



**THE SOUTH AUSTRALIAN
GOVERNMENT GAZETTE**

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PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 18 SEPTEMBER 2008

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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*. 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

Department of the Premier and Cabinet
Adelaide, 18 September 2008

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the WorkCover Corporation of South Australia Board of Management, pursuant to the provisions of the WorkCover Corporation Act 1994:

Member: (from 18 September 2008 until 17 September 2011)
Jane Yuile

By command,

PAUL CAICA, for Premier

MIR26/08CS

Colin William Poulish
Christine Ann Robertson
Michelle Mavis Rover
Margaret Mary Speechley
Jeffrey Lyall Stratfold
Elaine Margaret Taylor
Carole Anne Tye
Denis Graham White
Patricia Evelyn Williams
Catherine Diane Wilson

By command,

PAUL CAICA, for Premier

JPS08/023CS

Department of the Premier and Cabinet
Adelaide, 18 September 2008

HIS Excellency the Governor's Deputy in Executive Council has been pleased to designate Peter Robert Brebner as a Judge of the Environment, Resources and Development Court of South Australia from 18 September 2008, pursuant to section 8 (6) of the Environment, Resources and Development Court Act 1993.

By command,

PAUL CAICA, for Premier

AGO0071/03CS

Department of the Premier and Cabinet
Adelaide, 18 September 2008

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint Peter Robert Brebner as a Deputy Presiding Officer of the Equal Opportunity Tribunal for a term of three years commencing on 18 September 2008, pursuant to section 18 of the Equal Opportunity Act 1984.

By command,

PAUL CAICA, for Premier

AGO0071/03CS

Department of the Premier and Cabinet
Adelaide, 18 September 2008

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint Gavin Wanganeen to the position of Ambassador for Youth Opportunity for a term commencing on 13 October 2008 and expiring on 8 October 2010, pursuant to section 68 of the Constitution Act 1934.

By command,

PAUL CAICA, for Premier

AGO0071/08CS

Department of the Premier and Cabinet
Adelaide, 18 September 2008

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint Fadil Hatibovich and Kenneth Reginald Maynard as Special Justices of the Peace for South Australia for a term of five years commencing on 18 September 2008 and expiring on 17 September 2013, pursuant to section 7 (1) of the Justices of the Peace Act 2005.

By command,

PAUL CAICA, for Premier

JPS08/002CS

Department of the Premier and Cabinet
Adelaide, 18 September 2008

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 10 years commencing from 18 September 2008 and expiring on 17 September 2018, pursuant to section 4 of the Justices of the Peace Act 2005:

Carole Klüver
Amanda Dawn Litten
Brenton Stuart Parsons

ASSOCIATIONS INCORPORATION ACT 1985

Deregistration of Associations

NOTICE is hereby given that the Corporate Affairs Commission approves the applications for deregistration received from the associations named below pursuant to section 43A of the Associations Incorporation Act 1985. Deregistration takes effect on the date of publication of this notice:

Bella Street Residents Associations Incorporated
Enterprise Development Centre Incorporated
Greening Australia (South Australia) Incorporated
National Association for Prevention of Child Abuse and Neglect (South Australia) Incorporated
Peterborough and District Garden Club Incorporated
Society of Rehabilitation Counsellors (S.A.) Incorporated
Townsend Grounds Incorporated
The Flinders and Pastoral Rural Counselling and Information Service Incorporated
The Port Augusta Congregation of Jehovah's Witnesses Incorporated
The Probus Association of South Australia Incorporated
Vititec Association Incorporated

Given at Adelaide, 15 September 2008.

B. I. COLQUIST, a Delegate of the Corporate Affairs Commission

CONTROLLED SUBSTANCES ACT 1984

Prohibition of Administering Prescription Drugs

TAKE notice that on 10 September 2008, I, Keith Evans, Executive Director of Drug and Alcohol Services South Australia, having formed the opinion that Paul Anthony Waitt has supplied prescription drugs in an irresponsible manner, exercise the authority delegated by the Minister for Mental Health and Substance Abuse under section 62A of the Controlled Substances Act 1984, and make the following order under section 57 (1) (c) of the Act:

Paul Anthony Waitt

Date of birth, 23 June 1963,

is prohibited from supplying or administering any of the following substances or class of substances:

- a drug of dependence as declared by Regulation 7A of the Controlled Substances (Poisons) Regulations 1996, pursuant to section 12 (3) of the Controlled Substances Act 1984, namely any poison listed in Schedule 8 of the Standard for the Uniform Scheduling of Drugs and Poisons as published and amended by the National Drugs and Poisons Schedule Committee under the Commonwealth's Therapeutic Goods Act 1989,

when such substances or class of substances is supplied to any person who is dependent on a drug of dependence, including when such substances or class of substances is sought to be supplied to a person in connection with an Authority granted to a medical practitioner by the Minister for Mental Health and Substance Abuse under section 18A (1) (b) of the Controlled Substances Act 1984, that is, when the supply of a drug of dependence is sought for the purpose of maintaining or treating a person's drug dependence.

K. EVANS, Delegate for the Minister,
Mental Health and Substance Abuse

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, JAY WEATHERILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY resume the land defined in The Schedule.

The Schedule

Stone and Water Reserve No. 1, now identified as Section 417, Hundred of Menzies, the proclamation of which was published in the *Government Gazette* of 25 October 1888 at pages 1008 and 1009, being the whole of the land comprised in Crown Record Volume 5757, Folio 373.

Dated 18 September 2008.

JAY WEATHERILL, Minister for Environment and Conservation

DEH 12/0914

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, JAY WEATHERILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY dedicate the Crown Land defined in The Schedule as Public Road.

The Schedule

Section 1374, Hundred of Brinkley, County of Sturt, being the whole of the land comprised in Crown Record Volume 5761, Folio 265, being within the Rural City of Murray Bridge district.

Dated 18 September 2008.

JAY WEATHERILL, Minister for Environment and Conservation

DEH 11/3996

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, JAY WEATHERILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY resume the land defined in The Schedule.

The Schedule

Reserve for Water Supply Purposes, Allotment 12 in Deposited Plan 52080, Hundred of Mobilong, County of Sturt, the notice of which was published in the *Government Gazette* of 13 May 2004 at page 1241, The First Schedule, being the whole of the land comprised in Crown Record Volume 5888, Folio 642.

Dated 18 September 2008.

JAY WEATHERILL, Minister for Environment and Conservation

DEH 11/3999

DEVELOPMENT ACT 1993: SECTION 48

DECISION BY THE GOVERNOR'S DEPUTY

Preamble

1. On 1 May 2007, the Minister for Urban Development and Planning gave notice in the *Government Gazette* that he was of the opinion that it was appropriate for the proper assessment of development of major environmental, social or economic importance that section 46 of the Development Act 1993 applied to any development of a kind listed in Schedule 1 of that notice in the parts of the State listed in Schedule 2 of that notice. The Minister made a declaration under that section accordingly.

2. A development application dated 25 July 2007, was lodged by QED Pty Ltd on behalf of the owner for a shopping centre and residential apartment complex of six storeys (that is ground level plus five levels), to be located at 88 O'Connell Street, North Adelaide.

3. In accordance with the declaration referred to in paragraph 1 of this Preamble, the application has been under consideration under Division 2 of Part 4 of the Development Act 1993. The proposal has been the subject of a Development Report and an Assessment Report under sections 46 and 46D of the Development Act 1993, and is hereafter referred to as the 'proposed Major Development'.

4. I am satisfied that an appropriate Development Report and an Assessment Report have been prepared in relation to the proposed Major Development, in accordance with sections 46 and 46D, Division 2 of Part 4 of the Development Act 1993, and have had regard, when considering the proposed Major Development, to all relevant matters under section 48 (5) of the Development Act 1993.

5. I have decided to grant provisional development authorisation to the proposed Major Development under section 48 (6) of the Development Act, whilst reserving the decision on specified matters until further assessment of the proposed development.

6. Contemporaneously with the issuing of this Notice, I intend, pursuant to section 48 (8) of the Development Act 1993 to delegate to the Minister (a) the power to assess the reserve matters and to issue a final development authorisation for the purposes of section 48 (2) (b) (i) of the Act; (b) the power to grant or permit any variation associated with that provisional development authorisation (provided that the essential nature of the development is not changed); and (c) in relation to that provisional development authorisation, or any variation—the power to vary or revoke conditions, or to attach new conditions, under section 48 (7) of the Development Act 1993 (provided that the essential nature of the development is not changed).

Decision

PURSUANT to section 48 of the Development Act 1993 and with the advice and consent of the Executive Council, and having due regard to the matters set out in section 48 (5) and all other relevant matters, I:

- (a) grant a provisional development authorisation in relation to the proposed Major Development under section 48 (6) subject to the conditions set out in Part B below;
- (b) pursuant to section 48 (6) reserve my decision on the reserved matters specified in Part A below;
- (c) specify all matters relating to this provisional development authorisation as matters in respect of which conditions of this authorisation may be varied or revoked, or new conditions attached;
- (d) specify for the purposes of section 48 (11) (b) the period of two years from the date of this provisional development authorisation as the time within which substantial work must be commenced on site, failing which I may cancel this authorisation.

Part A: Reserved Matters

The following are the matters reserved for further assessment:

- (a) Compliance with the Building Rules in relation to all aspects of the proposed Major Development.
- (b) A Building Sustainability Plan that includes details of the objectives and measures to be implemented to achieve energy and water efficiencies, the use of recycled materials, minimisation of emissions, and waste minimisation/recycling for the proposed development. This would need to be shown on the plans and elevations where applicable. The Plan must include targets and measures.
- (c) Any external advertising signage.
- (d) A detailed landscaping schedule/plan for the site.
- (e) Acoustic treatment details that meet noise criteria as set out in:
 - AS 1276-1979: Methods for determination of sound transmission class and noise isolation class of building partitions;

- AS ISO 140.8-2006: Acoustics—Measurement of sound insulation in buildings and of building elements, laboratory measurements of the reduction of transmitted impact noise by floor coverings on a heavy-weight standard floor; and
- AS/NZS 1269.2:1998: Occupational noise management—Noise control management.

(f) A Construction Environmental Management and Monitoring Plan covering the preconstruction and construction phases to address management issues during construction.

Part B: Conditions of Provisional Development Authorisation

1. The development authorisation granted hereunder is provisional only, does not operate as a final development authorisation, and does not therefore authorise implementation of the proposed Major Development. Only an authorisation granted under section 48 (2) (b) (i) can operate to authorise implementation of the proposed Major Development, which authorisation will only be granted after the reserved matters have been assessed and approved.

2. Except where minor amendments may be required by other legislation, or by conditions imposed herein, the proposed Major Development shall be undertaken in strict accordance with the following documents:

- Development application from QED Pty Ltd dated 25 July 2007 (except to the extent that it may be varied by a subsequent document in this paragraph);
- Development Report, 88 O'Connell Street, prepared by QED Pty Ltd (for the Makris Group), released on 23 January 2008 (except to the extent that it may be varied by a subsequent document in this paragraph);
- Response to Submissions, 88 O'Connell Street, prepared by QED Pty Ltd (for the Makris Group), dated 27 June 2008 (except to the extent that it may be varied by a subsequent document in this paragraph);
- Sustainability measures in accordance with the letter dated 6 August 2008; and Drawing Nos:

DA-1000 Site/Context Plan Revision B 20 Dec 07;
 DA-1300 Basement 2 Plan Revision D 20 Dec 07;
 DA-1301 Basement 1 Plan Revision E 20 Dec 07;
 DA-1302 Ground Floor Plan Revision F 20 Dec 07;
 DA-1303 Level 1 Plan Revision E 20 Dec 07;
 DA-1304 Level 2 Plan Revision D 18 Dec 07;
 DA-1305 Level 3 Plan Revision D 20 Dec 07;
 DA-1306 Level 4 Plan Revision D 20 Dec 07;
 DA-1307 Level 5 Plan Revision D 18 Dec 07;
 DA-1308 Roof Plan Revision C 18 Dec 08;
 DA-2001 Elevations Revision D 18 Jan 08;
 DA-2100 Sections Revision B 18 Jan 08;
 DA-2101 Site Sections Revision B 20 Dec 07;
 DA-2102 Elevation Section A/S 18 Jan 08;
 DA-3000 Perspectives Revision B 20 Dec 07;
 DA-3001 Site Perspectives Revision C 20 Dec 07;
 DA-3002 Materials and Finishes Revision C 18 Dec 07;
 DA-4000 Solar Diagrams—Winter Revision B 20 Dec 07;
 DA-4001 Solar Diagrams—Summer A 20 Dec 07.

- Assessment Report prepared by the Minister for Urban Development and Planning dated August 2008.

3. The layout of the car parking areas (including basement car parking), and service bays shall meet the Australian/New Zealand Standard 2890.1:2004, Parking Facilities—Off-street car parking and line markings and Australian Standard 2890.2-2002 Parking Facilities—Off-street commercial vehicle facilities (including service areas).

4. Access and egress from the car parking areas shall be designed in accordance with the Australian/New Zealand Standard 2890.1:2004, Parking Facilities, Part 1—Off-street car parking.

5. All car parking areas, driveways and vehicle manoeuvring areas shall be properly maintained at all times.

6. Any traffic control devices shall be designed and constructed in accordance with the main standard of the Manual of Uniform Traffic Control Devices—AS 1742.

7. A pedestrian refuge with a minimum width of 1.5 metres shall be provided at the entrance way on Tynte Street.

8. Lighting shall be provided within the basement car parking area and the piazza area in accordance with the public lighting code as appearing in AS 1680.2.1-1993, AS/NZS 1158:2007 and AS/NZS 1680.

9. Fifty bicycle parking spaces/racks shall be provided within the basement car park or at ground level for use by visitors to the complex.

10. That hours of operation of the premises shall be restricted to the following times:

Sunday: 8 a.m. to midnight;

Sunday (preceding a Public Holiday): 8 a.m. to 2 a.m. the following day;

Monday to Thursday: 7 a.m. to midnight;

Friday to Saturday: 7 a.m. to 2 a.m. the following day;

Christmas Day: 7 a.m. to 2 a.m. the following day;

Good Friday: 8 a.m. to 2 a.m. the following day.

11. Waste disposal vehicles and general delivery vehicles shall only service the development between the hours of 7 a.m. and 7 p.m., Monday to Saturday inclusive, and shall only load or unload within the confines of the subject land.

12. All materials and goods shall be loaded and unloaded within the boundaries of the subject land.

13. All stormwater design and construction shall be in accordance with Australian/New Zealand Standards, AS/NZS 3500-2003 and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property.

14. Normal operating hours for construction activities and truck movements to and from the site shall be from 7 a.m. to 7 p.m., Monday to Saturday inclusive. If it is considered necessary for construction works to also be undertaken on Sundays, construction hours shall be from 9 a.m. to 6 p.m. on Sundays (refer 'Notes to Proponent', Note 2 relating to EPA noise emission policies).

15. Any collected groundwater or stormwater shall only be discharged to the stormwater system if it meets quality control criteria specified in Environment Protection Authority requirements to avoid sedimentation of local pipes and pollution of the Torrens Lake (refer 'Notes to the Proponent', Note 5 for relevant requirements).

16. All drainage, finished floor levels, construction of the basement car park, landscaping and public works associated with the development, including the disposal of stormwater and earthworks, are to be carried out in accordance with approved plans and specifications.

17. All landscaping approved as part of the application shall be established prior to the occupation of the premises.

18. The waste and general storage and service/operational areas of the apartment complex building and basement car parking area shall be kept in a neat, tidy, safe and healthy condition at all times and the service area access door shall remain closed at all times other than when loading or unloading is taking place.

19. Any machinery, plant operating equipment, lighting, building façade designs, or sound devices associated with the proposed development shall not impair or impinge upon the enjoyment or safety of residents of the apartment complex, adjoining properties (or occupiers thereof), or the local traffic and pedestrian environment and shall comply with noise emission policies from the EPA (Environment Protection (Noise) Policy 2007, Environment Protection (Industrial Noise) Policy 1994, and Environment Protection (Machine Noise) Policy 1994 under the Environment Protection Act 1993).

Part C: Notes to Proponent

1. In respect of the reserved matters, the following is advised to the proponent:

(a) *Building Rules*

The proponent must obtain a Building Rules assessment and certification from either the Adelaide City Council or a private certifier (at the proponent's option) and forward to the Minister all relevant certification documents as outlined in Regulation 64 of the Development Regulations 1993.

Pursuant to Development Regulation 64, the proponent is especially advised that the Adelaide City Council or private certifier conducting a Building Rules assessment must:

- provide to the Minister for Urban Development and Planning a certification in the form set out in Schedule 12A of the Development Regulations 1993, in relation to the building works in question; and
- to the extent that may be relevant and appropriate:
 - (i) issue a Schedule of Essential Safety Provisions under Division 4 of Part 12; and
 - (ii) assign a classification of the building under these regulations; and
 - (iii) ensure that the appropriate levy has been paid under the Construction Industry Training Fund 1993.

Regulation 64 of the Development Regulations 1993, provides further information about the type and quantity of all Building Rules certification documentation for Major Developments required for referral to the Minister for Urban Development and Planning. The Adelaide City Council or private certifier undertaking Building Rules assessments must ensure that the assessment and certification are consistent with the provisional development authorisation (including its Conditions and Notes).

(b) *Building Sustainability Plan*

In relation to reserved matter (b), the Building Sustainability Plan should address energy consumption and green house emissions below the current levels to satisfy environmental performance. The approach to the design of this proposal should exceed the requirements of Part J of the Building Code on Energy Efficiency and as discussed in the Development Report provide an additional 20% energy efficiency to achieve a 5 star rating and should aim to provide a 5 Star Green Star GBCA Rating for the commercial component.

(c) *A Construction, Environmental Management and Monitoring Plan covering preconstruction and construction phases*

A Construction Environmental Management and Monitoring Plan (CEMMP) covering both pre-construction and construction phases shall be prepared in consultation with the Environment Protection Authority, before its submission to the Minister for approval. The CEMMP shall include the following:

- reference to, and methods of adherence to, all relevant Environment Protection Authority (EPA) policies and codes of practice for construction sites, including the inclusion of a copy of Schedule 1 of the Environment Protection Act 1993 as an Appendix to the Construction Environmental Management and Monitoring Plan to ensure contractors are aware of EPA requirements, in accordance with commitments made in the applicant's Response to Submissions, dated 27 June 2008;
- timing, staging and methodology of the construction process and working hours (refer also to condition outlining working hours);
- a risk assessment relating to the potential impacts of construction activities;
- traffic management strategies during construction of both the basement car park and the shopping centre and apartment complex, including transport beyond the development site;
- management of infrastructure services during construction and re-establishment of local amenity and landscaping;
- control and management of construction noise, vibration, dust and mud;
- engineering and structural issues associated with construction of the underground car park and overhead landscaping in the redevelopment of the roadway on the northern side (being Tynte Street) and the southern side (being Archer Street);

- stormwater and groundwater management during construction;
- identification and management of contaminated soils and groundwater, should these be encountered;
- site security, fencing and safety and management of impacts on local amenity for residents, traffic and pedestrians;
- disposal of construction waste, any hazardous waste and refuse in an appropriate manner according to the nature of the waste;
- protection and cleaning of roads and pathways;
- overall site clean up.

The CEMMP should be prepared taking into consideration, and with explicit reference to, relevant Environment Protection Authority policies and guideline documents, including the Environment Protection (Noise) Policy 2007.

2. The proponent is advised that noise emissions from the shopping centre and residential apartment complex will be subject to the Environment Protection (Noise) Policy 2007 and the Environment Protection Act 1993.

3. If the development is not substantially commenced within two years of the date of the decision on the last of the reserved matters, the Governor may cancel this development authorisation.

4. This provisional authorisation does not include the function centre land use.

5. The proponent is advised of the General Environmental Duty under section 25 of the Environment Protection Act 1993, which provides that a person must not undertake any activity, which pollutes, or may pollute; without taking all reasonable and practical measures to prevent or minimise harm to the environment.

6. The proponent is advised of the requirement to comply with the Environment Protection Authority's (EPA) 'Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry' during demolition and construction of the development.

7. The proponent is advised that the Development Act 1993, outlines the roles and responsibilities of the applicant and the Adelaide City Council for matters relating to building works during and after construction of the shopping centre and apartment complex development and associated works.

8. The provisions of the Food Act 2001, and associated food regulations apply.

9. The Minister has a specific power to require testing, monitoring and auditing under section 48C of the Development Act 1993.

10. In addition to the Building Code of Australia, the proponent must comply with the Commonwealth Disability Discrimination Act 1992, in planning access for the disabled.

11. The main standard for traffic control devices is the Manual of Uniform Traffic Control Devices—AS 1742. There are many standards under AS 1742 covering the various traffic control devices that may need to be referred to. They are as follows:

- AS 1742 Manual of uniform traffic control devices;
- General introduction and index of signs—Australian Road Rules supplement;
- Supp.1(Int);
- 1742.2 Part 2: Traffic control devices for general use;
- 1742.3 Part 3: Traffic control devices for works on roads;
- 1742.4 Part 4: Speed controls;
- 1742.9 Part 9: Bicycle facilities;
- 1742.10 Part 10: Pedestrian control and protection;
- 1742.11 Part 11: Parking controls;
- 1742.13 Part 13: Local area traffic management.

Given under my hand at Adelaide, 18 September 2008.

HIEU VAN LE, Governor's Deputy

DEVELOPMENT ACT 1993: SECTION 48

NOTICE BY THE GOVERNOR'S DEPUTY

Preamble

1. I have given a provisional development authorisation pursuant to section 48 of the Development Act 1993, for the development of a shopping centre and residential apartment complex at 88 O'Connell Street, North Adelaide by the Makris Group, which authorisation is published in the *Gazette* of 18 September 2008.

2. I wish to delegate certain of my powers under section 48 to the Minister for Urban Development and Planning.

Delegation

PURSUANT to section 48 (8) of the Development Act 1993 and with the advice and consent of the Executive Council I make the following delegations:

1. I delegate to the Minister for Urban Development and Planning:

- (a) my power to assess and approve the reserved matters specified in the said provisional development authorisation (provided the essential nature of the development is not changed);
- (b) my power under section 48 (7a) to grant or permit any variation associated with the said provisional development authorisation (provided the essential nature of the development is not changed);
- (c) in relation to the said provisional development authorisation, or any variation thereof—my power to vary or revoke conditions, or to attach new conditions, under section 48 (7) (provided the essential nature of the development is not changed); and
- (d) if all reserved matters specified in the said provisional development authorisation have been approved, my power to grant the development authorisation required under section 48 (2) (b) (i) (provided there has been no alteration to the Development Report to which section 47 (2) (b) has applied);
- (e) my power under section 48 (2) (a) to indicate that a development authorisation will not be granted, should there be any amendment to the Development Report to which section 47 (2) (b) has applied; and
- (f) my power to grant the development authorisation required under section 48 (2) (b) (i) if there has been any amendment to the Development Report to which section 47 (2) (b) has applied.

Given under my hand at Adelaide, 18 September 2008.

HIEU VAN LE, Governor's Deputy

DEVELOPMENT ACT 1993, SECTION 25 (17): CITY OF MITCHAM—CRAIGBURN FARM DEVELOPMENT PLAN AMENDMENT

Preamble

1. The Development Plan amendment entitled 'City of Mitcham—Craigburn Farm Development Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

2. The Minister for Urban Development and Planning has decided to approve the Plan Amendment.

NOTICE

PURSUANT to section 25 of the Development Act 1993, I—

- (a) approve the Plan Amendment; and
- (b) fix the day on which this notice is published in the *Gazette* as the day on which the Plan Amendment will come into operation.

Dated 18 September 2008.

PAUL HOLLOWAY, Minister for Urban Development and Planning

DEVELOPMENT ACT 1993, SECTION 25 (17): KINGSTON DISTRICT COUNCIL—BETTER DEVELOPMENT PLAN (BDP) AND GENERAL DEVELOPMENT PLAN AMENDMENT

Preamble

1. The Development Plan amendment entitled 'Kingston District Council—Better Development Plan (BDP) and General Development Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

2. The Minister for Urban Development and Planning has decided to approve the Plan Amendment.

NOTICE

PURSUANT to section 25 of the Development Act 1993, I—

- (a) approve the Plan Amendment; and
- (b) fix the day on which this notice is published in the *Gazette* as the day on which the Plan Amendment will come into operation.

Dated 18 September 2008.

PAUL HOLLOWAY, Minister for Urban Development and Planning

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 33 Warwick Street, Walkerville, S.A. 5081, acquires the following interests in the following land:

Definition of Land Acquired

Comprising an unencumbered estate in fee simple in that piece of land situated at Lot 1, Womma Road, Penfield, being the whole of Allotment 1 in Filed Plan 147773 and being the whole of the land comprised in certificate of title volume 5269, folio 659.

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:

Jim Tuppin,
P.O. Box 1,
Walkerville, S.A. 5081
Telephone: (08) 8343 2760

Dated 12 September 2008.

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

A. HARTLEY, Acting Manager, Property Planning and Management Services, Department for Transport, Energy and Infrastructure

DTEI 2007/11937/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 33 Warwick Street, Walkerville, S.A. 5081, acquires the following interests in the following land:

Definition of Land Acquired

Comprising an unencumbered estate in fee simple in that piece of land situated at Lot 30, Huxtable Road, Virginia, being portion of Allotment 30 in Filed Plan 114844 comprised in certificate of title volume 5409, folio 952 and being the whole of the land numbered 79 in an unapproved plan numbered DP 77601 that has been lodged in the Lands Titles Office.

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:

Jim Tuppin,
P.O. Box 1,
Walkerville, S.A. 5081
Telephone: (08) 8343 2760

Dated 12 September 2008.

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

A. HARTLEY, Acting Manager, Property Planning and Management Services, Department for Transport, Energy and Infrastructure

DTEI 2008/02480/01

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Stephen Leslie King and Tracey Leanne King have applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at Jamestown Road, Hallett, S.A. 5419 and known as Wildongolee Hotel.

The applications have been set down for hearing on 13 October 2008 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 6 October 2008).

The applicants' address for service is c/o Foreman Legal, 69 Mount Barker Road, Stirling, S.A. 5152.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 9 September 2008.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Cork Australia Pty Ltd and Wincorp Enterprises Pty Ltd as trustee for the Wesley Gilson Family Trust and the G. A. Winchester Family Trust have applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 61A Gouger Street, Adelaide, S.A. 5000 and to be known as Cork Wine Bar.

The application has been set down for callover on 10 October 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- The sale and consumption of liquor on the licensed premises between 7 a.m. and 4 p.m. on any day (except Good Friday and Christmas Day) with or ancillary to a meal provided by the licensee to persons:
 - (a) seated at a table; or
 - (b) attending a function at which food is provided.
- The sale and consumption of liquor on the licensed premises between 4 p.m. and midnight, Monday to Friday and between 4 p.m. and 2 a.m. the following day; Saturday and Sunday (except Good Friday and Christmas Day) to persons:
 - (a) seated at a table; or
 - (b) attending a function at which food is provided.
- There shall be no tap beer.
- Food shall be made available to patrons at all times.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the callover date (viz: 3 October 2008).

The applicants' address for service is c/o Cork Australia Pty Ltd and Wincorp Enterprises Pty Ltd, 11 County Street, Hillcrest, S.A. 5086.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 10 September 2008.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Roxanne La Vista Pty Ltd as trustee for La Vista Trust has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 220 Greenhill Road, Eastwood, S.A. 5063, known as The Track and to be known as La Vista Restaurant.

The application has been set down for hearing on 15 October 2008 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 8 October 2008).

The applicant's address for service is c/o Finlaysons Lawyers, 81 Flinders Street, Adelaide, S.A. 5000.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 10 September 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Cafe Bacino Pty Ltd as trustee for Claudia Votino Family Trust and Tania Fontanabella Pty Ltd as trustee for Tania Fontanabella Family Trust have applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 12 Waymouth Street, Adelaide, S.A. 5000 and known as Manna Caffe.

The application has been set down for hearing on 16 October 2008 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 9 October 2008).

The applicants' address for service is c/o Cafe Bacino Pty Ltd and Tania Fontanabella Pty Ltd, 48 Reservoir Road, Paradise, S.A. 5075.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 10 September 2008.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Long Lunch Wines Pty Ltd has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 10 William Gilbert Avenue, Cockatoo Valley, S.A. 5351 and to be known as Long Lunch Wines.

The application has been set down for callover on 17 October 2008 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 10 October 2008).

The applicant's address for service is c/o Long Lunch Wines Pty Ltd, P.O. Box 787, Williamstown, S.A. 5351.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 11 September 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Our World Winemaking Australia Pty Ltd has applied to the Licensing Authority for the removal of a Producer's Licence in respect of premises situated at 492 Kangarilla Road, McLaren Flat, S.A. 5171 and to be situated at 5 Nashwauk Crescent, Moana, S.A. 5169 and known as Our World Winemaking Australia.

The application has been set down for callover on 17 October 2008 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 10 October 2008).

The applicant's address for service is c/o Markus Domas, P.O. Box 1988, McLaren Flat, S.A. 5171.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 11 September 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that P. & J. Hurley Pty Ltd has applied to the Licensing Authority for Alterations, Redefinition and variation to an Extended Trading Authorisation in respect of premises situated at 180 Henley Beach Road, Torrensville, S.A. 5031 and known as Hotel Royal.

The application has been set down for callover on 17 October 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- Alterations and Redefinition to licence and area adjacent to the front bar of the premises.
- Approval is also sought to vary the conditions of the Extended Trading Authorisation to permit trading in the adjacent area on the days and during the times, currently authorised for the internal areas of the premises.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 10 October 2008).

The applicant's address for service is c/o Australian Hotels Association (S.A. Branch), 4th Floor, 60 Hindmarsh Square, Adelaide, S.A. 5000.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 11 September 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Deep Blue Cafe Pty Ltd has applied to the Licensing Authority for a Redefinition, variation to an Extended Trading Authorisation and Entertainment Consent in respect of premises situated at 324 Esplanade, Moana, S.A. 5169 and known as Deep Blue Cafe.

The application has been set down for callover on 17 October 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- Redefinition to include an Outdoor Area as per plans lodged with this office.
- Variation to Extended Trading Authorisation to include the abovementioned area.
- Entertainment Consent is sought for the premises and the abovementioned Outdoor Area for the following hours:

Monday to Thursday: 12 noon to 11 p.m.;

Friday and Saturday: 12 noon to 12 midnight;

Sunday: 12 noon to 11 p.m.;

Good Friday: 12 noon to 11 p.m.;

Christmas Day: 12 noon to 12 midnight;

New Year's Eve: 12 noon to 1 a.m. the following day;

Days preceding Public Holidays: 12 noon to 12 midnight;

Sundays preceding Public Holidays: 12 noon to 11 p.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 10 October 2008).

The applicant's address for service is c/o Deep Blue Cafe Pty Ltd, 324 Esplanade, Moana, S.A. 5169.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 11 September 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Molact Pty Ltd has applied to the Licensing Authority for Alterations, Redefinition and variation to an Extended Trading Authorisation in respect of premises situated at 57-61 Main Road, Kapunda, S.A. 5373 and known as Sir John Franklin Hotel.

The application has been set down for callover on 17 October 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- Alterations and Redefinition to create a new Outdoor Smoking Area and Beer Garden as per plans lodged with this office.
- Variation to an Extended Trading Authorisation to include the new Outdoor Smoking Area.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 10 October 2008).

The applicant's address for service is c/o Piper Alderman, 167 Flinders Street, Adelaide, S.A. 5000 (Attention: Geoff Forbes or Jonathan Dodd).

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 11 September 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Web Cellars Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at Suite 537, Level 5, 121 King William Street, Adelaide, S.A. 5000 and to be known as Web Cellars Pty Ltd.

The application has been set down for callover on 17 October 2008 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 10 October 2008).

The applicant's address for service is c/o Web Cellars Pty Ltd, 3/476 Logan Road, Stones Corner, Qld 4120.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 12 September 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that R.S.L. Mount Gambier Sub Branch Inc. has applied to the Licensing Authority for Alterations, Redefinition, variation to an Extended Trading Authorisation and variation to Entertainment Consent in respect of premises situated at 1/16 Sturt Street, Mount Gambier, S.A. 5290 and known as R.S.L. Mount Gambier Sub Branch.

The application has been set down for callover on 17 October 2008 at 9 a.m.

Conditions

The following licence conditions are sought:

- Alterations and Redefinition to create a new Bistro Lounge Area, Gaming Area and Outdoor Area as per plans lodged with this office.
- Variation to an Extended Trading Authorisation to include the abovementioned areas.
- Variation to Entertainment Consent to include the new Bistro and Lounge Area.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 10 October 2008).

