 5.3 do not apply to a moveable sign which is used:
  - 7.1.1 to advertise a garage sale taking place from residential premises;
  - 7.1.2 as a directional sign to an event run by an incorporated association or a charitable body;
  - 7.1.3 with permission of the Council.
- 7.2 Paragraphs 5.1, 5.2 and 5.3 do not apply to a flat sign, the message of which only contains newspaper headlines and the name of a newspaper.
- 7.3 This by-law does not apply to a moveable sign that is:
  - 7.3.1 placed on a road pursuant to an authorisation under the Local Government Act 1999 or another Act; or
  - 7.3.2 designed to direct people to the open inspection of any land or building that is available for purchase or lease within a township; or
  - 7.3.3 related to a State or Commonwealth election and is displayed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling days;
  - 7.3.4 related to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is displayed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
  - 7.3.5 related to a referendum and is displayed during the course and for the purpose of that referendum.

### 8. Removal of Unauthorised Moveable Signs

8.1 If:

- 8.1.1 the design or construction of a moveable sign that has been placed on a road does not comply with a requirement of this by-law; or
- 8.1.2 the positioning of a moveable sign does not comply with a requirement of this by-law; or
- 8.1.3 any other relevant requirement of this by-law is not complied with; or
- 8.1.4 the moveable sign unreasonably:
  - 8.1.4.1 restricts the use of the footpath area or road; or
  - 8.1.4.2 endangers the safety of members of the public,

an authorised person may order the owner of the sign to remove the sign from the road.

- 8.2 A person must comply with an order of an authorised person made pursuant to subparagraph 9.1 of this by-law.
- 8.3 If the authorised person cannot find the owner, or the owner fails to comply immediately with the order of an authorised person, the authorised person may remove and dispose of the moveable sign.
- 8.4 The owner or other person entitled to recover a moveable sign removed pursuant to subparagraph 9.3 of this by-law must pay to the Council any reasonable costs incurred by the Council in removing, storing and attempting to dispose of the moveable sign before being entitled to recover the moveable sign.

#### 9. Removal of Authorised Moveable Signs

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

The foregoing by-law was duly made and passed at a meeting of The Berri Barmera Council held on 26 November 2013, by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

D. BEATON, Chief Executive Officer

#### THE BERRI BARMERA COUNCIL

#### BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

#### *By-law No. 3—Local Government Land*

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

#### 1. Definitions

In this by-law:

- 1.1 *animal* includes birds and insects but does not include a dog;
- 1.2 *authorised person* has the same meaning as in the Local Government Act 1999;
- 1.3 *camp* includes setting up a camp, causing a tent, caravan or motorhome to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 1.4 *electoral matter* has the same meaning as in the Electoral Act 1985 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 1.5 *emergency worker* has the same meaning as in the Australian Road Rules and the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999;
- 1.6 *liquor* has the same meaning as in the Liquor Licensing Act 1997;
- 1.7 *local government land* means land vested in or owned by the Council or under the Council's care, control and management (except roads);
- 1.8 *open container* means a container which:
- 1.8.1 after the contents thereof have been sealed at the time of manufacture and:
- 1.8.1.1 being a bottle, has had its cap, cork or top removed (whether or not it has since been replaced);
- 1.8.1.2 being a can, it has been opened or punctured;
- 1.8.1.3 being a cask, has had its tap placed in a position to allow it to be used;
- 1.8.1.4 being any form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to the contents thereof; or
- 1.8.2 is a flask, glass or mug or other container used for drinking purposes;
- 1.9 *public place* means a place (including a place on private land) to which the public has access (except a street or road) but does not include any part of a community parcel divided by a plan of community division under the Community Titles Act 1996;
- 1.10 *park* has the same meaning as in the Local Government Act 1999;
- 1.11 *reserve* has the same meaning as in the Local Government Act 1999;
- 1.12 *road* has the same meaning as in the Local Government Act 1999;
- 1.13 *vehicle* has the same meaning as in the Road Traffic Act 1961;
- 1.14 *waters* includes a body of water, including a pond, lake, river, creek or wetlands under the Council's care, control and management.

#### 2. Activities Requiring Permission

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

##### 2.1 Advertising

display, paint or erect any sign or hoarding for the purpose of commercial advertising or any other purpose;

##### 2.2 Aircraft

subject to the Civil Aviation Act 1988, land any aircraft on, or take off any aircraft from the land;

##### 2.3 Amplification

use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements;

##### 2.4 Animals

- 2.4.1 cause or allow any animal to stray into or depasture therein;
- 2.4.2 cause or allow an animal to enter, swim, bathe or remain in any waters located on the land;
- 2.4.3 allow any animal to damage any flower bed, garden plot, tree, lawn or other item or place;

##### 2.5 Athletic and ball sports

to which this sub-paragraph applies:

- 2.5.1 promote, organise or take part in any organised athletic sport;
- 2.5.2 play any organised competition sport, as distinct from organised social play;
- 2.5.3 play or practice the game of golf;

##### 2.6 Attachments to trees

attach, hang or fix any rug, blanket, sheet, rope or other material to any tree, shrub, plant, tree guard, notice board, seat, fence, post or other item or structure which is the property of the Council;

##### 2.7 Bees

place a hive of bees on such land, or allow it to remain thereon;

##### 2.8 Burials and Memorials

- 2.8.1 bury, inter or spread the ashes of any human or animal remains;
- 2.8.2 erect any memorial;

