

Price Monitoring Submission 2013-15

Gold Coast Water Price Monitoring Submission 2013-15

30 September 2013

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1. Executive Summary

Gold Coast Water's (GCW) Price Monitoring Submission presents the information required by the Queensland Competition Authority (QCA), to understand the resources GCW requires to deliver safe, reliable and sustainable water and sewerage services to customers over the two year regulatory period from 2013-14 to 2014-15, including the proposed revenue for those services.

GCW's primary service objectives are to:

- protect the health and safety of ourselves, and our community
- provide safe and reliable services for drinking water, sewerage and recycled water
- perform regulatory requirements
- ensure prudent and efficient expenditure
- prevent unacceptable impacts on the natural and built environment.

To meet these service objectives GCW has defined specific service outcomes that it aims to achieve over the two year regulatory period. This will provide focus for GCW staff and a framework against which to prioritise available resources. These service outcomes are outlined in Chapter 3.

Capital expenditure over the two year regulatory period is projected to be around \$126 million (m). As set out in Table 1.1. capital expenditure (capex) is attributable to GCW's requirements to:

- service growth (i.e. new capacity and or extensions) excluding assets provided by developers
- maintain our service commitments and service standards
- prudently manage the risk profiles of our water and sewerage networks.

Approximately 55 per cent of the planned capex is for renewals and 45 per cent for servicing growth. GCW's capital works program is at its lowest level in several years, resulting from a combination of low level growth and improved planning. The capex proposed over the two year regulatory period is outlined in Chapter 4.

Table 1.1 Annual capital expenditure (capex)

	2013-14	2014-15	Totals
Water	15.76	11.42	22%
Sewerage	39.34	59.74	78%
Total Capex	55.10	71.16	100%

Chapter 5 sets out the estimated operating costs GCW will incur over the regulatory period to deliver its obligations and customer service outcomes. Operating costs (as illustrated in Table 1.2) consist of bulk charges from Seqwater, business as usual operating costs, and licence fees. Operating expenditure (opex) in 2012-13 forms the basis for future forecasts of operating costs. To demonstrate anticipated improvements in operating efficiency, a two per cent growth adjusted productivity rate has been applied for 2013-14 and 2014-15.

Table 1.2 Annual operating expenditure (Opex)

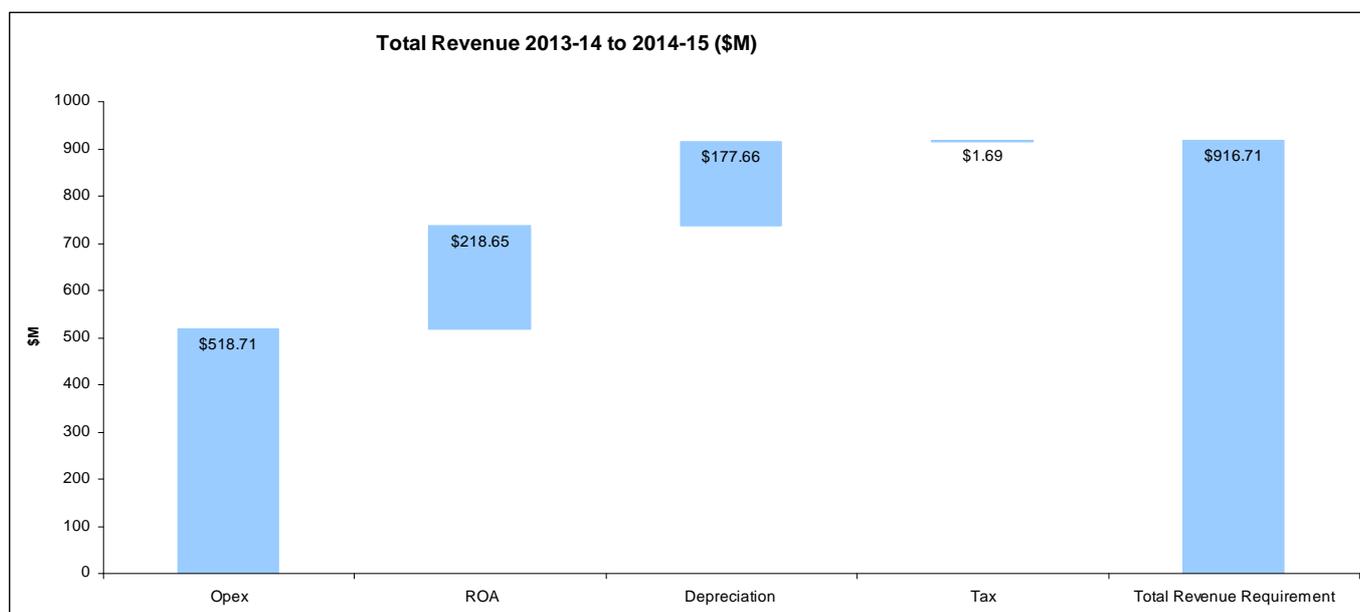
	2013-14	2014-15	Total
GCW	106.4	108.4	45%
Bulk purchases	140.6	158.4	65%
Total Opex	247.0	266.8	100%

Projected capital and operating expenditures, as well as GCW’s asset base, are used to calculate an ‘annual revenue requirement’ consistent with QCA regulatory principles. This total represents an amount of revenue GCW requires to deliver its service outcomes and obligations. The revenue requirement is calculated using a ‘building block’ approach represented by the following components:

- operating costs
- providing a return on assets
- depreciation of assets
- taxation.

Figure 1.1 summarises the total revenue requirement over the two year regulatory period totalling around \$916m over the two years with the major contributor being opex (approximately 56 per cent).

Figure 1.1 Total revenue requirement for 2013-14 to 2014-15 (\$m)



Water demand forecasts for the regulatory period incorporate some ongoing bounce-back in demand (anticipated to be around two per cent per annum), a connection growth forecast of 0.7 per cent per annum as well as continued reduction in non-revenue water. Forecast water demand is summarised in Table 1.3. Detailed forecasts (including sewage and trade waste) are outlined in Chapter 7.

Table 1.3 Annual potable water demand in Megalitre (ML)

Megalitre (ML)	2011-12	2012-13	2013-14	2014-15	Total
Residential	36,178.00	38,437.79	39,481.00	40,154.95	80%
Non-Residential	11,012.00	11,310.87	11,617.84	11,933.15	20%
Total	47,190.00	49,748.66	51,098.84	52,088.10	100%

To determine customer prices the annual revenue requirement and demands are taken into consideration. Prices are set such that the total revenue collected by GCW is less than the annual revenue requirement over the regulatory period. This is outlined further in Chapter 8.

GCW is currently reviewing its tariff structures with the intention to implement reform in 2014-15. The tariff review will involve:

- price modelling (including the simulation of water accounts based on different tariff structures)
- market research (utilising modelling techniques to determine customers attitude towards tariff reform, their likely acceptance of proposed tariff options, and any changes that this might have to their water use behaviour)
- simplifying tariffs (where possible to promote efficiency consistent with the National Water Initiative pricing principles).

GCW prices for 2013-14 have been provided in Attachment 1.

2. Introduction

2.1. Purpose and background

Pursuant to Section 23A of the *Queensland Competition Authority Act 1997*, the State Treasurer and the Minister for Trade have referred the City of Gold Coast (GoGC) to the QCA for a price monitoring investigation from 1 July 2013 to 30 June 2015.

This pricing submission presents the information required by the QCA to understand the resources GCW requires to deliver safe, reliable and sustainable water and sewerage services to its customers over the two year regulatory period (2013-14 to 2014-15), including the proposed revenue for those services.

2.2. Business overview

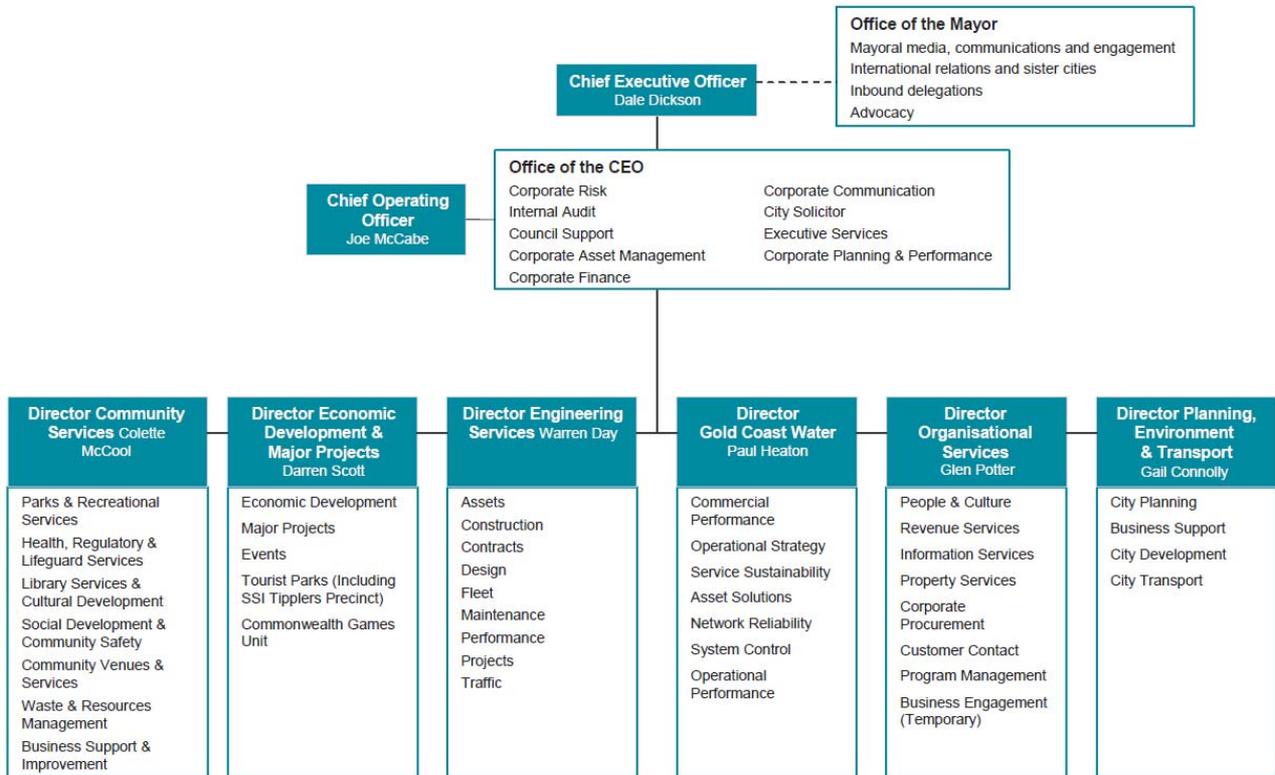
CoGC is a registered service provider under Section 22 of the *Water Supply (Safety and Reliability) Act 2008*.

GCW is a commercial business unit of CoGC responsible for the provision of water, recycled water and sewerage services to customers throughout the City of Gold Coast. The primary functions of GCW are:

- distribution and retail of safe drinking water purchased from the bulk water wholesaler Seqwater
- collection and treatment of sewage
- release of treated effluent, and provision of recycled water and bio-solids for reuse
- planning, construction and maintenance of infrastructure and assets, including water supply, recycled water and sewerage networks, sewage treatment plants (STP) and release systems.

GCW also provides water, recycled water and sewage analytical laboratory services directly to external customers. Figure 2.2 on the following page illustrates the corporate structure of CoGC and the Directorate of GCW.

Figure 2.2: Council of the City of Gold Coast Corporate Structure



As a Directorate of GoGC, GCW is responsible for the provision of water, recycled water and sewerage services.