The applicant's address for service is c/o Jock Chambers, P.O. Box 80, Mount Gambier, S.A. 5290.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 15 September 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Golden Fresh Pty Ltd as trustee for Golden Fresh Unit Trust has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at Shop T116, Harbor Town, Tapleys Hill Road, West Beach, S.A. 5024 and to be known as Carousel Fresh Food Market Cafe.

The application has been set down for callover on 17 October 2008 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 10 October 2008).

The applicant's address for service is c/o Robert A. Berton, LL.B., P.O. Box 7241, West Lakes, S.A. 5021.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 15 September 2008.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Woks Happ'ning (Unley) Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 48 Unley Road, Unley, S.A. 5061, known as Red Bistro—Thai and Vietnamese Cuisine and to be known as Woks Happ'ning.

The application has been set down for hearing on 21 October 2008 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 14 October 2008).

The applicant's address for service is c/o Woks Happ'ning (Unley) Pty Ltd, 27 Chesser Street, Adelaide, S.A. 5000.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 15 September 2008.

Applicant

MINING ACT 1971

NOTICE is hereby given in accordance with section 35A (1) of the Mining Act 1971, that an application for a mining lease over the undermentioned mineral claim has been received. Details of the proposal may be inspected at the Department of Primary Industries and Resources, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000:

Applicant: Harvey Frederick Betts

Claim Number: 4019

Location: Section 322, Hundred of Seymour—Approximately 4 km south of Tailm Bend.

Area: 39.2 hectares

Purpose: For the recovery of limestone

Reference: T02721

A copy of the proposal has been provided to the Coorong District Council.

Written submissions in relation to the granting of the mining lease are invited to be received at the Department of Primary Industries and Resources, Mineral Resources Group, Level 7, 101 Grenfell Street, Adelaide, S.A. 5000 or G.P.O. Box 1671, Adelaide, S.A. 5001 no later than 2 October 2008.

Copies of all submissions will be forwarded to the applicant and may be made available for public inspection unless confidentiality is requested.

H. THOMAS, 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 Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Maximus Resources Limited

Location: Mount Monster area—Approximately 35 km south-south-east of Adelaide.

Term: 1 year

Area in km²: 504

Ref.: 2006/00251

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. THOMAS, 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 Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Maximus Resources Limited

Location: Williamstown area—Approximately 30 km north-east of Adelaide.

Term: 1 year

Area in km²: 31

Ref.: 2006/00252

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. THOMAS, 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 Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Maximus Resources Limited

Location: Tepko area—Approximately 50 km east of Adelaide.

Term: 1 year

Area in km²: 160

Ref.: 2007/00106

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

H. THOMAS, Mining Registrar

NATIONAL ELECTRICITY LAW

THE Australian Energy Market Commission (AEMC) gives notice under the National Electricity Law of the following matter.

Under section 107, the period of time for the making of the final determination on the draft *National Electricity Amendment (Performance Standard Compliance of Generators) Rule 2008* has been extended to **23 October 2008**.

Submissions on the issue set out on the AEMC's website on this Rule must be received by **3 October 2008** and can be forwarded to submissions@aemc.gov.au.

Submissions should be submitted in accordance with the *AEMC's Guidelines for making written submissions on Rule change proposals*. The AEMC publishes all submissions on its website subject to a claim of confidentiality.

Further details on the above matter are available on the AEMC's website www.aemc.gov.au. All documents in relation to the above matter are published on the AEMC's website and are available for inspection at the offices of the AEMC.

John Tamblyn

Chairman

Australian Energy Market Commission

Level 5, 201 Elizabeth Street

Sydney, N.S.W. 2000

Telephone: (02) 8296 7800

Facsimile: (02) 8296 7899

18 September 2008.

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Variation to the Notice of Restriction on the Taking of Water from the River Murray Prescribed Watercourse

PURSUANT to section 132 (9) of the Natural Resources Management Act 2004 ('the Act') and pursuant to the delegation of power in section 132 of the Act made to me by the Minister for Environment and Conservation (under section 9 (1) of the Administrative Arrangements Act 1994 and by the notice published in the *Government Gazette* of 15 September 2005, page 3307), I, Karlene Maywald, Minister for the River Murray do hereby vary the Notice of Restriction on the Taking of Water from the River Murray Prescribed Watercourse published in the *Government Gazette* of 19 June 2008, pages 2360 and 2361 ('the Notice') and varied in the *Government Gazette* of 21 August 2008, pages 3730 and 3731, as follows:

1. Clause 1 (a) of Schedule 2 of the Notice is replaced with the following:

- (a) If a person holds a water licence endorsed with a water (taking) allocation to take water from the River Murray Prescribed Watercourse for purposes other than domestic, stock, intensive farming, industrial or industrial-dairy purposes, as defined in the Act and the Water Allocation Plan for the River Murray Prescribed Watercourse adopted on 1 July 2002 (as amended on 12 January 2004), that person is entitled to take a quantity of water equivalent to **11%** of the water (taking) allocation endorsed on the water licence, subject to the provisions of paragraphs 2-9 inclusive of this Schedule.
2. Clause 1 (d) of Schedule 2 of the Notice is replaced with the following:
- (d) If, during the period of this Notice, a person receives approval under the Act to permanently convert a water (holding) allocation to a water (taking) allocation, that person is entitled to take a quantity of water equivalent to **11%** of the resultant water (taking) allocation.
3. Clause 1 (e) of Schedule 2 of the Notice is replaced with the following:
- (e) If, during the period of this Notice, a person receives approval under the Act to convert, for 2008-2009 only, a water (holding) allocation (that has been transferred to the licence from another South Australian water licence holder and the allocation transferred is identified on the prescribed transfer application form as an 'entitlement transfer' (as defined on the prescribed application form)) to a water (taking) allocation, that person is entitled to take a quantity of water equivalent to **11%** of the resultant water (taking) allocation.
4. Clause 2 of Schedule 2 of the Notice is replaced with the following:
2. Where a South Australian water licence holder permanently or temporarily transfers a water (taking) allocation during the term of this Notice to another South Australian water licence holder (the transferee), and the allocation transferred is identified on the prescribed application form as an 'entitlement transfer' (as defined on the prescribed application form), the transferee is entitled to take a quantity of water equivalent to **11%** of the water (taking) allocation transferred.

Dated 18 September 2008.

K. MAYWALD, Minister for the River Murray

NATIONAL PARKS AND WILDLIFE ACT 1972

Witjira National Park Management Plan—Draft

I, JAY WEATHERILL, Minister for Environment and Conservation, hereby give notice under the provisions of section 38 of the National Parks and Wildlife Act 1972, that a draft management plan has been proposed for Witjira National Park.

Copies of the plan may be inspected at or obtained from the offices of the Department for Environment and Heritage at:

- DEH Information Line:
Level 1, 100 Pirie Street, Adelaide, S.A. 5000,
G.P.O. Box 1047, Adelaide, S.A. 5001,
Email: dehinformation@saugov.sa.gov.au,
Telephone: 8204 1910;
- <http://www.environment.sa.gov.au/parks/management/plans.html>.
- Port Augusta Regional Office, 9 Mackay Street, Port Augusta, S.A. 5700 (G.P.O. Box 78, Port Augusta, S.A. 5700), telephone 8468 5300.

Any person may make representations in connection with the draft management plan during the period up to and including Thursday, 18 December 2008.

Written comments should be forwarded to the Manager, Policy and Planning, Department for Environment and Heritage, G.P.O. Box 1047, Adelaide, S.A. 5001 or emailed to:

irving.jason@saugov.sa.gov.au

JAY WEATHERILL, Minister for Environment
and Conservation

MOTOR VEHICLES ACT 1959 SECTION 47A: CLASSES, SPECIFICATIONS AND DESIGN OF NUMBER PLATES

NOTICE BY THE REGISTRAR OF MOTOR VEHICLES

Pursuant to section 47A of the *Motor Vehicles Act 1959*, I, Martin Small, Registrar of Motor Vehicles-

- (a) revoke the notice under section 47A of the Act published in the *Gazette* on 1 November 2007 (see *Gazette* 76 1 November 2007 p. 4116);
- (b) establish the classes of number plates set out in schedule 1 and numbered 1 to 19 (inclusive) for the purposes of section 47(1) of the Act;
- (c) prescribe the specifications and design set out in schedule 2 to be the specifications and design to which number plates of each class established by this notice must conform;
- (d) declare the classes of number plates set out in schedule 3 to be classes of number plates that the Registrar may enter into an agreement pursuant to section 47A(4) of the Act.


SCHEDULE 1*Classes of number plates*

- Class 1 - Numeric
- Class 2 - Alpha Numeric (Non-Slogan)
- Class 3 - Slogan
- Class 4 - Personalised
- Class 5 - Jubilee
- Class 6 - Australian Grand Prix
- Class 7 - Towtruck
- Class 8 - Government Vehicle
- Class 9 - Name Plates
- Class 10 - Custom
- Class 11 - Taxi
- Class 12 - Chauffeured
- Class 13 - Consular Corps
- Class 14 - Federal Interstate
- Class 15 - Premium
- Class 16 - Bike Rack
- Class 17 - Centenary of Federation
- Class 18 - Country Taxi
- Class 19 - SA Heavy Vehicle
- Class 20 - Euro

SCHEDULE 2*Specifications and design of number plates**Class 1 - Numeric Number Plates*

A numeric number plate must bear a number consisting entirely of figures (except for the letters "SA" designating the State of issue) and may be issued under an agreement between the Registrar and the applicant. The plate must conform to the following additional specifications and designs:

129 mm Min./371 mm Max.


Steel/Aluminium Embossed		133 mm Min
White Figure		Black Background
	Motor Vehicles other than motor bikes	Motor Bikes
Height of Figure	77-80 mm	50 mm
Width of every line in each figure	12 mm	6 mm

The dimensions of a motor bike plate must be 215 ± 1.0 mm in length and 95 ± 1.0 mm in height.

Class 2 - Alpha Numeric Plates (Non-Slogan)


An alpha-numeric plate (non-Slogan) must bear a number consisting of a combination of letters and figures and may be issued under an agreement between the Registrar and the applicant. The plate must conform to the following additional specifications and design:

2.1.1 Special Purpose Vehicle and Motor Bike ("S" 6 character set)

Steel/Aluminium Embossed	215 ± 1.0 mm	
Black Letters & Figures		100 ± 1.0 mm White Background Reflectorised


Height of Figure or Letter	50 mm
Width of every line in each figure or letter	6-8 mm

2.1.2 Special Purpose Vehicle and Motor Bike

Steel/Aluminium Embossed	215 ± 1.0 mm	
Black Letters & Figures		100 ± 1.0 mm White Background Reflectorised

Height of Figure or Letter	50 mm
Width of every line in each figure or letter	6-8 mm

2.2 Other Vehicles

	371 ± 1.0 mm	
Steel/Aluminium Embossed		133 ± 1.0 mm
Black Letters & Figures		White Background Reflectorised
Height of Figure or Letter	70-77mm	
Width of every line in each figure or letter	12 mm	

2.3 Corporate Number Plates

Alpha numeric plates (non-slogan) in the corporate plate format (class 2.2 only) may contain a background, logo and/or slogan or other promotional pictures or information deemed appropriate, in accordance with an agreement between the Registrar and the applicant.

The plate must conform with the following specifications and design:

The height of the plate 133 ± 1.0 mm and width 371 ± 1.0 mm.

Height of Figure or Letter	60 mm
Width of every line in each figure or letter	10 mm

Class 3 - Slogan Number Plates

A slogan number plate must bear a number consisting of a combination of letters and figures and may be issued under an agreement between the Registrar and the applicant. The plate must be of the type known as metal embossed and must conform to the following additional specifications and design:

3.1 South Australia Plate

	371 ± 1.0 mm	
Steel/Aluminium Embossed		133 ± 1.0 mm
Black Letters & Figures		White Background Reflectorised

Slogan (Black): SOUTH AUSTRALIA

	Motor Vehicles other than motor bikes
Height of Figure or Letter	70-77 mm
Width of every line in each figure or letter	10-12 mm

3.1.1 South Australia Trailer Plate

Steel/Aluminium Embossed	371 ± 1.0 mm	
Black Letters & Figures		133 ± 1.0 mm
		White Background Reflectorised

Slogan (Black): SOUTH AUSTRALIA

Height of Figure or Letter	70-77 mm
Width of every line in each figure or letter	10-12 mm

The dimensions of an aerial mount plate must be 252 + 1.0 mm in length and 98 + 1.0 mm in width and are only available to vehicles registered by the State of South Australia.

OR

3.1.2 South Australia Non-Standard Trailer Plate

Steel/Aluminium Embossed	252 ± 1.0 mm	
Black Letters & Figures		98 ± 1.0 mm
		White Background Reflectorised

Slogan (Black): SOUTH AUSTRALIA

Height of Figure or Letter	50 mm
Width of every line in each figure or letter	6 mm

3.2 Festival State

Steel/Aluminium Embossed	371 ± 1.0 mm	
Black Letters & Figures		133 ± 1.0 mm
Slogan Blue (PMS 286)		White Background Reflectorised

Blue Slogan (PMS 286): SA • The Festival State
Black State Badge (Piping Shrike)

	Motor Vehicles other than motor bikes
Height of Figure or Letter	70-77 mm
Width of every line in each figure or letter	10-12 mm

3.2.1 Festival State Trailer Plate

371 ± 1.0 mm

Steel/Aluminium
Embossed



133 ± 1.0 mm

Black Letters & Figures

White Background
Reflectorised

Slogan Blue (PMS 286)

Blue Slogan (PMS 286): SA • The Festival State

Black State Badge (Piping Shrike)

Height of Figure or Letter	70-77 mm
Width of every line in each figure or letter	10-12 mm

The dimensions of an aerial mount plate must be 252 ± 1.0 mm in length and 98 ± 1.0 mm in width and are only available to vehicles registered by the State of South Australia.

OR

3.2.2 Festival State Non-Standard Trailer Plate

252 ± 1.0 mm

Steel/Aluminium
Embossed



98 ± 1.0 mm

Black Letters & Figures

White Background
Reflectorised

Slogan Blue (PMS 286)

Blue Slogan (PMS 286): SA • The Festival State

Black State Badge (Piping Shrike)

Height of Figure or Letter	50 mm
Width of every line in each figure or letter	6 mm

3.4.1 Wine State (remake only)

371 ± 1.0 mm

Steel/Aluminium
Embossed



133 ± 1.0 mm

Black Letters & Figures

White Background
Reflectorised

Slogan Purple (PMS 261)

Purple Slogan (PMS 261): SOUTH AUSTRALIA - THE WINE STATE

Black State Badge (Piping Shrike)

Background: (Light Green PMS 355, Green PMS 349) -Design approved by the Registrar

Height of Figure or Letter	60 mm
Width of every line in each figure or letter	10 mm

3.4.2 Rose State (remake only)

Steel/Aluminium Embossed	371 ± 1.0 mm	
		133 ± 1.0 mm
Black Letters & Figures		White Background Reflectorised
Slogan Pink 193		

Pink Slogan (PMS 190): SOUTH AUSTRALIA - THE ROSE STATE

Black State Badge (Piping Shrike)

Background: (Light Green PMS 355, Green PMS 349, Pink PMS 190, Red PMS 193) -

Design approved by the Registrar

Height of Figure or Letter	60 mm
Width of every line in each figure or letter	10 mm

3.4.3 Creative State (remake only)

Steel/Aluminium Embossed	371 ± 1.0 mm	
		133 ± 1.0 mm
Black Letters & Figures		Yellow Background
Slogan Black		

Black Slogan: SOUTH AUSTRALIA - THE CREATIVE STATE

Black State Badge (Piping Shrike)

Background: (White, Grey PMS 431, Red PMS 209) Design approved by the Registrar

Height of Figure or Letter	60 mm
Width of every line in each figure or letter	10 mm

3.4.4 Defence State (remake only)

Steel/Aluminium Embossed	371 ± 1.0 mm	
		133 ± 1.0 mm
White Letters & Figures		Blue (PMS 299) Background
Slogan White with Black Background		


White Slogan: SOUTH AUSTRALIA - THE DEFENCE STATE

Black State Badge (Piping Shrike)

Background: (Blue PMS 299) Design approved by the Registrar

Height of Figure or Letter	60 mm
Width of every line in each figure or letter	10 mm

3.4.5 Gateway To The Outback (remake only)

Steel/Aluminium Embossed	371 ± 1.0 mm	
		133 ± 1.0 mm
Black White Letters & Figures		White Background Reflectorised
Slogan White with Black Background		

White Slogan: SOUTH AUSTRALIA - GATEWAY TO THE OUTBACK

Black State Badge (Piping Shrike)

Background: (Yellow PMS 123m Purple PMS 258) - Design approved by the Registrar

Height of Figure or Letter	60 mm
Width of every line in each figure or letter	10 mm

3.4.6 The Electronics State (remake only)

Steel/Aluminium Embossed	371 ± 1.0 mm	
		133 ± 1.0 mm
Black Letters & Figures		Green (PMS 344) and White Background Reflectorised
Slogan White with Green Background		

White Slogan: SOUTH AUSTRALIA –THE ELECTRONICS STATE

Black State Badge (Piping Shrike)

Background: (White with Green PMS 349) Design approved by the Registrar

Height of Figure or Letter	60 mm
Width of every line in each figure or letter	10 mm

3.3 Corporate Number Plates

Slogan number plates in the corporate plate format may contain a background, logo and/or slogan or other promotional pictures or information deemed appropriate, in accordance with an agreement between the Registrar and the applicant.

The plate must conform with the following specifications and design:

371 mm + 1.0 mm in length and 133 mm + 1.0 mm in height

Height of Figure or Letter	60 mm
Width of every line in each figure or letter	10 mm


Class 4 - Personalised Number Plates

A personalised number plate must bear a number consisting of a combination of letters and figures nominated by an applicant and approved by the Registrar, and issued under an agreement between the Registrar and the applicant.

The plate must be of the type known as metal embossed and must conform to the following additional specifications and design:

White Letters & Figures , blue background, White State Badge (Piping Shrike), or
 White Letters & Figures , magenta background, White State Badge (Piping Shrike), or
 White Letters & Figures , red background, White State Badge (Piping Shrike), or
 White Letters & Figures , maroon background, White State Badge (Piping Shrike), or
 White Letters & Figures , green background, White State Badge (Piping Shrike), or
 Blue Letters & Figures, white reflectorised background, Black State Badge (Piping Shrike), or
 Magenta Letters & Figures, white reflectorised background, Black State Badge (Piping Shrike), or
 Red Letters & Figures, white reflectorised background, Black State Badge (Piping Shrike), or
 Maroon Letters & Figures, white reflectorised background, Black State Badge (Piping Shrike), or
 Green Letters & Figures, white reflectorised background, Black State Badge (Piping Shrike), or
 Green Letters & Figures , lemon reflectorised background, Black State Badge (Piping Shrike)

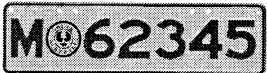
4.1 Standard Personalised

	371 ± 1.0 mm	
Aluminium Embossed		133 ± 1.0 mm

	Motor Vehicles other than motor bikes	Motor Bikes
Height of Figure or Letter	72 mm	50 mm
Width of every line in each figure or letter	12 mm	6 mm

OR

4.2 Slim Personalised

	371 ± 1.0 mm	
Aluminium Embossed		100 ± 1.0 mm

	Motor Vehicles other than motor bikes	Motor Bikes
Height of Figure or Letter	54 mm or 60 mm	50 mm
Width of every line in each figure or letter	10 mm	6 mm

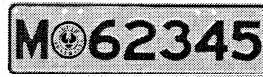
The dimensions of a motor bike plate must be 252 mm ± 1.0 mm in length and 98 mm ± 1.0 mm in height.

OR

4.3 Non-Standard Personalised Trailer

252 ± 1.0 mm

Aluminium Embossed



98 ± 1.0 mm

Height of Figure or Letter 50 mm

Width of every line in each figure or letter 6 mm

4.4 Corporate Number Plates

Personalised number plates in the corporate plate format may contain a background, logo and/or slogan or other promotional pictures or information deemed appropriate, in accordance with an agreement between the Registrar and the applicant.

The plate must conform with the following specifications and design:

371 mm ± 1.0 mm in length and 133 mm ± 1.0 mm in height

Height of Figure or Letter 60 mm

Width of every line in each figure or letter 10 mm

Class 5 - Jubilee Number Plates

A limited series of number plates numbered 000J - 999J and 000S - 999S preceded by the J150 logo and has the words "SOUTH AUSTRALIA" printed under the numbers, were issued to commemorate South Australia's 150th Jubilee. The plate is issued under an agreement between the Registrar and the applicant and must be of the type known as metal embossed and must conform to the following additional specifications and design:

371 ± 1.0 mm

Steel/Aluminium Embossed



133 ± 1.0 mm

Black Figures and Letter

Silver-White Background
Reflectorised

Black Slogan: SOUTH AUSTRALIA

Jubilee Slogan (to the left of the characters) according to the copyright specifications

Motor Vehicles


Height of Figure or Letter 77 mm

Width of every line in each figure or letter 12 mm

Class 6 - Australian Grand Prix Number Plates

6.1 Special Series

A limited series of number plates numbered 1 - 199 preceded by the Grand Prix Logo, were issued to commemorate the Australian Formula 1 Grand Prix in Adelaide. The plate is issued under an agreement between the Registrar and the applicant and must be of the type known as metal embossed and must conform to the following additional specifications and design:

	371 ± 1.0 mm	
Steel/Aluminium Embossed		133 ± 1.0 mm
White Figures		Black Background
Logo Green, Yellow, Black & White (to the left of the digits) according to the copyright specifications		
	White Slogan: SOUTH AUSTRALIA	

Motor Vehicles

Height of Figure or Letter	77 mm
Width of every line in each figure or letter	12 mm

6.2 Standard Series

A limited series of number plates number 200 - 9999 preceded by the Grand Prix Logo, was issued to commemorate the Australian Formula 1 Grand Prix in Adelaide. The plate is issued under an agreement between the Registrar and the applicant and must be of the type known as metal embossed and must conform to the following additional specifications and design:

	371 ± 1.0 mm	
Steel/Aluminium Embossed		133 ± 1.0 mm
Black Figures		White Background Reflectorised
Logo Green, Yellow, Black & White (to the left of the digits) according to the copyright specifications		
	Black Slogan: SOUTH AUSTRALIA	


Motor Vehicles

Height of Figure or Letter	77 mm
Width of every line in each figure or letter	12 mm

Class 7 - Towtruck Number Plates

A Towtruck number plate must be issued to a Towtruck approved by the Registrar for use in the operation of the accident towing roster scheme. The number is preceded by the letters "ATT" and the plate must conform to the following additional specifications and design:

371 ± 1.0 mm


Steel/Aluminium Embossed		133 ± 1.0 mm
Blue Letters & Figures		Yellow Background Reflectorised
Blue Slogan: SA ACCIDENT TOWTRUCK		
Motor Vehicle		
Height of Figure or Letter	77 mm	
Width of every line in each figure or letter	12 mm	

Class 8 - Government Vehicle Number Plates

Vehicles owned by the State of South Australia may be issued with a number plate or plates consisting of a combination of letters and figures, which conform to the following additional specifications and design (unless otherwise authorised):

8.1.1 Government Vehicle Number Plate ("S" 7 character set)

371 ± 1.0 mm

Steel/Aluminium Embossed		133 ± 1.0 mm
Blue (PMS 2728) Letters & Figures		White Background Reflectorised

Blue Slogan (PMS 2728): SA GOVERNMENT

	Motor Vehicles
Height of Figure or Letter	77 mm
Width of every line in each figure or letter	12 mm

The dimensions of an aerial mount plate must be 252 ± 1.0 mm in length and 98 ± 1.0 mm in width.

8.1.2 Government Motor Bike ("S" 6 character set)


215 ± 1.0 mm

Steel/Aluminium Embossed		95 ± 1.0 mm
Blue (PMS 2728) Letters & Figures		White Background Reflectorised

Blue Slogan (PMS 2728): SA GOVERNMENT

Height of Figure or Letter	50 mm
Width of every line in each figure or letter	6 mm

8.2 Government Vehicle Number Plate (remake only)

Steel/Aluminium Embossed	371 ± 1.0 mm	
Blue (PMS 2728) Letters & Figures		133 ± 1.0 mm
		White Background Reflectorised

Blue Slogan (PMS 2728): SA GOVERNMENT

	Motor Vehicles other than motor bikes	Motor Bikes
Height of Figure or Letter	77 mm	50 mm
Width of every line in each figure or letter	12 mm	6 mm

The dimensions of a motor bike plate must be 215 ± 1.0 mm in length and 95 ± 1.0 mm in width.

The dimensions of an aerial mount plate must be 252 ± 1.0 mm in length and 98 ± 1.0 mm in width.

Class 9 - Name Plates

A name plate must bear a number which consists of all letters issued under an agreement between the Registrar and the applicant. The plate must be of the type known as reflectorised metal or acrylic.


The size of the plate and height and width of every figure appearing on the plate are at the discretion of the Registrar.

Class 10 - Custom Number Plates

A custom number plate must bear a number nominated by an applicant and approved by the Registrar, which may consist of letters or a combination of letters and figures and issued under an agreement between the Registrar and the applicant authorising the applicant to display the number. The plate must be of the type known as metal embossed and must conform to the following additional specifications and design:

White letters and figures, blue background, or
 White letters and figures, magenta background, or
 White letters and figures, red background, or
 White letters and figures, maroon background, or
 White letters and figures, green background, or
 Blue letters and figures, white reflectorised background, or
 Magenta letters and figures, white reflectorised background, or
 Red letters and figures, white reflectorised background, or
 Maroon letters and figures, white reflectorised background, or
 Green letters and figures, white reflectorised background, or
 Black letters and figures, gold background, or
 Black letters and figures, silver background, or
 Gold letters and figures, black background, or
 Silver letters and figures, black background, or
 Black letters and figures, white reflectorised background, or
 Black letters and figures, lemon reflectorised background, or
 Black letters and figures, yellow reflectorised background, or
 Green letter and figures, lemon reflectorised background, or
 Green letters and figures, yellow reflectorised background, or
 Blue letters and figures, lemon reflectorised background, or
 Blue letters and figures, yellow reflectorised background.

10.1 Standard Custom

	371 ± 1.0 mm	
Aluminium Embossed		133 ± 1.0 mm
	Motor Vehicles other than motor bikes	Motor Bikes
Height of Figure or Letter for 1 to 6 letters	77 mm	50 mm
Height of Figure or Letter 7 letters or 6 letters with space	72 mm	50 mm
Width of every line in each figure or letter	12 mm	6 mm

OR

10.2 Slim Custom

371 ± 1.0 mm

Aluminium Embossed



100 ± 1.0 mm

Motor Vehicles
other than
motor bikes

Height of Figure or Letter 54 mm or 60 mm

Width of every line in each figure or letter 10 mm

OR

10.3 Square Two Line Custom

300 ± 1.0 mm

Aluminium Embossed



150 ± 1.0 mm

Motor Vehicles
other than
motor bikes

Height of Figure or Letter 54 mm or 60 mm

Width of every line in each figure or letter 10 mm

OR

10.4 Square Custom

300 ± 1.0 mm

Aluminium Embossed



150 ± 1.0 mm

Motor Vehicles
other than
motor bikes

Height of Figure or Letter 54 mm or 60 mm

Width of every line in each figure or letter 10 mm

The dimensions of a motor bike plate:

1 to 6 digits 215 mm ± 1.0 mm in length and 95 mm ± 1.0 mm in width
7 digits 252 mm ± 1.0 mm in length and 98 mm ± 1.0 mm in width.

OR

10.5 Corporate Number Plates

Custom number plates in the corporate plate format may contain a background, logo and/or slogan or other promotional pictures or information deemed appropriate, in accordance with an agreement between the Registrar and the applicant.

The plate must conform with the following specifications and design:

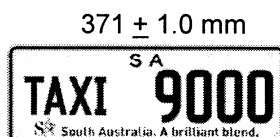
371 mm \pm 1.0 mm in length and 133 mm \pm 1.0 mm in height

Height of Figure or Letter 60 mm

Width of every line in each figure or letter 10 mm

Class 11 - Taxi Plates

A Taxi Plate must be issued to taxi-cabs which are licensed by the Passenger Transport Act as general purpose taxi-cabs, standby taxi-cabs or "special vehicle licence" vehicles (wheelchair accessible vehicle). The number is preceded by the letters 'TAXI' and the plate must conform to the following additional specifications and design:



Steel/Aluminium Embossed

133 \pm 1.0 mm

Black Letters & Figures

White Background
Reflectorised

Slogan: SA South Australia. A Brilliant Blend
(according to the copyright specifications of SA TOURISM COMMISSION)

Motor Vehicle

Height of Figure 50-77 mm

Height of Letter 51 mm


Width of every line in each figure or letter 6-12 mm

Standby taxi-cab plates and "special vehicle licence" vehicle (wheelchair accessible vehicle) plates (issued under the Passenger Transport Act) may have letters "TAXI" displayed with white letters on a black background.

Class 12 - Chauffeured Vehicle Plates


A Chauffeured Vehicle number plate must bear a number consisting of a combination of figures and letters and be issued to vehicles and bikes which are Licensed to operate for hire under the Passenger Transport Act. These plates must be of the type known as metal embossed and must conform to the following additional specifications and design:

12.1 Standard

	$371 \pm 1.0 \text{ mm}$	
Steel/Aluminium Embossed		$133 \pm 1.0 \text{ mm}$
Blue Figures and Letters		White Background Reflectorised
	Blue Border with White Slogan: CHAUFFEURED VEHICLE (above plate number) and SOUTH AUSTRALIA (below plate number).	
	Motor Vehicles other than motor bikes	Motor Bikes
Height of Figure or Letter	70-77 mm	50 mm
Width of every line in each figure or letter	10-12 mm	6 mm

OR

12.2 Square

	$300 \pm 1.0 \text{ mm}$	
Steel/Aluminium Embossed		$150 \pm 1.0 \text{ mm}$
Blue Figures and Letters		White Background Reflectorised
	Blue Border with White Slogan: CHAUFFEURED VEHICLE (above plate number) and SOUTH AUSTRALIA (below plate number).	
	Motor Vehicles other than motor bikes	
Height of Figure or Letter	60 mm	
Width of every line in each figure or letter	10 mm	

OR

12.3 Motor Bike

252 ± 1.0 mm

Steel/Aluminium
Embossed



98 ± 1.0 mm

Blue Figures and Letters

White Background
Reflectorised

Blue Border with White Slogan: CHAUFFEURED VEHICLE (above plate number)
and
SOUTH AUSTRALIA (below plate number).

Motor
Bikes

Height of Figure or Letter 50 mm

Width of every line in
each figure or letter 6 mm

Class 13 - Consular Corps Plates

Consular Corps number plates may only be issued to an accredited Diplomatic Officer or accredited Consular Officer de carriere, who is a national of a country which he or she represents and who resides in this State, or to an Honorary Consul accredited by the Department of Foreign Affairs and Trade, who also resides in this State. The plates must be of the type known as metal embossed and must conform to the following additional specifications and design:

371 ± 1.0 mm

Steel/Aluminium
Embossed



133 ± 1.0 mm

White Letters & Figures

Black Background

White Slogan: SA CONSULAR CORPS

Motor Vehicles


Height of Figure or Letter 77 mm

Width of every line in each
figure or letter 12 mm

Class 14 - Federal Interstate Number Plates

A Federal Interstate Number Plate is issued to a vehicle registered under the *Interstate Road Transport Act 1985* of the Commonwealth, as amended from time to time. The plate must bear a number consisting of the following sequence: 2 Capital letters; a dot or a diamond; 2 figures; 2 Capital letters; and the words 'FEDERAL INTERSTATE' underneath the number.