- 2.9 *Camping and tents*  
camp or remain overnight provided that this clause does not apply to a person where the person camps:
- 2.9.1 in a caravan or motor home; and
- 2.9.2 within 200 m of a sign displayed by the Council indicating that camping in a caravan or motorhome is permitted on that land;
- 2.10 *Closed lands*  
enter or remain on any part of local government land:
- 2.10.1 at any time during which the Council has declared that the part shall be closed to the public, and which is indicated by a sign adjacent to the entrance to that part;
- 2.10.2 where land is enclosed with fences and/or walls, and gates, at any time when the gates have been closed and locked; or
- 2.10.3 where admission charges are payable, to enter without paying those charges;
- 2.11 *Depositing soil*  
deposit any soil, clay, gravel, sand, timber, stones, pebbles or any other matter on the land;
- 2.12 *Donations*  
ask for or receive or indicate that he or she desires a donation of money or any other valuable item or thing;
- 2.13 *Encroachment*  
erect or place any fencing, posts or other structures or any other items or substance such as to encroach onto the land;
- 2.14 *Entertaining*
- 2.14.1 sing, busk or play a musical instrument for the purpose of, or so as to appear to be for the purpose of entertaining others whether or not receiving money;
- 2.14.2 conduct or hold a concert, festival, show, circus, performance or similar activity;
- 2.15 *Fauna*
- 2.15.1 take, interfere with or disturb any animal or bird or the eggs or young of any animal or bird;
- 2.15.2 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird; or
- 2.15.3 use, possess or have control of any device for the purpose of killing or capturing any animal or bird;
- 2.16 *Fires*  
light any fire except:
- 2.16.1 in a place provided by the Council for that purpose; or
- 2.16.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of four metres;
- 2.17 *Fireworks*  
ignite, discharge or use any fireworks;
- 2.18 *Flora*
- 2.18.1 take, uproot or damage any plant;
- 2.18.2 remove, take or disturb any soil, stone, wood, tender or bark;
- 2.18.3 collect or take any dead wood or timber for the purpose of using the same to make or maintain a fire; or
- 2.18.4 ride or drive any vehicle or allow an animal to run, stand or walk on any flowerbed or garden plot;
- 2.19 *Games*
- 2.19.1 participate in any game recreation or amusement which involves the use of a ball, missile or other object which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land;
- 2.19.2 fly any model aircraft or operate any power model boat from or on any local government land;
- 2.20 *Horses, cattle, etc.*  
ride, lead or drive any horse, cattle, sheep and other like animal except where the Council has set aside a track or other area for use by or in connection with the animal of that kind;
- 2.21 *Mooring*
- 2.21.1 moor any boat, house boat, raft or other water craft on or to local government land or in any area that the Council has not set aside for the mooring of any boat, raft or other water craft; or
- 2.21.2 obstruct any boat, raft or other water craft or any mooring place, or any access to any boat, raft, object (either floating or sunk);
- 2.22 *No liquor*  
to which this sub-paragraph applies:
- 2.22.1 consume, carry or be in possession or charge of any liquor (provided the land constitutes a park or reserve) save and except on premises in respect of which a licence is in force pursuant to the Liquor Licensing Act 1997;
- 2.22.2 excepting sealed containers, consume, carry, be in possession or charge of any liquor in an open container (provided the land constitutes a park or reserve) save and except on premises in respect of which a licence is in force pursuant to the Liquor Licensing Act 1997;
- 2.23 *Overhanging articles*  
suspend or hang any article or thing from any building, verandah, pergola, post or other structure where it might present a nuisance or danger to any person using local government land;
- 2.24 *Picking fruit*  
pick fruit, nuts or berries from any trees or bushes;
- 2.25 *Playing area*  
use or occupy a playing area:
- 2.25.1 in such a manner as to damage or be likely to damage the surface of the playing area or infrastructure (above and under ground level);
- 2.25.2 in a manner contrary to the purpose for which the playing area was intended to be used or occupied; or
- 2.25.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area;
- 2.26 *Posting of bills*  
post or allow or cause to be posted any bills, advertisements or other papers or items on a building or structure on local government land or in a public place;
- 2.27 *Removing soil*  
carry away or remove any soil, sand, timber, stones, pebbles, other organic or inorganic materials or any part of the land;



- 2.28 *Rubbish and rubbish dumps*
- 2.28.1 interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on local government land;
- 2.28.2 remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a Council rubbish bin on local government land;
- 2.29 *Skateboards and small wheeled vehicles*  
to which this sub-paragraph applies ride on a skateboard or use roller skates or blades or any other small wheeled vehicle;
- 2.30 *Smoking*  
to which this subparagraph applies smoke tobacco or any other substance;
- 2.31 *Swimming and aquatic activity*  
to which this sub-paragraph applies, enter, swim or engage in any aquatic activity in or on any body of water except:
- 2.31.1 a body of water that the Council has set aside for that purpose; or
- 2.31.2 in an area where a nearby sign states that such activity is allowed and, in accordance with any conditions stated in the sign;
- 2.32 *Trading*
- 2.32.1 carry on the business of buying, selling, offering or exposing for sale or the hiring or leasing of any goods, merchandise, commodity, article, service or thing; or
- 2.32.2 set up a van or other vehicle or stall or other structure, tray, carpet, or device for the purpose of buying, selling, offering or exposing for sale or the hiring or leasing of any goods, merchandise, commodity, article, service or thing;
- 2.33 *Use of boats and boat ramps*
- 2.33.1 use or launch a boat or other object in any body of water except:
- (a) a body of water that the Council has set aside for that purpose; or
- (b) in an area where a nearby sign states that such activity is allowed and, in accordance with any conditions stated in the sign;
- 2.33.2 launch or retrieve a boat other than from a boat ramp constructed for that purpose;
- 2.33.3 hire out a boat from any part of a body of water;
- 2.34 *Vehicles*
- 2.34.1 drive or propel a vehicle except on an area or road constructed and identified by the Council for that purpose, by means of signs, devices or fencing and the like;
- 2.34.2 promote, organise or take part in a race, test or trial of any kind in which vehicles take part, except on an area properly constructed for that purpose;
- 2.35 *Weddings*  
conduct or participate in a marriage ceremony;
- 2.36 *Working on vehicles*  
perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown;
3. *Prohibited Activities*  
A person must not on local government land:
- 3.1 *Animals*
- 3.1.1 send, drive, lead, ride or take any animal or permit any animal to be sent, driven, led, ridden or taken on any land which the Council has, by resolution, declared to be prohibited for such purpose;
- 3.1.2 allow any animal to be let loose or left unattended on any land which the council has, by resolution, declared to be prohibited for such purpose;
- 3.2 *Annoyances*
- 3.2.1 annoy, commit any nuisance or unreasonably interfere with any other person's use of local government land by making a noise or by creating a disturbance that has not been authorised by the Council;
- 3.2.2 spit, urinate or defecate other than in toilets provided on any local government land;
- 3.3 *Camping*  
fail to keep the area on which he or she is camped in the surrounds in a clean, tidy and sanitary condition;
- 3.4 *Defacing property*  
deface, paint, write, cut names or make marks on any tree, rock, gate, fence, building, sign or other property of the Council therein;
- 3.5 *Directions*  
fail to comply with any reasonable direction or request from an authorised person relating to:
- 3.5.1 that person's use of the land;
- 3.5.2 that person's conduct and behaviour on the land;
- 3.5.3 that person's safety on the land; or
- 3.5.4 the safety and enjoyment of the land by other persons;
- 3.6 *Fishing*
- 3.6.1 fish in any waters to which the Council has resolved this subparagraph shall apply;
- 3.6.2 fish from any bridge or other structure to which the Council has resolved this subparagraph shall apply;
- 3.7 *Flora*  
collect or take any dead wood or timber for the purpose of using the same to make or maintain a fire;
- 3.8 *Glass*  
wilfully break any glass, china or other brittle material;
- 3.9 *Interference with land*
- 3.9.1 interfere with the land such as levelling or flattening sand hills, planting grass, lawn or other vegetation, paving the land, or otherwise use the land in a manner contrary to the purpose for which the land was designed to be used; or
- 3.9.2 destroy, damage or deface or cause or permit to be destroyed, damaged or defaced any article, structure, building or thing fixed to local government land;
- 3.10 *Interference with permitted use*  
interrupt or disrupt or interfere with any person's use of parks or reserves for which permission has been granted;
- 3.11 *Missiles*  
throw, roll or discharge any stone, substance or missile to the danger of any person or animal therein;
- 3.12 *Obstruction*  
obstruct:
- 3.12.1 any path in or on any local government land;
- 3.12.2 any door entrance stairway or aisle in any building in or on any local government land; or
- 3.12.3 any gate or entrance to, in or on local government land;

3.13 *Toilets*

in any public convenience:

- 3.13.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
- 3.13.2 smoke tobacco or any other substance;
- 3.13.3 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 3.13.4 use it for a purpose for which it was not designed or constructed;
- 3.13.5 enter any toilet that is set aside for use of the opposite sex except where:
  - (a) a child under the age of five years accompanied by an adult person of that other sex; and/or
  - (b) to provide assistance to a disabled person;

3.14 *Use of equipment*

use any item of equipment and/or facilities or other council property:

- 3.14.1 other than in the manner and for the purpose for which it was designed or set aside; and
- 3.14.2 where any nearby sign states the conditions of use, except in accordance with such conditions.