GCW's primary service objectives are to:

- protect the health and safety of ourselves, and our community
- provide safe and reliable services for drinking water, sewerage and recycled water
- perform regulatory requirements
- ensure prudent and efficient expenditure
- prevent unacceptable impacts on the natural and built environment
- promote sustainable development within our region.

GCW's decisions and day-to-day activities are guided by CoGC's values which include:

- commitment, pride and passion for our city;
- working as one team with one vision
- 360 degree trust
- respect for each other
- getting the job done.

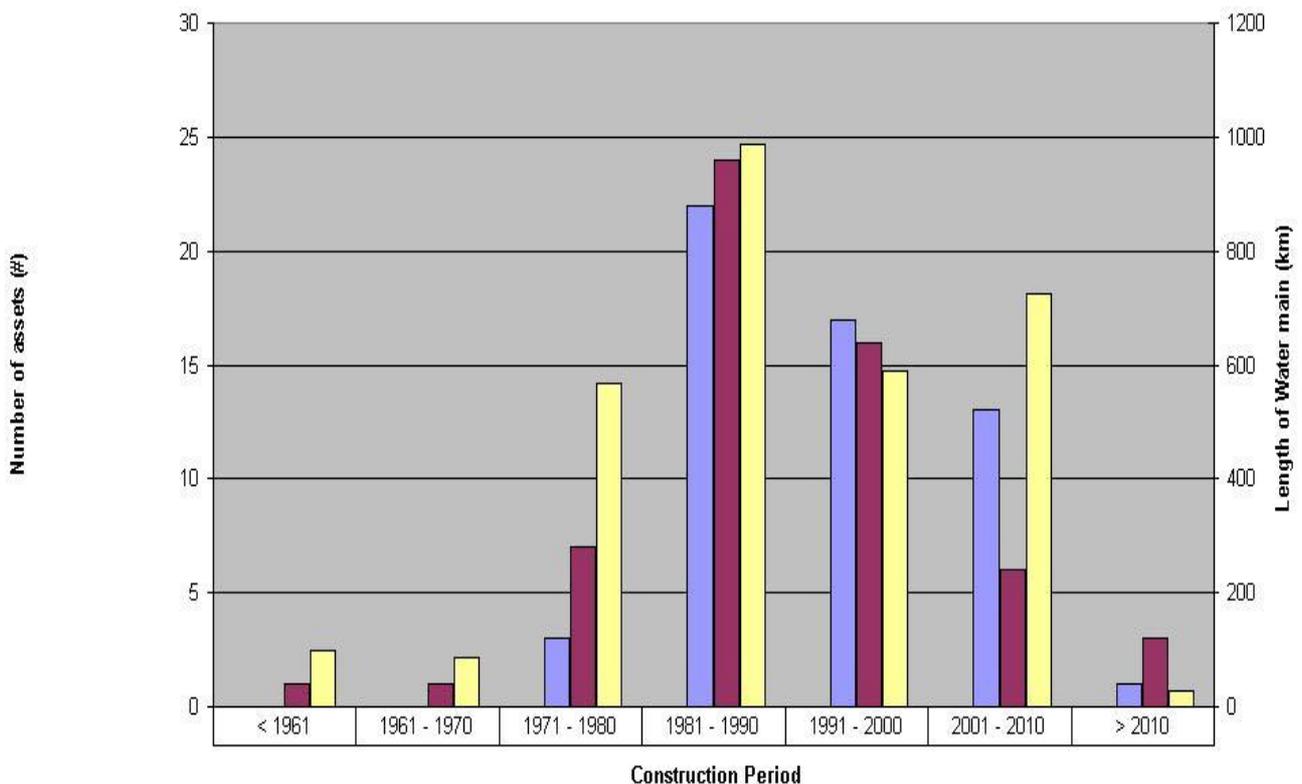
2.3. Assets

GCW's water network consists of 3092 kilometres (kms) of water mains, 56 water pump stations and 65 water reservoirs, which supply 237,667 water connections with more than 50 gigalitre (GL) of water each year.

The sewerage network consists of gravity and vacuum sewers, rising mains, pump stations, STP and emergency relief structures. GCW has 3143 kms of sewer pipes across its service area. This infrastructure is designed to transfer sewage from customers' properties across five sewage catchment areas to one of four STP owned by CoGC and operated by GCW. Council also purchases sewage treatment services from Logan City Council through the Beenleigh STP. The Pimpama STP also contains an advanced recycled water treatment facility in which sewage is treated to a Class A+ recycled water standard and distributed to local customers.

GCW's assets are relatively young compared to major metropolitan cities around Australia. Figure 2.3 below presents the construction history of water assets on the Gold Coast. The busiest period of construction was the 1980's which accounts for approximately 40 per cent of the pump stations, 40 per cent of the reservoirs and 33 per cent of the water mains in service today. Significant construction continued into the 1990's and 2000's which means most passive assets are less than half way through their useful life.

Figure 2.3 Construction history of water assets



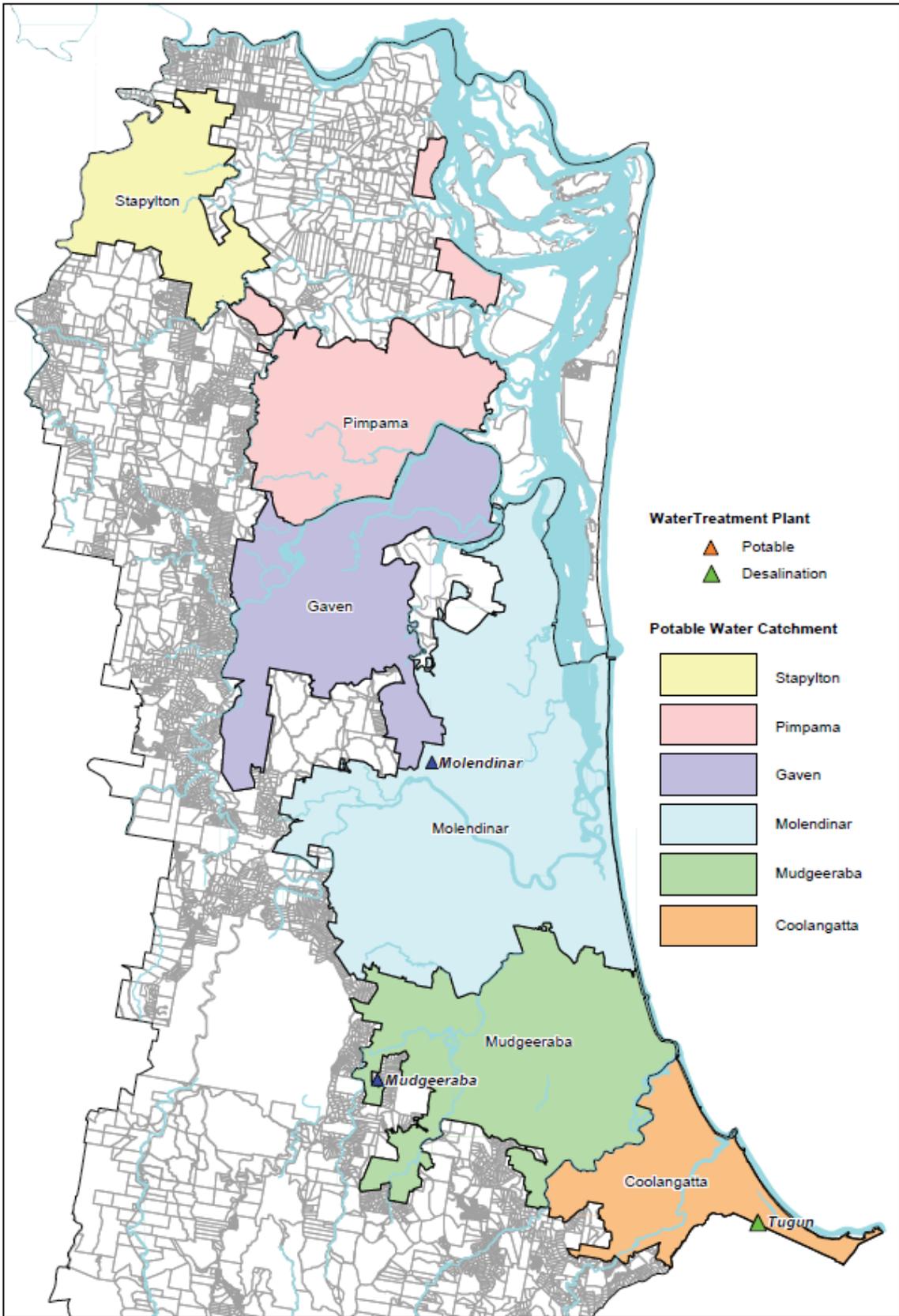
	< 1961	1961 - 1970	1971 - 1980	1981 - 1990	1991 - 2000	2001 - 2010	> 2010
Pump Stations (#)	0	0	3	22	17	13	1
Reservoirs(#)	1	1	7	24	16	6	3
Water mains (km)	100	87	569	987	590	726	29

2.4. Service area and customer base

The City of Gold Coast covers an area of more than 1400 square kms with commercial and urban development, more than 55 kms of beaches, more than 270 kms of waterways and world heritage forest. Some 77,250 hectares remain as natural environment and home to more than 1300 animal and 1700 plant species.

As shown in Figure 2.4 below, GCW distributes potable water to residents and businesses across the Gold Coast region. The Gold Coast has grown from a few settlements, which had 33,716 people in 1961, to become Australia's largest non-capital city with a total population of 524,583. That growth is expected to reach around 788,000 people by 2031.

Figure 2.4: Gold Coast Drinking Water Catchments



A feature of GCW's customer base is the transient tourist industry. Table 2.4 below demonstrates the various segments of GCW's customer base.

Table 2.4: GCW customer segments

Customer segments (as at 30 June 2012)	Number
Total customers	237,677
Residential customers	221,234
Non-residential customers (including trade waste customers)	16,433
Trade waste customers	4,986
Serviced population estimate	505,016
Tourist staying in residential houses (per night)	15,000
Tourist visiting the Gold Coast for more than one night ¹ (per annum)	4,276,000
Day trip visitors (per annum)	7,473,000

Over the last 10 years, growth in the customer base (excluding tourists) has averaged around 1.5 per cent per annum, however this will slow to a predicted 0.7 per cent per annum during the regulatory period.

Although growth is reducing for the short term, GCW will continue expanding and augmenting the network to serve new customers in urban developments. These areas will include both greenfield developments (such as the Stapylton industrial area) as well as infill developments (such as the Gold Coast Rapid Transit growth corridor).

2.5. Operational and regulatory environment

In relation to the provision of water and sewerage services, GCW must ensure it meets the obligations and objectives placed on it by regulators and the State Government. These obligations and their implications for the price monitoring submission are outlined below.

Local Government Act 2009

GCW operates under the *Local Government Act 2009* which requires asset management plans to meet regulatory obligations as well as to ensure community assets are adequately maintained to meet GCW's service obligations to the community under a triple-bottom line framework: financial, environmental and socially sustainable services.

¹ Tourist data source:

http://www.tq.com.au/fms/tq_corporate/research/destinationsresearch/gold_coast/Gold%20Coast2.pdf

South East Queensland Water (Distribution and Retail Restructuring) Act 2009

Section 99BJ of the *South East Queensland Water (Distribution and Retail Restructuring) Act 2009* (the SEQ Water Act) requires the CoGC to prepare a Netserv Plan (Part A) (this plan has been provided in Attachment 2). The purpose of the Plan is to satisfy the requirements as described in the SEQ Water Act including:

- stating the relevant planning assumptions for GCW
- providing information outlining GCW's infrastructure networks for its water and sewage service, including information about the capacity of each network to service existing and proposed customers
- providing information outlining any proposed increases in the capacity of GCW infrastructure networks, including information about the areas into which the networks are to be extended and time frames for increasing the capacity
- outlining the standard of service for the provision of water and sewerage services
- outlining GCW's strategy for demand management of water.