The plate must be of the type known as metal embossed and must conform to the additional specifications and design:

	371 ± 1.0 mm	
Steel/Aluminium Embossed		133 ± 1.0 mm
Green Figures & Letters		Gold Background Reflectorised
Green Slogan: FEDERAL INTERSTATE		
	Motor Vehicles other than motor bikes	
Height of Figure or Letter	77 mm	
Width of every line in each figure or letter	12 mm	

Class 15 - Premium Number Plates

A premium plate must bear a number consisting of two letters, three figures followed by a further letter and may be issued under an agreement between the Registrar and the applicant. The plate must be of the type known as metal embossed and must conform to the following additional specifications and design:

15.1 Front

	371 ± 1.0 mm	
Aluminium Embossed		83 ± 1.0 mm
Black Letters & Figures	White Background	Reflectorised
	Motor Vehicles other than motor bikes	
Height of Figure or Letter	54 mm	
Width of every line in each figure or letter	10 mm	

15.1a Rear

371 ± 1.0 mm

Aluminium Embossed



106 ± 1.0 mm

Black Letters & Figures

White Background
Reflectorised

Motor Vehicles
other than
motor bikes

Height of Figure or Letter

72-75 mm

Width of every line in each
figure or letter

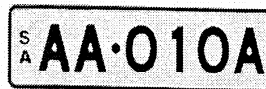
12 mm

OR

15.2 Front

371 ± 1.0 mm

Aluminium Embossed



100 ± 1.0 mm

Black Letters & Figures

White Background
Reflectorised

Motor Vehicles
other than
motor bikes

Height of Figure or Letter

54-63 mm

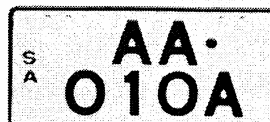
Width of every line in each
figure or letter

10 mm

15.2a Rear

306 ± 1.0 mm

Aluminium Embossed



150 ± 1.0 mm

Black Letters & Figures

White Background
Reflectorised

Motor Vehicles
other than
motor bikes

Height of Figure or Letter

54-62 mm

Width of every line in each
figure or letter

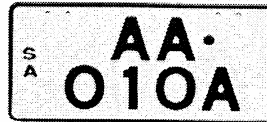
10 mm

OR

15.3 Front and Rear Square

306 ± 1.0 mm

Aluminium Embossed



150 ± 1.0 mm

Black Letters & Figures

White Background
ReflectorisedMotor Vehicles
other than
motor bikes

Height of Figure or Letter 54-62 mm

Width of every line in each
figure or letter 10 mm

OR

15.4 Corporate Number Plates

Premium number plates in the corporate plate format may contain a background, logo and/or slogan or other promotional pictures or information deemed appropriate, in accordance with an agreement between the Registrar and the applicant.

The plate must conform with the following specifications and design:

371 mm ± 1.0 mm in length and 133 mm ± 1.0 mm in height

Height of Figure or Letter 60 mm

Width of every line in each
figure or letter 10 mm


Class 16 - Bike Rack Number Plates

A Bike Rack plate must bear the number allotted to the vehicle to which the bike rack is attached and must conform to the following additional specifications and design:

	252 ± 1.0 mm	
Steel/Aluminium Embossed		98 ± 1.0 mm
Black Letters & Figures	Slogan: SA BETTER BY BIKE	White Background Reflectorised
Height of Figure or Letter	50 mm	
Width of every line in each figure or letter	6 mm	

*Class 17 – Centenary of Federation Number Plates***17.1 Centenary Limited Series Number Plates**

A limited series of number plates numbered 1901 CF – 2001 CF, with the Centenary of Federation logo between the letters and figures, were issued to commemorate the Centenary of Federation. The plate is issued under an agreement between the Registrar and the applicant and must be of the type known as metal embossed and must conform to the following additional specifications and design:

	371 ± 1.0 mm	
Steel/Aluminium Embossed		133 ± 1.0 mm
White Figures and Letters		Black Background

Grey watermark of Rotunda in background.

White Slogan: SA – Centenary of Federation


Centenary of Federation Logo (between the numbers and the letters) according to the registered trademark owned by the Commonwealth.

Motor Vehicles

Height of Figure or Letter	60 mm
Width of every line in each figure or letter	10 mm

17.2 Centenary Vogue Series Number Plates

A limited series of number plates numbered 000C – 999C and 000F – 999F with the Centenary of Federation logo between the letters and figures, were issued to commemorate the Centenary of Federation. The plate is issued under an agreement between the Registrar and the applicant and must be of the type known as metal embossed and must conform to the following additional specifications and design:

	371 ± 1.0 mm	
Steel/Aluminium Embossed		133 ± 1.0 mm
White Figures and Letter		Yellow, Red Green and Blue Background Reflectorised

White Slogan: *SA – Centenary of Federation*

Centenary of Federation Logo (between the numbers and the letter) according to the registered trademark owned by the Commonwealth.

Motor Vehicles

Height of Figure or Letter	60 mm
Width of every line in each figure or letter	10 mm

Class 18 – Country Taxi Plates

A Country Taxi Plate must be issued to taxi-cabs which are licensed under the Passenger Transport Act as general purpose taxi-cabs, standby taxi-cabs or “special vehicle licence” vehicles (wheelchair accessible vehicle). The number is preceded by the letters ‘TAXI’ and the plate must conform to the following additional specifications and design:

	371 ± 1.0 mm	
Steel/Aluminium Embossed Embossed		133 ± 1.0 mm
Black Letters & Figures		Lemon Background Reflectorised
Red Slogans: SOUTH AUSTRALIA (above plate number) COUNTRY TAXI (below plate number)		

Black State Badge (Piping Shrike) (between the word TAXI and figures)

Motor Vehicle

Height of Figure	71 mm
Height of Letter	51 mm
Width of every line in each figure or letter	8-12 mm

Class 19 – SA – Heavy Vehicle

A SA Heavy Vehicle Plate may be issued to a vehicle with a mass or GVM over 4.5 tonnes. The plate must be of the type known as metal embossed and must conform to the following additional specifications and design:

371 ± 1.0 mm

Aluminium Embossed

Black Letters & Figures
Slogan in Black



133 ± 1.0 mm

White Background
Reflectorised

Printed Black Slogan: SA – HEAVY VEHICLE

Motor Vehicle

Height of Figure or Letter

77 mm

Width of every line in each
figure or letter

12 mm ± 1mm

Class 20 – Euro Number Plates

A Euro plate must bear a number consisting of the letter S followed by two letters, two figures followed by a further letter, with a blue sash on the left of the plate and the State Coat of Arms of South Australia appearing between the letter S and the first two letters, and may be issued under an agreement between the Registrar and the applicant.

The plate must be of the type known as metal embossed and must conform to the following additional specifications and design:

522 ± 1.0 mm

Steel/Aluminium
Embossed

Black Letters &
Figures

Logo - Sturt Desert
Pea (PMS199)



113.6 ±
1.0 mm

Blue Sash (PMS295) on the left of the plate with the characters "SA" screen printed in white with the S printed directly above the A

The State Coat of Arms of South Australia (PMS 295) (between the "S" and the first two letters) as endorsed by the Department for Premier and Cabinet Protocol Branch.

	Motor Vehicles
Height of Figure or Letter	75.5 mm
Width of every line in each figure or letter	48.5 mm

General specifications and design

1. The dimensions of the letters or words 'SA', 'SOUTH AUSTRALIA', 'THE FESTIVAL STATE' or any other slogan approved by the Registrar whether preceding the number or appearing in a central position above or below the registration number on which they are permitted, must be as follows:

	Motor Bikes (except Class 12)	Motor Bikes Class 12	All Other Classes
Height of Figure or Letter	10 mm	8 mm	8 - 20 mm
Width of every line in all parts thereof	2 mm	1 - 2 mm	1 - 3 mm

(Except Corporate Number Plates which may vary at the discretion of the Registrar).

2. The dimensions of the State Badge (Piping Shrike) appearing on the number plates on which they are permitted, must be as follows:

	Class 3	Class 4	Class 4 Motor Bike
Diameter	24 - 30 mm	50 mm	27 mm

3. The dimensions of the slogan "SA BETTER BY BIKE" appearing on the Bike Rack number plate must be as follows:

	Class 16
Height of Figure or Letter	13 mm
Width of every line in all parts thereof	2 mm

4. A number plate will be taken to comply with the requirements of this notice relating to the size of the plate and the size of letters and figures on the plate if the size of the plate or of any figure or letter on the plate-

- (a) does not exceed the size prescribed by this notice by more than 1.0 mm; or
- (b) is not more than 1.0 mm less than the size prescribed by this notice.

5. Notwithstanding the prescribed design and specifications for number plates, a number plate (other than a trailer or bike rack plate) may bear a plate and/or label that complies with Australian Standard 1425, if the vehicle to which the number plate is affixed, is equipped to use LP Gas. However, the plate and label on the number plate must be placed in such a position so as not to obscure any letter, figure, logo or slogan appearing on the number plate.

Transitional provision

A number plate that was manufactured before the date of this notice will be taken to comply with this notice if it complies with the notice under section 47A of the Act published in the *Gazette* on 1 November 2007 (see *Gazette* 76 1 November 2007 p. 4116);

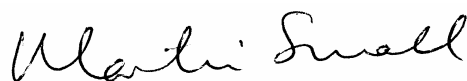
SCHEDULE 3

*Classes of number plates which may be displayed
pursuant to an agreement under s.47A(4)*

- Class 1 - Numeric
- Class 2 - Alpha Numeric (Non-slogan)
- Class 3 - Slogan
- Class 4 - Personalised
- Class 5 - Jubilee
- Class 6 - Australian Grand Prix
- Class 9 - Name Plates
- Class 10 - Custom
- Class 15 - Premium
- Class 17 - Centenary of Federation
- Class 20 - Euro

Dated 9 September 2008.

Approved by



Martin Small, Registrar of Motor Vehicles

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2008

	\$		\$
Agents, Ceasing to Act as.....	41.00	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	27.25
Incorporation	20.80	Discontinuance Place of Business	27.25
Intention of Incorporation	51.50	Land—Real Property Act:	
Transfer of Properties	51.50	Intention to Sell, Notice of.....	51.50
Attorney, Appointment of.....	41.00	Lost Certificate of Title Notices	51.50
Bailiff's Sale.....	51.50	Cancellation, Notice of (Strata Plan)	51.50
Cemetery Curator Appointed.....	30.50	Mortgages:	
Companies:		Caveat Lodgement.....	20.80
Alteration to Constitution	41.00	Discharge of.....	21.80
Capital, Increase or Decrease of	51.50	Foreclosures.....	20.80
Ceasing to Carry on Business	30.50	Transfer of.....	20.80
Declaration of Dividend.....	30.50	Sublet.....	10.50
Incorporation	41.00	Leases—Application for Transfer (2 insertions) each	10.50
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each	30.50
First Name.....	30.50	Licensing.....	61.00
Each Subsequent Name.....	10.50	Municipal or District Councils:	
Meeting Final.....	34.25	Annual Financial Statement—Forms 1 and 2	574.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	408.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	81.50
First Name.....	41.00	Each Subsequent Name.....	10.50
Each Subsequent Name.....	10.50	Noxious Trade.....	30.50
Notices:		Partnership, Dissolution of.....	30.50
Call.....	51.50	Petitions (small).....	20.80
Change of Name	20.80	Registered Building Societies (from Registrar-	
Creditors.....	41.00	General).....	20.80
Creditors Compromise of Arrangement	41.00	Register of Unclaimed Moneys—First Name.....	30.50
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name	10.50
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	51.50	Rate per page (in 8pt)	261.00
Release of Liquidator—Application—Large Ad.....	81.50	Rate per page (in 6pt)	345.00
—Release Granted	51.50	Sale of Land by Public Auction.....	52.00
Receiver and Manager Appointed.....	47.50	Advertisements.....	2.90
Receiver and Manager Ceasing to Act	41.00	¼ page advertisement	122.00
Restored Name.....	38.50	½ page advertisement	244.00
Petition to Supreme Court for Winding Up.....	71.50	Full page advertisement.....	478.00
Summons in Action.....	61.00	Advertisements, other than those listed are charged at \$2.90 per	
Order of Supreme Court for Winding Up Action.....	41.00	column line, tabular one-third extra.	
Register of Interests—Section 84 (1) Exempt.....	92.00	Notices by Colleges, Universities, Corporations and District	
Removal of Office.....	20.80	Councils to be charged at \$2.90 per line.	
Proof of Debts	41.00	Where the notice inserted varies significantly in length from	
Sales of Shares and Forfeiture.....	41.00	that which is usually published a charge of \$2.90 per column line	
Estates:		will be applied in lieu of advertisement rates listed.	
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Acts, Bills, Rules, Parliamentary Papers and Regulations						
Pages	Main	Amends	Pages	Main	Amends	
1-16	2.50	1.15	497-512	34.75	33.75	
17-32	3.35	2.10	513-528	35.75	34.50	
33-48	4.35	3.10	529-544	37.00	35.75	
49-64	5.50	4.20	545-560	38.00	37.00	
65-80	6.45	5.35	561-576	38.75	38.00	
81-96	7.50	6.20	577-592	40.00	38.50	
97-112	8.55	7.30	593-608	41.25	39.75	
113-128	9.55	8.40	609-624	42.00	41.00	
129-144	10.70	9.45	625-640	43.25	41.50	
145-160	11.70	10.50	641-656	44.25	43.25	
161-176	12.80	11.50	657-672	44.75	43.75	
177-192	13.90	12.60	673-688	46.75	44.75	
193-208	15.00	13.80	689-704	47.50	45.70	
209-224	15.80	14.60	705-720	48.25	47.00	
225-240	16.90	15.60	721-736	50.00	48.00	
241-257	18.10	16.50	737-752	50.50	49.00	
258-272	19.10	17.60	753-768	51.50	50.00	
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289-304	21.00	19.80	785-800	53.50	52.50	
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337-352	24.40	23.10	833-848	56.50	55.50	
353-368	25.25	24.20	849-864	57.50	56.00	
369-384	26.50	25.25	865-880	59.00	57.50	
385-400	27.50	26.25	881-896	59.50	58.00	
401-416	28.50	27.00	897-912	61.00	59.50	
417-432	29.75	28.25	913-928	61.50	61.00	
433-448	30.75	29.50	929-944	62.50	61.50	
449-464	31.50	30.25	945-960	63.50	62.00	
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Code of Ethics
for Nurses in Australia

The Australian Nursing and Midwifery Council's *Code of Ethics for Midwives in Australia* was endorsed by the Nurses Board of South Australia on 2 May 2008 and implemented for all nurses and midwives in South Australia from 3 November 2008.

Introduction

This *Code of Ethics for Nurses in Australia* has been developed for the nursing profession in Australia. It is relevant to all nurses at all levels and areas of practice including those encompassing clinical, management, education and research domains.¹ This Code is framed by the principles and standards set forth in the United Nations Universal Declaration of Human Rights, International Covenant of Economic, Social and Cultural Rights and International Covenant on Civil and Political Rights; the World Health Organization's Constitution and publication series entitled *Health and Human Rights*; and the United Nations Development Programme *Human Development Report 2004: Cultural liberty in today's diverse world*.²

In considering this Code and its companion, the *Code of Professional Conduct for Nurses in Australia*, it should be borne in mind that they are designed for multiple audiences: nurses; nursing students; people requiring or receiving nursing care; the community generally; employers of nurses; nursing regulatory authorities; and consumer protection agencies. It is also noteworthy that the concepts of 'ethics' and 'morality' are substantially the same and have been used interchangeably throughout this Code.

This Code outlines the nursing profession's commitment to respect, promote, protect and uphold the fundamental rights of people who are both the recipients and providers of nursing and health care. It is supported by, and should be read in conjunction with, the *Code of Conduct for Nurses in Australia* and the Australian Nursing and Midwifery Council *National Competency Standards for the Registered Nurse, National Competency Standards for the Enrolled Nurse and National Competency Standards for the Nurse Practitioner*. These three documents, together with other published practice standards (eg decision-making frameworks, guidelines and position statements), provide a framework for accountable and responsible nursing practice in all clinical, management, education and research areas. This Code is complementary to the International Council of Nurses (ICN) *Code of Ethics for Nurses* and is intended to be interpreted in conjunction with that code and related ICN position statements.³ It is further intended that the Code be read in conjunction with other ethical standards and guidelines developed by state and territory professional nursing organisations and nurse regulatory authorities.

Code of Ethics for Nurses

1. Nurses value quality nursing care for all people.
2. Nurses value respect and kindness for self and others.
3. Nurses value the diversity of people.
4. Nurses value access to quality nursing and health care for all people.
5. Nurses value informed decision making.
6. Nurses value a culture of safety in nursing and health care.
7. Nurses value ethical management of information.
8. Nurses value a socially, economically and ecologically sustainable environment promoting health and wellbeing.

Purpose

The purpose of the *Code of Ethics for Nurses in Australia* is to:

- identify the fundamental ethical standards and values to which the nursing profession is committed, and that are incorporated in other endorsed professional nursing guidelines and standards of conduct;
- provide nurses with a reference point from which to reflect on the conduct of themselves and others;
- guide ethical decision making and practice; and
- indicate to the community the human rights standards and ethical values it can expect nurses to uphold.

Human Rights and the Nursing Profession

The nursing profession recognises the universal human rights of people and the moral responsibility to safeguard the inherent dignity and equal worth of everyone.⁴ This includes recognising,

respecting and, where possible, protecting the wide range of civil, cultural, economic, political and social rights that apply to all human beings.⁵

The nursing profession acknowledges and accepts the critical relationship between health and human rights and 'the powerful contribution that human rights can make in improving health outcomes'.⁶ Accordingly, the profession recognises that accepting the principles and standards of human rights in health care domains involves recognising, respecting, actively promoting and safeguarding the right of all people to the highest attainable standard of health as a fundamental human right, and that 'violations or lack of attention to human rights can have serious health consequences'.⁷

In recognising the linkages and operational relationships that exist between health and human rights, the nursing profession respects the human rights of Australia's Aboriginal and Torres Strait Islander peoples as the traditional owners of this land, who have ownership of and live a distinct and viable culture that shapes their world view and influences their daily decision making. Nurses recognise that the process of reconciliation between Aboriginal and Torres Strait Islander and non-indigenous Australians is rightly shared and owned across the Australian community. For Aboriginal and Torres Strait Islander people, while physical, emotional, spiritual and cultural wellbeing are distinct, they also form the expected whole of the Aboriginal and Torres Strait Islander model of care.

The nursing profession also acknowledges the diversity of people constituting Australian society, including immigrants, asylum seekers, refugees and detainees, and the responsibility of nurses to provide just, compassionate, culturally competent and culturally responsive care to every person requiring or receiving nursing care.⁸

Guiding Framework

This Code contains eight value statements. Nurses and students of nursing are encouraged to use the statements as a guide when reflecting on the degree to which their clinical, managerial, educational or research practice⁹ demonstrates and upholds those values.

The explanations accompanying each of the eight value statements are organised into four categories: self, person (health consumer), colleagues and community.

- **Self:** refers to the nurse, registered or enrolled, who is employed in that capacity. It also refers to students of nursing.
- **Person (health consumer):** refers to the person requiring or receiving health care, treatment, advice, information or other related services. It includes the full range of alternative terms such as client, resident and patient. This term may include the family, friends, relatives and other members of a person's nominated social network, and people who are associated with the person who is the recipient of care.¹⁰
- **Colleagues:** includes other nurses, students, other health care workers, staff and others lawfully involved in the care of the person.
- **Community:** refers to Australian society as a whole regardless of geographic location and any specific group the individual receiving nursing care defines as community, including those identifying as culturally connected through ethnicity, shared history, religion, gender and age.

The explanation accompanying each value statement is not intended to cover all issues that a nurse should take into account when faced with ethical problems. Ethical practice can pose challenges for nurses and may lead to conflict with colleagues and authorities. This Code does not provide a formula for the resolution of ethical issues, nor can it adequately address the definition and exploration of terms, concepts and practical issues that are part of the broader study of nursing, ethics and human rights. Nurses have a responsibility to develop their knowledge and understanding of ethics and human rights in order to clarify issues relevant to their practice and to inform their response to the issues identified. Nurses also have a responsibility to promote the *Code of Ethics for Nurses in Australia* in nursing and health care domains.

Value Statement 1**Nurses value quality nursing care for all people***Explanation*

Valuing quality nursing care involves nurses accepting accountability for the standard of nursing care they provide, helping to raise the standard of nursing care, and taking action when they consider, on reasonable grounds, the standard of nursing care to be unacceptable. This includes a responsibility to question and report what they consider, on reasonable grounds, to be unethical behaviour and treatment.

1. **Self:** Nurses who value quality nursing care recognise that they are accountable for the decisions they make regarding a person's care; accept their moral and legal responsibilities for ensuring they have the knowledge, skills and experience necessary to provide safe and competent nursing care; and practice within the boundaries of their professional role. Nurses who value quality nursing care ensure the professional roles they undertake are in accordance with the agreed practice standards of the profession. Nurses are also entitled to conscientiously refuse to participate in care and treatment they believe on religious or moral grounds to be unacceptable ('conscientious objection').
2. **Person (health consumer):** Nurses recognise that people are entitled to quality nursing care, and will strive to secure for them the best available nursing care. In pursuit of this aim, nurses are entitled to participate in decisions regarding a person's nursing care and are obliged to question nursing care they regard as potentially unethical or illegal. Nurses actively participate in minimising risks for individuals and supporting quality practice environments. Nurses also question, and where necessary report to an appropriate authority, nursing and health care they consider on reasonable grounds to be unethical, unsafe, incompetent or illegal.
3. **Colleagues:** Nurses take steps to ensure that not only they, but also their colleagues, provide quality nursing care. In keeping with approved reporting processes,¹¹ this may involve reporting, to an appropriate authority, cases of unsafe, incompetent, unethical or illegal practice. Nurses also support colleagues whom they reasonably consider are complying with this expectation.
4. **Community:** Nurses, individually and collectively, participate in creating and maintaining ethical, equitable, culturally and socially responsive, clinically appropriate and economically sustainable nursing and health care services for all people living in Australia. Nurses value their role in providing health counselling and education Australian Nursing & Midwifery Council in the broader community. Nurses, individually and collectively, encourage professional and public participation in shaping social policies and institutions; advocate for policies and legislation that promote social justice, improved social conditions and a fair sharing of community resources; and acknowledge the role and expertise of community groups in providing care and support for people. This includes protecting cultural practices beneficial to all people, and acting to mitigate harmful cultural practices.¹²

Value Statement 2**Nurses value respect and kindness for self and others***Explanation*

Valuing respect for self and others encompasses valuing the moral worth and dignity of oneself and others. It includes respecting the individual ethical values people might have in the context of health care. Kindness is the demonstration of simple acts of gentleness, consideration and care. The practise of kindness as a committed and everyday approach to care reduces the power imbalance between a person requiring or receiving care and a nurse, by placing the nurse at the person's service, which is the appropriate relationship.

1. **Self:** Respecting oneself involves recognising one's own intrinsic worth as a person and is reflected in all aspects of personal identity. Self-respect enables nurses to foster their sense of personal wellbeing and act in ways that increase their own sense of self-worth. This involves nurses maintaining their own health, acknowledging their physical and psychological strengths and limitations, and developing personal qualities that promote effective professional relationships and practices.

2. **Person (health consumer):** Respect for people who are health consumers recognises their capacity for active and informed participation in their own health care. Nurses actively preserve the dignity of people through practised kindness and by recognising the vulnerability and powerlessness of people in their care. Significant vulnerability and powerlessness arises from the experience of illness and the need to engage with the health care system. The power relativities between a person and a nurse can be significant, particularly where the person has limited knowledge; experiences pain, illness and fear; needs assistance with personal care; or experiences an unfamiliar loss of self-determination. This vulnerability creates a power differential in the relationship between nurses and people in their care that must be recognised and managed.¹³
3. **Colleagues:** Respect for colleagues involves acknowledging and respecting their knowledge, experience, expertise and insights. It includes practising kindness and modelling consideration and care towards each other; adopting collaborative approaches to person-centred care; and, taking into account the informed views, feelings, preferences and attitudes of colleagues. Dismissiveness, indifference, manipulateness and bullying are intrinsically disrespectful and ethically unacceptable. Nurses who respect their colleagues support them in their efforts to realise the mutual goal of providing safe and quality care to people within a positive practice environment. Nurses supporting and mentoring students provide positive role models for future practice.
4. **Community:** Respect for the community requires nurses to recognise and be responsive to the just moral claims of society and the fundamental human rights underpinning them. This involves responding to the needs and concerns of communities and responding, where possible, to relevant community initiatives aimed at promoting and protecting peoples' fundamental human rights to health and health care. It also involves nurses being responsible members of the community and fulfilling their civic responsibilities, such as participation in community affairs and in political life, and acting where possible to promote social justice.

Value Statement 3**Nurses value the diversity of people***Explanation*

Valuing the diversity of people requires nurses to appreciate how different cultural backgrounds and languages may influence both the provision and receipt of nursing and health care.

1. **Self:** Valuing diversity requires acknowledgment of one's own cultural similarities to and differences from others. It involves nurses recognising and valuing their own unique identity and experiences, including thoughts, beliefs, attitudes and perceptions.
2. **Person (health consumer):** Valuing the diversity of people involves acknowledging and responding to each person as a unique individual, and to their culture. It requires nurses to develop cultural knowledge and awareness and greater responsiveness to the languages spoken¹⁴ enabling them to better understand and respond effectively to the cultural and communication needs of people in their care, their families and communities during a health care encounter.
3. **Colleagues:** Nurses value and accept diversity among their colleagues and acknowledge the need for non-discriminatory interpersonal and interprofessional relationships. They respect each other's knowledge, skills and experience and regard these as a valuable resource.
4. **Community:** Nurses recognise and accept the diversity of people constituting the Australian community and that different groups may live their lives in ways informed by different cultural values, beliefs, practices and experiences. Nurses seek to eliminate disparities in nursing and health care, especially among population groups in society that are considered most vulnerable, including Aboriginal and Torres Strait Islander populations; asylum seekers, refugees and migrants; and ethnic, religious, national and racial minorities. Nurses work to reduce the adverse effects power imbalances and prejudicial attitudes and practices have on social and institutional justice, and on the just and humane provision and delivery of nursing and health care. In particular, they work to

ensure people are not disadvantaged or harmed because of their appearance, language, culture,¹⁵ religion, age, sexuality, national or social origin, economic or political status, physical or mental disability, health status,¹⁶ or any other characteristics that may be used by others to reduce the equal enjoyment or exercise of the right to health.

Value Statement 4

Nurses value access to quality nursing and health care for all people

Explanation

Valuing nursing and health care for all people requires nurses to uphold the principles and standards of the right to nursing and health care as measured by the availability, accessibility, acceptability, quality and safety of nursing and health care services. Specifically, access refers to the extent to which a person or community can obtain health care services. This includes knowledge of when it is appropriate to seek health care, the ability to travel to and the means to pay for health care. Access does not mean the ability to provide all services imaginable for everyone, but rather the ability to reasonably and equitably provide services based on need, irrespective of geography, social standing, ethnicity, age, race, level of income, gender or sexuality.

1. **Self:** Nurses value and accept responsibility for self-care. This involves maintaining their own health, acknowledging their physical and psychological strengths and limitations, and developing personal qualities that promote effective professional relationships and practices. This includes nurses maintaining and improving their knowledge, skills and attitudes so that they can perform their professional duties effectively in the respective domains in which they may practise. When caring for one's self calls into question participation in particular practices (whether in a research, educational, managerial or clinical domain),¹⁷ nurses act in accordance with the statements contained in this Code regarding conscientious objection.
2. **Person (health consumer):** Nurses valuing non-harmful, non-discriminatory care provide nursing care appropriate to the individual that recognises their particular needs and rights. They seek to eliminate prejudicial attitudes concerning personal characteristics such as race, ethnicity, culture, gender, sexuality, religion, spirituality, disability, age and economic, social or health status. These commitments also apply when care is extended to members of the person's family, their partners, friends and other members of a person's nominated social network.
3. **Colleagues:** Nurses value the health of colleagues and foster supportive and constructive relationships, recognising that their colleagues also have physical and psychological strengths and limitations and respecting their need for self-care.
4. **Community:** Valuing the availability, accessibility, acceptability, quality and safety of nursing and health care services for the community requires nurses to be informed and knowledgeable about the provision of ethical and culturally competent care. Nurses promote the provision of quality nursing and health care to all members of the community and oppose stigmatising or harmful discriminatory beliefs or actions. Nurses uphold and comply with policies and agreements existing in Australia regarding the ethical media representation of health consumers and health-related matters.

Value Statement 5

Nurses value informed decision making

Explanation

Nurses value people's interests in making free and informed decisions. This includes people having the opportunity to verify the meaning and implication of information being given to them when making decisions about their nursing and health care. Nurses also recognise that making decisions is sometimes constrained by circumstances beyond individual control and that there may be circumstances where informed decision making cannot always be fully realised.

1. **Self:** Nurses make informed decisions in relation to their practice within the constraints of their professional role and in accordance with ethical and legal requirements. Nurses are

entitled to do this without undue pressure or coercion of any kind. Nurses are responsible for ensuring their decision making is based on contemporary, relevant and well-founded knowledge and information.

2. **Person (health consumer):** Nurses value the legal and moral right of people, including children, to participate whenever possible in decision making concerning their nursing and health care and treatment, and assist them to determine their care on the basis of informed decision making. This may involve ensuring people who do not speak English have access to a qualified health interpreter. Nurses recognise and respect the rights of people to engage in shared decision making when consenting to care and treatment. Nurses also value the contribution made by persons whose decision making may be restricted because of incapacity, disability or other factors, including legal constraints. Nurses are knowledgeable about such circumstances and in facilitating the role of family members, partners, friends and others in contributing to decision-making processes.
3. **Colleagues:** Nurses respect the rights of colleagues and members of other disciplines to participate in informed decision making. Making these collaborative and informed decisions includes involving the person requiring or receiving nursing care (or their representative) in decisions relating to their nursing or health care, without being subject to coercion of any kind.
4. **Community:** Nurses value the contribution made by the community to nursing and health care decision making through a range of activities, including consumer groups, advocacy and membership of health-related committees. Nurses also assist in keeping the community accurately informed on nursing and health-related issues.

Value Statement 6

Nurses value a culture of safety in nursing and health care

Explanation

Valuing a culture of safety involves nurses actively engaging in the development of shared knowledge and understanding of the crucial importance of safety in contemporary health care. Nurses who value a culture of safety appreciate that safety is everyone's responsibility. Nurses support the development of risk management processes and a practice environment designed to reduce the incidence and impact of preventable adverse events in health care. Nurses also support the open disclosure of any adverse events to any person affected during the course of their care.¹⁸

1. **Self:** Nurses value safe practice and a safe working environment; practise within the limitations of their knowledge and skills; and recognise and avoid situations where their ability to deliver quality care may be impaired. Nurses have a moral and legal right to practise in a safe environment, without fear for their own safety or that of others, and they seek remedies through accepted channels, including legal action, when this is not the case. Nurses value the maintenance of competence in contributing to a safe care and practice environment.
2. **Person (health consumer):** Nurses recognise that people are vulnerable to injuries and illnesses as a result of preventable human error and adverse events while in health care settings. Nurses play a key role in the detection and prevention of errors and adverse events in health care settings, and support and participate in systems to identify circumstances where people are at risk of harm. Nurses act to prevent or control such risks through prevention, monitoring, early identification and early management of adverse events. Nurses contribute to the confidential reporting of adverse events and errors, and to organisational processes for the open disclosure of these events to persons affected during the course of their care.
3. **Colleagues:** Nurses work with their colleagues to create a culture of safety. Nurses support the development of safer health care systems through non-punitive human error, adverse event management and related education. Nurses value the critical relationship between consumer safety and interprofessional competencies, including trustful communication, teamwork and situation awareness. Nurses view the detection of their own errors and risks or those of their colleagues as opportunities for achieving a safer health care system.

4. **Community:** Nurses, acting through their professional and industrial organisations and other appropriate authorities, participate in developing and improving the safety and quality of health care services for all people. This includes actively promoting the provision of equitable, just and culturally and socially responsive health care services for all people living, or seeking residence or asylum, in Australia. It also involves raising public awareness about the nature and importance of consumer safety programs in health care services.

Value Statement 7

Nurses value ethical management of information

Explanation

The generation and management of information (including health care records and other documents) are performed with professionalism and integrity. This requires the information being recorded to be accurate, non-judgemental and relevant to the health, care and treatment of a person. All health documentation is a record that cannot be changed or altered other than by the addition of further information. A notation in a record or a document used for health care communication can have a powerful positive or negative impact on the quality of care received by a person. These effects can be long-lasting, either through ensuring the provision of quality care, or through enshrining stigma, stereotyping and judgement in health care decision making and health care provision experienced by a person.¹⁹

The ethical management of information involves respecting people's privacy and confidentiality without compromising health or safety. This applies to all types of data, including clinical and research data, irrespective of the medium in which the information occurs or is stored.²⁰ Personal information may only be shared with the consent of the individual or with lawful authorisation.