4. *Removal of Encroachment or Interference*

Any person who encroaches onto or interferes with local government land contrary to this by-law must, at the request in writing of an authorised person, cease the encroachment or interference and remove the source of the encroachment or interference, and reinstate the land to the same standard as the state of the land prior to the encroachment or interference.

5. *Council May Do Work*

If a person fails to remove an encroachment or interference on local government land in accordance with a request of an authorised officer pursuant to Clause 4 of this by-law, then the Council may:

- 5.1 undertake the work itself; and
- 5.2 recover the cost of doing so from that person.

6. *Removal of Animals and Directions to Persons**Animals*

- 6.1 If any animal is found on part of local government land in breach of a by-law any person in charge of the animal shall forthwith remove it from that part on the request of any authorised person.
- 6.2 An authorised person may remove the animal if a person fails to comply with the request, or if no person is in charge of the animal.

*Directions*

- 6.3 A person on local government land must comply with a reasonable direction from an authorised person relating to:
  - 6.3.1 that persons use of the land;
  - 6.3.2 that persons conduct and behaviour on the land;
  - 6.3.3 that persons safety on the land; or
  - 6.3.4 the safety and enjoyment of other persons on the land.
- 6.4 a person who, in the opinion of an authorised person, is likely to commit or has committed, a breach of this by-law must immediately comply with a direction of an authorised person to leave that part of local government land.

*Recovery*

- 6.5 If a person fails to comply with an order of an authorised person made pursuant to Section 262 of the Local Government Act 1999 in respect of a breach of this by-law, the Council may recover its costs and expenses of any action taken under Section 262 (3) of the Local Government Act 1999 from the person to whom the order was directed.

7. *Exemptions*

- 7.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or an emergency worker when driving an emergency vehicle while driving that vehicle in relation to an emergency situation as defined in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999 and the Australian Road Rules.
- 7.2 The restrictions in Clause 2.1 and 2.26 of this by-law do not apply to electoral matter authorised by a candidate and which is:
  - 7.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
  - 7.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
  - 7.2.3 related to, and occurs during the course of and for the purpose of a referendum.

8. *Application*

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

The foregoing by-law was duly made and passed at a meeting of The Berri Barmera Council held on 26 November 2013, by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

D. BEATON, Chief Executive Officer

## THE BERRI BARMERA COUNCIL

## BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

*By-law No. 4—Roads*

FOR the management, control and regulation of activities on roads vested in or under the control of the Council.

1. *Definitions*

In this by-law:

- 1.1 *animal* includes birds, insects and poultry but does not include a dog or cat;
- 1.2 *authorised person* has the same meaning as in the Local Government Act 1999;
- 1.3 *camp* includes setting up a camp, or causing a tent, caravan or motorhome to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 1.4 *emergency vehicle* has the same meaning as in the Australian Road Rules 1999 and the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999;
- 1.5 *electoral matter* has the same meaning as in the Electoral Act 1995 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 1.6 *road* has the same meaning as in the Local Government Act 1999.

2. *Activities Requiring Permission*

A person must not without permission on any road:

2.1 *Amplification*

use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements or advertisements;

- 2.2 *Animals*
- 2.2.1 cause or allow an animal to stray onto, move over, or graze on a road except where the Council has set aside a track or other area for use by or in connection with an animal of that kind, and provided the animal or animals are under effective control;
- 2.2.2 lead, herd or exercise an animal in such a manner as to cause a nuisance or endanger the safety of a person;
- 2.3 *Camping and tents*
- 2.3.1 erect a tent or other structure of calico, canvas, plastic or other similar material as a place of habitation;
- 2.3.2 camp or remain overnight, provided that this clause does not apply to a person where the person camps:
- 2.3.2.1 in a caravan or motorhome; and
- 2.3.2.2 within 200 m of a sign displayed by the Council indicating that camping in a caravan or motorhome is permitted on that road;
- 2.4 *Canvassing*
- convey any advertising, religious or other message to any bystander, passer-by or other person provided that this restriction shall not apply to any handbill or leaflet given out or distributed by or with the authority of a candidate during the course of a Federal, State or Local Government Election or to a handbill or leaflet given out or distributed during the course and for the purpose of a Referendum;
- 2.5 *Donations*
- ask for or receive or indicate that he or she desires a donation of money or any other thing;
- 2.6 *Horses, cattle, etc.*
- 2.6.1 ride, lead or drive any horse, cattle, sheep and other like animal, except where the Council has set aside a track or other area for use by or in connection with the animal of that kind;
- 2.6.2 stand, draw up or allow to remain stationary any horse, cattle, sheep and other like animal whether attached to a vehicle;
- 2.7 *Obstructions*
- erect, install or place or cause to be erected, installed or placed any structure, object or material of any kind so as to obstruct a road or footway, water-channel, or watercourse in a road;
- 2.8 *Posting of bills*
- post or allow or cause to be posted any bills, advertisements, or other papers or items on a building or structure on a road;
- 2.9 *Public exhibitions and displays*
- 2.9.1 sing, busk, play a recording or use a music instrument, or perform similar activities;
- 2.9.2 conduct or hold a concert, festival, show, circus, performance or a similar activity;
- 2.9.3 erect a stage or structure for the purpose of conducting or holding a concert, festival, show, circus, performance or a similar activity;
- 2.9.4 cause any public exhibitions or displays;
- 2.10 *Working on vehicles*
- perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.
3. *Removal of Animals and Directions to Persons*
- 3.1 If any animal is found on part of a road in breach of a by-law any person in charge of the animal shall forthwith remove it from that part on the request of any authorised person.
- 3.2 An authorised person may remove the animal if a person fails to comply with the request, or if no person is in charge of the animal.
- 3.3 An authorised person may direct any person who is considered to be committing or has committed a breach of this by-law to leave that part of the road. Failure to comply with that direction forthwith is a breach of this by-law.
- 3.4 If a person fails to comply with an order of an authorised person made pursuant to Section 262 of the Local Government Act 1999 in respect of a breach of this by-law, the Council may recover its costs and expenses of any action taken under Section 262 (3) of the Local Government Act 1999 from the person to whom the order was directed.
4. *Exemptions*
- 4.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or an emergency worker when driving an emergency vehicle while driving that vehicle in relation to an emergency situation as defined in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999 and the Australian Road Rules.
- 4.2 The restrictions in Clauses 2.4 and 2.8 of this by-law do not apply to electoral matter authorised by a candidate and which is:
- 4.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 4.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
- 4.2.3 related to, and occurs during the course of and for the purpose of a referendum.
- The foregoing by-law was duly made and passed at a meeting of The Berri Barmera Council held on 26 November 2013, by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.
- D. BEATON, Chief Executive Officer
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- THE BERRI BARMERA COUNCIL  
BY-LAW MADE UNDER THE DOG AND CAT MANAGEMENT ACT  
1995 AND THE LOCAL GOVERNMENT ACT 1999  
*By-Law No. 5—Dogs*
- FOR the control of dogs within the area, to limit the number of dogs kept in premises and for the management of dogs in the Council's area.
1. *Definitions*
- In this by-law:
- 1.1 *Act* means the Dog and Cat Management Act 1995;
- 1.2 *approved kennel establishment* means a building, structure or area approved by the relevant authority, pursuant to the Development Act 1993, for the keeping of dogs on a temporary or permanent basis;
- 1.3 *authorised person* means a person appointed as a dog management officer under Section 27 of the Act and an authorised person under Section 260 of the Local Government Act 1999;
- 1.4 *council land* means all parklands, reserves, ornamental grounds, streets, roads, bridges, public places and other land owned or under the care, conduct and management of the Council;
- 1.5 *dog* has the same meaning as the Act;

- 1.6 *effective control* means a person exercising effective control of a dog either:
- 1.6.1 by means of physical restraint; or
  - 1.6.2 by command, the dog being in close proximity to the person and the person being able to see the dog at all times;
- 1.7 *premises* means any domestic and non-domestic premises, except an approved kennel establishment;
- 1.8 *small dwelling* means a flat, a service flat, home unit, or a suite of rooms which is wholly occupied, or designed or intended or adapted to be occupied, as a separate dwelling, but does not include a detached, semi-detached or row dwelling house;
- 1.9 *working dog* means a dog used principally for the droving or tendering of stock.