The *Customer Water and Wastewater Code* (the Code) made under section 93 of the SEQ Water Act outlines the customer service standards and responsibilities applying to distributor-retailers and their small customers. The Code requires service providers (i.e. GCW) to publish and maintain these customer service standards and the customer charter on their website. The customer service standards and customer charter must provide:

- an explanation of the services offered for drinking water, recycled water, sewage collection and treatment
- information on a range of customer service processes including connections, metering, billing and managing maintenance works
- a list of key performance indicators and targets to express the level of service GCW aims to deliver its customers and the environment. This includes standards for drinking water quality, water pressure, water supply interruptions, sewage outflows and odours, response times and repair completion times.

GCW's Water and Wastewater Customer Service Charter and Standards (Customer Charter and Standards) also sets out shared rights and responsibilities for GCW and its customers. A copy of the GCW Customer Charter and Standards is provided at Attachment 3.

Environmental Protection Act 1994

The primary environmental legislation applying to GCW's operations is the *Environmental Protection Act 1994* (the Environmental Protection Act) with Developmental Approvals (DAs) issued under this Act by the Environmental Regulator. GCW holds seven DA's issued for the Environmentally Relevant Activities (ERA) of operating four STP's and the associated infrastructure (including collection infrastructure and pump stations). As a result of recent legalisation (ERA 63.3) GCW has also been issued DA's for three pump stations.

GCW's Environmental Management System is certified to ISO AS/NZS 14001 and is part of our integrated business management system (QEMS). It provides a framework to effectively minimise environmental impacts, including compliance with regulatory requirements.

Regulatory Framework

GCW operates within a regulatory framework that comprises an economic regulator and a number of technical regulators including the:

- QCA (monitors the pricing practices of certain declared monopoly or near monopoly business activities of State and local governments)
- Department of Environment and Heritage Protection (DEHP) (regulates environmental matters, including sewer spills, STP licensing and compliance)
- Department of Energy and Water Supply (DEWS) (regulates the quality of drinking water and recycled water including annual water quality reporting and non-compliance incidents).

In addition GCW complies with other regulatory bodies for day to day operations in areas such as workplace health and safety, conditions of employment and meter accuracy. Any disputes with customers that are unable to be resolved internally can be referred by the customer to the Energy and Water Ombudsman of Queensland.

3. Customer Service Plan

3.1. Overview

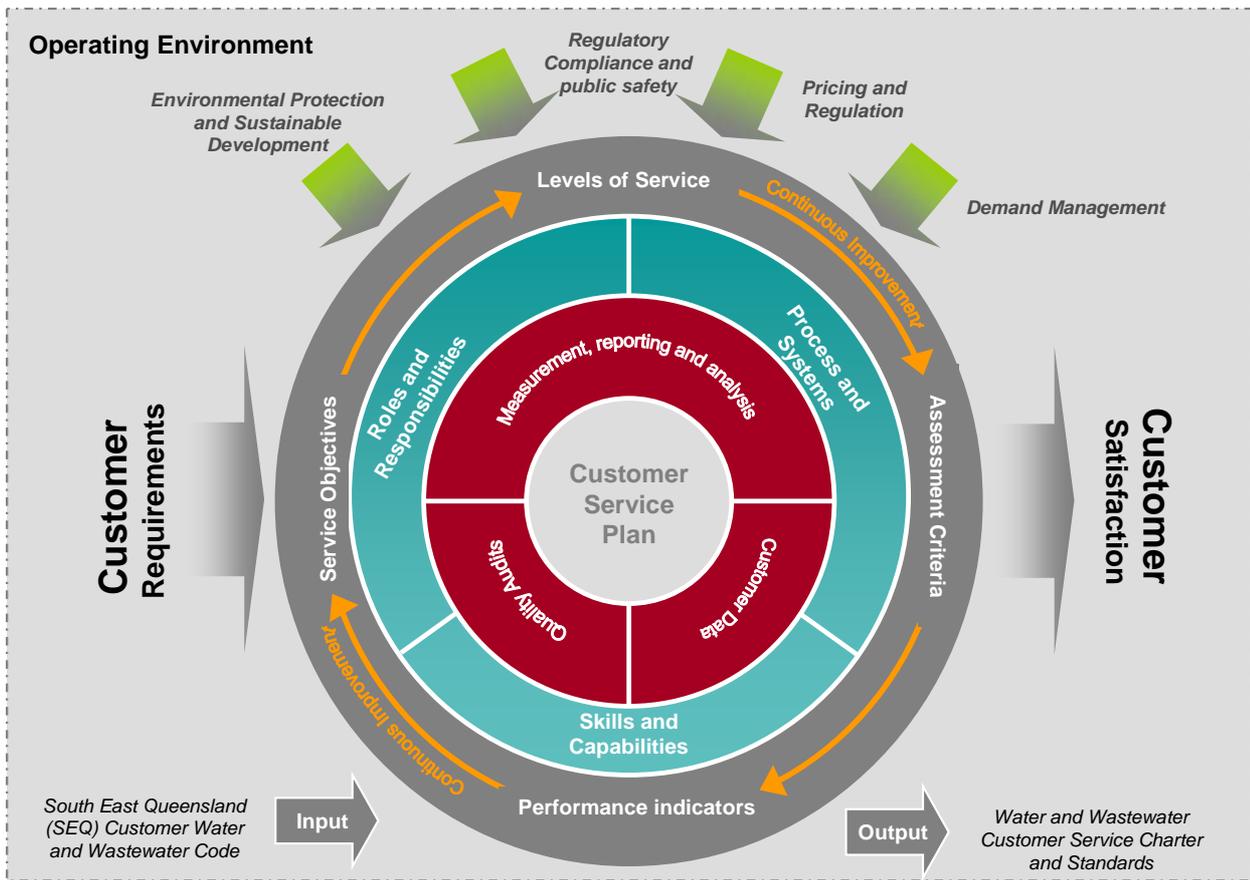
GCW's primary function is to deliver safe and reliable water and sewerage services to customers. The aim is to do so efficiently, keeping water bills to a minimum. To deliver this, GCW must manage its assets well, and focus continually on the efficiency of its capital investments and operating costs.

To meet the needs of customers GCW has developed a Customer Service Framework and Plan to measure, manage and improve customer satisfaction against clearly defined and communicated customer service objectives.

This framework represents a holistic approach to the transformation and ongoing continuous improvement of GCW as a customer-centric organisation. Furthermore, the framework provides a reference point for future development surrounding Customer Service within GCW.

Figure 3.1 illustrates how the Customer Service Framework functions within GCW's operating environment.

Figure 3.1 GCW's Customer Service Framework



To meet the needs of customers, GCW has defined specific outcomes that it aims to achieve over the two year regulatory period to provide focus for staff and a framework against which to prioritise available resources. GCW plans to deliver these outcomes while maintaining the focus on the affordability of its services.

Customer Service Standards inform customers of the service that they can expect to receive from GCW. It applies to all customers who do not have a specific contract with GCW for the supply of water

and sewerage services. These Service Standards cover areas such as customer services processes, and technical and performance standards.

3.2. Level of service

Table 3.2 outlines the service standards for the provision of water and sewerage services.

Table 3.2 Service standards for the provision of water and sewerage services

Service Objectives	Assessment Criteria	Performance Indication
Provide a minimum drinking water pressure	The minimum pressure customers can expect to receive immediately upstream of the water meter under normal service conditions. This excludes those customers in non-standard water service areas and during periods of fire flow.	22m
Provide a minimum A+ recycled water pressure	The minimum pressure customers can expect to receive immediately upstream of the water meter. This excludes those customers in non-serviced areas.	>15m and <22m (or less than potable water pressure)
Extent of unplanned drinking water interruptions (water interruption frequency)	<p>An unplanned water supply interruption occurs when a property is without a service due to any cause.</p> <p>This excludes the following:</p> <ul style="list-style-type: none"> • property service connection interruptions (unless the burst or leak requires the water main to be shut down for repairs which affects multiple customers) • interruptions that cause some reduction to the level of service but where normal activities (shower, toilet flushing, washing etc.) are still possible • planned interruptions, except where the customer has not received notification or the interruption exceeds the original notification. 	< 100 unplanned interruptions per 1000 connections per annum
Extent of unplanned class A+ recycled water interruptions	<p>An unplanned recycled water supply interruption occurs when a property is without a service due to any cause. This excludes the following:</p> <ul style="list-style-type: none"> • property service connection interruptions, unless the burst or leak requires the water main to be shut down for repairs which affects multiple customers • interruptions that cause some reduction to the level of service but where normal activities (shower, toilet flushing, washing etc.) are still possible • planned interruptions, except where the customer has not received notification or the interruption exceeds the original notification. 	< 100 unplanned interruptions per 1000 connections per annum
Time for restoration of water service – unplanned interruption	Restoration occurs where all interrupted connections are restored to normal service.	80 % within 5 hours
Time for restoration of A+ recycled water service – unplanned interruption	Restoration occurs where all interrupted connections are restored to normal service.	60 % within 5 hours

Service Objectives	Assessment Criteria	Performance Indication
Time for restoration of sewage service – unplanned interruption	Restoration occurs where all interrupted connections are restored to normal service.	80% within 5 hours
Compliance with drinking water quality	As per the <i>Australian Drinking Water Guidelines</i> specified by the National Health and Medical Research Council.	>98% of samples pass E.Coli test
Compliance with A+ recycled water quality	As per the <i>Australian Recycled Water Guidelines</i> specified by the National Health and Medical Research Council.	>98% of samples pass E.Coli test
Drinking water quality complaints	<p>The total number of complaints received that relate to water quality including water quality complaints resulting from operational practices.</p> <p>Including:</p> <ul style="list-style-type: none"> • discoloration, taste, odour, stained washing, illness and cloudy water. <p>Excluding:</p> <ul style="list-style-type: none"> • service interruption, adequacy of services, restrictions and water pressure. 	< 5 complaints per 1000 connections per annum
A+ recycled water quality complaints	<p>The total number of complaints received that relate to recycled water quality including water quality complaints resulting from operational practices.</p> <p>Including:</p> <ul style="list-style-type: none"> • discoloration, odour, stained washing, illness and cloudy water. <p>Excluding:</p> <ul style="list-style-type: none"> • service interruption, adequacy of services, restrictions and water pressure. Complaints from separate customers arising from the same cause count as separate complaints, as do multiple complaints from one customer. Includes complaints received in person, by mail, phone, email or text. 	< 5 complaints per 1000 connections per annum
Sewer overflows to customer properties	<p>Sewer overflows to customer properties may occur either as a result of on-lot plumbing or off-lot sewerage issues.</p> <p>Customers are advised in the first instance to contact their Plumber if their system is blocked (by tree roots etc.). If the Plumber identifies the issue is with the sewerage system, GCW reimburse the Plumber/Customer for the work and undertakes rectification.</p> <p>Most overflows occur during wet weather periods as a result of high inflow/infiltration of stormwater to the sewerage system. The sewerage system is designed to cater for limited inflows, events greater than this (including widespread flooding and inundation) are excluded from this criteria.</p>	< 5 overflows per 1000 connections per annum