1. **Self:** Nurses are entitled to the same moral, professional and legal safeguards as any other person in relation to their personal information.²¹ Nurses have a right to expect that their personal information will not be shared with another person without their approval or lawful authorisation.
2. **Person (health consumer):** Nurses are aware of, and comply with, the conditions under which information about individuals—including children, people who are incapacitated or disabled or who do not speak or read English—may or may not be shared with others. Nurses respect each person's wishes about with whom information may be shared and preserve each person's privacy to the extent this does not significantly compromise or disadvantage the health or safety of the person or others. Nurses comply with mandated reporting requirements and conform to relevant privacy and other legislation. Ethical information management also requires nurses to maintain information and records needed in order to provide quality nursing care. Nurses do not divulge information about any particular person to anyone not authorised to have that information.²²
3. **Colleagues:** Nurses value the ethical management of information and recognise that their colleagues enjoy the same protections as other people with regard to personal information.²³ This does not override the responsibility nurses may have in reporting aspects of a colleague's professional practice giving reasonable cause for concern. Nurses ensure colleagues are given reliable information about the risks posed by people to whom they are providing or planning to provide care, subject to approved policies and relevant privacy and other legislation.
4. **Community:** Nurses comply with systems of information management meeting the standards and expectations of the community, including measures which protect the privacy and confidentiality rights, relating to the health care of all people living or seeking residency or asylum in Australia. Nurses are sensitive to, and respect, special requirements that may apply to the communication or sharing of information having cultural significance.

Value Statement 8

Nurses value a socially, economically and ecologically sustainable environment promoting health and wellbeing

Explanation

Nurses value strategies aimed at preventing, minimising and overcoming the harmful effects of economic, social or ecological

factors on the health of individuals and communities. Commitment to a healthy environment involves the conservation and efficient use of resources such as energy, water and fuel, as well as clinical and other materials.

1. **Self:** Nurses use all resources efficiently and comply with strategies aimed at the sustainable use of resources (including safe re-use, recycling and conservation) in the course of their practice. Nurses may also contribute to the development, implementation and monitoring of relevant policies and procedures.
2. **Person (health consumer):** Nurses are sensitive to, and informed about, the social and environmental factors that may contribute to a person's ill health and that may play a part in their recovery. Nurses take into account the economic and domestic circumstances of people where these impact, positively or adversely, upon their needs and health.
3. **Colleagues:** Nurses help bring to the attention of their colleagues and employers the adverse effects of environmentally harmful processes and practices, and collaborate to minimise these as they occur in health care settings. Nurses work cooperatively with colleagues to improve the conservation, efficient use and safe recycling of resources in the workplace.
4. **Community:** Nurses recognise and understand the contribution economic, social and ecological factors, such as poor education, social exclusion and prejudice, crime, poverty, inadequate housing, inadequate community infrastructure and services and environmental pollution and degradation, may make to ill health in the community. Nurses value and contribute towards strategies aimed at preventing and overcoming these problems and at minimising their harmful effects.

Acknowledgments

The impetus for the development of the Code came from the Australasian Nurse Registering Authorities Conference (ANRAC) in 1990, when the research arising from the ANRAC Nursing Competencies Assessment Project indicated there was not a clear focus on the ethical standards expected and required of nurses practising in the cultural context of Australia.

The *Code of Ethics for Nurses in Australia* was first developed in 1993 under the auspices of the then Australian Nursing Council Inc. (now the Australian Nursing and Midwifery Council), Royal College of Nursing, Australia and the Australian Nursing Federation. In 2000 and 2006 respectively these peak organisations agreed to undertake a joint project to review the Code. It is recognised that the Code could not have been realised without the participation of nurses and nursing organisations in Australia, whose many submissions and comments informed the revision of the Code. These contributions are acknowledged and appreciated.

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Endnotes

1. This also includes nurses involved in other aspects of health and nursing such as planning, policy development, project management and regulatory activities.
2. United Nations 1978; World Health Organization 1948, 2001a, 2001b, 2003, 2005; Fukuda-Parr (ed.) 2004.
3. International Council of Nurses 1999–2006 (Position statements: eg Nurses and human rights (2006); Cultural and linguistic competence (in press), Mental health (2002); Abuse and violence against nursing personnel (2006); Rights of children (2000); Health services for migrants, refugees and displaced persons (2006); Nurses role in the care of detainees and prisoners (2006); Nurses role in providing care to dying patients and their families (2006); Prevention of disability and the care of people with disabilities (2000); Torture, death penalty and participation by nurses in executions (2006); Health information: protecting patient rights (2000); Patient safety (2002); Medical waste: role of nurses and nursing (2004); Reducing environmental and lifestyle-related health hazards (1999).
4. United Nations 1978.
5. WHO 2001b
6. WHO 2005.
7. WHO 2001b
8. Advice provided by a Torres Strait Islander academic.
9. This also includes nurses involved in other aspects of health and nursing such as planning, policy development, project management and regulatory activities.
10. The most appropriate term for people who are recipients of care remains controversial. The project team conducting the review of the codes found that:

Arguably one of the most significant issues to emerge from the data was the use of the term 'client' in the Code and the suggestion that this term should be replaced by a more appropriate term, for example: patient; consumer; human being; person(s) and/or people. This stance was strongly supported by the Expert Panel, with one panel member pointing out that there was a trend toward reinstating the use of the term 'patient' in Australia. It is acknowledged that this trend is not universal, and the Canadian Nurses Association (2002) for example, uses the term 'people' or 'person' in its Code of Ethics.

The use of the term 'patient' is consistent with the nomenclature used in other jurisdictions, however. For example, the UK's Nursing and Midwifery Council (2002) Code refers to both 'patient' and 'client'. The International Council of Nurses repeatedly uses the term 'patient' in its Position Statements (ICN, 2000a, 2002, 2006b), and the American Nurses Association (ANA)(2001) also uses the term 'patient' in its *Code of Ethics for Nurses*.

The term 'patient' entails a special ethical and legal relationship to the nurse or midwife, and to others in the context of professional health care, which does not apply to other 'persons', and is established in ethical discourse in phrases such as 'patient autonomy', 'patient care', 'patient advocacy' and so on. The Project Team has therefore opted for its use in the Codes of Ethics, and proposed that the term 'patient' be defined as 'the recipient of health care services—whether the recipient is an individual, a family, a group or the community'. The Project Team also believes that it is appropriate to use this terminology in the Codes because it 'makes clear that nurses care for groups as well as individuals' and because the term 'patient' can be defined as to include the full range of alternative terms that might be used in different contexts, such as 'client', 'resident' and 'consumer', as well as family, friends, relatives and others associated with the patient where appropriate.

Holmes, Thompson et al. (2007) *Review of the Code of Professional Conduct for Nurses in Australia*; and the *Code of Ethics for Nurses in Australia*; and the development of a *Code of Professional Conduct for Midwives in Australia* and a *Code of Ethics for Midwives in Australia—Final Report*, Townsville, James Cook University RMIT University.

An alternative viewpoint expressed by people who are recipients of health care and health services is that the nomenclature of 'patient' is most inappropriate in 2007. If we ask the 'what are we here for' question about nursing, it is about providing high quality, safe care to people. The very word 'patient' is heavily weighted with notions of paternalism. The language that paints the context of people who are the recipients of health care abounds with terms laden with passivity, compliance, endurance, power imbalance and control. We need to be aware of just how much the language affects our views of the world.

The importance of language and who controls it has been widely recognised and articulated by the feminist movement. Dale Spender talks of 'man made language' as defining and controlling the world that women live in. Nurses and midwives object strongly to the 'medicalisation' of health language. However, we could nearly identify a health service provider language as controlling a health consumer's environment.

A leading national organisation for recipients of health care is the Consumer Health Forum of Australia. The language of people who have organised in any way to represent the recipients of health services and care have generally called themselves 'health consumers' and identify as 'people' or as an individual 'person'. The continuing use of 'patient' is rejected by these groups and their very strong grounds for this rejection should be respected by nurses.

11. See for example, World Alliance for Patient Safety (2005). Many organisations have guidelines relating to reporting procedures that can be followed in such circumstances. A number of jurisdictions in Australia also have legislation designed to protect people who are whistleblowers. Whistleblowing is defined as the disclosure of information to protect public interest. It is usually disclosure of information: by former or current employees of an organisation; about misconduct, illegal, unethical or illegitimate practices that are within the control of their employers; to persons or an organisation that have the authority or power to take action. The person or organisation to which the disclosure is made may be outside the normal internal reporting systems of the organisation where the person is or was employed. See the Australian Nursing Federation (and some branches) guidelines on whistle blowing.
12. According to Johnstone M. (in press):
A less well recognised yet equally critical core component of the right to health, is cultural liberty and the right that all people have to maintain their 'ethnic, linguistic, and religious identities'—otherwise referred to as 'cultural rights' (Fukuda-Parr 2004). Cultural rights claims entail respect for cultural difference as an active component of human rights and development (Marks 2002). Central to the notion of cultural rights is the recognition that culture is not a static process encompassing a frozen set of values, beliefs and practices. Rather it is a process that is 'constantly recreated as people question, adapt and redefine their values and practices to

changing realities and exchanges of idea' (Fukuda-Parr 2004, 4). Thus, claims to cultural liberty are not about 'preserving values and practices as an end in itself with blind allegiance to tradition'; they are fundamentally concerned with expanding individual choice and the 'capability of people to live and be what they choose, with adequate opportunity to consider other options' (Fukuda-Parr 2004, 4).

13. This part of the explanatory statement also appears in the *Code of Professional Conduct for Nurses in Australia* and as it goes to the ethical conduct of nurses it has been included in the *Code of Ethics* as well. The power of nurses comes from their capacity to ration or withhold as well as provide comfort, pain relief, personal care and nurturance. People experience abusive power from nurses where they feel themselves required to plead, express gratitude or feel at the mercy of a nurse caring for them. The preceding comments and the commentary in the explanation were made in a response from the Health Consumers Council WA. It was the view of the Health Consumers' Council that kindness is irrefutably a professional quality required of nurses. It is their view that the demonstration of kindness diminishes the discrepancy in power between a nurse and a person in their care, and fosters safety and respect. Although the power relationship issue is addressed in the previous draft of the document, the Council found there was no offering to nurses on how the power differential can be managed. The Council went on to say that one of the greatest areas of complaint about nursing conduct is the absence of compassion or kindness. Conversely, people are most impressed and touched by nurses who are able to demonstrate simple acts of kindness and consideration.
14. There is a need for nurses to develop skills and capacity to respond to people speaking languages other than English, especially when they are working in health services where particular cultural groups speaking other languages are a substantial proportion of the local population.
15. According to Johnstone (in press):
A less well recognised yet equally critical core component of the right to health, is cultural liberty and the right that all people have to maintain their 'ethnic, linguistic, and religious identities' otherwise referred to as 'cultural rights' (Fukuda-Parr 2004). Cultural rights claims involve respect for cultural difference as an active component of human rights and development (Marks 2002). Central to the notion of cultural rights is the recognition that culture is not a static process encompassing a frozen set of values, beliefs and practices. Rather it is a process that is 'constantly recreated as people question, adapt and redefine their values and practices to changing realities and exchanges of idea' (Fukuda-Parr 2004, 4). Thus, claims to cultural liberty are not about 'preserving values and practices as an end in itself with blind allegiance to tradition'; they are fundamentally concerned with expanding individual choice and the 'capability of people to live and be what they choose, with adequate opportunity to consider other options' (Fukuda-Parr 2004, 4).
16. Health status includes living with conditions such as HIV/AIDS and mental disorders.
17. This also includes nurses involved in other aspects of health and nursing such as planning, policy development, project management and regulatory activities.
18. For example, as outlined in Australian Council for Safety and Quality in Health Care and Standards Australia (2003).
19. Response from the Health Consumers Council WA. The Council notes that it has seen some extreme and severe impacts for medical and mental health consumers from unprofessional notations in medical records. Nurses must be aware that an attempt to convey an impression about a health consumer to fellow workers during a particular episode of care can have ramifications for the consumer for many years to follow. Consumers can now access their records and can read and interpret the notes written about them. Consumers integrate their own recollections with the notes and develop a perception about the quality and professionalism of the care they received.
20. This includes oral, written, statistical, digital and computerised data and other information.

21. Including information kept in personnel files.
22. Nurses should also uphold and comply with policies and agreements that exist in Australia regarding the ethical media representation of health consumers and health-related matters.
23. Including information kept in personnel files.

LYNETTE CUSACK, Presiding Member,
Nurses Board of South Australia

Code of Professional Conduct
for Nurses in Australia

The Australian Nursing and Midwifery Council's *Code of Professional Conduct for Nurses in Australia* was endorsed by the Nurses Board of South Australia on 2 May 2008 and implemented for all nurses and midwives in South Australia from 3 November 2008.

Introduction

Professional conduct refers to the manner in which a person behaves while acting in a professional capacity. It is generally accepted that when performing their duties and conducting their affairs professionals will uphold exemplary standards of conduct, commonly taken to mean standards not generally expected of lay people or the 'ordinary person in the street'.¹

The *Code of Professional Conduct for Nurses in Australia* is supported by the *Code of Ethics for Nurses in Australia*. This Code of Professional Conduct for Nurses sets the minimum standards for practice a professional person is expected to uphold both within and outside of professional domains in order to ensure the 'good standing' of the nursing profession. These two companion Codes, together with other published practice standards (eg competency standards, decision-making frameworks, guidelines and position statements), provide a framework for legally and professionally accountable and responsible nursing practice in all clinical, management, education and research domains.²

The support and assistance of Royal College of Nursing, Australia and the Australian Nursing Federation in developing this edition of the *Code of Professional Conduct for Nurses in Australia* is acknowledged.

In considering this Code and the *Code of Ethics for Nurses in Australia*, it should be borne in mind that they are designed for multiple audiences: nurses; nursing students; people requiring or receiving nursing care; other health workers; the community generally; employers of nurses; nursing regulatory authorities; and consumer protection agencies.

Code of Professional Conduct for Nurses

1. Nurses practise in a safe and competent manner.
2. Nurses practise in accordance with the standards of the profession and broader health system.
3. Nurses practise and conduct themselves in accordance with laws relevant to the profession and practice of nursing.
4. Nurses respect the dignity, culture, ethnicity, values and beliefs of people receiving care and treatment, and of their colleagues.
5. Nurses treat personal information obtained in a professional capacity as private and confidential.
6. Nurses provide impartial, honest and accurate information in relation to nursing care and health care products.
7. Nurses support the health, wellbeing and informed decision making of people requiring or receiving care.
8. Nurses promote and preserve the trust and privilege inherent in the relationship between nurses and people receiving care.
9. Nurses maintain and build on the community's trust and confidence in the nursing profession.
10. Nurses practise nursing reflectively and ethically.

Purpose

The purpose of the *Code of Professional Conduct for Nurses in Australia* is to:

- outline a set of minimum national standards of conduct members of the nursing profession are expected to uphold;
- inform the community of the standards of professional conduct it can expect nurses in Australia to uphold; and
- provide consumer, regulatory, employing and professional bodies with a basis for evaluating the professional conduct of nurses.

The Code is not intended to give detailed professional advice on specific issues and areas of practice. In keeping with national competency standards, nurses have a responsibility to ensure their knowledge and understanding of professional conduct issues is up to date. While mandatory language such as 'must', 'shall' and 'will' is not used throughout this Code, it is important for nurses to understand that there is a presumption the conduct discussed is mandatory and therefore not discretionary for nurses practising nursing.

A breach of the Code may constitute either professional misconduct or unprofessional conduct. For the purposes of this

Code, professional misconduct refers to 'the wrong, bad or erroneous conduct of a nurse outside of the domain of his or her practice; conduct unbecoming a nurse' (eg sexual assault, theft, or drunk and disorderly conduct in a public place). Unprofessional conduct refers to 'conduct that is contrary to the accepted and agreed practice standards of the profession' (eg breaching the principles of asepsis; violating confidentiality in the relationship between persons receiving care and nurses).³

The nursing profession expects nurses will conduct themselves personally and professionally in a way that maintains public trust and confidence in the profession. Nurses have a responsibility to the people to whom they provide care, society and each other to provide safe, quality and competent nursing care.

Conduct Statement 1

Nurses practise in a safe and competent manner

Explanation

1. Nurses are personally accountable for the provision of safe and competent nursing care. It is the responsibility of each nurse to maintain the competence necessary for current practice. Maintenance of competence includes participation in ongoing professional development to maintain and improve knowledge, skills and attitudes relevant to practice in a clinical, management, education or research setting.⁴
2. Nurses are aware that undertaking activities not within their scopes of practice may compromise the safety of persons in their care. These scopes of practice are based on each nurse's education, knowledge, competency, extent of experience and lawful authority.
3. Nurses, reasonably and in good faith, advise their immediate supervisors or employers of the scopes of their practice including any limitations.⁵
4. When an aspect of care is delegated, nurses ensure the delegation does not compromise the safety or quality of care of people.
5. Nurses practise in a safe and competent manner that is not compromised by personal health limitations, including the use of alcohol or other substances that may alter a nurse's capacity to practise safely at all times. Nurses whose health threatens their capacity to practise safely and competently have a responsibility to seek assistance to redress their health needs. This may include making a confidential report to an appropriate authority.

Conduct Statement 2

Nurses practise in accordance with the standards of the profession and broader health system

Explanation

1. Nurses are responsible for ensuring the standard of their practice conforms to professional standards developed and agreed by the profession, with the object of enhancing the safety of people in their care as well as their partners, family members and other members of the person's nominated network. This responsibility also applies to the nurses' colleagues.
2. Nurses practise in accordance with wider standards relating to safety and quality in health care and accountability for a safe health system, such as those relating to health documentation and information management, incident reporting and participation in adverse event analysis and formal open disclosure procedures.⁶
3. Nurses' primary responsibility is to provide safe and competent nursing care. Any circumstance that may compromise professional standards, or any observation of questionable, unethical or unlawful practice, should be made known to an appropriate person or authority. If the concern is not resolved and continues to compromise safe and competent care, nurses must intervene to safeguard the individual and, after exhausting internal processes, may notify an appropriate authority external to their employer organisation.
4. Nurses recognise their professional position and do not accept gifts or benefits that could be viewed as a means of securing the nurses' influence or favour.⁷

Conduct Statement 3**Nurses practise and conduct themselves in accordance with laws relevant to the profession and practice of nursing***Explanation*

1. Nurses are familiar with relevant laws⁸ and ensure they do not engage in clinical or other practices prohibited by such laws or delegate to others activities prohibited by those laws.
2. Nurses witnessing the unlawful conduct of colleagues and other co-workers, whether in clinical, management, education or research areas of practice,⁹ have both a responsibility and an obligation to report such conduct to an appropriate authority and take other appropriate action as necessary to safeguard people and the public interest.
3. Where nurses make a report of unlawful or otherwise unacceptable conduct to their employers, and that report has failed to produce an appropriate response from the employers, nurses are entitled and obliged to take the matter to an appropriate external authority.¹⁰
4. Nurses respect the possessions and property of persons people in their care and those of their colleagues, and are stewards of the resources of their employing organisations.

Conduct Statement 4**Nurses respect the dignity, culture, ethnicity, values and beliefs of people receiving care and treatment, and of their colleagues***Explanation*

1. In planning and providing effective nursing care, nurses uphold the standards of culturally informed and competent care. This includes according due respect and consideration to the cultural knowledge, values, beliefs, personal wishes and decisions of the persons being cared for as well as their partners, family members and other members of their nominated social network. Nurses acknowledge the changing nature of families and recognise families can be constituted in a variety of ways.
2. Nurses promote and protect the interests of people receiving treatment and care. This includes taking appropriate action to ensure the safety and quality of their care is not compromised because of harmful prejudicial attitudes about race, culture, ethnicity, gender, sexuality, age, religion, spirituality, political, social or health status, lifestyle or other human factors.
3. Nurses refrain from expressing racist, sexist, homophobic, ageist and other prejudicial and discriminatory attitudes and behaviours toward colleagues, co-workers, persons in their care and their partners, family and friends. Nurses take appropriate action when observing any such prejudicial and discriminatory attitudes and behaviours, whether by staff, people receiving treatment and care or visitors, in nursing and related areas of health and aged care.
4. In making professional judgements in relation to a person's interests and rights, nurses do not contravene the law or breach the human rights of any person, including those deemed stateless such as refugees, asylum seekers and detainees.

Conduct Statement 5**Nurses treat personal information obtained in a professional capacity as private and confidential***Explanation*

The treatment of personal information should be considered in conjunction with the Guidelines to the *National Privacy Principles 2001*, which support the *Privacy Act 1988 (Cwth)*.¹¹ Many jurisdictions also have legislation and policies relating to privacy and confidentiality of personal health information including health care records.

1. Nurses have ethical and legal obligations to protect the privacy of people requiring and receiving care. This encompasses treating as confidential information gained in the course of the relationship between those persons and nurses and restricting the use of the information gathered for professional purposes only.
2. Nurses, where relevant, inform a person that in order to provide competent care, it is necessary to disclose information that may be important to the clinical decision making by other members of a health care team or a nominated carer.

3. Nurses where practicable, seek consent from the persons requiring or receiving care or their representatives before disclosing information. In the absence of consent, nurses use professional judgement regarding the necessity to disclose particular details, giving due consideration to the interests, wellbeing, health and safety of the person in their care. Nurses recognise that they may be required by law to disclose certain information for professional purposes.

Conduct Statement 6**Nurses provide impartial, honest and accurate information in relation to nursing care and health care products***Explanation*

1. When nurses provide advice about any care or product, they fully explain the advantages and disadvantages of alternative care or products so individuals can make informed choices. Nurses refrain from engaging in exploitation, misinformation or misrepresentation with regard to health care products and nursing care.
2. Nurses accurately represent the nature of their services or the care they intend to provide.
3. Where a specific care or a specific product is advised, nurses ensure their advice is based on adequate knowledge and not on commercial or other forms of gain. Deceptive endorsement of products or services or receipt of remuneration for products or services primarily for personal gain, other than remuneration in the course of a proper commercial relationship, is improper.¹²

Conduct Statement 7**Nurses support the health, wellbeing and informed decision making of people requiring or receiving care***Explanation*

1. Nurses inform the person requiring nursing care and, where that person wishes, their nominated family members, partners, friends or health interpreter, of the nature and purpose of recommended nursing care, and assist the person to make informed decisions about that care.
2. In situations where a person is unable or unwilling to decide or speak independently, nurses endeavour to ensure their perspective is represented by an appropriate advocate, including when the person is a child.

Conduct Statement 8**Nurses promote and preserve the trust and privilege inherent in the relationship between nurses and people receiving care***Explanation*

1. An inherent power imbalance exists within the relationship between people receiving care and nurses that may make the persons in their care vulnerable and open to exploitation. Nurses actively preserve the dignity of people through practised kindness and respect for the vulnerability and powerlessness of people in their care. Significant vulnerability and powerlessness can arise from the experience of illness and the need to engage with the health care system. The power relativities between a person and a nurse can be significant, particularly where the person has limited knowledge; experiences pain and illness; needs assistance with personal care; belongs to a marginalised group; or experiences an unfamiliar loss of self-determination. This vulnerability creates a power differential in the relationship between nurses and persons in their care that must be recognised and managed.¹³
2. Nurses take reasonable measures to establish a sense of trust in people receiving care that their physical, psychological, emotional, social and cultural wellbeing will be protected when receiving care. Nurses recognise that vulnerable people, including children, people with disabilities, people with mental illness and frail older people in the community, must be protected from sexual exploitation and physical harm.
3. Nurses have a responsibility to maintain a professional boundary between themselves and the person being cared for, and between themselves and others, such as the person's partner and family and other people nominated by the person to be involved in their care.

4. Nurses fulfil roles outside the professional role, including those as family members, friends and community members. Nurses are aware that dual relationships may compromise care outcomes and always conduct professional relationships with the primary intent of benefit for the person receiving care. Nurses take care when giving professional advice to people with whom they have a dual relationship (eg a family member or friend) and advise them to seek independent advice due to the existence of actual or potential conflicts of interest.
5. Sexual relationships between nurses and persons with whom they have previously entered into a professional relationship are inappropriate in most circumstances. Such relationships automatically raise questions of integrity in relation to nurses exploiting the vulnerability of persons who are or who have been in their care. Consent is not an acceptable defence in the case of sexual or intimate behaviour within such relationships.
6. Nurses should not be required to provide nursing care to persons with whom they have a pre-existing non-professional relationship, reassignment of the persons to other nurses for care should be sought where possible.
7. Nurses take all reasonable steps to ensure the safety and security of the possessions and property of persons requiring and receiving care.

Conduct Statement 9

Nurses maintain and build on the community's trust and confidence in the nursing profession

Explanation

1. The conduct of nurses maintains and builds public trust and confidence in the profession at all times.
2. The unlawful and unethical actions of nurses in their personal lives risk adversely affecting both their own and the profession's good reputation and standing in the eyes of the public. If the good standing of either individual nurses or the profession were to diminish, this might jeopardise the inherent trust between the nursing profession and the public necessary for effective therapeutic relationships and the effective delivery of nursing care.
3. Nurses consider the ethical interests of the nursing profession and the community when exercising their right to freedom of speech and participating in public, political and academic debate, including publication.

Conduct Statement 10

Nurses practise nursing reflectively and ethically

Explanation

1. Nurses practise nursing reflectively and ethically, in accordance with the *Code of Ethics for Nurses in Australia*, in order to learn from experience and contribute to personal and professional practice.
2. Nurses develop and maintain appropriate and current quality nursing advice, support and care for each person requiring and receiving care and their partners, families and other members of their nominated social network. This responsibility also applies to colleagues of nurses.
3. Nurses evaluate their conduct and competency according to the standards of the nursing profession.
4. Nurses contribute to the professional development of students and colleagues.
5. Nurses participating in research do so in accordance with recognised research guidelines and do not violate their duty of care to persons receiving nursing care.
6. Nurses advise employers and any persons in their care of any reduction in their capacity to practise due to health, social or other factors, while they seek ways of redressing the problem.

Glossary of terms

Adverse event—is an unintended injury or complication resulting in temporary or permanent disability, death or prolonged hospital stay and is caused by health care management rather than the person's disease.

Colleagues—includes health care workers, co-workers, staff and others lawfully involved in the care of people.

Ethics and morality—the concepts of 'ethics' and 'morality' are substantially the same and have been used interchangeably throughout this Code.

Nominated partners, family and friends—include people in consensual relationship with the person receiving nursing care and others who play an important role in the life of that person.

Nurse—means a registered or enrolled nurse authorised to practise in a state or territory of Australia. For the purposes of this Code, it may also refer to students of nursing.

Persons or people requiring or receiving care—includes the full range of alternative terms such as patient, client, resident and consumer and is employed for the sake of respect and simplicity.

Professional boundaries—are the limits of a relationship between a nurse and an individual or the individual's significant other. These limits facilitate safe and therapeutic practice and result in safe and effective care. Limits of a relationship may include under- or over-involvement in the provision of care.

Representative of a person requiring or receiving care—is a person legitimately entitled to act on behalf of another person.

Unsatisfactory professional conduct—is professional conduct below the standard reasonably expected of a nurse with an equivalent level of training or experience. This includes conduct that demonstrates incompetence, compromises care and/or discredits the nursing profession.

Professional standards include:

- this *Code of Professional Conduct for Nurses in Australia*;
- the *Code of Ethics for Nurses in Australia*;
- the *ICN Code of Ethics for Nurses*;
- the *ANMC Competency Standards for Nurse Practitioners, Registered Nurses and Enrolled Nurses*;
- the *ANMC National Framework for the Development of Decision-Making Tools for Nursing and Midwifery Practice*;
- other endorsed standards or guidelines published by the state and territory nursing and midwifery regulatory authorities; and
 - standards developed by professional nursing organisations.

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- Endnotes**
1. Johnstone M. and Kanitsaki O. 2001.
 2. This also includes nurses involved in other aspects of health and nursing such as planning, policy development, project management and regulatory activities.
 3. Johnstone M. and Kanitsaki O. 2001.
 4. This also includes nurses involved in other aspects of health and nursing such as planning, policy development, project management and regulatory activities.
 5. See the work being conducted around the development of the national framework for the development of decision-making tools for nursing and midwifery practice and associated documents and guidelines at: www.anmc.org.au/professional_standards/index.php
 6. For example, as outlined in Australian Council for Safety and Quality in Health Care and Standards Australia (2003).
 7. Nurses do not allow the offer of any gift or benefits to change the way they work or make decisions, working on the general presumption that they do not accept any gifts or benefits. Recognising the reality of people wishing to demonstrate their appreciation for care by providing an acknowledgement in the form of a gift or benefit, the following guidelines apply:
 - Nurses may accept token or inexpensive gifts offered as a gesture of appreciation, and not to secure favour. They do not accept gifts that are more than a token; nor do they accept gifts of cash, other than a negotiated fee for service when in private practice.
 - Nurses in employment report the acceptance of the gift to their supervisors and seek their agreement to retain the gift.
 - Nurses take all reasonable steps to ensure that neither they nor their immediate family members accept gifts or benefits an impartial observer could view as a means of securing the nurse's influence or favour.
- Further specific guidance may be obtained from the Codes of Conduct of the relevant government agencies in the jurisdiction responsible for the conduct of health services and employees of health services, ethical and fair trading, anti-corruption; as well as private health service providers; and professional associations.
8. 'Relevant laws' include the legislation and common law specific to nursing and the health system such as those regulating the conduct of nurses and poisons and therapeutic goods; but also include the many other general laws regulating areas including criminal conduct (such as assault and murder), privacy and negligence.
 9. This also includes nurses involved in other aspects of health and nursing such as planning, policy development, project management and regulatory activities.
 10. See, for example, World Alliance for Patient Safety (2005). Many organisations will have guidelines relating to reporting procedures that can be followed in such circumstances. A number of jurisdictions in Australia also have legislation designed to protect people who are whistleblowers. Whistleblowing is defined as the disclosure of information to protect the public interest. It is usually disclosure of information by former or current employees of an organisation; about misconduct, illegal, unethical or illegitimate practices that are within the control of their employers; to a person or an organisation that has the authority or power to take action. The person or organisation to which the disclosure is made may be outside the normal internal reporting systems of the organisation where the person is or was employed. See the Australian Nursing Federation (and some branches) guidelines on whistleblowing.
 11. Under review by the Australian Law Reform Commission at the time of writing.
 12. Guidelines prepared by the Australian Competition and Consumer Commission and the Council of Health Care Complaints Commissioners in Australia outline the issues in relation to professional conduct in this area of practice (Australian Competition and Consumer Commission and Health Care Complaints Commission (NSW) 2000).
 13. This statement also appears in the *Code of Ethics for Nurses in Australia* and as it goes to the professional conduct of nurses it has been included in the *Code of Professional Conduct* as well. The power of nurses comes from their capacity to ration or withhold as well as provide comfort, pain relief, personal care and nurturance. People experience abusive power from nurses where they feel themselves required to plead, express gratitude or feel at the mercy of a nurse caring for them. These comments and the commentary in the explanation were made in a response from the Health Consumers' Council WA. It was the view of the Council that kindness is irrefutably a professional quality required of nurses. It is their view that the demonstration of kindness diminishes the discrepancy in power between a nurse and a person in their care, and fosters safety and respect. Although the power relationship issue is addressed in the previous draft of the document, the Council found there was no offering to nurses on how the power differential can be managed. The Council went on to say that one of the greatest areas of complaint about nursing conduct is the absence of compassion or kindness. Conversely, people are most impressed and touched by nurses who are able to demonstrate simple acts of kindness and consideration.

LYNETTE CUSACK, Presiding Member,
Nurses Board of South Australia

Code of Ethics
for Midwives in Australia

The Australian Nursing and Midwifery Council's *Code of Ethics for Midwives in Australia* was endorsed by the Nurses Board of South Australia on 2 May 2008 and implemented for all nurses and midwives in South Australia from 3 November 2008.

Definition of the Midwife

A midwife is a person who, having been regularly admitted to a midwifery educational programme, duly recognised in the country in which it is located, has successfully completed the prescribed course of studies in midwifery and has acquired the requisite qualifications to be registered and/or legally licensed to practise midwifery.

The midwife is recognised as a responsible and accountable professional who works in partnership with each woman to give the necessary support, care and advice during pregnancy, labour and the postpartum period, to conduct births on the midwife's own responsibility and to provide care for the newborn and the infant. This care includes preventative measures, the promotion of normal birth, the detection of complications in mother and child, the accessing of medical care or other appropriate assistance and the carrying out of emergency measures.

The midwife has an important task in health counselling and education, not only for the woman, but also within the family and the community. This work should involve antenatal education and preparation for parenthood and may extend to each woman's health, sexual or reproductive health and child care.

A midwife may practise in any setting including the home, community, hospitals, clinics or health units.

Adopted by the International Confederation of Midwives Council meeting, 19 July 2005, Brisbane, Australia; supersedes the ICM Definition of the Midwife 1972 and its amendments of 1990.

Introduction

This *Code of Ethics for Midwives in Australia* has been developed for the midwifery profession in Australia. It is relevant to all midwives in all areas of maternity services including those encompassing the midwifery practice, management, education and research domains.¹ Midwives have a responsibility to promote this Code in midwifery and maternity services, participating in policy at all levels of governance, and developing their knowledge and understanding of ethics and midwifery in order to respond effectively to issues arising from their practice.