## 2. Limit on Dog Numbers

- 2.1 The limit on the number of dogs shall be:
- 2.1.1 in a small dwelling, one dog; and
  - 2.1.2 in premises other than a small dwelling, two dogs.
- 2.2 No person shall, without obtaining written permission of the Council, keep any dog on any premises where the number of dogs exceeds the limit:
- 2.2.1 unless the premises is an approved kennel establishment; or
  - 2.2.2 the council has exempted any premises from compliance with Clause 2 of this by law by the granting of an exemption; or
  - 2.2.3 other than working dogs kept in rural areas.

## 3. Dog Free Areas

A person must not on any Council land to which this paragraph applies cause, suffer or permit any dog under that person's control, charge or authority to be in, or remain in that place.

## 4. Dogs on Leashes

A person must not on any Council land to which this paragraph applies cause, suffer or permit any dog (except guide dogs guiding a person who is wholly or partially blind; or wholly or partially deaf), under that person's control, charge or authority to be or remain in that place unless such dog is restrained by a strong leash not exceeding 2 metres in length and either tethered securely to a fixed object or held by a person capable of controlling the dog and preventing it from being a nuisance or danger to other persons.

## 5. Dog Exercise Areas

- 5.1 Any person may enter upon any part of Council land to which this paragraph applies for the purpose of exercising a dog under his or her effective control;
- 5.2 Where a person enters upon such part of Council land for that purpose, he or she shall ensure that the dog or dogs under his or her control remain under effective control while on the land;
- 5.3 Signs shall be erected to denote land to which this paragraph applies.

## 6. Orders

- 6.1 If a person engages in conduct that is in contravention of this by-law, an authorised person may order that person:
  - 6.1.1 if the conduct is still continuing—to stop the conduct; and
  - 6.1.2 whether or not the conduct is still continuing—to take specified action to remedy the contravention.
- 6.2 A person must comply with an order under this clause.
- 6.3 If a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may recover its costs of any action so taken from the person to whom the order was directed.

- 6.4 However, an authorised person may not use force against a person under this clause.

## 7. Application of Paragraphs

- 7.1 Any of paragraphs 3, 4 and subparagraph 5.1 of this by-law shall apply only in such portion or portions of Council land as the Council may by resolution direct in accordance with Section 246 (3) (e) of the Local Government Act 1999.
- 7.2 The limits prescribed in paragraph 5 of this by-law do not include any dog that is under three months of age.

The foregoing by-law was duly made and passed at a meeting of the Berri Barmera Council held on 26 November 2013, by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

D. BEATON, Chief Executive Officer

## DISTRICT COUNCIL OF ELLISTON

### *Temporary Road Closure*

NOTICE is hereby given that in accordance with the provisions of Section 359 of the Local Government Act 1934, Council, at the meeting held on 19 November 2013, agreed to the closure of Memorial Drive, Elliston, from Sixth Street to Beach Terrace for the period between 5.30 p.m. and 9 p.m. on Friday, 13 November 2013, for the purpose of a Community Christmas Event. For further information regarding the closure please contact the Council Office on 8687 9177.

R. CAPUTO, Executive Assistant

## REGIONAL COUNCIL OF GOYDER

### ROADS (OPENING AND CLOSING) ACT 1991

#### *Re-alignment of Hansen Road, Buchanan*

NOTICE is hereby given pursuant to Section 10 of the said Act, that the Council proposes to make a Road Process Order to open as road an irregularly shaped portion of Allotment 100 in F196613 and portion of piece 122 in F196625 delineated as '1' and '2' (respectively) on Preliminary Plan No. 13/0035.

To close and exchange with R. A. and P. D. Jaeger, two irregularly shaped portions of the public road, Hansen Road, no longer required for road purposes, delineated as 'A' and 'B' on Preliminary Plan No. 13/0035.

A copy of the plan and statement of persons affected are available for public inspection at Council's office, 1 Market Square, Burra, and the office of the Surveyor-General, 101 Grenfell Street, Adelaide, during normal office hours.

Any application for easement or objections must be made in writing within 28 days of 12 December 2013, to the Council, 1 Market Square, Burra, S.A. 5417 and the Surveyor-General at G.P.O. Box 1354, Adelaide, S.A. 5001, setting out full details.

Where a submission is made, Council will give notification of a meeting to deal with the matter.

J. BRAK, Chief Executive Officer

## THE DISTRICT COUNCIL OF MOUNT BARKER

### *Adoption of Community Land Management Plan*

NOTICE is hereby given pursuant to Section 197 (3) of the Local Government Act 1999, that following community consultation, the District Council of Mount Barker at its meeting held on 2 December 2013, resolved to adopt a Community Land Management Plan for Environmental Services Centre and Associated Wetlands to be located on Allotment 31 in Deposited Plan 86925, contained within Certificate of Title Volume 6082, Folio 105.

A. STUART, Chief Executive Officer

REGIONAL COUNCIL OF GOYDER

*Elector Representation Review*

NOTICE is hereby given that the Regional Council of Goyder has reviewed its composition and elector representation arrangements in accordance with the provisions of Section 12 (4) of the Local Government Act 1999.

Pursuant to Section 12 (13) (a) of the said Act, the Electoral Commissioner has certified that the review undertaken by Council satisfies the requirements of Section 12 of the Local Government Act 1999.