Service Objectives	Assessment Criteria	Performance Indication
Sewage odour complaints	If a customer rings to report a sewage odour, this is a complaint. Complaints from separate customers arising from the same cause count as separate complaints, as do multiple complaints from one customer. Includes complaints received in person, by mail, phone, email or text.	< 3 complaints per 1000 connections per annum

4. Capital Expenditure

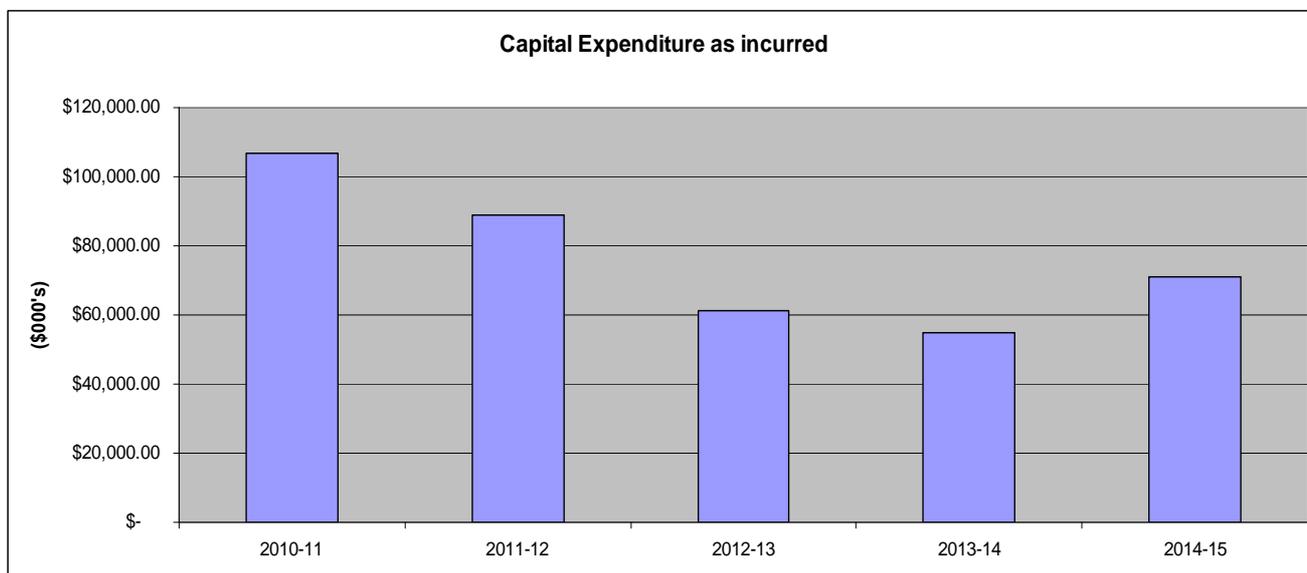
4.1. Overview

The capital expenditure proposed over the two year regulatory period is based on:

- servicing growth (i.e. new capacity and new extensions) excluding assets provided by developers
- maintaining GCWs service commitments and service standards
- prudently managing the risk profiles of GCWs water and sewerage networks.

As outlined in Figure 4.1 the 2013-14 capital works program is at its lowest level in several years, resulting from a combination of low growth and improved planning.

Figure 4.1 Capital expenditure as incurred from 2010-11 and proposed to 2014-15



All capital expenditure (expressed in nominal terms) has been escalated by four per cent per annum. As per that previously accepted by QCA, this rate is within the 4.6 per cent Producer Price Index Road and Bridges series for 2012-13². The basis for assuming the four per cent is to account for the weakness in inflation. Any capital variations that occur between actual and forecast will be taken into account in future submissions.

4.2. Renewals and compliance programs

4.3. Renewals and compliance planning process

Renewals and compliance programs are an important element of GCW's capital program. GCW is investing in facilities and network assets to ensure compliance with required technical standards and regulatory obligations, and with acceptable risk tolerances as well as ensuring the safety of staff, community and the environment.

² Queensland Competition Authority March 2013, Final Report – SEQ Price Monitoring for 2012-13 Part B – Detailed Assessment, p.176
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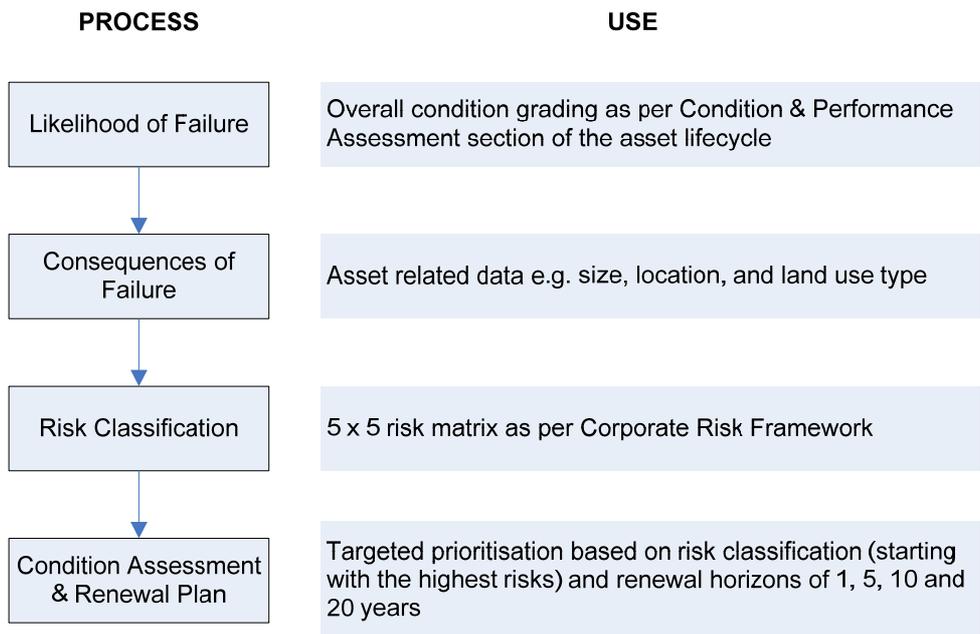
Asset renewals are determined on a proactive and reactive basis. The annual capital expenditure program for asset renewal and replacements has been determined using historical maintenance records from GCW's asset management system, formal condition assessments, and input from operations and maintenance.

In conjunction with performance and age based criteria for the planning of renewals, GCW uses an asset risk management approach to determine appropriate risk-based renewals for water supply and sewerage network assets. Using this approach GCW systematically assesses risk profiles and adopts work programs as appropriate to mitigate risk to appropriate levels.

Forecast risk-based renewals for the regulatory period are required to mitigate risks posed by assets that have, or are forecast to have, extreme risk or high risk in the near future. The approach, as shown in Figure 4.2.1 below, involves three elements:

- assessing asset condition and likelihood of failure
- estimating consequences of asset failure
- estimating risk posed by asset failure.

Figure 4.2.1 Renewals Planning Process



This approach aims to map GCW's assets to a risk assessment matrix as shown below. GCW renewals program aims to avoid all assets from reaching the extreme or high risks envelope of the upper right matrix.

Table 4.2.1 Risked Based Matrix

Likelihood of Failure	Consequence				
	Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
5	Low	Medium	High	Extreme	Extreme
4	Low	Low	Medium	High	Extreme
3	Negligible	Negligible	Low	Medium	High
2	Negligible	Negligible	Negligible	Low	Medium
1	Negligible	Negligible	Negligible	Negligible	Low

With the aim of ensuring prudent and efficient expenditure, GCW will not initiate a renewal or upgrade project without evidence such as:

- condition assessments including inspections
- model scenarios
- asset performance including SCADA reports, customer complaints and number of asset failures
- pressure and flow measurements
- regulatory requirements.

4.4. Renewals and compliance capital expenditure (capex) forecasts

Renewals expenditure includes capital expenditure associated with replacing or extending the life of network and facility assets. The renewals program is driven by a number of factors including; risk profiles; safety; and performance and efficiency renewals.

Total renewal expenditure is forecast to average approximately \$35.7m per annum of the two year regulatory period, compared to a scoped 2012-13 expenditure of \$38.4m. Details of forecast renewals expenditure is shown in Table 4.2.2 below.

Table 4.2.2 Renewals and compliance programs (\$m)

(\$m)	2012/13	2013/14	2014/15
Water	16.30	12.06	6.77
Sewage	21.99	23.76	25.53
Recycled water	0.09	0.08	0.42
Total	38.38	35.90	32.72

4.5. Growth

4.6. Growth planning process

Growth is a significant driver of GCW capital activities. By the end of the decade 2020-21 approximately 18,300 additional residential lots will have been added to our customer base.

GCW will install water distribution and sewage services infrastructure in a logical sequence. GCW is updating detailed infrastructure plans for the provision of water, recycled water and sewerage services. The detailed infrastructure plan will ensure the alignment of planning and sequencing of trunk infrastructure with planned scale, timing and location of the city’s growth, as well as to assist the development process.

GCW uses an infrastructure growth planning process to determine capital growth expenditure. The process has a number of levels, with the planning typically becoming more detailed as a project proceeds through the planning process. The process is illustrated in Figure 4.3.1 below.

Figure 4.3.1 Growth planning process



A 50 year planning horizon is used to manage growth demand. Five year cohorts (referred to as planning blocks) cover the first 20 years of the 50 year planning horizon. Network models are used to simulate demand, identifying future deficiencies for potential augmentation or extension. New infrastructure is installed or upgraded as demand for services increases. This ensures the network continues to deliver the desired standards of service for customers and complies with statutory requirements including the *South East Queensland Regional Plan (2009-31)*, *Water Supply (Safety and Reliability) Act 2008* (Water Supply Act), and the SEQ Water Act.

Growth in the residential, commercial, industrial and tourism sectors increases the population and therefore the load on GCW's infrastructure. For example, the 2018 Commonwealth Games are a key international event that will require a servicing plan to cater for the sports venues and athlete's village.

Key areas for growth in the City of Gold Coast over the two year regulatory period are the:

- Gold Coast Rapid Transport (GCRT) corridor with stage one due for completion in 2014
- proposed Southport CBD priority development area
- northern Gold Coast greenfield development areas.

There are a number of planning solutions to accommodate the growth of the City of Gold Coast including:

- prudent planning involving verification of actual flows and demand, current existing system capacity and asset conditions
- monitoring development aligned with required investments and timing
- consideration of non infrastructure solutions (i.e. demand management initiatives)
- proactively influencing planning schemes by identifying constraints and opportunities upfront.

4.7. Growth capex forecasts

Table 4.3.2 below provides growth capital expenditure required for water and sewerage network services over the regulatory period.

Table 4.3.2 Growth capital expenditure

Growth capital expenditure (\$m)	Actual 2012-13	Forecast 2013-14	Forecast 2014-15
Water	2.67	3.60	3.34
Sewage	18.45	15.58	34.21
Recycled water	0.50	0.02	0.90
Total	21.62	19.20	38.45

GCW is currently reviewing its capital planning and delivery framework to assess the efficiency and effectiveness of the framework against best practice standards and other water utilities. The review will provide recommendations for improvement to ensure GCW can move towards, achieve and demonstrate progressive improvements in capital planning and delivery. GCW has additionally reviewed its Project Management Methodology – QP22 to ensure projects are delivered and managed efficiently and consistently across the organisation.

4.8. Top five capital projects

Total capital expenditure is forecast to be around \$61m per annum over the 2013-14 to 2014-15 regulatory period. Total planned capital expenditure for the top five capital projects is shown in Table 4.4 below.