In considering this Code and its companion the *Code of Professional Conduct for Midwives in Australia*, it should be borne in mind that they are designed for multiple audiences: midwives; midwifery students; women receiving midwifery care and their families; the community generally; employers of midwives; midwifery regulatory authorities; and consumer protection agencies. It is also noteworthy that the concepts of 'ethics' and 'morality' are substantially the same and have been used interchangeably throughout this Code.

This Code reflects the Australian College of Midwives *Philosophy Statement* (2004) and the midwifery profession's commitment to respect, promote, protect and uphold the rights of women and their infants, in both the receipt and provision of midwifery care and maternity services. It is also framed in part by the principles and standards set forth in the United Nations Universal Declaration of Human Rights, International Covenant of Economic, Social and Cultural Rights and International Covenant on Civil and Political Rights; the World Health Organization's Constitution and publication series entitled *Health and Human Rights*; and the United Nations Development Programme *Human Development Report 2004: Cultural liberty in today's diverse world*.²

This Code is also complementary to the International Confederation of Midwives *Code of Ethics* (2005) and is intended to be interpreted in conjunction with that code, as well as other ethical standards and guidelines developed by Australian state and territory professional midwifery organisations and nursing and midwifery regulatory authorities. The Code is supported by the *Code of Professional Conduct for Midwives in Australia*. The National Competency Standards for the Midwife in Australia (2006) flow from these Codes and have strong linkages and identifiable common subject matter. Whereas this Code sets out certain values for guiding the ethical orientation and behaviour of midwives in practice domains, the *Code of Professional Conduct for Midwives in Australia* sets out certain practice requirements.

Code of Ethics for Midwives

1. Midwives value quality midwifery care for each woman and her infant(s).

2. Midwives value respect and kindness for self and others.
3. Midwives value the diversity of people.
4. Midwives value access to quality midwifery care for each woman and her infant(s).
5. Midwives value informed decision making.
6. Midwives value a culture of safety in midwifery care.
7. Midwives value ethical management of information.
8. Midwives value a socially, economically and ecologically sustainable environment promoting health and wellbeing.

Purpose

The purpose of the *Code of Ethics for Midwives in Australia* is to:

- identify the fundamental ethical standards and values to which the midwifery profession is committed, and that are incorporated in other professional midwifery codes and standards for woman-centred midwifery practice;
- provide midwives with a reference point from which to reflect on the conduct of themselves and others;
- indicate to each woman receiving midwifery care and her family, colleagues from other professions, and the Australian community generally the human rights standards and ethical values they can expect midwives to uphold; and
- guide ethical decision making and midwifery practice.

Woman-Centred Midwifery and Human Rights

The midwife's primary professional responsibility is toward each woman and her infant(s) requiring or receiving midwifery care, in particular the individual woman-midwife partnership, while recognising and respecting the role of partners, family and friends in the woman's life. Midwives assist women in pregnancy, childbirth and early parenting, and support them to maintain, restore or improve their health and that of their infants.

The midwifery profession recognises the universal human rights of people, and in particular of each woman and her infant(s); and the moral responsibility to safeguard the inherent dignity and equal worth of everyone.³ This includes recognising, respecting, actively promoting and safeguarding the right of each woman and her infant(s) to the highest attainable standard of midwifery care as a fundamental human right, and that 'violations or lack of attention to human rights can have serious health consequences'.⁴

In recognising the linkages and operational relationships that exist between childbirth and human rights, the midwifery profession respects the human rights of Australia's Aboriginal and Torres Strait Islander peoples as the traditional owners of this land, who have ownership of, and live a distinct and viable culture that shapes their world view and influences their daily decision making. Midwives recognise that the process of reconciliation between Aboriginal and Torres Strait Islander and non-indigenous Australians is rightly shared and owned across the Australian community. For Aboriginal and Torres Strait Islander people, while physical, emotional, spiritual and cultural wellbeing are distinct, they also form the expected whole of the Aboriginal and Torres Strait Islander model of care.⁵

The midwifery profession also acknowledges the diversity of people constituting Australian society, including immigrants, asylum seekers, refugees and detainees, and the responsibility of midwives to provide just, compassionate, culturally competent and culturally responsive midwifery care to each childbearing woman and her infant(s).

Guiding Framework

The guiding framework of this Code is woman-centred midwifery. While the Code speaks to individuals, it signals the standards and values of the profession (not of individuals) that midwives are expected to uphold whether in direct midwifery care or managerial, educational or research practice.⁶

This Code contains eight value statements. The explanations accompanying the value statements are organised into five categories: self, the woman and her infant(s), partner and family, colleagues and community.

- **Self:** refers to a midwife, registered or endorsed, who is employed in that capacity. It also refers to students of midwifery.

- **The woman and her infant(s):** refers to the childbearing woman, during pregnancy, labour, birth, early parenting and at any other stage when she seeks and receives maternity services; infant(s) includes the unborn baby and newborn baby, alive or dead, and in the event of multiple births refers to each infant.
- **Partner and family:** refers to a woman's partner and immediate family as defined or described by the woman. Note that this term is used for the sake of simplicity. It is to be read to include the full range of forms the contemporary Australian family takes, and may include fathers (of the infants), husbands, partners, other children, siblings, parents and/or grandparents. It can sometimes include friends, relatives and others associated with the woman. It may include some family members who are not in Australia.
- **Colleagues:** includes other midwives, midwifery and other students, health care providers and others legitimately involved in the care of the woman and her infant(s).
- **Community:** refers to Australian society as a whole regardless of geographic location and any specific group the woman defines as her community, including those identifying as culturally connected through ethnicity, shared history, religion, gender, age and other ways.

This Code and the explanations are not intended to provide a formula for the resolution of ethical problems, nor can they adequately address the definitions and exploration of terms, concepts and practical issues that are part of the broader study of midwifery and ethics.

It is intended that this Code and the explanations:

- guide ethical relationships between the childbearing woman and the midwife, and the midwife and others such as colleagues and the woman's partner and family;
- assist further exploration and consideration of ethical matters in midwifery.

In addition to the social context in which it takes place, midwifery care may be affected by government policies, laws, resource constraints, institutional policies, management decisions, Aboriginal and Torres Strait Islander community protocols and practices and the practice of other health care providers.

Value Statement 1

Midwives value quality midwifery care for each woman and her infant(s)

Explanation

At the heart of valuing quality midwifery care is valuing each woman, the process of childbirth, the woman-midwife partnership, and the mother-baby relationship. This involves midwives assisting each woman during pregnancy, birth and the early postnatal period, providing support, advice and care according to individual needs. The woman-midwife partnership focuses on the health and midwifery needs of the woman, her infant(s) and her partner and family. Midwives have a responsibility not to interfere with the normal process of pregnancy and childbirth⁷ unless it is necessary for the safety of the woman and infant(s).⁸ Quality midwifery care also necessitates midwives being accountable for the standard of care they provide; helping to raise the standard; and taking action when they consider, on reasonable grounds,⁹ the standard to be unacceptable. This includes a responsibility to question and report unethical behaviour or treatment.¹⁰

1. **Self:** Self-care involves acknowledging one's own strengths and limitations and developing personal qualities that promote professional practices. This includes midwives improving their knowledge, skills and attitudes in order to provide evidence-based, safe, quality support, advice and care in their midwifery practice and maximising the woman's capacity to enjoy and be in control of their pregnancy, birth and parenting. Midwives are entitled to conscientiously refuse to participate in midwifery care they believe on religious or moral grounds to be unacceptable ('conscientious objection'). Midwives account for their midwifery decisions, accept their moral and legal responsibilities, and practise within the boundaries of their professional role, avoiding situations that may impair quality midwifery care.
2. **The woman and her infant(s):** A midwife's primary responsibility is to the woman and her infant(s).¹¹ Midwives strive to secure for each woman and her infant(s) the best

available support during pregnancy, labour, birth, the postnatal period and at any other time they require midwifery care. To achieve this, midwives recognise the validity of the woman's knowledge of self during pregnancy, labour, birth and early parenting; and the need for each woman to have freedom to make choices about her care, informed decision making, and a trusting, supportive and protective environment. Midwives also strive to ensure that the infant's health needs are met, including promoting a safe birth and the establishment of breastfeeding.

3. **Partner and family:** Midwives value the importance of the supportive role of the woman's partner and family in her life, from the time of the infant's conception, development and birth into the existing family and social network. This involves knowing the woman, her partner and family, and respecting individuality and difference within families.
4. **Colleagues:** Midwives collaborate with colleagues working in partnership with the woman, advocating for her needs while supporting and sustaining each other in their professional roles. Midwives acknowledge the role and expertise of other health professionals providing care and support for each childbearing woman. Midwives take steps to ensure that not only they, but also their colleagues, provide quality maternity care. This may involve reporting to an appropriate authority, cases of unsafe, incompetent, unethical or illegal practice. Midwives support colleagues whom they reasonably consider are complying with this expectation.
5. **Community:** Midwives value their role in providing health counselling and education in the broader community as well as for the woman and within the family. Midwives individually and collectively, encourage professional and public participation in shaping social policies and institutions; advocate for policies and legislation that promote social justice, improved social conditions and a fair sharing of community resources; and acknowledge the role and expertise of community groups in providing care and support for each childbearing woman. This includes protecting cultural practices beneficial to each woman, her infant(s), partners and families, and acting to mitigate harmful cultural practices.¹²

Value Statement 2

Midwives value respect and kindness for self and others

Explanation

Valuing respect for self and others encompasses valuing the moral worth and dignity of oneself and others. It includes respecting the individual ethical values people might have in the context of midwifery care. Kindness is the demonstration of simple acts of gentleness, consideration and care. The practise of kindness as a committed and everyday approach to midwifery care reduces the power imbalance between a midwife and the woman and her infant(s) receiving care, by placing the midwife at the service of the woman and her infant(s), which is the appropriate relationship.

1. **Self:** Respecting oneself recognises one's own intrinsic worth as a person, and is reflected in personal identity and kindness toward oneself. Self-respect enables midwives to foster their sense of personal wellbeing, and act in ways that increase their own sense of self-worth. This involves midwives maintaining their own health, acknowledging their physical and psychological strengths and limitations and developing personal qualities that promote effective professional relationships and practices.
2. **The woman and her infant(s):** Midwives work in partnership with the woman in childbearing and parenting, and help others including the woman and her infant(s), in order to promote a healthy experience and prevent or reduce possible harm. Midwives actively preserve the dignity of the woman and her infant(s) through practised kindness and by recognising the potential for vulnerability and powerlessness of women in their care. The power relativities between a woman and a midwife may be significant, where the woman may have limited knowledge, experiences pain and fear, needs assistance with personal care, or experiences an unfamiliar loss of self-determination. This vulnerability creates a consequential power differential in the relationship between midwife and the woman in their care that must be recognised and managed.¹³

3. **Partner and family:** Respecting the woman's partner and family recognises the need they may have for support and protection in maintaining their active involvement during pregnancy, childbirth and early parenting, while recognising the woman's right to self determination.
4. **Colleagues:** Respect for colleagues involves acknowledging and respecting their knowledge, experience, expertise and insights. It includes practising kindness and modelling consideration and care towards each other; adopting a collaborative approach to maternity services; and taking into account their opinions, feelings, preferences and attitudes. Dismissiveness, indifference, manipulativeness and bullying are intrinsically disrespectful and ethically unacceptable. Qualified midwives supporting and mentoring students provide positive role models for future midwifery practice.
5. **Community:** Respect for the community requires midwives to recognise the moral claims of society, their impact on childbirth and midwifery practice, and the fundamental human rights underpinning them. Midwives respond to community needs and concerns, promote health, participate in community affairs and political life, and respond to the diversity of Australian society. Midwives, individually and collectively, create and maintain equitable and culturally and socially responsive maternity services for each woman and her infant(s) living in Australia.

Value Statement 3

Midwives value the diversity of people

Explanation

Valuing the diversity of people requires midwives to appreciate how different cultural backgrounds and languages may influence both the provision and receipt of midwifery care.¹⁴

1. **Self:** Valuing diversity requires acknowledgment of one's own cultural similarities to and differences from others. It involves midwives recognising and valuing their own unique identity and experiences, including thoughts, beliefs, attitudes and perceptions.
2. **The woman and her infant(s):** Valuing the diversity of each woman involves acknowledging and responding to each woman as a unique individual and to her culture. It requires midwives to develop cultural knowledge and awareness and greater responsiveness to the languages spoken¹⁵ enabling them to better understand and respond effectively to the cultural and communication needs of each woman during midwifery care.
3. **Partner and family:** Valuing the diversity of families involves acknowledging and responding to them as unique individuals and to their culture. It requires midwives to develop cultural knowledge and awareness and greater responsiveness to the languages spoken so that they can better understand and respond effectively to the cultural and communication needs of partners and families.
4. **Colleagues:** Midwives value and accept diversity among their colleagues and acknowledge the need for non-discriminatory interpersonal and interprofessional relationships. They respect each other's knowledge, skills and experience and regard these as a valuable resource.
5. **Community:** Midwives recognise and accept the diversity of people constituting Australian society, and that different groups may live their lives in ways informed by different cultural values, beliefs, practices and experiences. Midwives seek to eliminate disparities and inequities in midwifery care, especially among population groups in society that are considered most vulnerable, including Aboriginal and Torres Strait Islander populations; asylum seekers, refugees and migrants; and ethnic, religious, national and racial minorities. Midwives do this by ensuring each woman and her infant(s) are not disadvantaged or harmed because of their appearance, language, culture,¹⁶ religion, thinking, beliefs, values, perceptions, sex and gender roles, sexual orientation, national or social origin, economic or political status, physical or mental disability, health status,¹⁷ or any other characteristics that may be used by others to nullify or impair the equal enjoyment or exercise of the right to midwifery care.

Value Statement 4

Midwives value access to quality midwifery care for each woman and her infant(s)

Explanation

Valuing midwifery care for each woman and her infant(s) requires midwives to uphold the principles and standards of the right to midwifery care as measured by its availability, accessibility, acceptability, quality and safety.¹⁸ Specifically, access refers to the extent to which a woman and her infant(s) or a community can obtain midwifery services. This includes knowledge of when it is appropriate to seek midwifery care, and the ability to travel to and the means to pay for midwifery care. Access does not mean the ability to provide all services imaginable for everyone, but rather the ability to reasonably and equitably provide services based on need, irrespective of geography, social standing, ethnicity, age, race, sexuality or level of income.

1. **Self:** Midwives value and accept responsibility for self-care. This involves maintaining their own health, acknowledging their physical and psychological strengths and limitations, and developing personal qualities that promote effective professional relationships and practices. This includes midwives maintaining and improving their knowledge, skills and attitudes so that they can perform their professional roles effectively in the respective domains in which they may work. When caring for one's self calls into question participation in particular practices (whether in a research, educational, managerial, or clinical domain¹⁹), midwives act in accordance with the statements contained in this Code concerning conscientious objection.
2. **The woman and her infant(s):** Midwives promote and practise non-harmful, non-discriminatory midwifery care for each woman and her infant(s). They seek to eliminate prejudicial attitudes regarding race, ethnicity, culture, gender, sexuality, religion, spirituality, disability, age and economic, social or health status. Midwives promote effective communication and value the decisions and contributions made by each woman, including those women whose decision making is restricted because of incapacity, language or legal circumstances.
3. **Partner and family:** The commitment of midwives to the woman and her infant(s) extends to the woman's partner and family members and other members of her nominated social network.
4. **Colleagues:** Midwives foster supportive and constructive relationships with colleagues, recognising their strengths and limitations and respecting their need for self-care.
5. **Community:** Midwives promote quality midwifery care for each woman and her infant(s), opposing stigma and harmful discrimination. This requires midwives to be informed about culturally appropriate and competent care. Midwives uphold and comply with policies and agreements existing in Australia regarding the ethical media representation of women and their infants as health consumers and in matters of maternity care.

Value Statement 5

Midwives value informed decision making

Explanation

Midwives value people's interests in making free and informed decisions. This includes each woman having the opportunity to verify the meaning and implication of information being given to her when making decisions about her maternity care and childbirth experience. Midwives also recognise that making decisions is sometimes constrained by circumstances beyond individual control and that there may be circumstances where informed decision making cannot always be fully realised.²⁰

1. **Self:** Midwives make informed decisions in relation to their practice within the constraints of their professional role and in accordance with ethical and legal requirements. Midwives ensure their decision making is based on contemporary, relevant and well-founded knowledge and practice, which includes the woman's knowledge of herself and her infant(s).

2. **The woman and her infant(s):** Midwives value the woman's legal and moral right (in all but exceptional circumstances)²¹ to self-determination during pregnancy, labour, birth and early parenting on the basis of informed decision making. Midwives promote effective communication and value the decisions and contributions made by each woman including those women whose decision making is restricted because of incapacity, language or legal circumstances.
3. **Partner and family:** Midwives recognise the important supportive role partners and families can fulfil during childbearing and early parenting, and the role of partners, family members, friends and others in contributing to decision making. Midwives facilitate partner and family members supporting the woman's legal and moral right to self-determination during pregnancy, labour, birth and early parenting on the basis of informed choice.
4. **Colleagues:** Midwives respect the rights of colleagues and members of other disciplines to participate in informed decision making, in making well-founded decisions including those using the woman's knowledge of herself and infant(s). This involves making decisions without being subject to coercion of any kind.
5. **Community:** Midwives value the contribution made by the community to decision making in relation to maternity services and midwifery care through a range of activities, including consumer groups, advocacy and membership of health-related committees. Midwives assist in keeping the community accurately informed about midwifery-related issues.

Value Statement 6

Midwives value a culture of safety in midwifery care

Explanation

Valuing a culture of safety involves midwives actively engaging in the development of shared knowledge and understanding of the importance of safety—physical, emotional, social and spiritual—as a crucial component of contemporary midwifery care. Midwives who value a culture of safety support reasonable measures, processes and reporting systems designed to reduce the incidence and impact of preventable adverse events in the provision of midwifery care. They also support the open disclosure to women of any adverse events affecting them or their infants during the course of their care.²²

1. **Self:** Midwives value safe practice and a safe working environment, practising within the limitations of their knowledge and skills and appreciating that safety is everyone's responsibility. Midwives have a moral and legal right to practise in a safe environment, without fear for their own safety or that of others, and they seek remedies through accepted channels, including legal action, when this is not the case. Midwives value the maintenance of competence in contributing to a safe care and practice environment.
2. **The woman and her infant(s):** Every woman and midwife is entitled to question the care, behaviour and decisions made by others that they regard as potentially unethical, unsafe or illegal, and to object and refuse to participate in those they consider, on reasonable grounds, are unethical or illegal. Midwives take action when they identify a woman and her infant(s) are at risk, reporting this to relevant authorities.
3. **Partner and family:** Midwives recognise and respect the important supportive role partners and families can fulfil during childbearing and early parenting, as negotiated by the woman herself, while striving to ensure the environment is safe for all.
4. **Colleagues:** Midwives value interpersonal competencies such as trustful communication, teamwork and situation awareness, and support non-punitive management processes aligned with a systems approach to reducing the incidence and impact of preventable adverse events and human error.
5. **Community:** Midwives, individually and collectively, participate in developing and improving equitable, culturally and socially responsive and economically sustainable midwifery care and maternity services for each woman living in Australia.

Value Statement 7

Midwives value ethical management of information

Explanation

The generation and management of information (including midwifery care records and other documents) are performed with professionalism and integrity. This requires the information being recorded to be accurate, non-judgemental and relevant to the midwifery care of the woman and her infant(s). All midwifery documentation is a record that cannot be changed or altered other than by the addition of further information. A notation in a record or a document used for midwifery care communication can have a powerful positive or negative impact on the quality of care received by a woman and her infant(s). These effects can be long-lasting, either through ensuring the provision of quality care, or through enshrining stigma, stereotyping and judgement in maternity care decision making and maternity care provision experienced by a woman and her infant(s).²³

The ethical management of information involves respecting people's privacy and confidentiality without compromising health or safety. This applies to all types of data, including clinical and research data, irrespective of the medium in which the information occurs or is stored.²⁴ Personal information may only be shared with the consent of the individual or with lawful authorisation.

1. **Self:** Midwives are entitled to the same moral, professional and legal safeguards as any other person in relation to their personal information.²⁵ They have a right to expect that their personal information will not be shared with another person without their approval or lawful authorisation.
2. **The woman and her infant(s):** Midwives respect the conditions under which information about the woman and her infant(s) may or may not be shared with others. Midwives also respect the woman's preferences regarding herself and her infant(s). Maintaining confidentiality of information involves preserving each woman's privacy to the extent that it does not compromise the health or safety of the woman, her infant(s) or others. Midwives comply with mandated reporting requirements, and conform to relevant privacy and other legislation. Ethical information management also requires midwives to maintain information and records needed in order to provide quality midwifery care. They do not divulge information about any particular person to anyone not authorised to have that information.²⁶
3. **Partner and family:** Midwives respect the conditions under which information about the woman's partner or family may or may not be shared with others. This involves preserving their privacy to the extent that it does not significantly compromise the health or safety of the woman, her infant(s) or others.
4. **Colleagues:** Midwives recognise that their colleagues enjoy the same protections as other people with regard to personal information.²⁷ This does not override the responsibility midwives may have in reporting aspects of a colleague's professional practice giving cause for concern. Midwives ensure colleagues are given reliable information about any risks posed by a woman or her infant(s) to whom they are providing, or planning to provide, midwifery care, subject to approved policies and relevant privacy and other legislation.
5. **Community:** Midwives comply with systems of information management meeting the standards and expectations of Australian society. Midwives respect the privacy and confidentiality rights relating to childbearing and early parenting for each woman and her infant(s) living in or entering Australia regardless of their visa status.

Value Statement 8

Midwives value a socially, economically and ecologically sustainable environment, promoting health and wellbeing

Explanation

Midwives value strategies aimed at preventing, minimising and overcoming the harmful effects of economic, social or ecological factors on the health of each woman, her infant(s), family and community. Commitment to a healthy environment involves the conservation and efficient use of resources such as energy, water and fuel, as well as clinical and other materials.²⁸

1. **Self:** Midwives use all resources efficiently and comply with strategies aimed at the sustainable use of resources (including safe re-use, recycling and conservation) in the course of their work. They may also contribute to the development, implementation and monitoring of relevant policies and procedures.
2. **The woman and her infant(s):** Midwives are sensitive to, and informed about, the social and environmental factors that may contribute to the health and wellbeing of each woman and her infant(s) and that may play a part in their midwifery care. Midwives take into account the economic and domestic circumstances of each woman and her infant(s) where these impact, positively or adversely, upon their maternity care needs and health.
3. **Partner and family:** Midwives support alerting partners and families to environmental factors and economic and domestic conditions that may impact on the health and wellbeing of the woman and her infant(s).
4. **Colleagues:** Midwives support alerting colleagues and employers to the adverse effects of environmentally harmful processes and practices, and collaborate to minimise these as they occur in maternity settings. This includes working cooperatively with colleagues to improve the conservation, efficient use and safe recycling of resources in the workplace.
5. **Community:** Midwives value, contribute to and support strategies preventing or minimising the harmful effects of economic, social and ecological factors such as crime, poverty, poor housing, inadequate infrastructure and services, and environmental pollution and degradation that may lead to problems in childbearing and ill health in the community.

Acknowledgments and Background

The commission to develop a code of ethics that defines the moral context of midwifery care in meeting the needs of each woman and her infant(s), and provides a national approach to the regulation of the midwifery profession, came from the Australian Nursing and Midwifery Council (ANMC), the Australian College of Midwives (ACM) and the Australian Nursing Federation (ANF). The development of the *Code of Ethics for Midwives in Australia* and a review of the *Code of Ethics for Nurses in Australia* were undertaken concurrently and separately and while a similar format was adopted for both codes, the orientation and content of the separate codes maintain the professional integrity of the respective disciplines.

A brief history of the process of development of the *Code of Ethics for Midwives in Australia* may help the reader to understand more fully why specific values and concepts were included while others were not.

The Code was drafted in consultation with midwives, consumers, midwifery organisations and nursing organisations, using written submissions, electronically administered questionnaires and public discussion forums, between March and October 2006. The first draft of the Code was reviewed by a selected panel of professionals with expertise in ethics, midwifery, professional codes, rural and remote area practice, childbirth and midwifery in Aboriginal and Torres Strait Islander communities and other cultures, and/or health care, on 23 and 24 October 2006.

The final draft was submitted to the ANMC, the ACM and the ANF in November 2006 for presentation to their reference panel and a selected panel of international professionals with expertise in ethics, midwifery, professional codes and/or health care. This was followed by further consultation during 2007 through focus groups and web-based opportunities to comment on the draft prepared in 2006.

Code development began with a review of contemporary literature on ethics and a review of code development in midwifery and nursing. This was followed by an analysis of the values inherent in the ICM *Definition of the Midwife* (2005); the ACM *Philosophy Statement* (2004) and *Code of Ethics* (2001); the ANMC *National Competency Standards for the Midwife* (2006); the ACM *Standards for the Accreditation of Bachelor of Midwifery Education Programs Leading to the Initial Registration as a Midwife in Australia* (2006); ethical codes and standards developed by Australian state and territory professional midwifery organisations; and codes from other countries such as the New Zealand College of Midwives (Inc.) *Code of Ethics* (2002) and UK Nursing and Midwifery Council *Code of*

Professional Conduct: Standards for conduct, performance and ethics (2004).

Concern for clarity, use of plain English language, culturally informed wording and inclusion, and the national nature of a *Code of Ethics for Midwives in Australia* guided both its format and focus. It was also considered important that the Code speak to individuals and provide guidance on moral character and virtues, ethical values, and professional and moral obligations: that is, when we enter a profession we take on the values of that profession. It is also vital that the Code meet the needs of other audiences who need to be informed of the moral standards of midwifery care including the community, regulators, educators, students and researchers.

The *Code of Ethics for Midwives in Australia* is intended to be a contemporary document, and therefore your comments and suggestions for enhancing the understanding and usefulness of this document over the years are welcomed.

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Endnotes

1. This also includes midwives involved in other aspects of health and midwifery such as planning, policy development, project management and regulatory activities.
2. United Nations 1978; World Health Organization 1948, 2001a, 2001b, 2003, 2005; Fukuda-Parr (ed.) 2004.
3. United Nations 1978.
4. World Health Organization 2001b.
5. Advice provided by a Torres Strait Islander academic and midwife.
6. This also includes midwives involved in other aspects of health and midwifery such as planning, policy development, project management and regulatory activities.
7. New Zealand College of Midwives 1999.
8. Informed by legal advice.
9. Informed by legal advice.
10. International Confederation of Midwives 1999 and 1999–2002 (Position statements: *The Professional Accountability of a Midwife* (1999), *Basic and Ongoing Education for Midwives* (1999)).
11. Gilliland and Pairman 1995; Thompson 2004.
12. According to Johnstone (in press):

A less well recognised yet equally critical core component of the right to health, is cultural liberty and the right that all people have to maintain their 'ethnic, linguistic, and religious identities'—otherwise referred to as 'cultural rights' (Fukuda-Parr 2004). Cultural rights claims entail respect for cultural difference as an active component of human rights and

development (Marks 2002). Central to the notion of cultural rights is the recognition that culture is not a static process encompassing a frozen set of values, beliefs and practices. Rather it is a process that is 'constantly recreated as people question, adapt and redefine their values and practices to changing realities and exchanges of ideas' (Fukuda-Parr 2004, 4). Thus, claims to cultural liberty are not about 'preserving values and practices as an end in itself with blind allegiance to tradition'; they are fundamentally concerned with expanding individual choice and the 'capability of people to live and be what they choose, with adequate opportunity to consider other options' (Fukuda-Parr 2004, 4).

13. This part of the explanatory statement also appears in the *Code of Professional Conduct for Midwives in Australia* and as it goes to the ethical conduct of midwives it has been included in this *Code of Ethics* as well. The power of midwives comes from their capacity to ration or withhold as well as provide comfort, pain relief, personal care and nurturance. People experience abusive power from midwives where they feel themselves required to plead, express gratitude or feel at the mercy of a midwife caring for them. The preceding comments and the commentary in the explanation were made in a response from the Health Consumers Council WA. It was the Council's view that kindness is irrefutably a professional quality required of midwives. It is their view that the demonstration of kindness diminishes the discrepancy in power between a midwife and a woman in their care, and fosters safety and respect. Although the power relationship issue is addressed in the previous draft of the document, the Council found there was no offering to midwives on how the power differential can be managed. The Council went on to say that one of the greatest areas of complaint about midwifery conduct is the absence of compassion or kindness. Conversely, people are most impressed and touched by midwives who are able to demonstrate simple acts of kindness and consideration.
14. International Confederation of Midwives 1999 and 1999–2002 (Position statements; *Ethical Recruitment of Midwives* (2002); *Protecting the Heritage of Indigenous People (Cultural Safety)* (1999); *Women, Children and Midwives in Situations of War and Civil Unrest* (1999); *Female Genital Mutilation* (1999); Kai., Spencer, Wilkes and Gill 1999; National Health and Medical Research Council 2006.
15. There is a need for midwives to develop skills and capacity to respond to people speaking languages other than English, especially when they are working with women and their partners and families in communities where particular cultural groups speaking other languages are a substantial proportion of the local population.
16. Johnstone M. in press.
17. Health status includes living with conditions such as HIV/AIDS and mental disorders.
18. International Confederation of Midwives 1999 and 1999–2002 (Position statement: *Development of and Resource Allocation for Midwifery and Reproductive Health* (1999)).
19. This also includes midwives involved in other aspects of health and midwifery such as planning, policy development, project management and regulatory activities.
20. World Health Organization health and human rights publication series (available at www.who.int).
21. Informed by legal advice.
22. For example, as outlined in Australian Council for Safety and Quality in Health Care and Standards Australia (2003).
23. Response from the Health Consumers Council WA. The Council notes that it has seen some extreme and severe impacts for women and their infant(s) from unprofessional notations in midwifery records. Midwives must be aware that an attempt to convey an impression about a woman and her infant(s) to fellow workers during midwifery care can have ramifications for them for many years to follow. Women can now access their records and can read and interpret the notes written about them. Women may integrate their own recollections with the notes and develop a perception about the quality and professionalism of the care they received.
24. This includes oral, written, statistical, digital and computerised data and other information.

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25. Including information kept in personnel files.
 26. Midwives should also uphold and comply with policies and agreements that exist in Australia regarding the ethical media representation of health consumers and health-related matters.
 27. Including information kept in personnel files.
 28. International Confederation of Midwives 1999 and 1999–2002 (Position statements: *Positive Action to Reduce Smoking and Passive Smoking in Pregnancy* (2002), Breastfeeding (1999).
 29. Thompson F. 2004.

LYNETTE CUSACK, Presiding Member,
Nurses Board of South Australia

Code of Professional Conduct
for Midwives in Australia

The Australian Nursing and Midwifery Council's *Code of Ethics for Midwives in Australia* was endorsed by the Nurses Board of South Australia on 2 May 2008 and implemented for all nurses and midwives in South Australia from 3 November 2008.

Definition of the Midwife

A midwife is a person who, having been regularly admitted to a midwifery educational programme, duly recognised in the country in which it is located, has successfully completed the prescribed course of studies in midwifery and has acquired the requisite qualifications to be registered and/or legally licensed to practise midwifery.

The midwife is recognised as a responsible and accountable professional who works in partnership with women to give the necessary support, care and advice during pregnancy, labour and the postpartum period, to conduct births on the midwife's own responsibility and to provide care for the newborn and the infant. This care includes preventative measures, the promotion of normal birth, the detection of complications in mother and child, the accessing of medical care or other appropriate assistance and the carrying out of emergency measures.

The midwife has an important task in health counselling and education, not only for the woman, but also within the family and the community. This work should involve antenatal education and preparation for parenthood and may extend to women's health, sexual or reproductive health and child care.

A midwife may practise in any setting including the home, community, hospitals, clinics or health units.

Adopted by the International Confederation of Midwives Council meeting, 19th July 2005, Brisbane, Australia; supersedes the ICM Definition of the Midwife 1972 and its amendments of 1990.

Introduction

The *Code of Professional Conduct for Midwives in Australia* is a set of expected national standards of professional conduct for midwives in Australia. It is supported by, and should be read in conjunction with its companion code, the *Code of Ethics for Midwives in Australia* and the Australian Nursing and Midwifery Council *National Competency Standards for the Midwife*. These three documents, together with other published practice standards (eg decision-making frameworks, guidelines and position statements), provide a framework for accountable and responsible midwifery practice in all clinical, management, education and research domains.