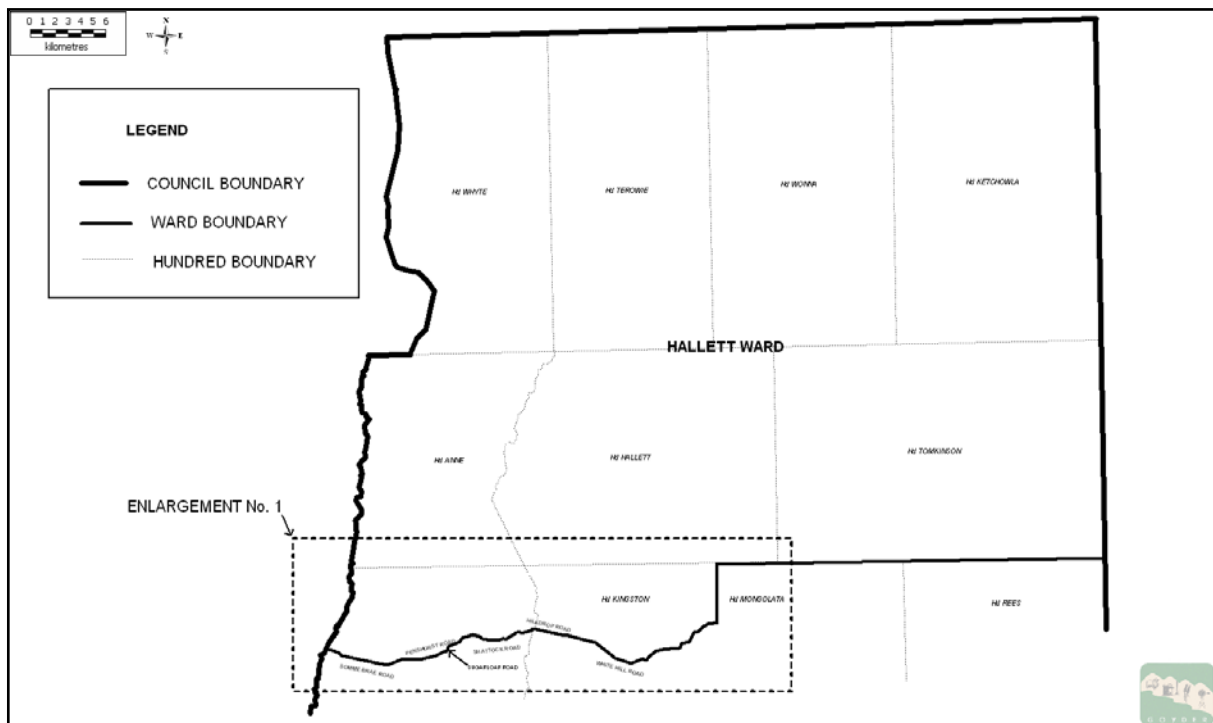
As such, the following alteration to the boundary between the Hallett Ward and the Burra Ward (as described in Schedule 1, Schedule 2 and Enlargement 1) will be put into effect as from polling day of the first periodic election held after the publication of this notice.

SCHEDULE 1

*Hallett Ward*

Alter and adjust the southern boundary of the existing Hallett Ward to as follows:

Beginning at the intersection of Somme Brae Road and the western boundary of the Regional Council of Goyder the boundary travels east along Somme Brae Road, continuing on to and along Penshurst Road, north along Sugar Loaf Road, west along Shattock Road continuing along the parallel projection to and along Hilldrop Road, continuing on to and along White Hill Road to its intersection with the boundary between the Hundred of Kingston and the Hundred of Mongolata. The boundary then travels north along the boundary between the Hundred of Kingston and the Hundred of Mongolata and west along the southern boundary of the Hundreds of Hallett and Tomkinson where it ends at the eastern boundary of the Regional Council of Goyder.