Table 4.4 Top five capital projects (\$m)

Top five capital projects (\$m)	2012-13 ³	2013-14	2014-15	Anticipated Commissioning Date
Merrimac West Sewage Network Augmentation	0.30	4.16	21.63	30 Jun 2016
Long Term Seaway Release	0.00	1.67	12.07	30 Jun 2018
Pimpama STP to Coombabah STP RW Release Main	0.00	0.31	7.26	30 Jun 2016
Coombabah Sewage Treatment Plant Odour Control Upgrade	0.00	0.74	4.33	30 Jun 2016
RM & GM for Burleigh Waters PS B47	2.95	4.78	0.00	1 Nov 2013
Total	3.25	11.79	51.02	

These projects represent 42 per cent of the total projected capital program. These projects are discussed in further detail below.

Merrimac West Sewerage Network Augmentation:

By adopting a traditional approach of upgrading assets on a “just in time” basis, this project aims to upgrade the sewerage collection network in the Merrimac West catchment to cater for growth and replace ageing infrastructure. A detailed scoping study completed by consultants Aurecon Australia and Worley Parsons, included a catchment master plan and concept designs of the required infrastructure upgrades.

³ 2012-13 expenditure are estimates of actuals based on latest data

An "in principle" agreement has been received from Seqwater with regard to the use of a shared existing easement to accommodate the preferred strategy which involves reconfiguring the network either side of the Pacific Motorway (M1), and offers:

- considerable savings over other options
- a significant reduction of load on the catchment to the east of the Pacific Motorway (M1)
- more flexibility for future growth
- less community impact.

Initial planning for this project was in excess of \$200m. Current estimates for this work based on revised planning approaches are less than \$50m.

Long Term Recycled Water Release:

This project is designed to provide a long term recycled water release solution for the Gold Coast. The current infrastructure is nearing capacity and a new Whole of City solution needs to be developed and progressively implemented.

The base solution involves building a permanent long term excess recycled water release pipeline. Based on projected release volumes and current licensing approvals, it is predicted that the existing northern release system capacity will be reached by 2018. Exceeding system capacity would breach Sewerage Treatment Plant (STP) licence requirements for recycled water releases, resulting in fines and subsequent legal action.

A range of alternative innovative options are under investigation to reduce costs and/or defer implementation of this project, which has an ultimate projected cost of more than \$300m.

Pimpama Recycled Water Treatment Plant to Coombabah Sewerage Treatment Plant Recycled Water Release Main:

An increase of sewage generation in the Pimpama catchment, as a result of population growth, coupled with low recycled water demand will increase the volume of sewage treated to a Class A+ standard. This project is designed to save costs by deferring the augmentation of the Recycled Water Treatment Plant (RWTP) at Pimpama by building a pipeline to transport non-Class A+ recycled water to Coombabah. This will mean that not all inflows to Pimpama RWTP need to be treated to a Class A+ recycled water standard.

A detailed review is currently being undertaken of the ongoing financial costs associated with the development and operation of the Class A+ recycled water system. This review is expected to be completed by 2013-14.

Coombabah Sewerage Treatment Plant Odour Control Upgrade:

Previous investigations on odour at Coombabah STP and conditions provided in the Department of Environment and Heritage Protection's (DEHP's) Development Assessment (DA) specify odour abatement measures to be implemented, in both the short and medium term. This project aims to comply with a number of conditions as required by the Coombabah DA, related to odour control around the STP, but specifically at the preliminary treatment facility.

A innovation odour control unit developed in-house has successfully reduced odour production in the short term. Ongoing improvements are proposed to control odour production and avoid costly upgrades.

Rising Main and Gravity Main for Burleigh Water PS B47:

The B47 sewage catchment flows are currently being pumped to Elanora Sewage Treatment Plant (STP). The treatment plant is at capacity and has had some performance issues, especially during wet weather flows.

Rationalisation of the Elanora catchment, to reduce flows to the Elanora STP has been the subject of several internal and external reports and investigations. In lieu of upgrading the Elanora STP, these planning studies and detailed cost evaluations concluded that transfer of Elanora's northern hydraulic sewage load to the Merrimac STP catchment was the preferred strategy.

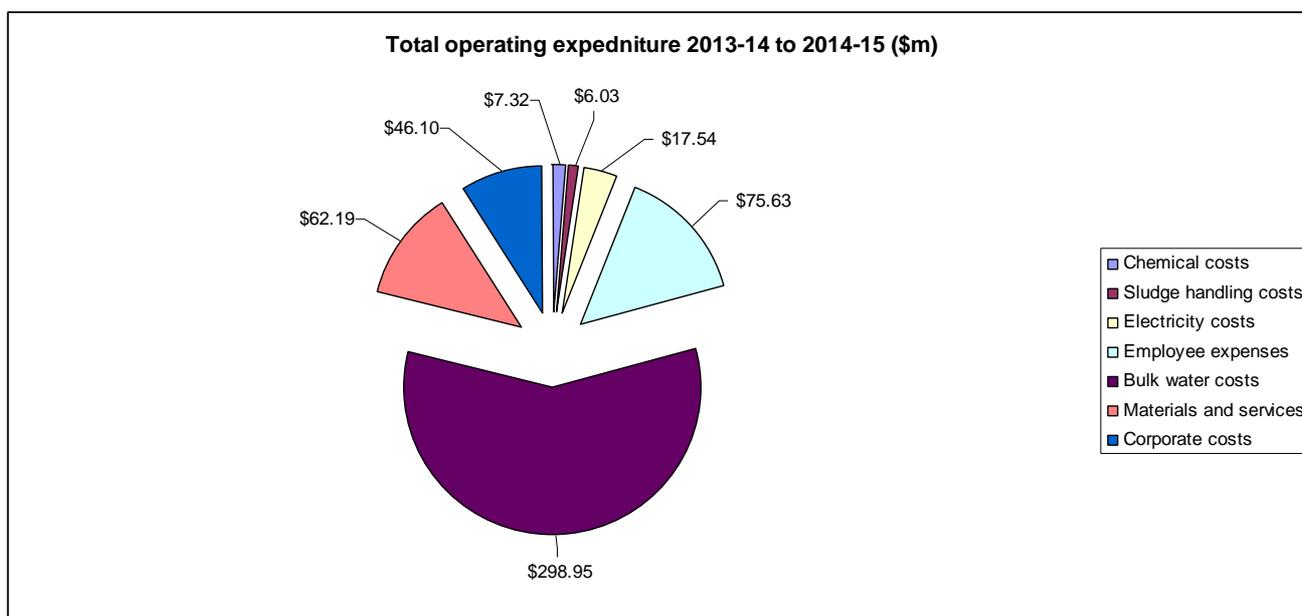
The project involves the design and construction of approximately 1058m of 600mm DICL rising mains and gravity mains and upsizing the impellers of the B47 pumps. This diversion will cater for projected growth in the Elanora catchments, reducing current over loading and odour generation issues.

5. Operating Expenditure

5.1. Overview

This section sets out the operating costs GCW will incur over the regulatory period to deliver its obligations and customer service outcomes. As set out in Figure 5.1, operating costs are made up of a range of inputs, with a large proportion attributed to bulk charges from Seqwater. Operating expenditure in 2012-13 forms the basis for future forecasts of business operating expenditure. To demonstrate the efficiency of business operating expenditure a two per cent growth adjusted productivity rate has been applied. All operating expenditure's presented in this Chapter are expressed in nominal terms.

Figure 5.1 Total operating expenditure for 2013-14 to 2014-15 (\$m)



Negotiations for contract renewals associated with electricity supply, the removal and transport of bio-solids and chemicals will commence later in 2013. The Chief Procurement Office of CoGC is responsible for GCW's procurement activities including Infrastructure, Information and Communication Technology and Materials and Services. Once contractual negotiations are finalised GCW will advise QCA of revised contract rates and the associated impacts on operating expenditure.

5.2. Bulk charges

Bulk charges represent the amount payable to Seqwater for the provision of potable water. GCW purchases all potable water from Seqwater. These bulk charges are the most significant component GCW's operating costs. Over the two year regulatory period they represent around 57 per cent of total operating expenditure.

Bulk water charges are projected to increase over the regulatory period from around \$124.6m in 2012-13 to around \$158.4m in 2014-15; an increase of around 26 per cent.

Table 5.2a below provides GCW's operating expenditure forecast for bulk charges:

Table 5.2a Operating expenditure for bulk water charges

\$m	2012-13	2013-14	2014-15
Bulk water costs	124.66	140.69	157.16

The expenditure for bulk charges are based on bulk prices and purchases for 2013–14 and 2014–15 as shown below.

Table 5.2b Bulk water prices \$ / Megalitres (ML)

Year	2012-13	2013-14	2014-15
Bulk water price	\$2,225	\$2,470	\$2,715
Annual demand forecast (ML)	56,031ML	56,960ML	57,887ML

5.3. GCW operating expenditure

GCW 2012-13 operating costs has been used as a basis for forecasting future costs for the regulatory period.

The operating costs for the Gold Coast district incurred in 2011-12 (as part of Allconnex Water) were around \$135m. This is higher than the actual operating cost GCW expects to incur for 2012-13 and over the regulatory period. Discussions on key elements of operating expenditure occur in the following sections.

5.4. Employee expenses

On re-establishment within Council, GCW staffing levels reduced from 450 (originally transferred to Allconnex Water) to an establishment of 411. Council centralises a range of corporate services which are not covered under employee expenses but under Service Level Agreements through Council. These agreements are discussed in Section 5.9.

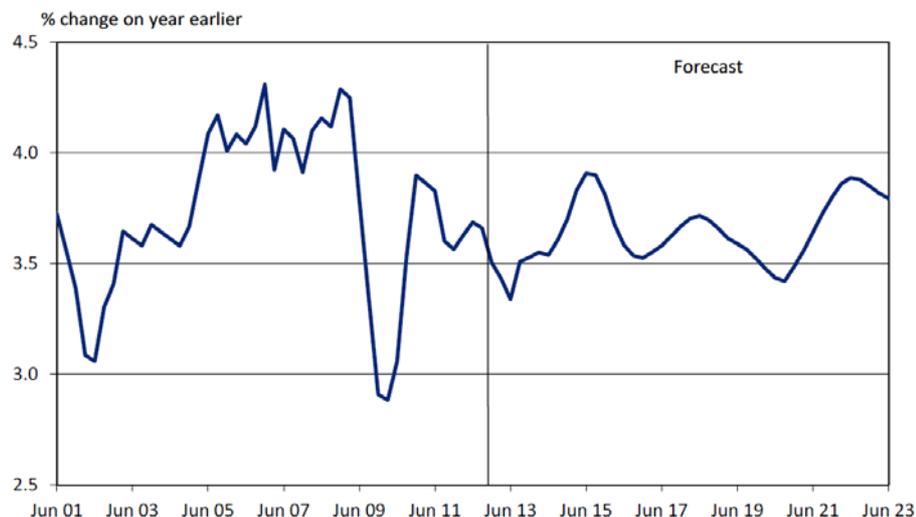
Employee expenses are outlined in Table 5.3.1 below. Employee expenses have been escalated by four per cent per annum to account for inflation, real labour costs increases and other labour expenses.

Table 5.3.1 Employee expenses

\$m	2012-13	2013-14	2014-15
Employee expenses	36.55	37.29	38.90

Labour cost escalations of 3.5 per cent per annum are predicted over the forecast period. The assumed labour cost increase is consistent with recent Deloitte Economics⁴ labour cost forecasts as shown below in Figure 5.3.1.

Figure 5.3.1 Deloitte Overall wage Price Index forecast



Source: ABS, Deloitte Access Economics' macroeconomic model

In addition to the 3.5 per cent labour cost escalation GCW has escalated employee expenses by a further 0.5 per cent per annum to account for allowances associated with payroll tax, worker's compensation, employer contributions to superannuation, annual leave and public holidays.