The support and assistance of the Australian College of Midwives and the Australian Nursing Federation in developing this edition of the *Code of Professional Conduct for Midwives in Australia* is acknowledged.

Professional conduct refers to the manner in which a person behaves while acting in a professional capacity. It is generally accepted that when performing their duties and conducting their affairs professionals will uphold exemplary standards of conduct, commonly taken to mean standards not generally expected of lay people or the 'ordinary person in the street'.²

In considering this Code and the *Code of Ethics for Midwives in Australia*, it should be borne in mind that they are designed for multiple audiences: midwives; midwifery students; women receiving midwifery care and their families; other health care workers; the community generally; employers of midwives; midwifery regulatory authorities; and consumer protection agencies.

This Code contains 10 conduct statements providing guidance in relation to the minimum standards of conduct. These statements have been developed under the following three broad principles:

1. Midwives practise competently in accordance with legislation, standards and professional practice.
2. Midwives practise within a woman-centred framework.
3. Midwives practise midwifery reflectively and ethically.

There is some overlap and some repetition in the concepts and subject matter in the conduct statements, reflecting the reality that the issues are not distinct and discrete. Nor are these concepts and the information static. The *Code of Professional Conduct for Midwives in Australia* is intended to be a contemporary document, and therefore, comments and suggestions for enhancing the understanding and usefulness of this document are welcomed.

Code of Professional Conduct for Midwives

Midwives practise competently in accordance with legislation, standards and professional practice

1. Midwives practise in a safe and competent manner.
2. Midwives practise in accordance with the standards of the profession and broader health system.
3. Midwives practise and conduct themselves in accordance with laws relevant to the profession and practice of midwifery.
4. Midwives respect the dignity, culture, values and beliefs of each woman and her infant(s) in their care and the woman's partner and family, and of colleagues.
5. Midwives treat personal information obtained in a professional capacity as private and confidential.
6. Midwives provide impartial, honest and accurate information in relation to midwifery care and health care products. Midwives practise within a woman-centred framework

Midwives practise within a woman-centred framework

7. Midwives focus on a woman's health needs, her expectations and aspirations, supporting the informed decision making of each woman.
8. Midwives promote and preserve the trust and privilege inherent in the relationship between midwives and each woman and her infant(s).
9. Midwives maintain and build on the community's trust and confidence in the midwifery profession. Midwives practise midwifery reflectively and ethically

Midwives practise midwifery reflectively and ethically

10. Midwives practise midwifery reflectively and ethically.

Purpose

The purpose of the *Code of Professional Conduct for Midwives in Australia* is to:

- outline a set of minimum national standards of conduct for midwives
- inform the community of the standards of professional conduct it can expect midwives in Australia to uphold (as supported by the *Australian Nursing and Midwifery Council National Competency Standards for the Midwife*, and stated in the International Confederation of Midwives *Definition of the Midwife*)
- provide each woman, their families, and regulatory, employing and professional bodies, with a basis for evaluating the professional conduct of midwives.

The Code is not intended to give detailed professional advice on specific issues and areas of practice. Rather, it identifies the minimum requirements for conduct in the midwifery profession. In keeping with national competency standards, midwives have a responsibility to ensure their knowledge and understanding of professional conduct issues is up to date. While mandatory language such as 'must', 'shall' and 'will' is not used throughout this Code, it is important for midwives to understand that there is a presumption the conduct discussed is mandatory and therefore not discretionary for midwives practising midwifery.

A breach of the Code may constitute either professional misconduct or unprofessional conduct. For the purposes of this Code these terms are defined similarly to those for nurses.

Professional misconduct refers to 'the wrong, bad or erroneous conduct of a (midwife) outside of the domain of his or her practice; conduct unbecoming a (midwife)³ (eg sexual assault, theft or drunk and disorderly conduct in a public place). **Unprofessional conduct** refers to 'conduct that is contrary to the accepted and agreed practice standards of the profession'⁴ (eg violating confidentiality in the woman-midwife relationship).

The midwifery profession expects midwives will conduct themselves personally and professionally in a way that maintains public trust and confidence in the profession. Midwives have a responsibility to the individual woman, her infant(s) and family, colleagues, society and the profession, to provide safe and competent midwifery care responsive to individual, group and community needs and the profession.

Midwives practise competently in accordance with legislation, standards and professional practice

Conduct Statement 1

Midwives practise in a safe and competent manner

Explanation

1. Midwives are personally accountable to the woman and her infant(s); their employer and their profession for the provision of safe and competent midwifery care. It is the responsibility of each midwife to maintain the competence necessary for current practice. Maintenance of competence includes participation in ongoing professional development to maintain and improve knowledge, skills and attitudes relevant to practice in a clinical, management, education or research setting.⁵
2. Midwives practise in a manner that recognises the woman's right to receive accurate information; be protected against foreseeable risk of harm to themselves and their infant(s); and have freedom to make choices in relation to their care.
3. Midwives practise within the scope of midwifery, according to the International Confederation of Midwives *Definition of the Midwife* (2005).
4. When an aspect of care is delegated, midwives ensure the delegation does not compromise the safety or quality of care of the woman and her infant(s).⁶
5. If midwives are unable or unwilling to attend a labour or birth (eg because of a strongly held personal belief or professional judgement), they take all reasonable steps to ensure each woman is attended by an appropriate professional.
6. Midwives make known to an appropriate person or authority any circumstance that may compromise professional standards, or any observation of questionable, unethical or unlawful practice, and intervene to safeguard the individual if the concern is unresolved.
7. Midwives practise in a safe and competent manner that is not compromised by personal health limitations, including the use of alcohol or other substances that may alter a midwife's capacity to practise safely at all times. Midwives whose health threatens their capacity to practise safely and competently have a responsibility to seek assistance to address their health needs. This may include making a confidential report to an appropriate authority.

Conduct Statement 2

Midwives practise in accordance with the standards of the profession and broader health system

Explanation

1. Midwives practise in partnership with the woman, and in accordance with the standards of the profession (eg the Australian Nursing and Midwifery Council *National Competency Standards for the Midwife* (2006), to provide safe and effective midwifery care.
2. Midwives practise in accordance with wider standards relating to safety and quality in midwifery care and accountability for a safe health system, such as those relating to health documentation and information management, incident reporting and participation in adverse event analysis and formal open disclosure procedures.⁷
3. Midwives make midwifery judgements based on the woman's capacity and with regard to her sense of security and physical, social, emotional and mental safety.
4. Midwives are guided by the profession's guidelines for consultation, referral and transfer—the *National Midwifery Guidelines for Consultation and Referral*.⁸
5. Midwives recognise their professional position and do not accept gifts or benefits that could be viewed as a means of securing their influence or favour.⁹

Conduct Statement 3

Midwives practise and conduct themselves in accordance with laws relevant to the profession and practice of midwifery

Explanation

1. Midwives are familiar with relevant laws¹⁰ and ensure they do not engage in practices prohibited by such laws or delegate to others activities prohibited by those laws.

2. Midwives practise in accordance with laws relevant to the midwife's area of practice.
3. Midwives witnessing the unlawful conduct of colleagues and other co-workers, whether in midwifery practice, management, education or research, have both a responsibility and an obligation to report such conduct to an appropriate authority and take other action as necessary to safeguard people and the public interest.
4. Where midwives who are employees make a report of unlawful or otherwise unacceptable conduct to their employers and that report fails to produce an appropriate response from the employers, midwives may take the matter to an appropriate external authority.¹¹
5. Midwives respect both the person and property of the childbearing woman; her infant(s), partner and family. This responsibility also applies to the colleagues of midwives.
6. Midwives who are employees support the responsible use of the resources of their employing organisations.

Conduct Statement 4

Midwives respect the dignity, culture, values and beliefs of each woman and her infant(s) in their care, and the woman's partner and family, and of colleagues

Explanation

1. Midwives respect both the person and capacity of each woman and her infant(s), and defend the right to dignity and culture of each woman, her infant(s), and any other person who is significant in their life.
2. Midwives interact with colleagues in an honest and respectful manner.
3. Midwives practise in a non-discriminatory way. This includes taking appropriate action to ensure the safety and quality of their midwifery care is not compromised because of harmful prejudicial attitudes about culture, ethnicity, gender, sexuality, age, religion, spirituality, political, social or health status, lifestyle, or other human factors.
4. In planning and providing effective midwifery care, midwives uphold the standards of culturally safe and competent care. This includes according due respect and consideration to the cultural knowledge, values, beliefs, personal wishes and decisions of each woman and her infant(s), including partners and their family. Midwives acknowledge the changing nature of families and recognise that families can be constituted in a variety of ways.
5. Midwives refrain from expressing racist, sexist, homophobic, ageist and other prejudicial and discriminatory attitudes and behaviours toward each woman and her infant(s) in their care, partners and families and colleagues. Midwives take appropriate action when observing any such prejudicial and discriminatory attitudes and behaviours.
6. In making professional judgements in relation to a person's interests and rights, midwives do not contravene law or breach the human rights of any person, including those deemed stateless such as refugees, asylum seekers and detainees.

Conduct Statement 5

Midwives treat personal information obtained in a professional capacity as private and confidential

Explanation

The treatment of personal information should be considered in conjunction with the Guidelines to the *National Privacy Principles 2001*, which support the *Privacy Act 1988 (Cwth)*.¹² Many jurisdictions also have legislation and policies relating to privacy and confidentiality of personal health information including midwifery care records.

1. Midwives have ethical and legal obligations to treat personal information obtained in a professional capacity as confidential. Midwives protect the privacy of each woman, her infant(s) and family by treating the information gained in the relationship as confidential, restricting its use to professional purposes only.

2. Midwives where relevant, inform a woman that in order to provide competent midwifery care, it is necessary for the midwife to disclose to collaborating colleagues information that may be important to their professional decision making.
3. Midwives where practicable, seek consent from each woman or her representatives before disclosing information. In the absence of consent, midwives use professional judgement regarding the necessity to disclose particular details, giving due consideration to the interests, wellbeing, health and safety of each woman and her infant(s). Midwives recognise they may be required by law to disclose certain information for professional purposes.

Conduct Statement 6

Midwives provide impartial, honest and accurate information in relation to midwifery care and health care products

Explanation

1. When midwives provide advice about any care or product, they fully explain the advantages and disadvantages of alternative products or care so individuals can make informed choices. Midwives refrain from engaging in exploitation, misinformation or misrepresentation with regard to health care products and midwifery care.
2. Midwives accurately represent the nature of the midwifery care they intend to provide.
3. Where specific care or a specific product is advised, midwives ensure their advice is based on adequate knowledge and not on commercial or other forms of gain. Midwives refrain from the deceptive endorsement of services or products.¹³

Midwives practise within a woman-centred framework

Conduct Statement 7

Midwives focus on a woman's health needs, her expectations and aspirations, supporting the informed decision making of each woman

Explanation

1. Midwives ensure the mother and her infant(s) are the primary focus of midwifery care.
2. Midwives support the health and wellbeing of each woman and her infant(s), promoting and preserving practices that contribute to the woman's self-confidence and the wellbeing of the woman and her infant(s).
3. Midwives communicate in a way the woman and her family can understand so they may fully participate in the childbearing experience.
4. Midwives support informed decision making by advising the woman and, where the woman wishes, her partner, family, friends or health interpreter, of the nature and purpose of the midwifery care, and assist the woman to make informed decisions about that care.
5. In situations where a woman is unable or unwilling to decide or speak independently, midwives endeavour to ensure the perspective of the woman is represented by an appropriate advocate, preferably of the woman's choice.
6. Midwives advocate for the protection of the rights of each woman, her infant(s), partner, family and community in relation to midwifery care.

Conduct Statement 8

Midwives promote and preserve the trust and privilege inherent in the relationship between midwives and each woman and her infant(s)

Explanation

1. Midwives promote and preserve the trust inherent in the woman-midwife partnership.
2. An inherent power imbalance exists within the relationship between each woman and midwives that may make the woman and her infant(s) in their care vulnerable and open to exploitation. Midwives actively preserve the dignity of people through practised kindness and by recognising the potential vulnerability and powerlessness of each woman being cared for by midwives. The power relativities between a woman and a midwife can be significant, particularly where the

woman has limited knowledge, experiences fear or pain, needs assistance with personal care, or experiences an unfamiliar loss of self-determination. This vulnerability creates a power differential in the relationship between midwives and each woman in their care that must be recognised and managed.¹⁴

3. Midwives take reasonable measures to establish a sense of trust to protect the physical, psychological, emotional, social and cultural wellbeing of each woman and her infant(s) in the course of midwifery care. Midwives protect women who are vulnerable, including but not limited to women with disabilities and women with mental illness, from exploitation and physical harm.
4. Midwives have a responsibility to maintain professional boundaries between themselves and each woman and her infant(s) being cared for, and between themselves and other persons, such as fathers (of the infant(s)), partners, family and friends, nominated by the woman to be involved in her care.
5. Midwives fulfil roles outside the professional role, including those as family members, friends and community members. Midwives are aware that dual relationships may compromise midwifery care outcomes and always conduct professional relationships with the primary intent of benefit for the woman and her infant(s). Midwives take care when giving professional advice to a woman, her partner or another person with whom they have a dual relationship (eg a family member or friend) and advise them to seek independent advice due to the existence of actual or potential conflicts of interest.
6. Sexual relationships between a midwife and a woman, her partner or members of the woman's family with whom they have entered into a professional relationship are inappropriate in most circumstances. Such relationships automatically raise questions of integrity in relation to midwives exploiting the vulnerability of a woman who is or who has been in their care. Consent is not an acceptable defence in the case of sexual or intimate behaviour within professional relationships.
7. Midwives should not be required to provide midwifery care to a woman with whom they have a pre-existing non-professional relationship. Reassignment of the woman to other midwives for care should be sought where appropriate.
8. Midwives take all reasonable steps to ensure the safety and security of the possessions and property of each woman in their care and those of her family.

Conduct Statement 9

Midwives maintain and build on the community's trust and confidence in the midwifery profession

Explanation

1. The conduct of midwives maintains and builds public trust and confidence in the profession at all times.
2. The unlawful and unethical actions of midwives in their personal lives risk adversely affecting both their own and the profession's good reputation and standing in the eyes of the public. If the good standing of either individual midwives or the profession were to diminish, this might jeopardise the inherent trust between the midwifery profession and women, as well as the community more generally, necessary for effective relationships and the effective delivery of midwifery care.
3. Midwives consider the ethical interests of the midwifery profession when exercising their right to freedom of speech and participating in public, political and academic debate, including publication.

Midwives practise midwifery reflectively and ethically

Conduct Statement 10

Midwives practise midwifery reflectively and ethically

Explanation

1. Midwives practise midwifery reflectively and ethically, practising in accordance with the *Code of Ethics for Midwives in Australia*, in order to learn from experience and contribute to personal development and professional practice.
2. Midwives develop and maintain appropriate and current midwifery advice, support and care for each woman in their care and her infant(s) and family.

3. Midwives evaluate their conduct and competency according to the standards of the midwifery profession.
4. Midwives contribute to the professional development of students and colleagues.
5. Midwives participating in research do so in accordance with recognised research guidelines and do not violate their duty of care to the woman and her infant(s).
6. Midwives advise each woman in their care and employers (if relevant) of any reduction in their capacity to practise due to health, social or other factors, while they seek ways of addressing the problem.

Glossary of terms

Colleagues—includes other midwives, midwifery and other students, health care providers and others legitimately involved in the care of the woman and her infant(s).

Ethics and morality—the concepts of ‘ethics’ and ‘morality’ are substantially the same and have been used interchangeably throughout this Code.

Nominated family, partner, friends—refers to the woman’s immediate partner and family as defined or described by the woman and is used in this Code for the sake of simplicity. It is to be read to include the full range of forms the contemporary Australian family takes, and may include fathers (of the infant(s)), husbands, partners, other children, siblings, parents and/or grandparents. It can sometimes include friends, relatives and others associated with the woman. It may include some family members who are not in Australia. It includes people in a consensual relationship with each woman and her infant(s) receiving midwifery care, and who play an important role in their lives.

Midwife—is a legally protected title in Australia and means a registered midwife who is authorised to practise in a state or territory of Australia. For the purposes of this Code, it also refers to students of midwifery.

Professional boundaries—are the limits of a relationship between a midwife and the woman and her infant(s) and any of the woman’s significant other persons. These limits facilitate safe and appropriate practice and result in safe and effective midwifery care. Limits of a relationship may include under- or over-involvement in the provision of midwifery care.

Representative of a woman or her infant(s) receiving midwifery care—is a person legitimately entitled to act on behalf of the woman or her infant(s).

Unsatisfactory professional conduct—is professional conduct below the standard reasonably expected of a midwife with an equivalent level of training or experience. This includes conduct that demonstrates incompetence, compromises care and/or discredits the midwifery profession.

Professional standards include:

- this *Code of Professional Conduct for Midwives* in Australia,
- the *Code of Ethics for Midwives in Australia*;
- the ANMC *National Competency Standards for the Midwife*;
- the ANMC *National Framework for the Development of Decision-Making Tools for Nursing and Midwifery Practice*;
- other endorsed standards or guidelines published by the state and territory midwifery regulatory authorities; and
- standards developed by professional midwifery organisations.

Acknowledgments and Background

The commission to develop a code of professional conduct that sets an expected minimum standard of conduct for midwives; protects the welfare of each woman and her infant(s), individual midwives and the integrity of the profession; and provides a national approach to the regulation of the midwifery profession, came from the Australian Nursing and Midwifery Council (ANMC), the Australian College of Midwives (ACM), and the Australian Nursing Federation (ANF). Development of the ANMC *Code of Professional Conduct for Midwives in Australia* and a review of the ANMC *Code of Professional Conduct for Nurses in Australia* were undertaken concurrently and separately, and while a similar format was adopted for both codes, the orientation and content of the separate codes maintains the professional integrity of the respective disciplines.

A brief history of the process of development of the ANMC *Code of Professional Conduct for Midwives in Australia* may help the reader to understand more fully why specific practice requirements were included while others were not.

Code development began with a review of contemporary literature on professional conduct and a review of code development in midwifery and nursing. This was followed by an analysis of the practice requirements inherent in the ICM *Definition of the Midwife* (2005); the ACM *Philosophy Statement* (2004) and *Code of Practice* (1999); the ANMC *National Competency Standards for the Midwife* (2006); the ACM *Standards for the Accreditation of Bachelor of Midwifery Education Programs Leading to the Initial Registration as a Midwife in Australia* (2006); codes of professional standards developed by Australian state and territory professional midwifery organisations; and codes from other countries such as the New Zealand College of Midwives (Inc.) *Code of Ethics* (2002) and UK Nursing and Midwifery Council *Code of Professional Conduct: Standards for conduct, performance and ethics* (2004).

The first draft of the Code was produced in consultation with midwives, consumers, midwifery and nursing organisations. The consultation process called for written submissions from consumer groups and midwifery and nursing organisations between March and July 2006. In-depth focus group discussions were conducted with invited midwives, consumers and representatives from ACM, ANF and nursing and midwifery regulatory authorities, in each state and territory of Australia between May and July 2006. A framework for the code was based on these discussions and, during August 2006, midwives were invited to respond to a questionnaire on the completeness and relevancy of the proposed framework. All this information, together with current literature and comments from midwives who attended open public discussion forums in each state and territory of Australia between August and September 2006, was considered when drafting the Code.

The first draft of the newly developed *Code of Professional Conduct for Midwives in Australia* was reviewed by a selected panel of professionals with expertise in midwifery, professional codes, the law and policy, rural and remote area practice, childbirth and midwifery practice in Aboriginal and Torres Strait Islander communities and other cultures, and/or health care, on 23 and 24 October 2006. A second draft was submitted to the ANMC in November 2006, for review by its reference panel and a selected panel of international professionals with expertise in midwifery, professional codes, the law and policy, and/or health care.

Failure to reach agreement on the Code led to a subsequent round of consultation which raised questions about whether the Code was adequately robust and explicit to meet the needs of all audiences. Concern for clarity, accessibility, culturally sensitive wording and inclusion, and the national nature of professional conduct for midwives in Australia guided both the Code’s format and focus. It was also considered important that while the Code speaks to individuals it also notes the responsibility of institutions and organisations to provide an environment in which the midwife’s conduct can meet the requirements in this Code.

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- World Alliance for Patient Safety (2005) *WHO Draft Guidelines for Adverse Event Reporting and Learning Systems: From information to action*, World Health Organization, Geneva. Available at: www.who.int/patientsafety/events/05/Reporting_Guidelines.pdf. Accessed: 18 March 2008.
- Endnotes**
- This also includes midwives involved in other aspects of health and midwifery such as planning, policy development, project management and regulatory activities.
 - Johnstone and Kanitsaki 2001.
 - Ibid.
 - Ibid.
 - This also includes midwives involved in other aspects of health and midwifery such as planning, policy development, project management and regulatory activities.
 - See the work being conducted around the development of the national framework for the development of decision-making tools for nursing and midwifery practice and associated documents and guidelines at: www.anmc.org.au/professional_standards/index.php.
 - For example, as outlined in Australian Council for Safety and Quality in Health Care and Standards Australia (2003).
 - Australian College of Midwives 2004.
 - Midwives do not allow the offer of any gift or benefits to change the way they work or the decisions they make, working on the general presumption that they do not accept any gifts or benefits. Recognising the reality of people wishing to demonstrate their appreciation for care by providing an acknowledgement in the form of a gift or benefit, the following guidelines apply:
 - Midwives may accept token or inexpensive gifts offered as a gesture of appreciation, and not to secure favour. They do not accept gifts that are more than a token; nor do they accept gifts of cash, other than a negotiated fee for service when in private practice.
 - Midwives in employment report the acceptance of a gift to their supervisors and seek their agreement to retain the gift.
 - Midwives take all reasonable steps to ensure that neither they nor their immediate family members accept gifts or benefits an impartial observer could view as a means of securing their influence or favour.

Further guidance can be obtained from the codes of conduct of the relevant government agencies in their jurisdiction responsible for the conduct of health services and employees of health services, ethical and fair trading, and anticorruption; as well as private health service providers and professional associations.
 - 'Relevant laws' include the legislation and common law specific to midwifery and the health system such as those regulating the conduct of midwives and poisons and therapeutic goods; but also include the many other general laws regulating areas including criminal conduct (such as assault and murder), privacy and negligence.
 - See, for example, World Alliance for Patient Safety (2005). Many organisations will have guidelines relating to reporting procedures that can be followed in such circumstances. A number of jurisdictions in Australia also have legislation designed to protect people who are whistleblowers. Whistleblowing is defined as the disclosure of information to protect the public interest. It is usually disclosure of information by former or current employees of an organisation; about misconduct, illegal, unethical or illegitimate practices that are within the control of their employers; to a person or an organisation that has the authority or power to take action. The person or organisation to which the disclosure is made may be outside the normal internal reporting systems of the organisation where the person is or was employed. See the Australian Nursing Federation (and some branches) guidelines on whistleblowing.
 - Under review by the Australian Law Reform Commission at the time of writing.
 - Guidelines prepared by the Australian Competition and Consumer Commission and the Council of Health Care Complaints Commissioners in Australia outline the issues in relation to professional conduct in this area of practice (Australian Competition and Consumer Commission and Health Care Complaints Commission (NSW) 2000).
 - This statement has been included in the *Code of Professional Conduct* in that the power of midwives comes from their capacity to ration or withhold care as well as provide comfort, pain relief, personal care and nurturance. People experience abusive power from midwives where they feel themselves required to plead, express gratitude or feel at the mercy of a midwife caring for them. These comments and the commentary in the explanation were made in a response from the Health Consumers' Council WA. It was the view of the Council that kindness is irrefutably a professional quality required of midwives. It is their view that the demonstration of kindness diminishes the discrepancy in power between a midwife and a woman in their care, and fosters safety and respect. Although the power relationship issue is addressed in the previous draft of the document, the Council found there was no offering to midwives on how the power differential can be managed. The Council went on to say that one of the greatest areas of complaint about midwifery conduct is the absence of compassion or kindness. Conversely, people are most impressed and touched by midwives who are able to demonstrate simple acts of kindness and consideration.

LYNETTE CUSACK, Presiding Member,
Nurses Board of South Australia

PUBLIC SECTOR MANAGEMENT ACT 1995

SECTION 67

Special Employment Programs—CareerStart SA

WHEREAS the Premier, being the Minister responsible for the Public Sector Management Act 1995, may publish in the *Government Gazette* an equal employment opportunity program designed to ensure that persons of a defined class have equal opportunities in relation to employment in the public sector with persons not of that class, and whereas the Premier may make special provision for persons not of that class, and whereas the Premier may make special provisions for persons of a defined class employed in the public sector with a view to enabling them to compete for other positions or pursue careers in the public sector as effectively as persons not of that class. I, Mike Rann, do hereby publish the equal employment opportunity program set out in the Schedule.

THE SCHEDULE

CareerStart SA and the Skills Register, Equal Employment Opportunity Programs.

Object

To inform the South Australian public sector that the following former programs have now ceased to exist:

- Government Youth Traineeship Program (EEO Program).
- Public Sector Cadetship Program (EEO Program).
- Government Apprenticeship Scheme.

To inform the South Australian public sector that the three programs identified above, have been replaced by CareerStart SA.

To inform the South Australian public sector that the former Trainee Employment Register, has been renamed the Skills Register, and has expanded its eligibility criteria and level of service.

To inform the South Australian public sector of the expansion, under the CareerStart SA Program, of targeted groups identified as disadvantaged in the labour market to increase the number of South Australians achieving training, development and employment opportunities through traineeship and cadetship placements in the South Australian public sector.

Special Provisions

Pursuant to section 67 (2) and section 67 (2) (a) of the Public Sector Management Act, I make special provisions to achieve the object as follows:

South Australian public sector agencies may provide temporary employment to persons aged from 17-24 years (inclusive) under the CareerStart SA Program (traineeships) to provide training and development in order to assist them to gain employment in the public sector.

South Australian public sector agencies may provide temporary employment to persons, under CareerStart SA Program (traineeship), who are aged between 17-28 years (inclusive) and who:

- Are of Aboriginal or Torres Strait Islander descent.
- Have a declared disability.
- Are currently or have been under the Guardianship of the Minister for Families and Communities.
- Are deemed long term unemployed.
- Have status of migrant or refugee (with appropriate work visa).
- Are Parents returning to work.

In order to assist them gain employment in the public sector.

South Australian public sector agencies may provide temporary employment to persons under the CareerStart SA Program (Cadetships) who:

- Are between the ages of 17-24 years.
- Are of Aboriginal or Torres Strait Island descent.
- Have a declared disability.

- Are currently or have been under the Guardianship of the Minister for Families and Communities.
- Are deemed long term unemployed.
- Have status of migrant or refugee (with appropriate work visa).
- Are of mature age (40+).
- Are Parents returning to work.

In order to assist them to gain employment in the public sector.

There is no age or target group eligibility for CareerStart SA apprenticeships.

Skills Register

The Skills Register, administered by the Department of Further Education, Employment, Science and Technology, provides a job matching service for public sector agencies and graduating entry level recruitment participants, into short, medium and long term public sector employment contracts.

Participants of the following EEO programs are eligible to apply for inclusion on the Skills Register on successful completion of their training and employment activity (traineeship, apprenticeship, cadetship, graduate placement):

- CareerStart SA.
- Public Sector Graduate Recruitment Program.

All participants on the Register will:

- be provided with a job matching referral service for three years from their date of registration with the Register.
- have full access to apply for all vacancies advertised in the South Australian Public Sector Notice of Vacancies.

Dated 13 September 2008.

MIKE RANN, Premier

ROADS (OPENING AND CLOSING) ACT 1991:

SECTION 24

NOTICE OF CONFIRMATION OF ROAD PROCESS ORDER*Road Closure—Hatherleigh Hill Road, Magarey*

BY Road Process Order made on 31 August 2007, the Wattle Range Council ordered that:

1. The whole of the Hatherleigh Hills Road between Beachport-Furner Road and Piccaninny Lane, Hundred of Symon, more particularly delineated and lettered 'A' to 'F' in Preliminary Plan No. 06/0092 be closed.

2. The whole of the land subject to closure lettered 'A' to 'F' be transferred to Auspine Tree Farms Pty Ltd in accordance with agreement for transfer dated 31 August 2007 entered into between the Wattle Range Council and Auspine Tree Farms Pty Ltd.

3. The following easements are granted over the road or part of the road subject to that closure:

Grant free and unrestricted rights of way appurtenant to Certificates of Title Volume 5434, Folios 661, 662, 663, 664 and 665, over the whole of the land.

Grant free and unrestricted right of way appurtenant to allotment 355 in Filed Plan 191726 (Certificate of Title Volume 5430, Folio 538) over portion of the land.

Grant free and unrestricted right of way appurtenant to Certificate of Title Volume 5430, Folio 536, over portions of the land.

Grant free and unrestricted right of way appurtenant to Certificate of Title Volume 5194, Folio 942, over portions of the land.

Grant free and unrestricted right of way appurtenant to Certificate of Title Volume 5194, Folio 943, over portion of the land.

On 22 February 2008 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 75743 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 18 September 2008.

P. S. SMITH, Acting Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

Road Closure
Bandon Terrace/Jervois Terrace, Marino

BY Road Process Order made on 25 March 2008, The Corporation of the City of Marion ordered that:

1. Portion of Bandon Terrace and Jervois Terrace adjoining allotment 149 in Deposited Plan 3146, more particularly lettered 'A' in Preliminary Plan No. 07/0080 be closed.

2. The whole of the land subject to closure be transferred to Andrew John Clough and Jennifer Hazel Rickard in accordance with agreement for transfer dated 20 March 2008 entered into between The Corporation of the City of Marion, A. J. Clough and J. H. Rickard.

On 4 June 2008 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 77353 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 18 September 2008.

P. S. SMITH, Acting Surveyor-General

NOTICE TO MARINERS

No. 48 OF 2008

*South Australia—Glenelg Harbour Channel and Approaches—
Reduction in Water Depths*

SEABED conditions leading to and within the Channel to the harbour at Glenelg have altered due to unusual accretion of sand resulting in reduction of water depths in some areas. Dredging operations have commenced to restore depths in the affected areas.

Mariners are advised to use extreme caution when navigating in the area.

Charts affected: Aus 125.

Publication affected: Australia Pilot, Volume 1 (First Edition 2005), page 385.

Adelaide, 10 September 2008.