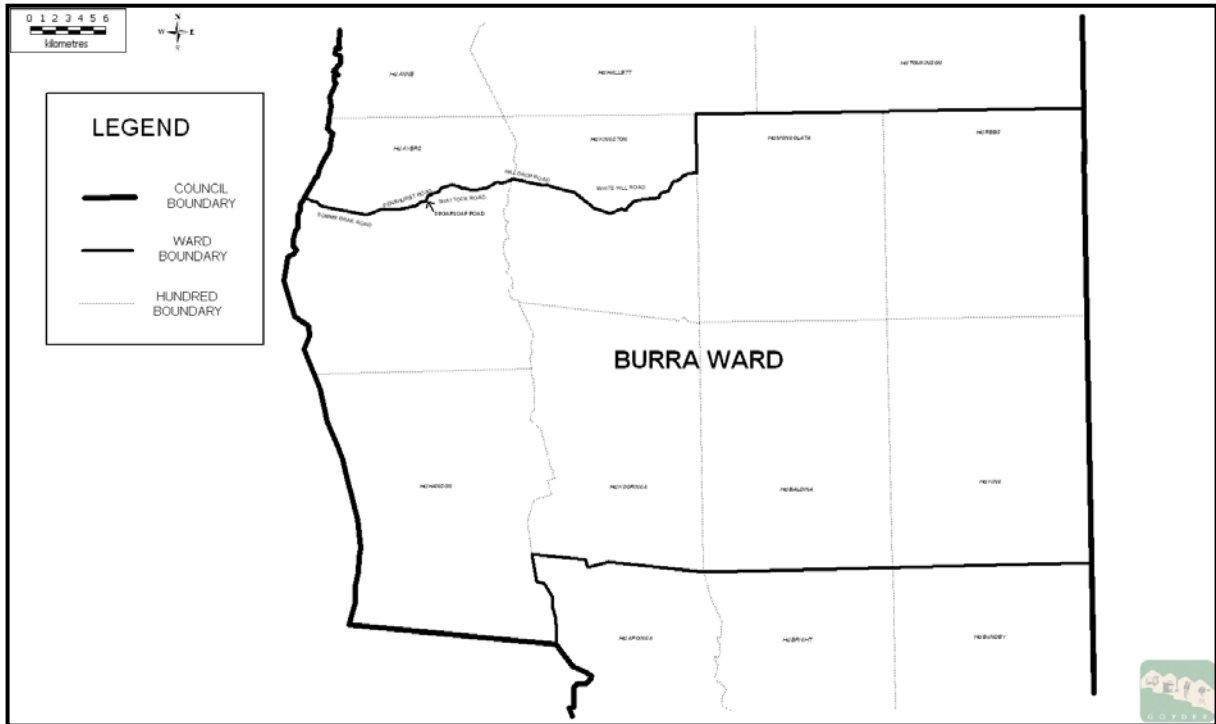


SCHEDULE 2

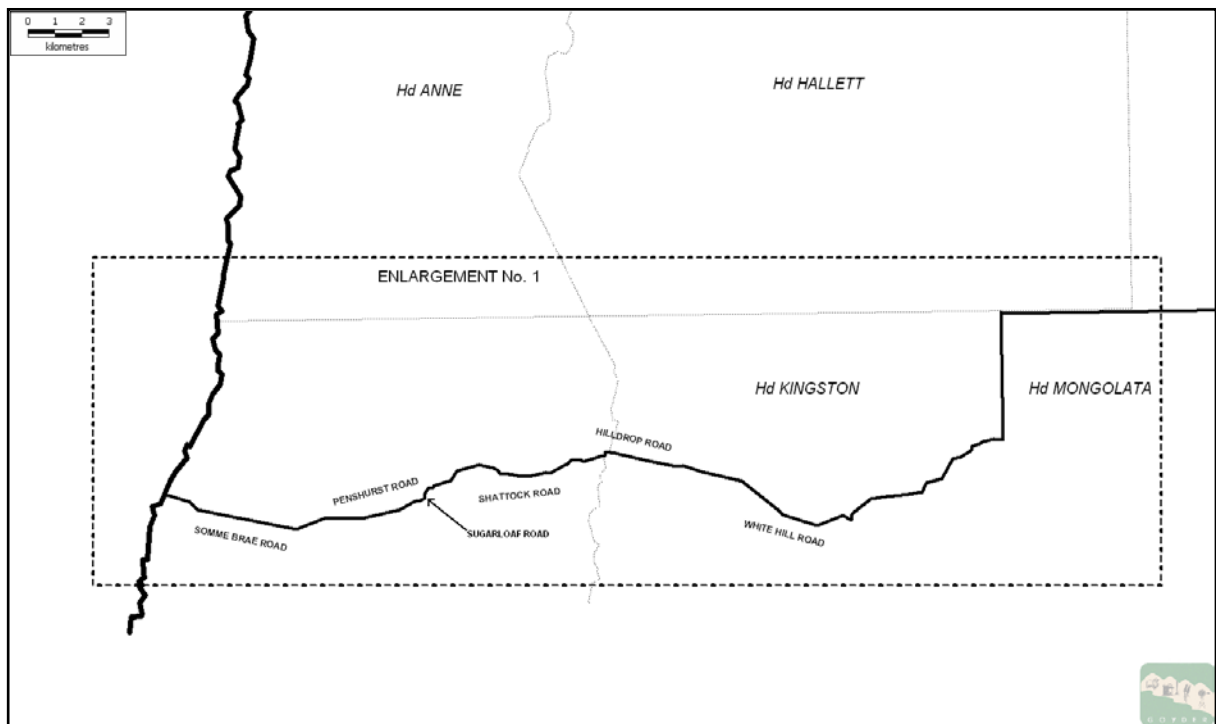
Burra Ward

Alter and adjust the northern boundary of the existing Burra Ward to as follows:

Beginning at the intersection of Somme Brae Road and the western boundary of the Regional Council of Goyder the boundary travels east along Somme Brae Road, continuing on to and along Penshurst Road, north along Sugar Loaf Road, west along Shattock Road continuing along the parallel projection to and along Hilldrop Road, continuing on to and along White Hill Road to its intersection with the boundary between the Hundred of Kingston and the Hundred of Mongolata. The boundary then travels north along the boundary between the Hundred of Kingston and the Hundred of Mongolata and west along the northern boundary of the Hundreds of Mongolata and Rees where it ends at the eastern boundary of the Regional Council of Goyder.



Enlargement 1



## DISTRICT COUNCIL OF MOUNT REMARKABLE

*Review of Elector Representation*

NOTICE is hereby given that the District Council of Mount Remarkable, in accordance with the requirements of Section 12 (4) of the Local Government Act 1999, has reviewed its composition and elector representation arrangements.

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

The revised representation arrangements are as follows:

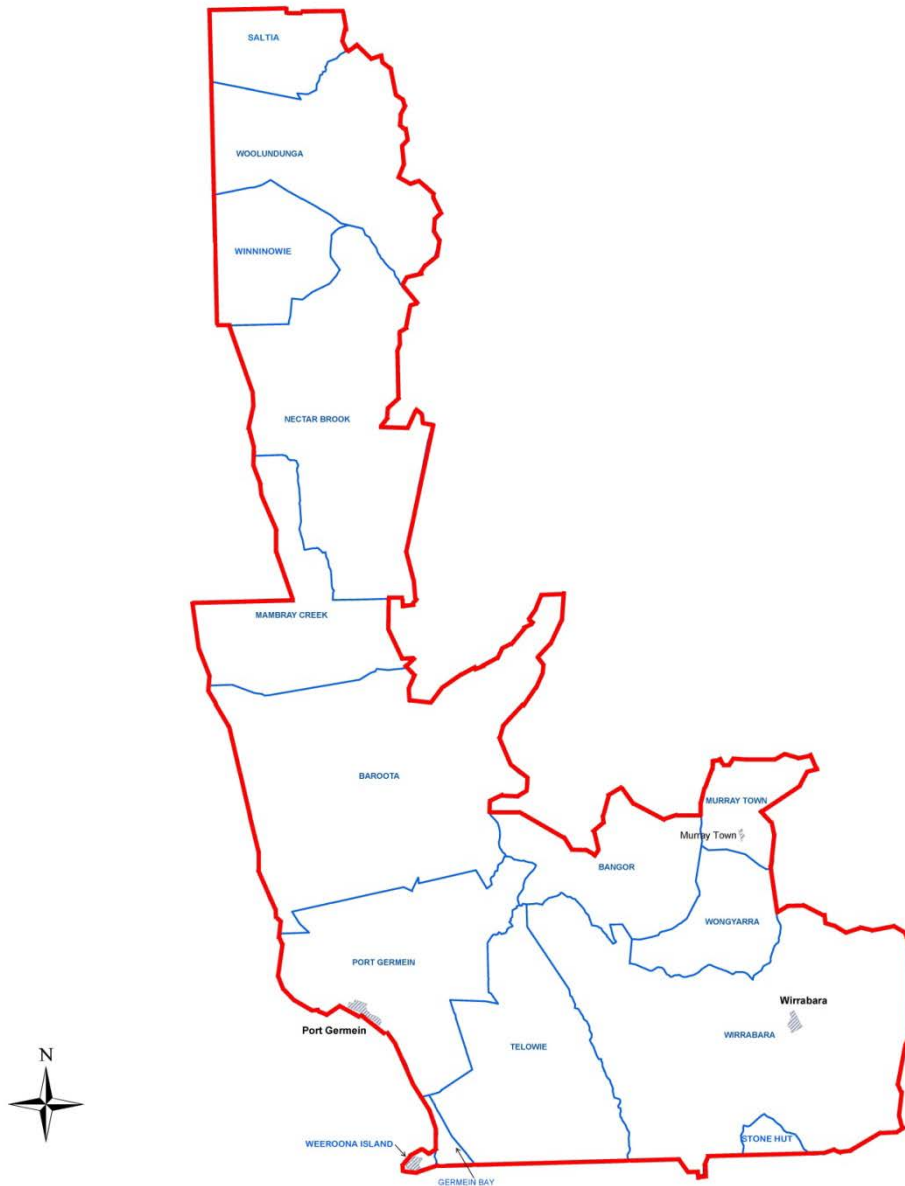
- The District Council of Mount Remarkable will continue to comprise of seven ward councillors, with the principal member being a Chairperson to be chosen by and from amongst the elected members.
- The Council area will be divided into two wards, (as defined in the following schedules) to be named Telowie ward (represented by three ward councillors) and Willochra ward (represented by four ward councillors).

SCHEDULE 1

*Telowie Ward*

Comprising all the land contained within the bounds of the area defined as the Council boundaries in the south, west and north; and the eastern boundaries of the localities of Saltia, Woolundunga, Nectar Brook and Mambray Creek, the northern and eastern boundaries of the locality of Baroota, the northern boundary of the locality of Bangor, the western northern and eastern boundaries of the locality of Murray Town, the eastern boundary of the locality of Wongyarra, the northern eastern and southern boundaries of the locality of Wirrabara to the southern council boundary.