5.5. Chemicals

Chemical expenditure accounts for the purchase of chemicals from external suppliers. Sewage treatment is a complex process involving the use of chemical, physical and biological treatment. The chemical expenditure shown in Table 5.3.2 below is required to treat sewage received from customers at GCW's STP's.

Table 5.3.2 Chemical costs

\$m	2012-13	2013-14	2014-15
Chemical costs	3.29	3.62	3.71

The recent upgrade of the Coombabah Sewage Treatment Plant (Stage 5) has increased chemical usage resulting in the increase in expenditure from 2012-13 to 2013-14. GCW is conducting an optimisation study of the Coombabah STP to assist plant operators in optimising the continued use of chemicals and electricity. Although the study is yet to be completed anticipated improvements have been built into the 2014-15 expenditure forecasts.

In addition to Coombabah GCW has three other sewage treatment plants. For the purposes of expenditure forecasts GCW has assumed a steady state (allowing for growth) for these plants.

⁴ Deloitte Access Economics, 4 Feb 2013, Forecast growth in labour costs in Victoria – report prepared for the AER, page ii.

5.6. Sludge handling costs

Sludge handling costs are for the removal of bio-solids from GCW's treatment plants. Table 5.3.3a below provides a profile of GCW's bio-solids for each treatment plant. Coombabah and Merrimac STP represents around 80 per cent of sludge handling.

Table 5.3.3a GCW bio-solids profile

Sewage Treatment Plant	2012-13 (tonnes)	% of total bio solids	% Average moisture content
Merrimac	25,230	32%	12.6%
Elanora	10,195	13%	16.8%
Coombabah	38,370	49%	12.7%
Pimpama	4450	6%	14.0%
Total	78,245	100%	

The management of bio-solids is reliant on the performance of sludge drying facilities. The heavier the bio-solids the more costly for contractors to remove and transport. The moisture content of bio-solids can vary between 12 per cent to 17 per cent (and achieve very low moisture contents). The expenditure for bio-solids is shown below and has been calculated using the above bio-solid profiles for each STP.

Table 5.3.3b Sludge handling costs

\$m	2012-13	2013-14	2014-15
Sludge handling costs	2.44	2.98	3.05

GCW's sludge handling contract is due for renewal in 2013. Based on industry trends GCW can expect an increase in unit rates associated to the handling and transport of bio solids. For budgeting purposes a 10 per cent escalation has been assumed for 2013-14 explaining the \$0.54m increase from 2012-13. Once contractual negotiations are finalised the QCA will be advised of revised contract rates and associated impacts to expenditure.

GCW recently invested in upgrading of sludge belt filler presses (BFP) at the Elanora and Coombabah STP. These BFP's have been standardised at all STPs resulting in saving on operations costs and anticipated future reductions to average moisture content at Elanora by around four per cent.

5.7. Electricity

GCW's total electricity consumption remained relatively static from 2003 to 2008. Post 2008-09 fluctuations in electricity demand can be attributed to a combination of factors including wet weather events, dry conditions and asset transfers.

During the dry weather events experienced over 2009-10 GCW supplied potable water to Logan increasing the overall level of pumping, therefore increasing electricity demand overall.

In 2010-11 extreme wet weather events attributed to above average sewage flows increasing pumping and treatment activities at GCW's STP. The transfer of the Beenleigh STP (including associated sewerage pump stations) to Logan reduced net electricity demand.

Figure 5.3.4 Electricity demand

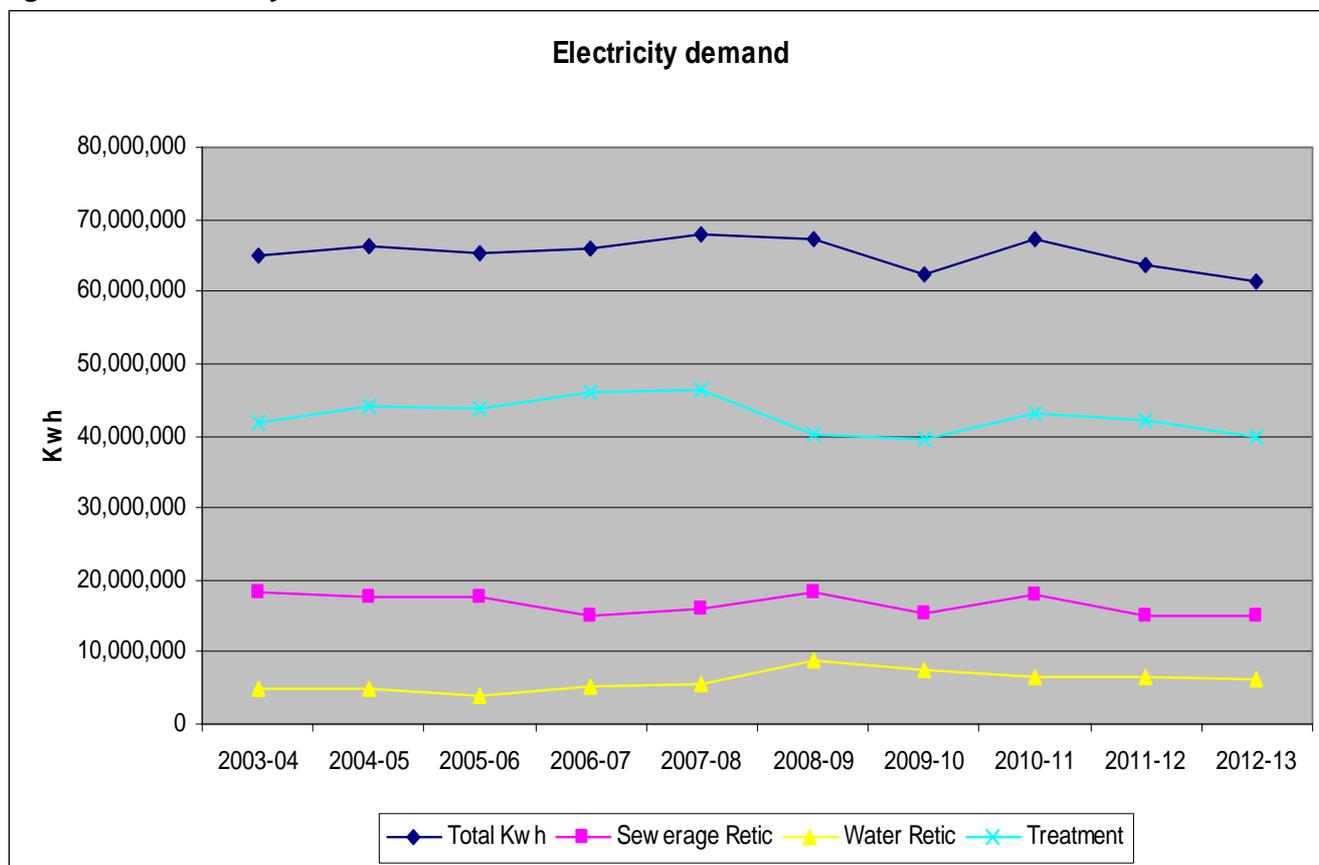


Table 5.3.4 presents the electricity costs for the regulatory period. Costs are based on 2012-13 electricity demand and incorporate escalation assumptions. For 2013-14 electricity costs assume an escalation rate of 11.86 per cent derived from the Australian Energy Market Commission (AEMC) report which projects Queensland electricity prices for the years 2011-12 to 2013-14.

The AEMC report suggests the main drivers of Queensland price movements are the wholesale electricity component, estimated to increase by 44 per cent and the distribution component, forecast to increase by 40 per cent. The 11.86 per cent is derived by dividing the 40 per cent over three years. For 2014-15 electricity costs assume an escalation rate of 4.5 per cent which is derived from the Australian Energy Market Commission's electricity price movements final report for 2013⁵. The report assumes Queensland electricity price movements from 25.6.1c/kWh in 2012-13 to 27.9c/kWh in 2014-15 which calculates an average 4.5 per cent per annum.

Table 5.3.4 below sets out the electricity costs for the regulatory period.

Table 5.3.4 Electricity costs

\$m	2012-13	2013-14	2014-15
Electricity costs	9.40	8.58	8.96

⁵ Australian Energy Market Commission, 22 March 2013; Electricity Price Trends – Final Report Possible future retail electricity price movements: 1 July 2012 to 30 June 2015, page 109.

5.8. Materials and services

Materials and services expenditure predominantly reflects GCW's operations and maintenance activities. Operations and maintenance involves the management and regular on-going work that is necessary to keep water and sewage assets operating. This work is performed with the objective of meeting customer service standards, which are discussed in Chapter 3.

GCW uses contractors for specialist activities where required to supplement existing resources.

GCW is committed to safety, and as such needs to ensure it is working towards reducing risks and ensuring compliance of its infrastructure with current standards. For the operation of GCW's assets, there is a suite of standard operating and emergency response procedures. These procedures improve both safety and the operating/maintenance efficiency for the business while minimising reliance on specific operator knowledge. These are managed via the GCW Quality Environment Management System (QEMS) and regularly audited.

Maintenance works are identified and managed through a maintenance management system (MMS). MMS activities include inspection, assessing the condition against failure/breakdown experience, prioritising, scheduling, actioning the work and reporting what was done to develop a maintenance history and improve maintenance and service delivery performance. Maintenance also includes unplanned repair work carried out in response to service requests and network failures.

Council is currently investing in an upgrade to MMS through an integrated whole of business Enterprise Resource Planning (ERP) package (based on the SAPsystem). The ERP is likely to be implemented in 2013-14.

Table 5.3.5 below outlines expenditure requirements for materials and services.

Table 5.3.5 Material and services expenditure

\$m	2012-13	2013-14	2014-15
Materials and services	34.52	31.17	31.26

5.9. Corporate costs

The majority of GCW corporate costs are outlined within its Service Level Agreements (SLAs) with CoGC. These SLAs outline CoGC responsibilities for the provision of corporate support services to GCW.

These services include:

- corporate financial management
- corporate information technology services
- governance services
- marketing and communication services
- human resource services
- customer call centre
- billing and revenue services
- strategic city planning
- stores management and procurement
- fleet and plant services
- other miscellaneous support services.

The following SLAs are in place.

- GCW and Office of the CEO
- GCW and Organisational Services
- GCW and Planning Environment and Transport
- GCW and Engineering Services (Fleet and Plant Branch)
- GCW and Engineering Services (Maintenance Services Branch).