PATRICK CONLON, Minister for Transport

DTEI 2008/00767

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 18 September 2008

WATER MAINS LAID

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

ADELAIDE WATER DISTRICT

CITY OF MARION

Thomas Way, Hallett Cove. p30
Easements in lots 510 and 509 in LTRO DP 68409, Thomas Way, Hallett Cove. p30 and 31
Bradbury Court, Hallett Cove. p31

CITY OF PLAYFORD

In and across President Avenue, Andrews Farm. p1
Easement in lot 1001 in LTRO DP 76859, Andrews Road, Andrews Farm. p1
Mayfair Drive, Andrews Farm. p1
Easements in lot 3000 in LTRO DP 77774, Andrews Road, Andrews Farm. p1
Samson Drive, Andrews Farm. p1
Oxford Drive, Andrews Farm. p1

CITY OF PORT ADELAIDE ENFIELD

Ross Street, Clearview. p24

CITY OF SALISBURY

Across Kalunga Avenue, Ingle Farm. p4
Wirunda Court, Ingle Farm. p4
Across and in Bridge Road, Ingle Farm. p4
In and across Franklin Avenue, Mawson Lakes. p5
Easement in lot 2013 in LTRO DP 76314, Franklin Avenue, Mawson Lakes. p5
Benton Street, Mawson Lakes. p5
Herschel Place, Mawson Lakes. p5
Across and in West Avenue, Edinburgh. p25
Across and in West Avenue, Edinburgh. p26
Across and in West Avenue, Edinburgh. p27

CORPORATION OF THE TOWN OF WALKERVILLE

Ponder Avenue, Gilberton. p29

CRYSTAL BROOK WATER DISTRICT

PORT PIRIE REGIONAL COUNCIL

Greig Road, Crystal Brook. p28

EDITHBURGH WATER DISTRICT

DISTRICT COUNCIL OF YORKE PENINSULA

Across and in Park Terrace, Edithburgh. p2
Across Bramley Road, Edithburgh. p3
Partridge Street, Edithburgh. p3
Easement in lot 300 in LTRO DP 65508, Old Honiton Road, Edithburgh. p3

ENCOUNTER BAY COUNTRY LANDS WATER DISTRICT

CITY OF VICTOR HARBOR

Across Strawberry Hill Road, Hindmarsh Valley and Hayborough. p22

MILLICENT WATER DISTRICT

WATTLE RANGE COUNCIL

Watts Avenue, Millicent. p6
Harrington Street, Millicent. p6 and 7
In and across Grey Terrace, Millicent. p6 and 7
Fensom Crescent, Millicent. p6
Belt Road, Millicent. p7

MOONTA WATER DISTRICT

DISTRICT COUNCIL OF THE COPPER COAST

Across and in Quintrell Street, Moonta Bay. p8
In and across Sanders Street, Moonta Bay. p16
Hague Court, Moonta Bay. p16
Gill Street, Moonta Bay. p17
Across and in Milford Street, Moonta Bay. p17
Easements in lot 952 in LTRO DP 78179, Willard Street, Moonta Bay. p17 and 18

MURRAY BRIDGE WATER DISTRICT

THE RURAL CITY OF MURRAY BRIDGE

Parkview Drive, Murray Bridge. p9
Waterlily Terrace, Murray Bridge. p9 and 10
Across Ridge Road, Murray Bridge. p10
Sedge Court, Murray Bridge. p9
Tussock Place, Murray Bridge. p10
Paperbark Lane, Murray Bridge. p10

NURIOOTPA WATER DISTRICT

THE BAROSSA COUNCIL

In and across Hearl Street, Nuriootpa. p11
Furnell Street, Nuriootpa. p11
Benney Street, Nuriootpa. p11
Whenan Street, Nuriootpa. p11

PORT ELLIOT WATER DISTRICT

CITY OF VICTOR HARBOR

Agnes Gillespie Drive, Hayborough. p19 and 20
Springbett Drive, Hayborough. p20
Kleinig Drive, Hayborough. p20 and 21
Heysen Parade, Hayborough. p21
Kleinig Drive, Hayborough. p22
Springbett Drive, Hayborough. p22
Easements in lot 2030 in LTRO DP 66671, Springbett Drive,
Hayborough. p22
Drummond Circuit, Hayborough. p23

PORT LINCOLN WATER DISTRICT

CITY OF PORT LINCOLN

Asim Court, Port Lincoln. p12

PORT VICTOR WATER DISTRICT

CITY OF VICTOR HARBOR

Central Drive, Victor Harbor. p13
Clifton Way, Victor Harbor. p13
In and across Malen Avenue, Victor Harbor. p14
Tregonning Street, Victor Harbor. p14

WHYALLA WATER DISTRICT

THE CORPORATION OF THE CITY OF WHYALLA

Across and in Jenkins Avenue, Whyalla Stuart and Whyalla
Jenkins. p15

WATER MAINS ABANDONED

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

EDITHBURGH WATER DISTRICT

DISTRICT COUNCIL OF YORKE PENINSULA

Across Park Terrace, Edithburgh. p2
Across Bramley Road, Edithburgh. p3
Partridge Street, Edithburgh. p3

MOONTA WATER DISTRICT

DISTRICT COUNCIL OF THE COPPER COAST

Across Quintrell Street, Moonta Bay. p8
Gill Street, Moonta Bay. p17
Easement in lots 241 and 240 in LTRO DP 76212, Gill Street,
Moonta Bay. p17
Across Milford Street, Moonta Bay. p17

Easements in lots 238 and 239 in LTRO DP 76212, Milford
Street, Moonta Bay. p17

Easements in lot 952 in LTRO DP 78179, Willard Street, Moonta
Bay. p17

SEWERS LAID

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

ADELAIDE DRAINAGE AREA

CAMPBELLTOWN CITY COUNCIL

Shalford Terrace, Campbelltown. FB 1173 p58

CITY OF CHARLES STURT

Easements in lot 271 in LTRO DP 6123, Aylwin Street, and lot
705 in LTRO DP 77597, Hobart Road, Henley Beach South.
FB 1173 p60

Kiama Avenue, West Lakes Shore. FB 1177 p8

White Street, Henley Beach. FB 1177 p9

Levi Street, Woodville West. FB 1177 p10

Jessie Avenue, Seaton. FB 1177 p17

TOWN OF GAWLER

Dawson Road, Evanston. FB 1174 p59 and 60

Para Road, Evanston. FB 1174 p59 and 60

CITY OF HOLDFAST BAY

Kauri Parade, Kingston Park. FB 1177 p1

CITY OF MARION

Nunyah Avenue, Park Holme. FB 1177 p3

Dalkeith Avenue, Dover Gardens. FB 1177 p13

Elizabeth Crescent, Hallett Cove. FB 1176 p13, 14 and 16

Easements in lot 510 in LTRO DP 68409, Thomas Way, Hallett
Cove. FB 1176 p13-17

Bradbury Court, Hallett Cove. FB 1176 p13, 14 and 17

Easement in lot 509 in LTRO DP 68409, Thomas Way, Hallett
Cove. FB 1176 p13, 15 and 17

CITY OF NORWOOD PAYNEHAM & ST PETERS

Cadna Avenue, Felixstow. FB 1173 p59

Winchester Street, St Peters. FB 1177 p16

CITY OF ONKAPARINGA

Elmo Street, Christie Downs. FB 1177 p12

Easements in lot 510 in LTRO DP 68409, Thomas Way, Hallett
Cove. FB 1176 p13, 14 and 16

CITY OF PLAYFORD

Samson Drive, Andrews Farm. FB 1174 p56-58

President Avenue, Andrews Farm. FB 1174 p56-58

Mayfair Drive, Andrews Farm. FB 1174 p56-58

Easements in lot 3000 in LTRO DP 77774, Andrews Road,
Andrews Farm. FB 1174 p56-58

Oxford Drive, Andrews Farm. FB 1174 p56-58

Easement in lot 1001 in LTRO DP 76859, Andrews Road,
Andrews Farm. FB 1174 p56-58

Sampson Road, Elizabeth Grove. FB 1177 p14

CITY OF PORT ADELAIDE ENFIELD

Thistle Avenue, Klemzig. FB 1177 p2

Nevis Street, Klemzig. FB 1177 p15

CITY OF SALISBURY

Across Bridge Road, Ingle Farm. FB 1176 p1 and 2
Wirunda Court, Ingle Farm. FB 1176 p1 and 2
In and across Elder Drive, Mawson Lakes. FB 1176 p3 and 4
MacMillan Avenue, Mawson Lakes. FB 1176 p3 and 4
Palmer Street, Mawson Lakes. FB 1176 p3 and 4
In and across Elder Drive, Mawson Lakes. FB 1176 p5-7
In and across Hope Lane, Mawson Lakes. FB 1176 p5-7
MacMillan Avenue, Mawson Lakes. FB 1176 p5-7
Easement in reserve (lot 988 in LTRO DP 76008), Hope Lane,
Mawson Lakes. FB 1176 p5-7
York Lane, Mawson Lakes. FB 1176 p5-7
Ellis Lane, Mawson Lakes. FB 1176 p5-7

CITY OF WEST TORRENS

Elston Street, Brooklyn Park. FB 1177 p11

ALDINGA DRAINAGE AREA**CITY OF ONKAPARINGA**

Wild Orchid Avenue, Aldinga Beach. FB 1174 p52-54
Knoll Avenue, Aldinga Beach. FB 1174 p52 and 55
Banksia Avenue, Aldinga Beach. FB 1174 p52-54
Across and in Aldinga Beach Road, Aldinga Beach. FB 1174 p52,
53 and 55
Atkinson Crescent, Aldinga Beach. FB 1173 p57
Buick Street, Port Willunga. FB 1177 p4
Elder Parade, Port Willunga. FB 1177 p5
Elder Parade, Port Willunga. FB 1177 p6
Loader Crescent, Port Willunga. FB 1177 p7

MILLICENT COUNTRY DRAINAGE AREA**WATTLE RANGE COUNCIL**

Watts Avenue, Millicent. FB 1163 p 42 and 43
Grey Terrace, Millicent. FB 1163 p 42 and 43
Harrington Street, Millicent. FB 1163 p 42 and 43

PORT LINCOLN COUNTRY DRAINAGE AREA**CITY OF PORT LINCOLN**

Easement in lots 45-47 in LTRO DP 77206, Asim Court, Port
Lincoln. FB 1176 p8
Asim Court, Port Lincoln. FB 1176 p8

VICTOR HARBOR COUNTRY DRAINAGE AREA**CITY OF VICTOR HARBOR**

Central Drive, Victor Harbor. FB 1176 p9 and 10
Easement in allotment piece 1000 in LTRO DP 77887, Central
Drive, Victor Harbor. FB 1176 p9 and 10
Clifton Way, Victor Harbor. FB 1176 p9 and 10
Malen Avenue, Victor Harbor. FB 1176 p11 and 12

SEWERS ABANDONED

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

VICTOR HARBOR COUNTRY DRAINAGE AREA**CITY OF VICTOR HARBOR**

Malen Avenue, Victor Harbor. FB 1176 p11 and 12

SEWERS LAID

Notice is hereby given that the undermentioned sewers have been
laid down by the South Australian Water Corporation and are not
available for house connections.

PORT LINCOLN COUNTRY DRAINAGE AREA**CITY OF PORT LINCOLN**

Across New West Road, Port Lincoln. FB 1176 p8
Easements in lot 49 in LTRO DP 77206, New West Road, and lots
45 and 44 in LTRO DP 77206, Asim Court, Port Lincoln.
FB 1176 p8

A. HOWE, Chief Executive Officer, South
Australian Water Corporation

RULES OF COURT

District Court Civil Rules 2006 (Amendment No. 4)

BY virtue and in pursuance of section 51 of the District Court Act 1991 and all other enabling powers, We, Terence Anthony Worthington, Chief Judge, Andrea Simpson and Peter Anthony John Herriman Judges of the District Court of South Australia, make the following Rules of Court.

1. These rules may be cited as the District Court Civil Rules 2006 (Amendment No. 4).

2. The District Court Civil Rules 2006 are amended as set out below.

3. These amendments are to come into effect on 1 October 2008, or on their gazettal, whichever is the later.

4. Rule 4 is amended by deleting the whole of the entry for the word 'file' and inserting in its place:

'file—see Rule 50'.

5. Rule 123 is amended by deleting from subrule (1) (c) the words 'an address for service or'.

6. Rule 261 is amended by inserting a colon after the word 'accrues', deleting the words 'at the rate of 6.5% per annum' and inserting new subrules as follows:

(1) in respect of the period from and including 4 September 2006, to and including 30 September 2008, at the rate of 6.5% per annum;

(2) in respect of the period from and including 1 October 2008, at the rate of 10% per annum.'

7. Rule 264 is amended by:

(1) Deleting subrule (3A) and inserting in its place a new subrule (3A):

'(3A) For work done on and after 1 August 2007, until and including 30 September 2008, the costs specified in Schedule 1 (including Items 4 (a) and 16 (a) (i)) are to be increased by 1.8%.'

(2) Adding after subrule (3A) a new subrule (3B) as follows:

'(3B) For work done on and after 1 October 2008, the costs specified in Schedule 1 (excluding Items 4 (a) and 16 (a) (i)) are to be increased by 6.1% (which increase is inclusive of the increase granted by subrule (3A)).'

8. The heading to Rule 272 is amended by deleting the word 'where' and inserting in its place the word 'when'.

9. Rule 273 is amended by adding after subrule (3) a new subrule (4) as follows:

(4) If the respondent fails to file any response in accordance with subrule (2) the Court may, on an administrative request, make an order for payment of the costs claimed in the itemised schedule.'

10. Rule 297 (1) is amended by deleting the word 'file' in subrule (1) and inserting in its place the words 'deliver to the Court'.

11. Rule 297 (2) is amended by deleting the word 'filed' in subrule (2) and inserting in its place the words 'delivered to the Court'.

12. Schedule 1 to the Rules is amended by deleting the content of Item 4 and inserting in its place:

‘Before 1 October 2008:

- | | |
|--|--------|
| (a) photocopying or printing a document including printing an email (sent or received), per page | \$1.00 |
|--|--------|

From 1 October 2008:

- | | |
|--|--------|
| (b) subject to sub-item (c), photocopying or printing a document, including printing an email (sent or received), per page | \$1.00 |
| (c) for photocopying or printing documents which are, or which should be, photocopied or printed at the same time (including the printing of emails), for each page after the first 20 pages | \$0.40 |

(See Note L)’

13. Schedule 1 to the Rules is amended by deleting sub-item (a) of Item 16 and inserting in its place:

‘(a) for incoming facsimile transmissions:

- | | |
|-------------------------------------|---------|
| (i) Before 1 October 2008, per page | \$1.00 |
| (ii) From 1 October 2008: | |
| the first 20 pages, per page | \$1.00 |
| for each subsequent page | \$0.40’ |

Dated 4 September 2008.

T. A. WORTHINGTON
Chief Judge

P. A. J. HERRIMAN
Judge

A. SIMPSON
Judge

South Australia

Prevention of Cruelty to Animals (Animal Welfare) Amendment Act (Commencement) Proclamation 2008

1—Short title

This proclamation may be cited as the *Prevention of Cruelty to Animals (Animal Welfare) Amendment Act (Commencement) Proclamation 2008*.

2—Commencement of Act

The *Prevention of Cruelty to Animals (Animal Welfare) Amendment Act 2008* (No 21 of 2008) will come into operation on 4 October 2008.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 18 September 2008

EC06/0016

South Australia

Statutes Amendment (Transport Portfolio) Act (Commencement) Proclamation 2008

1—Short title

This proclamation may be cited as the *Statutes Amendment (Transport Portfolio) Act (Commencement) Proclamation 2008*.

2—Commencement of Act and suspension of certain provisions

- (1) The *Statutes Amendment (Transport Portfolio) Act 2008* (No 26 of 2008) will come into operation on 25 September 2008.
- (2) The operation of the following provisions of the Act is suspended until a day or time or days or times to be fixed by subsequent proclamation or proclamations:
 - (a) section 5;
 - (b) sections 8 to 13 inclusive;
 - (c) sections 15 to 21 inclusive;
 - (d) section 28.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 18 September 2008

MTR08/052CS

South Australia

Liquor Licensing (Conferral of Authority) Proclamation 2008

under section 15 of the *Liquor Licensing Act 1997*

1—Short title

This proclamation may be cited as the *Liquor Licensing (Conferral of Authority) Proclamation 2008*.

2—Commencement

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

3—Conferral of authority on District Court Judge

Authority is conferred on the District Court Judge named in Schedule 1 to exercise the jurisdiction of the Licensing Court of South Australia.

Schedule 1—District Court Judge on whom authority is conferred

His Honour Peter Robert Brebner

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 18 September 2008

AGO0071/03CS

South Australia

Mining (Variation of Private Mine) Proclamation 2008

under section 73N of the *Mining Act 1971*

Preamble

- 1 The following area was declared to be a private mine by proclamation on 3 May 1973 (*Gazette 3.5.1973 p1926*):
 - That portion of section 1013, hundred of Yankalilla, county of Hindmarsh, and being the whole of the land comprised and described in certificate of title, register book, volume 3464, folio 190.
 - 2 The Warden's Court has declared (on 31 January 2008 and 24 July 2008 in Action No 179 of 2007) that proper grounds exist for varying the declaration referred to in clause 1 by excising from the area of the private mine the whole of the private mine except—
 - (a) allotment 165 in Deposited Plan No. 77752; and
 - (b) allotment 145 in Deposited Plan No. 75445.
-

1—Short title

This proclamation may be cited as the *Mining (Variation of Private Mine) Proclamation 2008*.

2—Commencement

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

3—Variation of private mine

The declaration referred to in clause 1 of the preamble is varied by excising from the area of the private mine the whole of the private mine except for the land described in paragraphs (a) and (b) of clause 2 of the preamble.

Made by the Governor's Deputy

on the basis of the declaration of the Warden's Court referred to in clause 2 of the preamble and with the advice and consent of the Executive Council
on 18 September 2008

AGO0047/02CS

South Australia

Public Sector Management (Exclusion from Public Service) Proclamation 2008

under clause 1(2) of Schedule 1 of the *Public Sector Management Act 1995*

1—Short title

This proclamation may be cited as the *Public Sector Management (Exclusion from Public Service) Proclamation 2008*.

2—Commencement

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

3—Exclusion from Public Service

Gavin Wanganeen (Ambassador for Youth Opportunity) is excluded from the Public Service.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 18 September 2008

AGO0071/08CS

South Australia

Youth Court (Designation and Classification of Special Justices) Proclamation 2008

under section 9 of the *Youth Court Act 1993*

1—Short title

This proclamation may be cited as the *Youth Court (Designation and Classification of Special Justices) Proclamation 2008*.

2—Commencement

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

3—Designation and classification of special justices

The special justices named in Schedule 1 are—

- (a) designated as special justices of the Youth Court of South Australia; and
- (b) classified as members of the Court's ancillary judiciary.

Schedule 1—Special justices of the Court

Fadil Hatibovich

Kenneth Reginald Maynard

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 18 September 2008

JPS08/002CS

South Australia

SACE Board of South Australia Regulations 2008

under the *SACE Board of South Australia Act 1983*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Transitional arrangements associated with existing and future qualifications
- 5 Amendment of Schedule 1 of Act
- 6 Fees

Schedule 1—Fees

Schedule 2—Revocation of *SACE Board of South Australia Regulations 2000*

- 1 Revocation of regulations
-

1—Short title

These regulations may be cited as the *SACE Board of South Australia Regulations 2008*.

2—Commencement

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

3—Interpretation

In these regulations—

Act means the *SACE Board of South Australia Act 1983*;

prescribed qualification requirements means any qualification requirements for the achievement of the SACE—

- (a) prescribed by these regulations (including before the commencement of the 2008 Amendment Act); or
- (b) determined by the Board;

2008 Amendment Act means the *Senior Secondary Assessment Board of South Australia (Review) Amendment Act 2008*.

4—Transitional arrangements associated with existing and future qualifications

- (1) The Board may continue to award the qualification in existence on the commencement of the 2008 Amendment Act on such basis as the Board may determine from time to time.
- (2) The certification requirements prescribed by these regulations before the commencement of the 2008 Amendment Act will continue to apply (as may be relevant) for students undertaking senior secondary education (as defined immediately before the commencement of the 2008 Amendment Act) until otherwise determined by the Board.

- (3) All approvals given or other steps taken by the Board before the commencement of the 2008 Amendment Act (and still having force or effect immediately before that commencement) will continue to have effect in all respects on and after that commencement unless or until the Board determines otherwise.
- (4) All achievements recognised by the Board before the commencement of the 2008 Amendment Act (and being so recognised at the time of that commencement) will continue to have effect in all respects on or after that commencement (unless the Board has valid grounds to revoke the recognition of an achievement in a particular case after that commencement).

5—Amendment of Schedule 1 of Act

Clause 1 of Schedule 1 of the Act is amended by—

- (a) deleting paragraph (h) and substituting:
- (h) the Association of Independent Schools of South Australia—
Secondary/Combined Heads Committee;
- (b) after paragraph (v) inserting:
- (w) the Association of Independent Schools of South Australia
Incorporated.

6—Fees

- (1) The fees set out in Schedule 1 are payable to the Board.
- (2) The Board may, in appropriate cases, waive or reduce fees that would otherwise be payable under these regulations.

Schedule 1—Fees

1	<p>Registration fee For registration as an assessment centre of an educational institution not in receipt of financial assistance from the State <i>(Registration entitles the institution to services similar to that extended by the Board to educational institutions in receipt of financial assistance from the State.)</i></p>	\$1 557.00 per year
2	<p>Student fee For enrolment for assessment and certification of completion of prescribed certification requirements by a student of an educational institution not in receipt of financial assistance from the State or a full fee paying overseas student (within the meaning of the <i>Education Act 1972</i>)—</p> <p style="padding-left: 20px;">(a) in the case of a student at Year 11 level</p> <p style="padding-left: 20px;">(b) in the case of a student at Year 12 level</p>	<p>\$208.00 per student</p> <p>\$464.00 per student</p>
3	<p>Late enrolment fee For enrolment of a student for assessment of completion of prescribed certification requirements after the closing date for receipt of enrolments set by the Board in any year</p>	\$80.50 per student
4	<p>Clerical check fee For checking, at the request of a student, the clerical processes and procedures involved in determining a result in a subject</p>	\$9.40 per subject

5	Candidate record fee For access to information about the contribution of examination marks and moderated school assessment marks to the final result of a Year 12 level subject	\$8.10 per subject
6	Script access fee For access of students to their assessment materials	\$16.10 per subject
7	Statement fee For a statement or certified record replacing— (a) a statement of results awarded in a specified year; or (b) a certified record of studies undertaken towards completion of the prescribed certification requirements (SACE Record of Achievement); or (c) a certified record of results in individual subjects or requirements comprised in the prescribed certification requirements (SACE Statement of Results) issued	\$18.90 per record or statement
8	Replacement fee for SACE Certificate For a replacement copy of a South Australian Certificate of Education	\$32.30
9	Curriculum statement fee For a copy of a curriculum statement	\$7.70 if 80 pages or less \$12.30 if more than 80 pages

Schedule 2—Revocation of *SACE Board of South Australia Regulations 2000*

1—Revocation of regulations

The *SACE Board of South Australia Regulations 2000* are revoked (or, if the *Senior Secondary Assessment Board of South Australia Variation Regulations 2008* (No 163 of 2008) are invalid, then the *Senior Secondary Assessment Board of South Australia 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's Deputy

on the recommendation of the SACE Board of South Australia and with the advice and consent of the Executive Council
on 18 September 2008

No 255 of 2008

DECS08/013CS

South Australia

Harbors and Navigation Variation Regulations 2008

under the *Harbors and Navigation Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Harbors and Navigation Regulations 1994*

- 4 Variation of regulation 8—Interpretation
 - 5 Insertion of regulation 123A
123A Emergency position indicating radio beacons
 - 6 Variation of Schedule 9—Structural and equipment requirements for vessels
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Harbors and Navigation Variation Regulations 2008*.

2—Commencement

These regulations will come into operation on the day on which Part 2 of the *Statutes Amendment (Transport Portfolio) Act 2008* 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 *Harbors and Navigation Regulations 1994*

4—Variation of regulation 8—Interpretation

Regulation 8—after subregulation (5) insert:

- (6) For the purposes of these regulations, a reference to a particular Australian Standard will be taken to be a reference to that standard as in force from time to time.

5—Insertion of regulation 123A

After regulation 123 insert:

123A—Emergency position indicating radio beacons

- (1) For the purposes of section 65A(1) of the Act, the following classes of vessels are specified:
 - (a) commercial vessels of Classes 1A, 1B, 1C, 2A, 2B, 2C, 3A, 3B and 3C being operated more than 3 nautical miles from a coast;
 - (b) all other vessels being operated in unprotected waters—
 - (i) more than 5 nautical miles seaward of the low water mark in the waters of Spencer Gulf or Gulf St. Vincent (as defined in subregulation (3)); or
 - (ii) more than 3 nautical miles seaward of the low water mark in the waters of any other area except Lakes Alexandrina and Albert.
- (2) For the purposes of section 65A(1) of the Act, the following requirements relating to emergency position indicating radio beacons are specified:
 - (a) the beacon must be capable of transmitting on a frequency of 406 megahertz;
 - (b) the beacon must comply with *AS/NZS 4280.1:2003:406 MHz satellite distress beacons - Marine emergency position-indicating radio beacons (EPIRBs)*;
 - (c) the beacon must be currently registered with the Australian Maritime Safety Authority;

Note—

The procedures for obtaining and renewing registration of EPIRBs as required by this regulation are set out by the Australian Maritime Safety Authority.

 - (d) the beacon must be suitably located and secured on the relevant vessel having regard to the need for access to the beacon and the need to protect the beacon from accidental damage or loss;
 - (e) the beacon must be maintained in good working order.
- (3) In this clause—

coast means—

 - (a) the coast of the mainland; and
 - (b) the coast of Kangaroo Island;

the waters of Spencer Gulf or Gulf St. Vincent means—

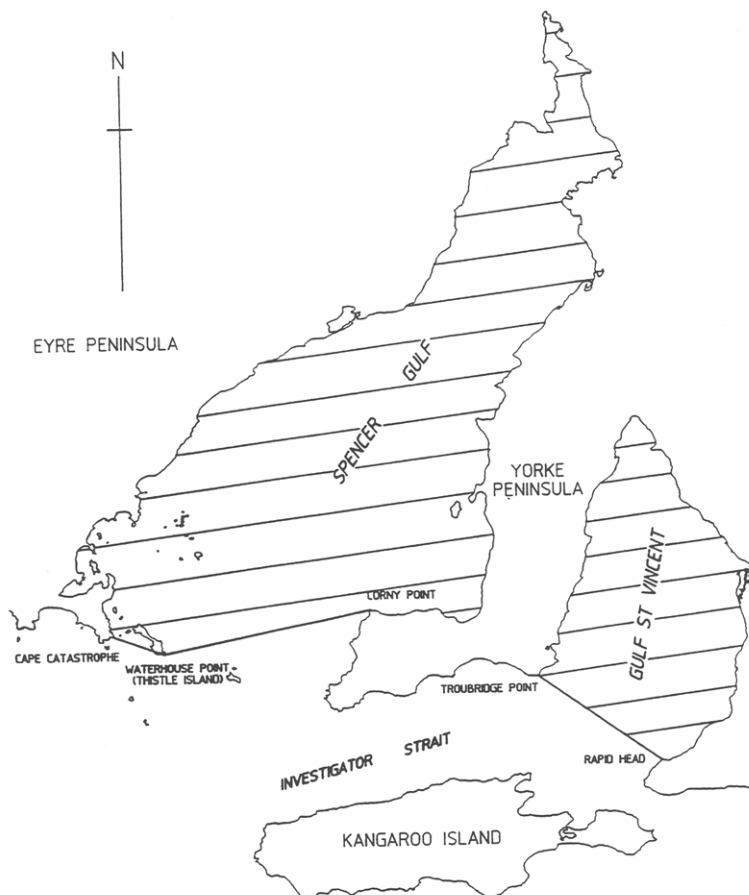
 - (a) for Spencer Gulf—the waters in that gulf north of a line drawn from Cape Catastrophe on Eyre Peninsula to Waterhouse Point on Thistle Island and then to Corny Point on Yorke Peninsula (see following map);

- (b) for Gulf St. Vincent—the waters in that gulf north of a line drawn from Troubridge Point on Yorke Peninsula to Rapid Head on Fleurieu Peninsula (see following map).

Note—

The following map is provided for convenience of reference only.

Waters of Spencer Gulf and Gulf St. Vincent



6—Variation of Schedule 9—Structural and equipment requirements for vessels

- (1) Schedule 9 clause 6(1)(c)(xi)—delete subparagraph (xi) and substitute:
- (xi) while the vessel is operated more than 5 nautical miles seaward of low water mark in the waters of Spencer Gulf or Gulf St. Vincent (as defined in subclause (4)), or more than 3 nautical miles seaward of low water mark in the waters of any other area except Lakes Alexandrina and Albert (in addition to any other equipment required under this paragraph)—1 V distress sheet;
- (2) Schedule 9 clause 6(2)(c)(xii)—delete subparagraph (xii) and substitute:
- (xii) while the vessel is operated more than 5 nautical miles seaward of low water mark in the waters of Spencer Gulf or Gulf St. Vincent (as defined in subclause (4)), or more than 3 nautical miles seaward of low water mark in the waters of any other area except Lakes Alexandrina and Albert (in addition to any other equipment required under this paragraph)—1 V distress sheet;
- (3) Schedule 9 clause 20(3)—delete subclause (3)

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's Deputy

with the advice and consent of the Executive Council
on 18 September 2008

No 256 of 2008

MTR07/027CS

South Australia

Road Traffic (Miscellaneous) Variation Regulations 2008

under the *Road Traffic Act 1961*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Road Traffic (Miscellaneous) Regulations 1999*

- 4 Variation of Schedule 9—Expiation fees

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Road Traffic (Miscellaneous) Variation Regulations 2008*.

2—Commencement

These regulations will come into operation on the day on which sections 27 and 30 of the *Statutes Amendment (Transport Portfolio) Act 2008* come 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 *Road Traffic (Miscellaneous) Regulations 1999*

4—Variation of Schedule 9—Expiation fees

- (1) Schedule 9, Part 2—after the item relating to section 40Y(5) of the *Road Traffic Act 1961* insert:

45A	<i>Driving at speed exceeding applicable speed limit by 45 kph or more</i>	\$541
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- (2) Schedule 9, Part 2—after the item relating to section 91(3) of the *Road Traffic Act 1961* insert:

110C(2)	<i>Selling or offering for sale for use on roads motor vehicle or trailer not bearing vehicle identification plate for that vehicle or trailer—offence not committed in course of trade or business</i>	\$160
110C(3)	<i>Driving motor vehicle or trailer not bearing vehicle identification plate for that vehicle or trailer</i>	\$160

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's Deputy

with the advice and consent of the Executive Council
on 18 September 2008

No 257 of 2008

MTR07/025CS

South Australia

Lottery and Gaming Variation Regulations 2008

under the *Lottery and Gaming Act 1936*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Lottery and Gaming Regulations 2008*

- 4 Variation of regulation 3—Interpretation
 - 5 Insertion of regulation 9A
 - 9A Participation lotteries
 - 6 Variation of regulation 24—Major lottery rules
 - 7 Variation of regulation 26—Major bingo session rules
 - 8 Insertion of regulation 29A
 - 29A Participation lottery rules
 - 9 Variation of Schedule 2—Financial statements
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Lottery and Gaming Variation Regulations 2008*.

2—Commencement

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

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 *Lottery and Gaming Regulations 2008*

4—Variation of regulation 3—Interpretation

Regulation 3(1)—after the definition of *net proceeds* insert:

participation lottery means a lottery conducted by an association—

- (a) in which only members, or a class of members, of the association have a right to participate; and
- (b) where participation in the lottery does not depend on the payment of an entrance fee or other benefit (other than payment of any membership fee to become a member of the association);

5—Insertion of regulation 9A

After regulation 9 insert:

9A—Participation lotteries

A participation lottery is an exempted lottery for the purposes of the Act if—

- (a) the total value of all the prizes does not exceed \$5 000; and
- (b) the lottery is conducted by an association on its own behalf; and
- (c) the prizes do not include any prohibited goods or services; and
- (d) the right to participate in the lottery is not dependent on the purchase of any goods or services; and
- (e) the association, in conducting the lottery, complies with the participation lottery rules set out in regulation 29A.

6—Variation of regulation 24—Major lottery rules

Regulation 24(r)—delete "no later than 7 days"

7—Variation of regulation 26—Major bingo session rules

Regulation 26(t)—delete paragraph (t) and substitute:

- (t) the total value of the prizes in every session of bingo must not be less than 20% of the gross proceeds of the session (less any amount for a jackpot);

8—Insertion of regulation 29A

After regulation 29 insert:

29A—Participation lottery rules

The rules with which an association must comply in relation to conducting a participation lottery are as follows:

- (a) the lottery must be drawn on the date and at the time and place specified in any terms and conditions of the lottery published to members of the association;
- (b) the lottery must not be conducted in a gaming area (within the meaning of the *Gaming Machines Act 1992*);
- (c) winners must—
 - (i) if the terms and conditions of the lottery include a requirement that winners be present at the draw to claim their prize—be allowed a period of not less than 15 minutes after the draw to claim their prize; or
 - (ii) in any other case—be allowed a reasonable opportunity to claim their prize.

9—Variation of Schedule 2—Financial statements

Schedule 2, Part 2, (d)(iv), (v) and (vi)—delete subparagraphs (iv), (v) and (vi) and substitute:

- (iv) the total value of the prizes in each session; and

- (v) the amount of the jackpot (if any) for each session;

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's Deputy

with the advice and consent of the Executive Council
on 18 September 2008

No 258 of 2008

MGA10/08CS

South Australia

Prevention of Cruelty to Animals Variation Regulations 2008

under the *Prevention of Cruelty to Animals Act 1985*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Prevention of Cruelty to Animals Regulations 2000*

- 4 Variation of regulation 1—Short title
 - 5 Variation of regulation 4—Interpretation
 - 6 Substitution of heading to Part 2
 - 7 Substitution of regulation 6
 - 6 Ill treatment of animals
 - 8 Variation of regulation 7—Use of electroimmobilisers
 - 9 Variation of regulation 8—Use of certain other electrical devices
 - 10 Revocation of regulation 9
 - 11 Variation of regulation 10—Codes of practice
 - 12 Variation of regulation 11—Use of steel jaw traps prohibited in certain circumstances
 - 13 Variation of regulation 12—Use of gel to catch or deter birds prohibited
 - 14 Revocation of regulations 13A and 13B
 - 15 Variation of regulation 13D—Only horses and cattle to be used in rodeo events
 - 16 Variation of regulation 13F—General requirements for conducting rodeos
 - 17 Variation of regulation 13G—Inspections by designated rodeo judge
 - 18 Variation of regulation 13H—Regulation of use and care of rodeo animals
 - 19 Variation of regulation 13I—Requirements and prohibitions relating to equipment
 - 20 Variation of regulation 13K—Reports to Minister on conduct of rodeo
 - 21 Variation of regulation 13M—General requirements
 - 22 Variation of regulation 13N—Requirements relating to confining domestic fowls in cages
 - 23 Variation of regulation 14—Certain research prohibited except for limited purposes
 - 24 Insertion of regulation 17
 - 17 Inspectors
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Prevention of Cruelty to Animals Variation Regulations 2008*.