**Schedule 1  
TELOWIE WARD**

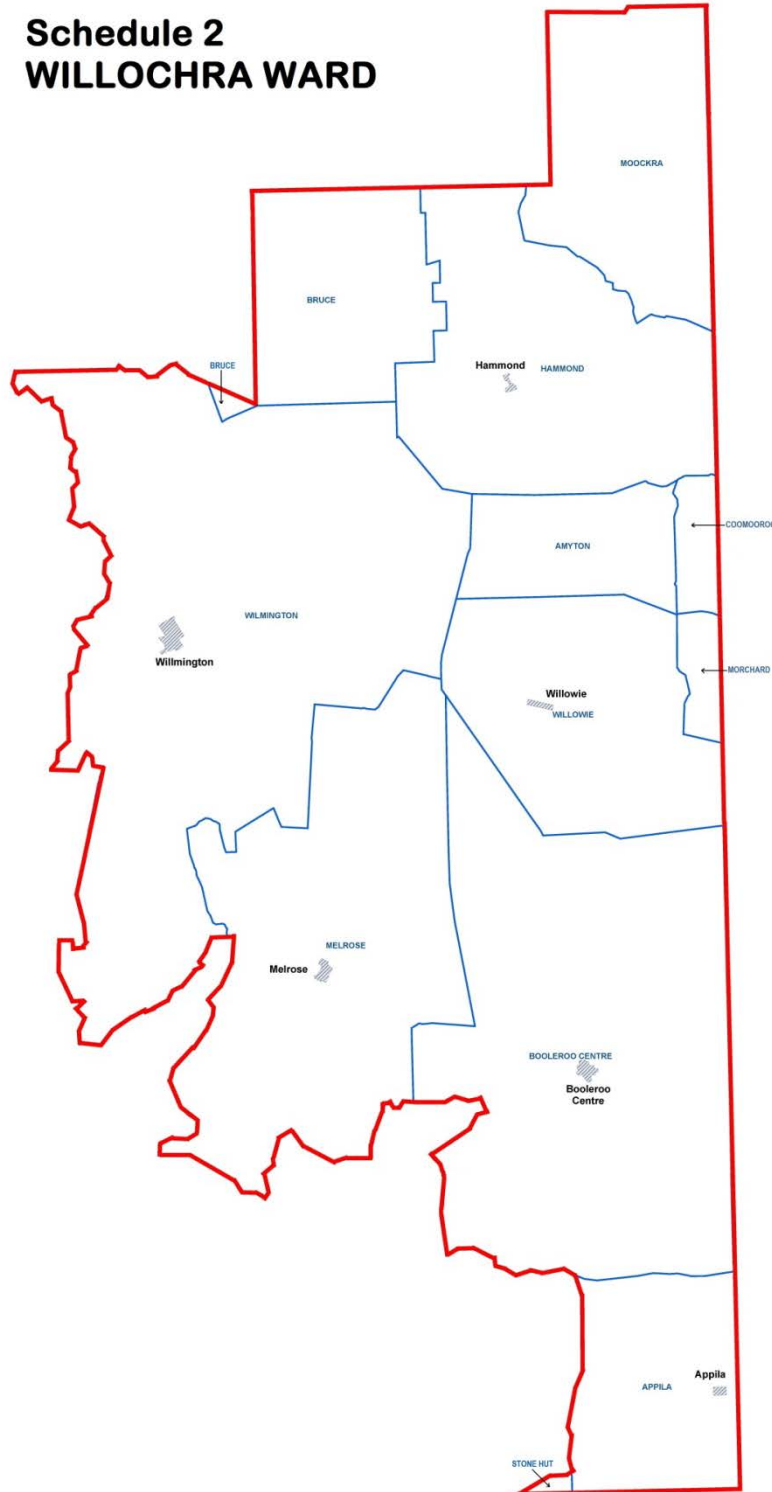




SCHEDULE 2  
Willochra Ward

Comprising all the land contained within the bounds of the area defined as the Council boundaries in the south, east and north; and along the western and southern boundaries of the locality of Wilmington, the western and southern boundaries of the locality of Melrose, the western and southern boundaries of the locality of Booleroo Centre, the western boundary of the locality of Appila, the northern boundary of the locality of Stone Hut to the southern council boundary.

**Schedule 2  
WILLOCHRA WARD**



## DISTRICT COUNCIL OF STREAKY BAY

*Review of Elector Representation*

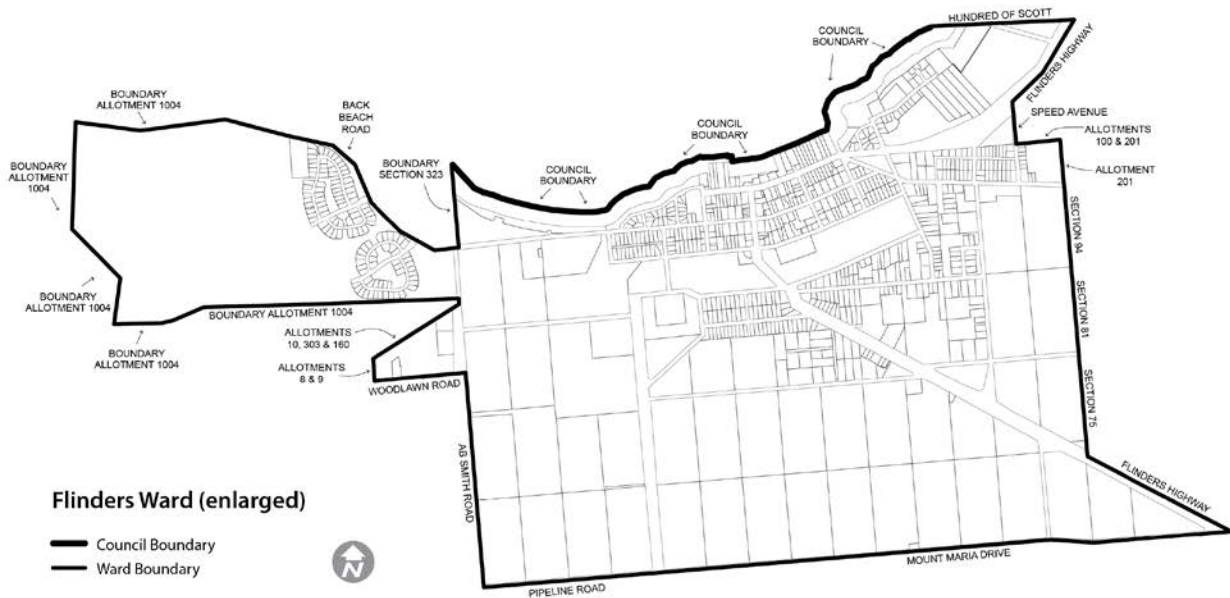
NOTICE is hereby given that the District Council of Streaky Bay has completed a review of its elector representation arrangements, including all aspects of the composition of the Council and the issue of the division, or potential division, of the area of the Council into wards, in accordance with the requirements of Section 12 (4) of the Local Government Act 1999 (the Act).

Pursuant to Section 12 (13) (a) of the Act, the Electoral Commissioner has certified that the review undertaken by Council satisfies the requirements of Section 12 of the Act. As such, the following structure will take effect as from polling day of the periodic Local Government election to be held in November 2014.

- The Council will continue to comprise eight ward councillors, with the principal member being a chairperson to be chosen by and from amongst the elected members.
- The council area will be divided into two wards, as defined in Schedules One and Two, with each ward being represented by four ward councillors.
- The wards will continue to be identified as Flinders and Eyre.