The following Table⁶ provides details of our forecast operating expenditure requirements for SLA's:

Table 5.3.6 Corporate cost expenditure

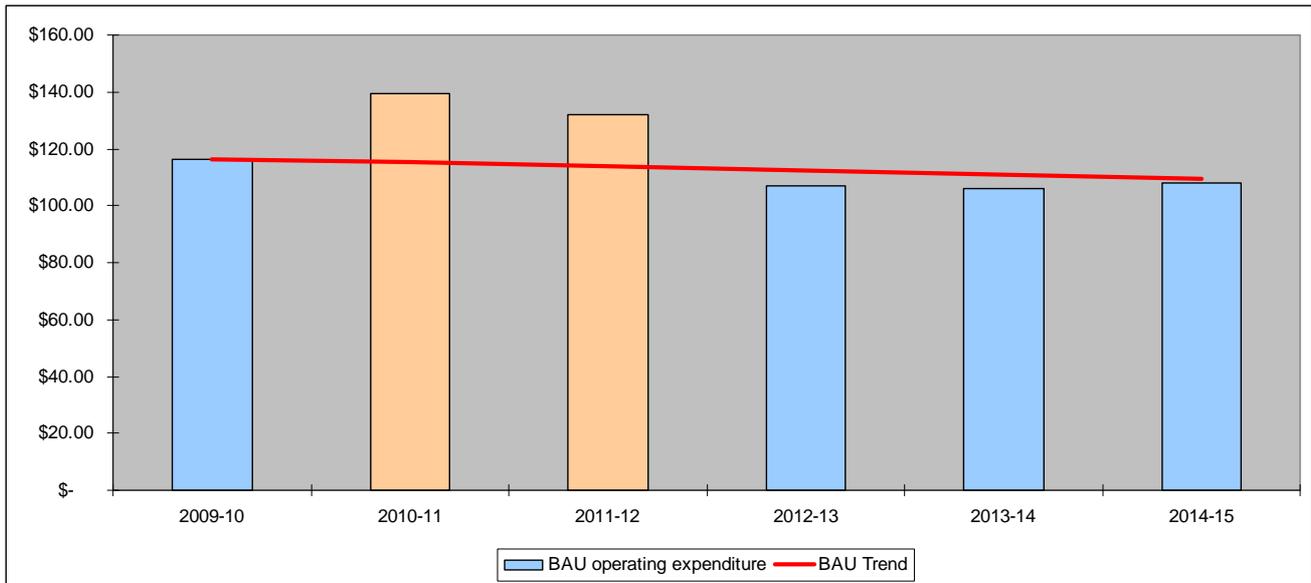
\$m	2012-13	2013-14	2014-15
Corporate costs	21.09	22.76	23.34

⁶ For the purposes of this submission corporate costs include operating expenditure associated with licence and regulatory fee's.

5.10. Efficiencies and growth

To demonstrate the efficiency of business as usual operating expenditure GCW has applied a two per cent productivity factor adjusted for growth for future forecasts. Due to transitional activities from Allconnex Water back to CoGC, the 2009-10 business as usual operating expenditure is used as a base to provide an accurate view of efficiency. The graph below (Figure 5.4) demonstrates positive productivity gains achieved by GCW since the transition back from Allconnex Water.

Figure 5.4 Positive productivity gains achieved by GCW since the transition from Allconnex water



Compared to other regulatory jurisdictions GCW considers a two per cent productivity factor to be liberal. For the 2013 Victorian Water Price Review the Essential Services Commission applied a one per cent⁷ minimum productivity factor to Victorian water businesses customer growth adjusted business as usual operating expenditure forecast.

GCW also notes the Australian Bureau of Statistics (ABS) National Accounts suggest that economy-wide labour productivity gains have averaged around 1.5 per cent per annum over the last five years to 2011-12.⁸

⁷ Essential Services Commission 2011, 2013 Water Price – Review – Guidance on Water Plans, p.38.

⁸ Australian Bureau of Statistics 2012, Australian System of National Accounts 2011-12, Cat no. 5204.0, Canberra, p.47.

6. Annual Revenue Requirement

6.1. Overview

GCW over many years has invested significant funds into the water and sewerage services assets and will continue to do so to ensure the provision of reliable and safe services to customers. GCW will set its water and sewerage service prices to deliver a revenue outcome sufficient to provide a return on Council's past investment in water and sewerage services assets, and on its future capital program that is considered fair and reasonable.

GCW has used the building block approach to determine the annual revenue requirement during the regulatory period. The four building blocks of the revenue requirement are:

- operating expenditure (discussed in Chapter 5)
- a return on the regulatory asset base
- regulatory depreciation
- an allowance for taxation.

6.2. Regulatory assets base

Consistent with QCA's information requirements GCW has used the following calculation to determine the roll forward regulatory asset base (RAB) from 1 July 2010 for each year to 30 June 2015.

Closing RAB = (Opening RAB + Net Capital Expenditure (Capex) – Regulatory Depreciation – Disposals + Indexation)

Table 6.2 Rolled forward asset base (\$m)

	2010-11	2011-12	2012-13	2013-14	2014-15
Opening RAB	2,511.87	2,605.97	2,605.43	2,672.94	2,675.84
Net Capex	79.59	46.97	98.24	26.38	14.22
Regulatory Depreciation	77.35	81.70	86.47	90.64	87.02
Indexation	91.86	34.18	55.75	67.15	67.07
Closing RAB	2,605.97	2,605.43	2,672.94	2,675.84	2,670.11

Note: Disposals have not been accounted for in the above Table consistent with QCA information requirements.

6.3. Developer contributions, contributed assets and disposals

Developer contributions provide a funding source for capital investment in infrastructure required for growth. GCW currently collects funds annually from water and sewerage services developer contributions in accordance with the *Sustainability Planning Act 2009* and the adopted infrastructure charges. Capital revenue assumptions (including contributed assets) are contained in the information templates.

Due to the immateriality of asset disposals (less than five per cent) all retired assets have remained in the regulatory asset base. This is in accordance with QCA information requirements that allows retired assets prior to being fully depreciated to remain in the RAB and be depreciated over their remaining life, providing the individual asset does not account for more than five per cent of the asset class.

6.4. Indexation

Consistent with the QCA's information requirement, the RAB value for the year starting 1 July 2010 has been escalated at 3.6 per cent (the ABS Brisbane All Groups Consumer Price Index (CPI) March to March), 1 July 2011 at 1.3 per cent (the ABS Brisbane All Groups CPI March to March) and 1 July 2012 at 2.1 per cent (the ABS Brisbane All Groups CPI March to March). The forecast RAB value for each year of the period from 1 July 2013 onwards has been escalated using 2.5 per cent which is consistent with the RBA medium-term inflation target.

6.5. Regulatory depreciation

The regulatory depreciation component of the annual revenue requirement returns the value of the capital that GCW has invested in capital project and programs. Straight line depreciation has been applied on an indexed based asset base with the effective life proposals of water and wastewater calculated for each asset class in accordance with QCA requirements. Table 6.3 shows asset life assumptions for water and sewerage services assets.

Table 6.3 Asset life assumptions for water and sewerage services assets

Asset Class	Standard life	Water – average remaining life	Sewerage (including trade waste) – average remaining life
Reservoirs	70.00	36.05	-
Pump stations	25.00	23.19	21.00
Treatment	40.00	-	37.81
Telemetry and control systems	20.00	19.38	18.71
Meters	15.00	12.03	14.33
Sundry property, plant and equipment	5.00	1.45	1.39
Building other than infrastructure housing	60.00	30.78	59.21
Mains	70.00	43.00	39.10
Support services	5.00	4.01	4.00
Establishment costs	5.00	4.00	4.00

6.6. Weighted average cost of capital

GCW has adopted QCA's estimated weighted average costs of capital (WACC) benchmark of 6.57 per cent (post-tax nominal) for the two year price monitoring period. The estimated WACC has been used to calculate GCW's maximum allowable revenue.

The parameters outlining the estimated WACC benchmark are outlined in Table 6.4 below.

Table 6.4: Parameters for the estimated WACC benchmark

	QCA estimated WACC benchmark
Risk-free rate	2.76%
Market risk premium	6.0%
Capital structure (% debt)	60%
Debt beta	0.11
Asset beta	0.35
Equity beta	0.66
Cost of Equity	6.69%
Debt margin	2.29%
Credit default swap allowance (proxy)	1.18%
Interest rate swap allowance	0.135%
Annual debt refinancing allowance	0.125%
Debt margin (total)	3.73%
Cost of Debt	6.49%
WACC Margin	3.81%
WACC	6.57%

6.7. Taxation

GCW has calculated a tax cost using regulatory depreciation as a proxy for tax depreciation, a notional interest expense, and adjustments for developer gifted assets. This approach is conservative in that the RAB represents the highest possible valuation for the tax cost base, thereby giving the highest possible tax depreciation estimate and lowest tax cost estimate.

6.8. Maximum allowable revenue

In calculating the maximum allowable revenue (MAR) a mid-year assumption has been adopted for new capital expenditure, the receipt of donated assets, and asset contributions. The allowable asset base for calculating a return on assets is therefore the sum of existing assets and 50 per cent of net additions (i.e. capital expenditure plus donated assets minus disposals). The timing of indexation and depreciation also follow the same mid-year assumption (current year depreciation is added to the MAR and current year indexation is deducted from the MAR).

GCW's MAR for all regulated services for 2013-14 is \$449.82m. Of this amount approximately 55 per cent is associated to the provision of water services (including recycled water) and 45 per cent to sewerage (including trade waste) services. The MAR for each service is outlined in Table 6.6.

The MAR for 2014-15 is anticipated to increase by approximately four per cent from 2013-14 to \$467.84M. This increase is largely driven by bulk water charges which are expected to increase by 9.9 per cent in 2014-15.

Table 6.6: Revenue Requirement by service (\$m)

\$m	Water		Sewerage	
	2013-14	2014-15	2013-14	2014-15
Return on assets	64.06	64.22	112.48	112.11
Depreciation	31.36	30.35	59.27	56.67
less Inflation	-24.37	-24.43	-42.78	-42.65
Operating expenditure	173.61	192.11	75.35	77.64
Tax	0.31	0.31	0.54	0.54
Annual Revenue Requirement	244.97	262.56	204.85	204.32

7. Forecast Demand

7.1. Overview

This Chapter provides forecast demands for water and sewerage services over the two year regulatory period, including for residential water; non-residential water and sewerage services; trade waste and lot growth customer numbers.

Demand forecasts are critical to GCW operations, through their direct impact on:

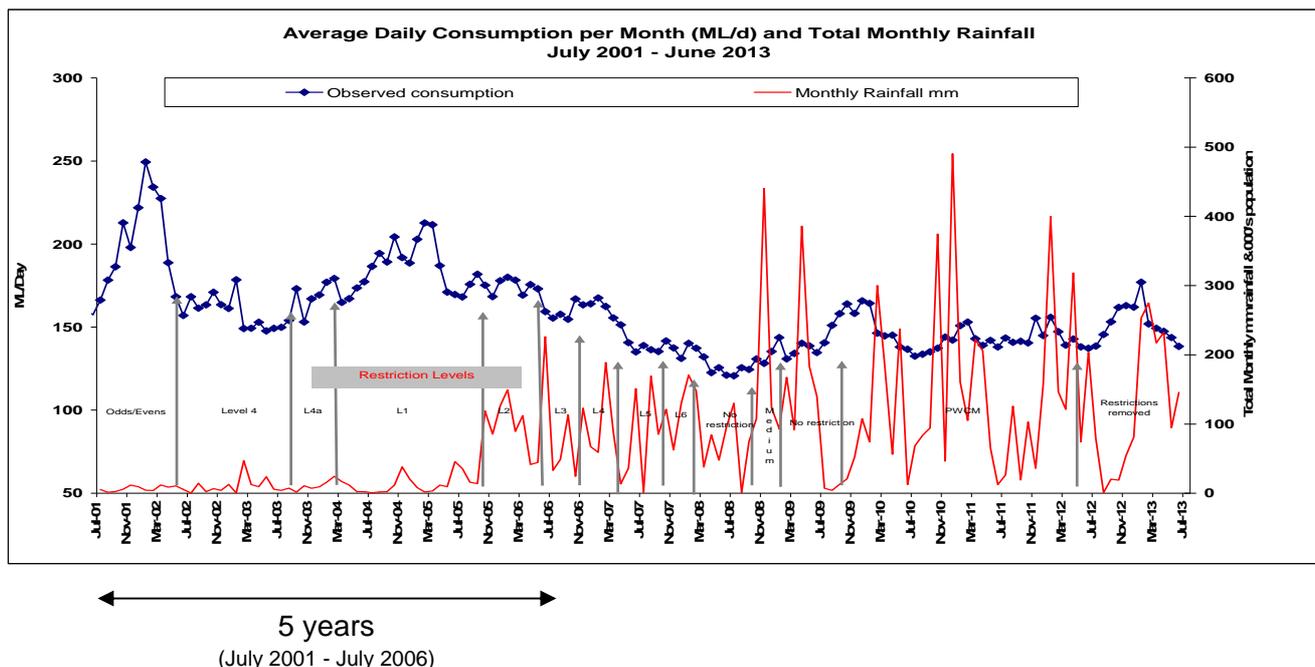
- infrastructure investment - the estimated number of customers GCW will serve and the predicted demand for water and sewerage services are key determinants of future infrastructure investment decisions
- operating expenditure - demand for services determines on-going business requirements to serve this demand and the associated costs
- prices - estimated demands can assist in determining the unit price of water and sewerage services, as revenue requirements are divided by predicted demands to derive prices
- bulk water costs - estimated demands assist in forecasting future bulk water costs.