2—Commencement

These regulations will come into operation on the day on which the *Prevention of Cruelty to Animals (Animal Welfare) Amendment Act 2008* 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 *Prevention of Cruelty to Animals Regulations 2000*

4—Variation of regulation 1—Short title

Regulation 1—delete "*Prevention of Cruelty to Animals*" and substitute:

Animal Welfare

5—Variation of regulation 4—Interpretation

Regulation 4, definition of *Act*—delete "*Prevention of Cruelty to Animals*" and substitute:

Animal Welfare

6—Substitution of heading to Part 2

Heading to Part 2—delete the heading and substitute:

Part 2—Animal welfare offences

7—Substitution of regulation 6

Regulation 6—delete the regulation and substitute:

6—Ill treatment of animals

- (1) For the purposes of section 13 of the Act, a person ill treats an animal if—
 - (a) except where a veterinary surgeon has certified in writing that any of the following procedures is necessary for the control of disease—the person—
 - (i) surgically reduces the ability of an animal to produce a vocal sound; or
 - (ii) docks the tail of a dog; or
 - (iii) crops an animal's ear; or
 - (iv) docks or nicks a horse's tail or docks the tail of an animal of the genus *Bos* or *Bubalus*; or
 - (b) the person—
 - (i) traps an animal in a steel jaw trap that has been set in contravention of regulation 11; or
 - (ii) catches a bird by using a gel that has been applied in contravention of regulation 12.
- (2) However, a person who is a veterinary surgeon may—
 - (a) surgically reduce the ability of an animal to produce a vocal sound if satisfied that—
 - (i) the procedure is required for therapeutic purposes; or

- (ii) there is no other reasonably practicable means of preventing the animal from causing a nuisance by creating noise; or
- (b) dock a dog's tail if satisfied the procedure is required for therapeutic purposes; or
- (c) crop an animal's ear if satisfied the procedure is required for therapeutic purposes.

8—Variation of regulation 7—Use of electroimmobilisers

- (1) Regulation 7(1)—delete "section 14" and substitute:
section 15
- (2) Regulation 7(3), penalty provision—delete the penalty provision and substitute:
Maximum penalty: \$2 500.
Expiation fee: \$210.

9—Variation of regulation 8—Use of certain other electrical devices

Regulation 8(1)—delete "section 14" and substitute:
section 15

10—Revocation of regulation 9

Regulation 9—delete the regulation

11—Variation of regulation 10—Codes of practice

Regulation 10, penalty provision—delete the penalty provision and substitute:
Maximum penalty: \$2 500.
Expiation fee: \$210.

12—Variation of regulation 11—Use of steel jaw traps prohibited in certain circumstances

- (1) Regulation 11(1), penalty provision—delete the penalty provision and substitute:
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (2) Regulation 11(2), penalty provision—delete the penalty provision and substitute:
Maximum penalty: \$2 500.
Expiation fee: \$210.

13—Variation of regulation 12—Use of gel to catch or deter birds prohibited

Regulation 12, penalty provision—delete the penalty provision and substitute:
Maximum penalty: \$2 500.
Expiation fee: \$210.

14—Revocation of regulations 13A and 13B

Regulations 13A and 13B—delete the regulations

15—Variation of regulation 13D—Only horses and cattle to be used in rodeo events

Regulation 13D, penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$2 500.

Expiation fee: \$210.

16—Variation of regulation 13F—General requirements for conducting rodeos

(1) Regulation 13F(1), penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$2 500.

(2) Regulation 13F(2), penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$2 500.

(3) Regulation 13F(3), penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$2 500.

(4) Regulation 13F(4), penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$2 500.

Expiation fee: \$210.

(5) Regulation 13F(5), penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$2 500.

Expiation fee: \$210.

17—Variation of regulation 13G—Inspections by designated rodeo judge

Regulation 13G, penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$2 500.

Expiation fee: \$210.

18—Variation of regulation 13H—Regulation of use and care of rodeo animals

(1) Regulation 13H(1), penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$2 500.

(2) Regulation 13H(2), penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$2 500.

Expiation fee: \$210.

19—Variation of regulation 13I—Requirements and prohibitions relating to equipment

(1) Regulation 13I(1), penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$2 500.

Expiation fee: \$210.

(2) Regulation 13I(2), penalty provision—delete the penalty provision and substitute:

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) Regulation 13I(3), penalty provision—delete the penalty provision and substitute:
Maximum penalty: \$2 500.
Expiation fee: \$210.

- (4) Regulation 13I(4), penalty provision—delete the penalty provision and substitute:
Maximum penalty: \$2 500.

20—Variation of regulation 13K—Reports to Minister on conduct of rodeo

- Regulation 13K(1), penalty provision—delete the penalty provision and substitute:
Maximum penalty: \$2 500.
Expiation fee: \$210.

21—Variation of regulation 13M—General requirements

- (1) Regulation 13M(1), penalty provision—delete the penalty provision and substitute:
Maximum penalty: \$2 500.
- (2) Regulation 13M(2), penalty provision—delete the penalty provision and substitute:
Maximum penalty: \$2 500.

22—Variation of regulation 13N—Requirements relating to confining domestic fowls in cages

- (1) Regulation 13N(1), penalty provision—delete the penalty provision and substitute:
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (2) Regulation 13N(2), penalty provision—delete the penalty provision and substitute:
Maximum penalty: \$2 500.
Expiation fee: \$210.

23—Variation of regulation 14—Certain research prohibited except for limited purposes

- Regulation 14(1), penalty provision—delete the penalty provision and substitute:
Maximum penalty: \$2 500.

24—Insertion of regulation 17

Before regulation 18 insert:

17—Inspectors

- (1) For the purposes of the definition of *qualified person* in section 28 of the Act, the following training is prescribed:
- (a) a course of basic training for inspectors provided, from time to time, by the Minister;
 - (b) a course of training that would, in the opinion of the Minister, qualify a person to be appointed as a member of a police force of the Commonwealth or a State or Territory of the Commonwealth;
 - (c) a course of training approved by the Minister provided by—

- (i) the Royal Society for the Prevention of Cruelty to Animals (South Australia) (*RSPCA*) or an organisation corresponding to the RSPCA in another State or a Territory of the Commonwealth; or
 - (ii) a public sector agency of the Commonwealth or a State or Territory of the Commonwealth.
- (2) An inspector is authorised to give expiation notices for an alleged offence against the Act or these regulations.

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's Deputy

with the advice and consent of the Executive Council
on 18 September 2008

No 259 of 2008

EHCS06/0016

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CITY OF MITCHAM

Appointment

NOTICE is hereby given that pursuant to Chapter 7, Part 1, Section 98 of the Local Government Act 1999, the Council has appointed Rodney Donne to the role of Acting Chief Executive Officer (*vice* Ron Malcolm) of the City of Mitcham, effective from Monday, 8 September 2008.

All written inquiries should be directed to:

Rodney Donne,
Acting Chief Executive Officer,
The City of Mitcham,
P.O. Box 21,
Mitcham Shopping Centre,
Torrens Park, S.A. 5062

R. DONNE, Acting Chief Executive Officer

CITY OF MITCHAM

BY-LAW MADE UNDER THE DOG AND CAT MANAGEMENT ACT 1995 AND THE LOCAL GOVERNMENT ACT 1999

By-law No. 5—Dogs

TO limit the number of dogs kept on premises and to provide for the control and management of dogs in the Council's area.

1. *Definitions*

In this by-law:

- 1.1 'Approved Kennel Establishment' means a building, structure, premises or area approved by the relevant authority pursuant to the Development Act 1993, for the keeping of dogs on a temporary or permanent basis.
- 1.2 'Local Government Land' means land owned by the Council or under the Council's care, control and management.
- 1.3 'Small Dwelling' means the premises of a self contained dwelling either:
 - 1.3.1 commonly known as a flat, serviced flat, home unit or the like; or
 - 1.3.2 which is contained in a separate strata title or community title.

2. *Limit on Dog Numbers*

- 2.1 A person must not, without the Council's permission, keep:
 - 2.1.1 in a small dwelling, more than one dog; and
 - 2.1.2 on premises other than a small dwelling, more than two dogs.

3. *Approved Kennel Establishments*

- 3.1 The limits set out in subparagraph 2.1 of this by-law do not apply to an Approved Kennel Establishment provided:
 - 3.1.1 it is operating in accordance with all required approvals and consents; and
 - 3.1.2 any business involving the dogs is registered in accordance with the Dog and Cat Management Act 1995.

4. *Dog Free Areas*

A person must not without the Council's permission, on Local Government Land to which this paragraph applies, cause, suffer or permit any dog under that person's control, charge or authority, to be or remain in that place.

5. *Dogs on Leashes*

A person must not without the Council's permission on Local Government Land to which this paragraph applies, cause, suffer or permit any dog 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 m 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.

6. *Dog Exercise Areas*

- 6.1 A person must not enter any part of Local Government Land to exercise a dog under that person's control except on Local Government Land to which this paragraph applies.
- 6.2 Where a person enters upon any such part of Local Government Land for the purpose of exercising a dog under that person's control, that person must ensure that the dog or dogs remain under effective control by command, the dog being in close proximity to the person and the person being able to see the dog at all times while on that land.

7. *Application of Paragraphs*

- 7.1 Paragraphs 4, 5 and 6 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 Council of the City of Mitcham held on 9 September 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. DONNE, Acting Chief Executive Officer

CITY OF PORT LINCOLN

Ordinary Council Meeting Public Holiday

NOTICE is hereby given that the next Ordinary Council Meeting for the City of Port Lincoln will be held on Tuesday, 7 October 2008 at 7.30 p.m., due to the Labour Day Public Holiday on Monday, 6 October 2008.

K. ALLEN, Acting Chief Executive Officer

CITY OF SALISBURY

Results of Supplementary Election for Councillor in South Ward Conducted on Monday, 8 September 2008

Formal Ballot Papers: 2 544
Informal Ballot Papers: 5

Quota: 1 273

Candidates	First Preference Votes	Result after Distribution of Preferences
Sickerdick, Andrew.....	450	
Biddlecombe, Tamika.....	175	
Woodman, Julie.....	1 781	Elected
Kirkhope, Lynne.....	98	
Jobson, Phillip.....	40	

K. MOUSLEY, Returning Officer

CITY OF TEA TREE GULLY

BY-LAW MADE UNDER THE DOG AND CAT MANAGEMENT ACT 1995 AND THE LOCAL GOVERNMENT ACT 1999

By-law No. 4—Dogs

TO limit the number of dogs kept on premises and for the management and control of dogs in the Council's area.

1. *Definitions*

In this by-law:

- 1.1 'Approved Kennel Establishment' means a building, structure or area approved by a relevant authority, pursuant to the Development Act 1993, for the keeping of dogs on a temporary or permanent basis.
- 1.2 'Detached Dwelling', 'Row Dwelling' and 'Semi-detached Dwelling' have the same meanings as in the Development Act 1993.
- 1.3 'Disability Dog' has the same meaning as in the Dog and Cat Management Act 1995.

- 1.4 'Dog' has the same meaning as in the Dog and Cat Management Act 1995.
- 1.5 'Guide Dog' has the same meaning as in the Dog and Cat Management Act 1995.
- 1.6 'Hearing Dog' has the same meaning as in the Dog and Cat Management Act 1995.
- 1.7 'Local Government Land' means land owned by the Council or under the Council's care, control and management.
- 1.8 'Small Dwelling' means a flat, a serviced flat, home unit, strata unit, community lot, or a suite of rooms which is wholly occupied, or designed or intended to be occupied, as separate dwelling, but does not include a Detached, Semi-detached or Row Dwelling house.

2. Limit on Dog Numbers

A person must not, without the Council's permission, keep:

- 2.1 more than one dog in a small dwelling;
- 2.2 more than two dogs in premises other than a small dwelling.

3. Kennel Establishments

- 3.1 The limit set out in subparagraphs 2.1 and 2.2 of this by-law do not apply to an Approved Kennel Establishment provided:
- 3.1.1 it is operating in accordance with all approvals and consents; and
- 3.1.2 any business involving the dogs is registered in accordance with the Dog and Cat Management Act 1995.

4. Dog Off Leash Areas

- 4.1 Subject to paragraphs 5 and 6 of this by-law, any person may enter upon any part of Local Government Land for the purpose of exercising a dog or dogs under that person's control.
- 4.2 Where a person enters upon such part of Local Government Land for that purpose, that person must ensure that the dog or dogs remain under effective control either by means of a physical restraint or by command, the dog being in close proximity to the person and the person being able to see the dog at all times while on that land.

5. Dogs on Leashes

A person must not, without the Council's permission, on Local Government Land to which this paragraph applies, cause, suffer or permit any dog under that person's control, charge or authority to be or remain on that land unless such dog is restrained by a strong chain, cord or leash not exceeding 2 m 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.

6. Dog Prohibited Areas

A person must not without the Council's permission on Local Government Land to which this paragraph applies, cause, suffer or permit any dog (except a Disability Dog, Guide Dog or Hearing Dog), under that person's control, charge or authority to be or remain on that land.

7. Application of Paragraphs

Paragraphs 5 and 6 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 Council of the City of Tea Tree Gully held on 9 September 2008, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

J. MOYLE, Acting Chief Executive Officer

CITY OF TEA TREE GULLY

CLOSE OF NOMINATIONS

Supplementary Election for Councillor in Steventon Ward— Nominations Received

AT the close of nominations at 12 noon on Thursday, 11 September 2008, the following people were accepted as candidates and are listed in the order in which they will appear on the ballot paper:

Councillor for Steventon Ward (1 vacancy):

Jones, Lucas
Panagaris, Peter
Walford, Angela
Knight, Kevin
Keane, Sandy
Ivan, Anne

Postal Voting

The election will be conducted by post. Ballot papers and pre-paid envelopes for each voting entitlement will be posted between Tuesday, 23 September 2008 and Monday, 29 September 2008 to every person, body corporate and group listed on the voters roll at roll close at 5 p.m. on Thursday, 31 July 2008. Voting is voluntary.

A person who has not received voting material by Monday, 29 September 2008 and believes they are entitled to vote should contact the Deputy Returning Officer on 8401 4318.

Completed voting material must be returned to reach the Returning Officer no later than 12 noon on Monday, 13 October 2008.

A ballot box will be provided at the Civic Centre, 571 Montague Road, Modbury, for electors wishing to hand deliver their completed voting material during office hours.

Vote Counting Location

The scrutiny and counting of votes will take place at the Dining Room, Civic Centre, 571 Montague Road, Modbury as soon as practicable after 12 noon on Monday, 13 October 2008. A provisional declaration will be made at the conclusion of the election count.

Campaign Donations Return

All candidates must forward a Campaign Donations Return to the Council Chief Executive Officer within six weeks after the conclusion of the election.

K. MOUSLEY, Returning Officer

CITY OF UNLEY

CLOSE OF NOMINATIONS

Supplementary Election for Councillor in Parkside Ward— Nominations Received

AT the close of nominations at 12 noon on Thursday, 11 September 2008, the following people were accepted as candidates and are listed in the order in which they will appear on the ballot paper:

Councillor for Parkside Ward (1 vacancy):

Harvey, Rod
Miller, Rosemary
Salaman, Rufus
McRitchie, Sarah

Postal Voting

The election will be conducted by post. Ballot papers and pre-paid envelopes for each voting entitlement will be posted between Tuesday, 23 September 2008 and Monday, 29 September 2008 to every person, body corporate and group listed on the voters roll at roll close on Thursday, 31 July 2008. Voting is voluntary.

A person who has not received voting material by Monday, 29 September 2008 and believes they are entitled to vote should contact the Deputy Returning Officer on 8401 4327.

Completed voting material must be returned to reach the Returning Officer no later than 12 noon on Monday, 13 October 2008.

A ballot box will be provided at the Council Office, 181 Unley Road, Unley, for electors wishing to hand deliver their completed voting material during office hours.

Vote Counting Location

The scrutiny and counting of votes will take place at the Unley Town Hall, 181 Unley Road, Unley, as soon as practicable after 12 noon on Monday, 13 October 2008. A provisional declaration will be made at the conclusion of the election count.

Campaign Donations Return

All candidates must forward a Campaign Donations Return to the Council Chief Executive Officer within six weeks after the conclusion of the election.

K. MOUSLEY, Returning Officer

TOWN OF GAWLER

Town Centre Carparking Fund

PURSUANT to section 50 (A) of the Development Act 1993, notice is hereby given to determine the contribution amounts which apply to the Town Centre Carparking Fund.

Details of the Fund are as follows:

Name of Fund—Town Centre Carparking Fund.

Designated Area—Town Centre Historic (Conservation) Zone.

Contribution Rate (per carpark not provided) for 2008-2009:

Town Centre Historic (Conservation) (TCH(C)) Zone:

Light TCH (C) Policy Area: \$5 100.

Gawler South TCH (C) Policy Area: \$3 820.

S. KERRIGAN, Chief Executive Officer

TOWN OF WALKERVILLE

Review of Elector Representation

PURSUANT to section 12 of the Local Government Act 1999, Council is required to periodically review its structure and composition to determine whether electors are being adequately and fairly represented.

Notice is hereby given that Council has prepared an Elector Representation options paper that examines the advantages and disadvantages of the various options available in regards to the composition and structure of Council and the division of the Council area into wards.

Copies of the Elector Representation options paper are available at the Council Office, 66 Walkerville Terrace, Gilberton, library and our website www.walkerville.sa.gov.au.

Interested persons are invited to make a written submission to the Chief Executive Officer, P.O. Box 55, Walkerville, S.A. 5081, by close of business on Friday, 7 November 2008.

H. DYER, Chief Executive Officer

ADELAIDE HILLS COUNCIL

DEVELOPMENT ACT 1993

*Adelaide Hills Council Development Plan
Extractive Industry Zone Bradbury Development Plan
Amendment—Draft for Public Consultation*

NOTICE is hereby given that the Adelaide Hills Council has prepared a draft Development Plan Amendment (DPA) to amend the Adelaide Hills Council Development Plan.

The DPA affects five properties in Longwood and Red Hill Roads, Bradbury by rezoning them from Extractive Industry to Watershed (Primary Production) and placing them in the Rural Landscape Policy Area.

The DPA is available for inspection from 18 September 2008 until 14 November 2008 at the following locations:

- Coventry Library, 63 Mount Barker Road, Stirling (8.30 a.m. to 5 p.m.).
- Woodside Service Centre, 28 Onkaparinga Valley Road, Woodside (Monday to Friday, 8.30 a.m. to 5 p.m.).
- Woodside Library, 26 Onkaparinga Valley Road, Woodside (Tuesday, 10 a.m. to 6 p.m.; Wednesday, 10 a.m. to 5 p.m.; Thursday, 1 p.m. to 8 p.m.; Friday, 10 a.m. to 5 p.m.; Saturday, 9 a.m. to 4 p.m.).
- Gumeracha Library, 47 Albert Street, Gumeracha (Tuesday, 11 a.m. to 7 p.m.; Friday, 9 a.m. to 5 p.m.; Saturday, 9 a.m. to 1 p.m.).
- Council's website at www.ahc.sa.gov.au (all times).

Copies of the DPA documents are available free of charge at each of the above locations.

Anyone may make a written submission on the DPA. Submissions must be sent to the Chief Executive Officer by no later than 14 November 2008:

- by post to P.O. Box 44, Woodside, S.A. 5244; or
- by email mail@ahc.sa.gov.au; or
- by fax on (08) 8389 7440.

Submissions must indicate if the author wishes to speak in support of their submission at a public meeting about the DPA.

If required, the public meeting will be held on Monday, 1 December 2008 at 6.30 p.m. at the Longwood Hall, Longwood Road, Bradbury. If no to one requests to be heard, there will be no public meeting.

Copies of all submissions received will be made available to the public for inspection by interested persons at the above locations from 17 November 2008 until the date of the public meeting.

Dated 18 September 2008.

P. PEPPIN, Chief Executive Officer

ALEXANDRINA COUNCIL

DEVELOPMENT ACT 1993

*Alexandrina Council Development Plan
Strathalbyn General Commercial and Industrial Development
Plan Amendment—Public and Agency Consultation*

NOTICE is hereby given that the Alexandrina Council has prepared the Strathalbyn General Commercial and Industrial Development Plan Amendment (DPA) to amend the Alexandrina Council Development Plan so as to provide policies that promote desired commercial and industrial development in appropriate areas of the Strathalbyn Township.

The following policy changes are proposed in the DPA:

- Extend the District Centre Zone to incorporate existing retail, commercial and community uses along High Street and South Terrace and provide additional planning policies to guide future development.
- Provide additional planning policy for the existing Industry Zone relating to environmental impacts, traffic networks, parking of commercial vehicles, stormwater management, chemicals and materials storage, hours of operation and noise, outdoor lighting, interface issues, landscaping, fencing, building siting and design; as well as public notification categories.
- Incorporate the Greyhound and Harness Racing Track into the Industry Zone as an 'Enterprise' Policy Area.
- Rezone the Laucke Flour Mill property on the Strathalbyn-Callington Road with the western portion containing existing offices and warehouses into the District Centre Zone and the eastern portion containing vacant paddocks and silos into the Residential (Strathalbyn) Zone.
- New policy directions to promote sustainable development principles for industrial development and consistency across the Council area.

The draft Plan Amendment Report will be available for public inspection at the Council Offices, 11 Cadell Street, Goolwa and 1 Colman Terrace, Strathalbyn and the Council Libraries, 11 Cadell Street, Goolwa and 11 Callington Road, Strathalbyn from Thursday, 18 September 2008 to Friday, 14 November 2008. Copies of the Plan Amendment Report can be purchased at the Council office for \$10, viewed and/or borrowed from the libraries or downloaded from Council's website:

www.alexandrina.sa.gov.au

Written submissions regarding the draft amendment will be accepted by the Alexandrina Council until 5 p.m. on Friday, 14 November 2008. The written submission should clearly indicate your position and whether you wish to speak at the public hearing on your submission. All submissions should be addressed to The Chief Executive Officer, P.O. Box 21, Goolwa, S.A. 5214. Copies of all written submissions received will be available for inspection by interested persons at the Council offices from Monday, 17 November 2008.

A public hearing will be held on Tuesday, 25 November 2008 at 7 p.m. in the Alexandrina Council, Strathalbyn Office, 1 Colman Terrace, Strathalbyn to enable people to speak to Council in relation to the DPA and their submissions.

For further information please contact Sally Roberts, Manager Planning Services on Telephone (08) 8555 7000; Facsimile (08) 8555 3603 or Email sally_roberts@alexandrina.sa.gov.au.

Dated 17 September 2008.

J. COOMBE, Chief Executive

DISTRICT COUNCIL OF BARUNGA WEST

Change of Meeting Venue

NOTICE is hereby given that the Council meeting scheduled for 14 October 2008, commencing at 7 p.m., will be held at the meeting room of the Port Broughton Community School Library, in lieu of the Council Chambers at Bute.

N. HAND, District Manager

CLARE & GILBERT VALLEYS COUNCIL

CLOSE OF NOMINATIONS

Supplementary Election for Area Councillor— Nominations Received

AT the close of nominations at 12 noon on Thursday, 11 September 2008, the following people were accepted as candidates and are listed in the order in which they will appear on the ballot paper:

Area Councillor (1 vacancy):
Osborne, Oliver
Doroch, Peter
Molineux, Wayne

Postal Voting

The election will be conducted by post. Ballot papers and pre-paid envelopes for each voting entitlement will be posted between Tuesday, 23 September 2008 and Monday, 29 September 2008 to every person, body corporate and group listed on the voters roll at roll close on Thursday, 31 July 2008. Voting is voluntary.

A person who has not received voting material by Monday, 29 September 2008 and believes they are entitled to vote should contact the Deputy Returning Officer on 8401 4318.

Completed voting material must be returned to reach the Returning Officer no later than 12 noon on Monday, 13 October 2008.

A ballot box will be provided at the Council Office, 4 Gleeson Street, Clare, for electors wishing to hand deliver their completed voting material during office hours.

Vote Counting Location

The scrutiny and counting of votes will take place at Council Chambers, 4 Gleeson Street, Clare, as soon as practicable after 12 noon on Monday, 13 October 2008. A provisional declaration will be made at the conclusion of the election count.

Campaign Donations Return

All candidates must forward a Campaign Donations Return to the Council Chief Executive Officer within six weeks after the conclusion of the election.

K. MOUSLEY, Returning Officer

DISTRICT COUNCIL OF CLEVE

Appointment

NOTICE is hereby given that pursuant to section 102 (a) of the Local Government Act 1999, Council concurs with the appointment of Peter Arnold, Deputy Chief Executive Officer to act in the position of Chief Executive Officer from 29 September 2008 to 10 October 2008 and that further for the purposes of the Council delegations made on 12 September 2007, all delegations to the Chief Executive Officer extend to Peter Arnold appointed to act in the position of Chief Executive Officer for this period of leave.

A. C. SIVIOUR, Chief Executive Officer

DISTRICT COUNCIL OF CLEVE

Temporary Road Closure

NOTICE is hereby given pursuant to section 212 of the Local Government Act 1999, as amended, all vehicles will be excluded from Tel el Kebir Terrace, Arno Bay, between the intersection of Cairo Terrace and Third Street between the hours of 8 a.m. and 5 p.m. on Monday, 22 September 2008, for the purpose of roadworks.

A. C. SIVIOUR, Chief Executive Officer

DISTRICT COUNCIL OF GRANT

Mount Gambier and District Airport—Passenger Levies

NOTICE is hereby given that pursuant to the delegated powers contained in section 6 of the Aerodrome Fees Act 1998, the Mount Gambier and District Airport Management Committee at its meeting held on Tuesday, 29 July 2008, resolved that the following passenger levies (inclusive of GST) be fixed for aircraft landing/departing at the Mount Gambier and District Airport, effective from 1 October 2008.

Passenger Landing/Departing Levies—Regular Passenger Transport

Arrival Fees:	\$6.60 per adult	\$3.30 per child
Departure Fees:	\$6.60 per adult	\$3.30 per child

All other landing charges remain unaltered but are under review.

I. J. FRITSCH, Airport Manager

DISTRICT COUNCIL OF KIMBA

Exclusion of Land from Classification of Community Land

NOTICE is hereby given that pursuant to section 193 (4) of the Local Government Act 1999, the Council resolved at its meeting held on 10 September 2008, that the whole of the land at section 197, Hundred of Solomon, as more particularly described in Crown Record volume 5755, folio 64, be excluded from Classification as Community Land.

D. CEARNS, Chief Executive Officer

DISTRICT COUNCIL OF KIMBA

Acting Chief Executive Officer

NOTICE is hereby given that pursuant to section 102 (b) of the Local Government Act 1999, Council concurs with the appointment of Debra Larwood, Manager Administration Services, to act in the position of Chief Executive Officer from 29 September 2008 to 18 October 2008 inclusive.

And that further for the purpose of the Council delegations made on 10 September 2008, all delegations to the Chief Executive Officer extend to Debra Larwood appointed to act in the position of Chief Executive Officer for this period of leave.

D. CEARNS, Chief Executive Officer

DISTRICT COUNCIL OF ORROROO/CARRIETON

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that at its meeting held on 12 August 2008, the District Council of Orroroo/Carrieton, for the financial year ending 30 June 2009:

1. Adopted, for rating purposes, the Valuer-General's valuation of capital value of land within the Council's area totalling \$148 570 737.
2. Declared a general rate of 0.2639 cents in the dollar.
3. Imposed a fixed charge of \$176 as part of the general rate upon each separate piece of rateable land.
4. Imposed an annual service charge of \$143 on all land within the Council area to which the refuse collection service is provided.
5. Declared a separate rate of 0.0171 cents in the dollar on all rateable land in the Council area in order to raise the amount of \$24 181 payable to the Northern Yorke Natural Resources Management Board.

A. J. RENSHAW, Chief Executive Officer

TATIARA DISTRICT COUNCIL

ELECTION RESULTS

*Supplementary Election for Councillor in East Ward
Conducted on Monday, 8 September 2008*

Formal Ballot Papers: 1 652

Informal Ballot Papers: 3

Quota: 827

Candidates	First Preference Votes	Result After Distribution of Preferences
Dick, Steve	637	Elected
Gersch, Ronald William	242	
Ballinger, Elizabeth Ann	221	
Hunt, William Donald (Bill).....	552	

K. MOUSLEY, Returning Officer

WAKEFIELD REGIONAL COUNCIL

LOCAL GOVERNMENT ACT 1934

*Prohibition of Traffic or Closure of Street—
Fourth Street, Snowtown*

NOTICE is hereby given that the Wakefield Regional Council at its meeting held on 27 August 2008, resolved pursuant to section 359 of the Local Government Act 1934, to permanently close a portion of Fourth Street, Snowtown, between the rail corridor and Railway Terrace East to vehicles.

P. J. BARRY, Chief Executive Officer

WATTLE RANGE COUNCIL

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 Corcoran Ward, due to the resignation of Councillor Glenn Brown, to take effect from Monday, 8 September 2008.

F. N. BRENNAN, Chief Executive Officer

WATTLE RANGE COUNCIL

Close of Roll for Supplementary Election

DUE to the resignation of a member of the Council, a supplementary election will be necessary to fill the vacancy of Councillor for Corcoran Ward.

The voters roll for this supplementary election will close at 5 p.m. on Tuesday, 30 September 2008.

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.seo.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 October 2008 and will be received until 12 noon on Thursday, 6 November 2008.

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 Monday, 8 December 2008.

K. MOUSLEY, Returning Officer

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

Baker, Richard James, late of 34 Tralee Avenue, Broadview, retired technical instructor, who died on 4 August 2008.

Bennett, Ross Arthur Clarence, late of 511 Henley Beach Road, Fulham, retired credit manager, who died on 24 July 2008.

Coutts, Thomas William, late of 155 Oaks Road, Napperby, retired market gardener, who died on 18 June 2008.

Dyer, Eleanor Edith, late of Sturdee Street, Linden Park, of no occupation, who died on 9 August 2008.

Grimshaw, Denise Marie, late of 28 Mayflower Crescent, Hallett Cove, retired school assistant, who died on 17 July 2008.

Healy, Michael Christopher James, late of 25 Albert Street, Windsor Gardens, courier, who died on 14 January 2008.

Hewitt, Robin John, late of 11 Northcote Terrace, Medindie, production worker, who died on 22 May 2008.

House, Victor Ross, late of 55 Coral Sea Road, Fulham, labourer, who died on 5 June 2008.

Jones, Kathleen, late of 35 Hulbert Street, Hove, retired teacher, who died on 23 July 2008.

Kaltenbock, Johann Helmut, late of 66 Seacombe Road, Seacombe Heights, retired builder, who died on 30 May 2008.

Key, Audrey Hilda, late of 6 Booth Avenue, Linden Park, of no occupation, who died on 1 February 2008.

Keyes, Mary Alice, late of 34 Molesworth Street, North Adelaide, of no occupation, who died on 27 June 2008.

Mackie, Betty Mavis, late of 24 Chopin Road, Somerton Park, home duties, who died on 21 July 2008.

Millard, Clarence John, late of 338 The Terrace, Risdon Park, retired lead contractor, who died on 22 March 2008.

Rutt, Ernest Clyde, late of 16 Stuckey Street, Millicent, retired bank officer, who died on 18 April 2008.

Saunders, Mary Ellen, late of 408 Grand Junction Road, Clearview, married woman, who died on 31 May 2008.

Stacey, Lilian Nell, late of 48 Smith-Dorrien Street, Mitcham, of no occupation, who died on 11 April 2008.

Tetley, Doris, late of Fort Street, Grange, of no occupation, who died on 21 July 2008.

Thomas, Valma Jean, late of 150 Reynell Road, Woodcroft, of no occupation, who died on 7 May 2008.

Veres, Tibor, late of 54 Forest Avenue, Black Forest, retired bricklayer, who died on 1 June 2008.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 17 October 2008, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 18 September 2008.

M. I. BODYCOAT, 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 by **10 a.m. on Thursday**, which is our publication deadline.

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before** 10 a.m. on Thursday.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

Remember—the onus is on you to inform us of any corrections necessary to your notice.

NOTE: Closing time for lodging new copy (electronically, fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication. Phone 8207 1045—Fax 8207 1040.

Email: governmentgazette@dpc.sa.gov.au