SCHEDULE 1  
Flinders Ward

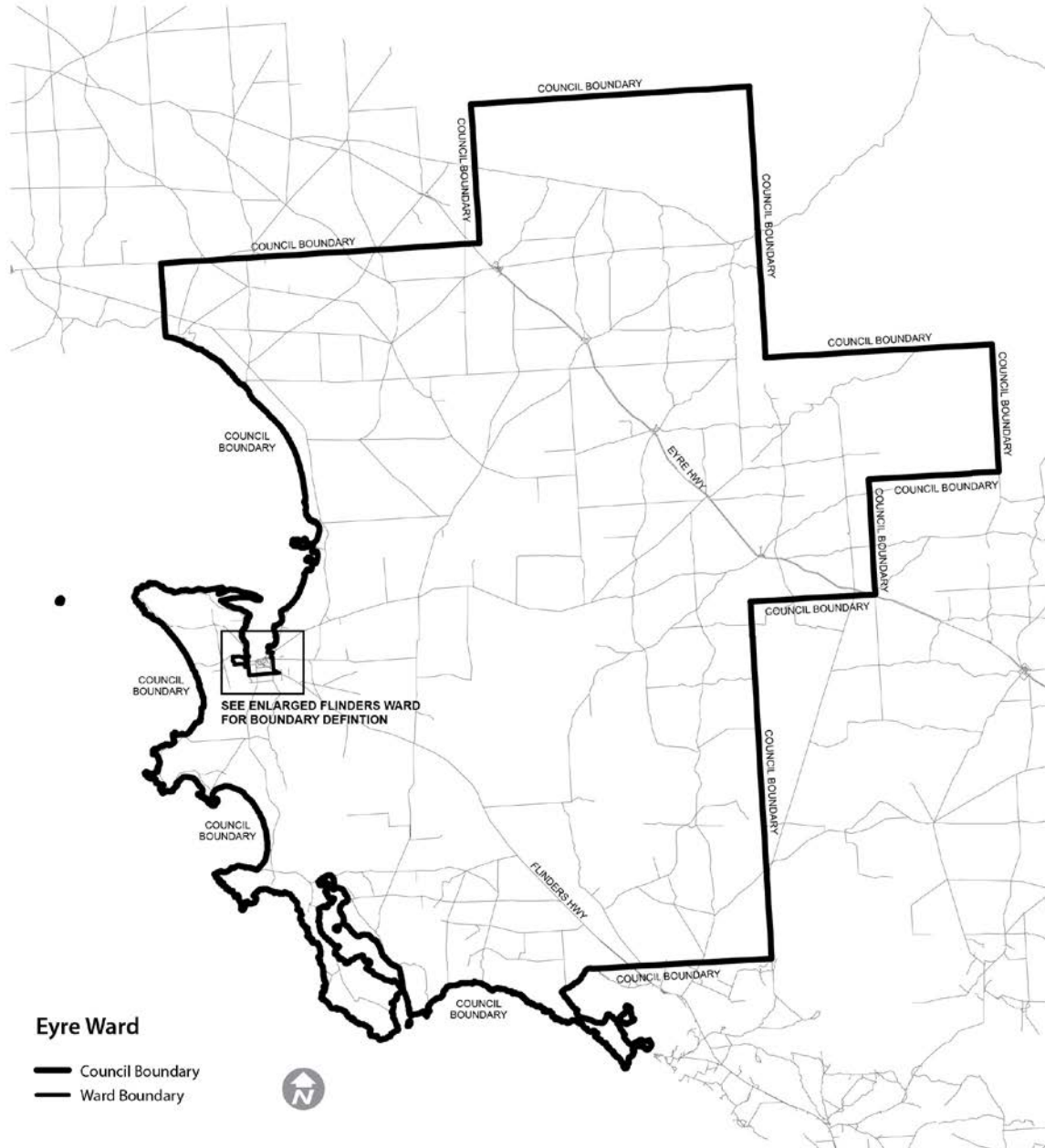
Comprising all the land contained within the bounds of the area commencing at the coast to the north-east of the township, then along the boundary of the Hundred of Scott; Flinders Highway; Speed Avenue; the northern boundary of allotment 100; the northern and eastern boundaries of allotment 201; the eastern boundaries of Sections 94, 81 and 75; the Flinders Highway; Mount Maria Drive; Pipeline Road; AB Smith Road; Woodlawn Road; the western boundaries of allotments 8 and 9; the northern boundaries of allotments 10, 303 and 160; the southern and western boundaries of allotment 1004; Back Beach Road; and the western boundary of Section 323 to the coast.



SCHEDULE 2

*Eyre Ward*

Comprising all the land contained within the Council boundaries excluding the land contained within the Flinders Ward (refer Schedule 1).



R. GREGOR, Chief Executive Officer

## DISTRICT COUNCIL OF YANKALILLA

*Resignation of Councillor*

NOTICE is hereby given in accordance with Section 54 (6) of the Local Government Act 1999, that a vacancy has occurred in the office of Councillor for Field Ward, due to the passing of Councillor James Francis Pile, to take effect from 4 December 2013.

A. SKULL, Chief Executive Officer

## DISTRICT COUNCIL OF YANKALILLA

*Close of Roll for Supplementary Election*

DUE to the passing of a member of the Council, a supplementary election will be necessary to fill the vacancy of Councillor for Field Ward.

The voters roll for this supplementary election will close at 5 p.m. on Tuesday, 31 December 2013.

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

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

Nominations to fill the vacancy will open on Thursday, 23 January 2014 and will be received until 12 noon on Thursday, 6 February 2014.

The election will be conducted entirely by post with the return of ballot material to reach the Deputy Returning Officer no later than 12 noon on Tuesday, 11 March 2014.

K. MOUSLEY, Returning Officer

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

*Cameron, Douglas Gordon*, late of 26 River Road, Noarlunga, of no occupation, who died on 11 May 2013.

*Candy, Brian Donald*, late of 59 Haslam Crescent, Elizabeth Vale, of no occupation, who died on 1 July 2013.

*Candy, David Gillingham*, late of 92 Hancock Road, St Agnes, draftsman, who died on 23 June 2013.

*Gerblich, Malcolm Barry*, late of 6 Ellis Street, Enfield, retired administrator, who died on 28 June 2013.

*Matson, Ellen Rose*, late of 56 High Street, Grange, of no occupation, who died on 5 October 2013.

*Mules, Lily Elizabeth*, late of 580 Brighton Road, South Brighton, of no occupation, who died on 24 September 2013.

*Nelson, Dorothy Mary*, late of 110 Strathfield Terrace, Largs North, of no occupation, who died on 11 October 2013.

*Owen, Phillip James*, late of 200 Fosters Road, Oakden, of no occupation, who died on 3 October 2013.

*Portlock, Raymond Anthony*, late of 6 Park Terrace, North Plympton, cleaner, who died on 13 May 2012.

*Rostom, Mohammed Salah*, late of 32 Bradford Court, Enfield, of no occupation, who died on 28 August 2013.

*Taylor, Ronald George*, late of 40 Wheatland Street, Seacliff, retired painter, who died on 10 August 2013.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972 and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Office of Public Trustee, G.P.O. Box 1338, Adelaide, S.A. 5001, full particulars and proof of such claims, on or before 10 January 2014, otherwise they will be excluded from the distribution of the said estates; and notice is also hereby given that all persons indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver same to the Public Trustee.

Dated 12 December 2013.

D. A. CONTALA, Public Trustee

# ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform **Government Publishing SA** of any subsequent corrections.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before** 4 p.m. on Wednesday.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

**Remember**—the onus is on you to inform us of any corrections necessary to your notice.

**NOTE: Closing time for lodging new copy (electronically, fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication.**

Phone: 8207 1045

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Email: [governmentgazette@dpc.sa.gov.au](mailto:governmentgazette@dpc.sa.gov.au)