An important assumption for the two year regulatory period will be the expected bounce back in water demand following the easing of historical water restrictions.

7.2. Historical demand

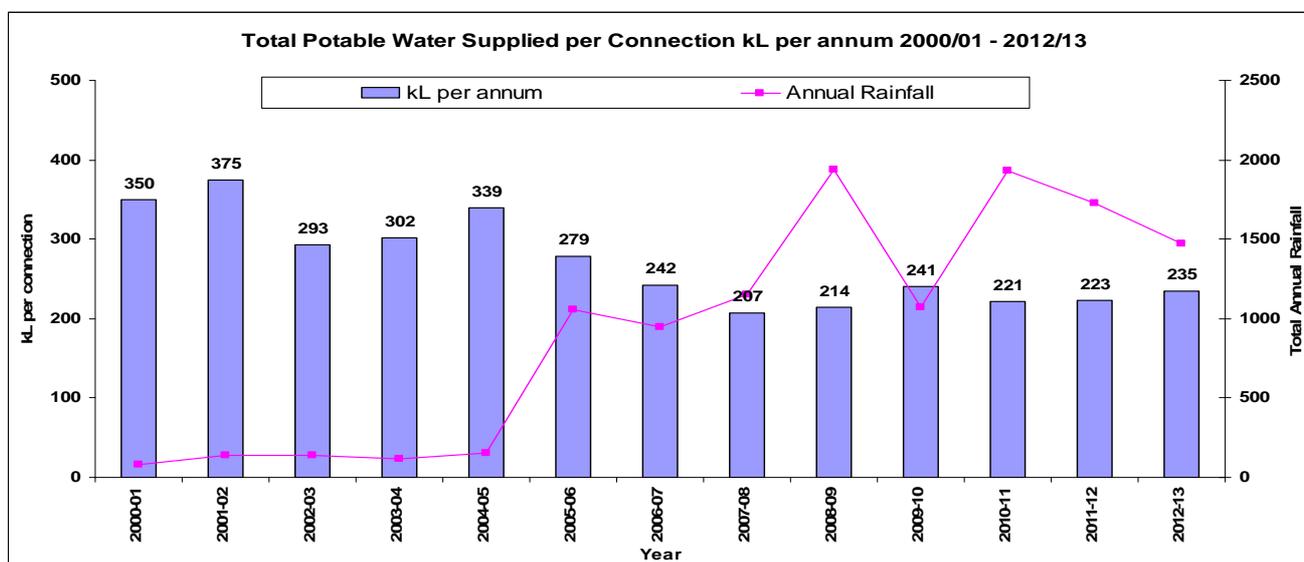
Water conservation initiatives developed by CoGC and backed by State Government legislation, the impact of water restrictions, and behavioural changes have resulted in businesses and households reducing total water consumption across the Gold Coast over several years. This is demonstrated in Figure 7.2a below.

Figure 7.2a total water consumption across the Gold Coast over several years



The Figure 7.2b below illustrates the total volume of water supplied per connection per year from 2000-01 to 2011-12.

Figure 7.2b total volume of water supplied per connection per year from 2000-01 to 2011-12



Total consumption per connection peaked in 2001-02 at 375 kilolitre (kL) per annum and reduced to a low of 207kL per annum in 2007-08. Since the easing of restrictions in 2008-09 consumption patterns have rebounded slightly but embedded changes in water use behaviours and increased rainfall patterns have seen volumes consumed per connection continue to be significantly lower than pre-drought levels.

7.3. Water demand

Total residential water demand is forecast to increase by 4.5 per cent over the two year regulatory period from 2013-14 to 2014-15. Key drivers of this growth include:

- growth in the number of customers being served, with total residential and non-residential lots expected to increase by 0.7 per cent over the regulatory period; and
- expected bounce back in demand of two per cent due to the historical easing of water restrictions and return of average rainfall conditions.

The removal of water restrictions in January 2013 has had a limited impact on current water demand. A range of activities undertaken at a local and State Government level over recent years have kept consumption patterns lower than pre-drought levels. These activities include rebates, water efficient construction requirements through the Queensland Development Code, home water efficiency visits, Water Efficiency Management Plans with non-residential customers and an overall increased awareness of customers water use behaviours.

GCW is committed to promoting water efficiency with demand management a key component of the Netserv Plan as discussed in Section 2. Demand management activities include the continuation of school education programs, provision of information to customers to support efficient water use behaviours, targeting water losses within the water supply network and assisting customers in reducing water leakage and loss.

Council is currently undertaking the following specific demand management initiatives:

- using consumer engagement and smart metering to tailor water conservation strategies in the Gold Coast region
- development of a short to medium term demand forecasting model
- installation and reconciliation of metering on all Council facilities.

Residential and non-residential water demand forecast (as shown below) are to increase by 2.7 per cent per annum over the regulatory period.

Table 7.3 Residential and non-residential water demand forecast

ML	2011-12	2012-13	2013-14	2014-15
Residential	36,178.00	38,437.79	39,481.00	40,154.95
Non-Residential	11,012.00	11,310.87	11,617.84	11,933.15

7.4. Growth and population

The City of Gold Coast's potable water demand forecast is based on the serviced population of projected residential population for the local government area from the Office of Economic and Statistical Research (OESR), a portfolio office of Queensland Treasury and Trade. The water serviced population is 96.27 per cent of the stated Gold Coast population.

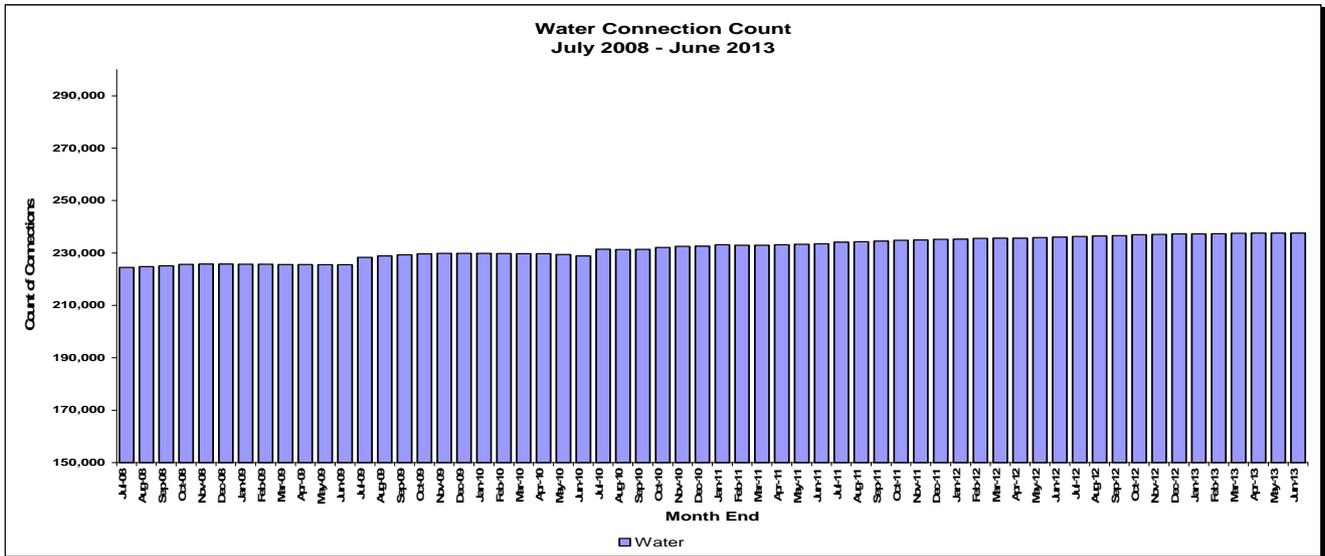
Following the ABS 2011 Census outcomes the estimated population for the Gold Coast as at 30 June 2011 has been reduced from 540,579 (as published by OSER) to 513,954. This data has been published by the ABS with further data published 29 April 2013 provided an estimated population of 524,583 on 30 June 2012.

To date OESR have not provided long term projected population estimates based on the revised population data. Growth rates for the Gold Coast are also significantly lower than what has been published by OESR. Projected population estimate data was originally due to be published by OESR in June 2013 but is now unlikely to be available until October/November 2013.

To accommodate the lack of OESR data growth assumptions have been calculated based on the number of property connections. This data is readily available and directly sourced from the CoGC Grange billing system.

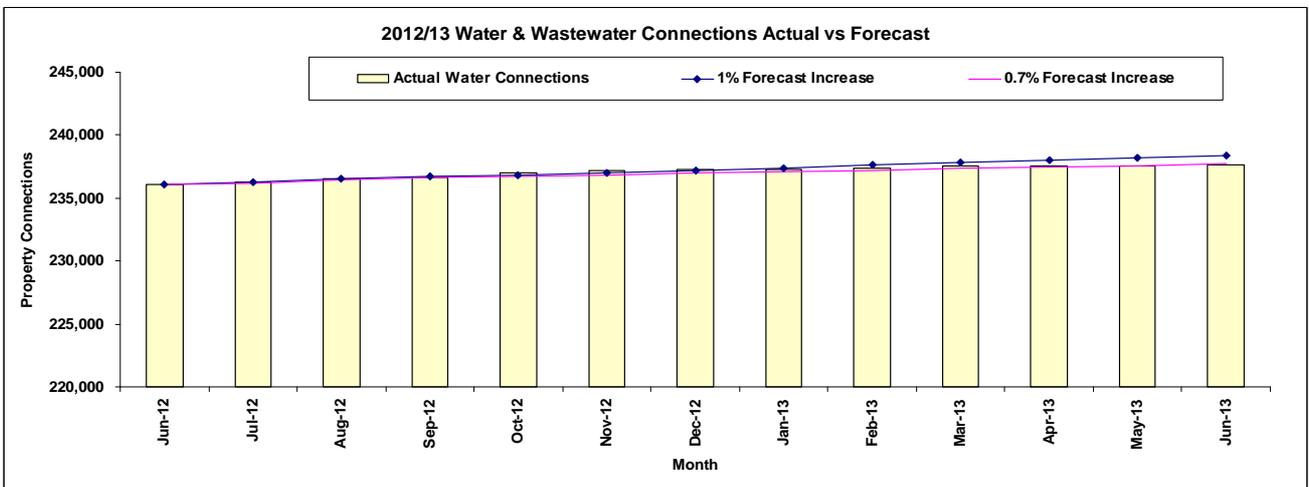
Connection growth for the Gold Coast for the period July 2008 to June 2013 is detailed in the Table below.

Figure 7.3.1a Connection growth for the Gold Coast for the period July 2008 to June 2013



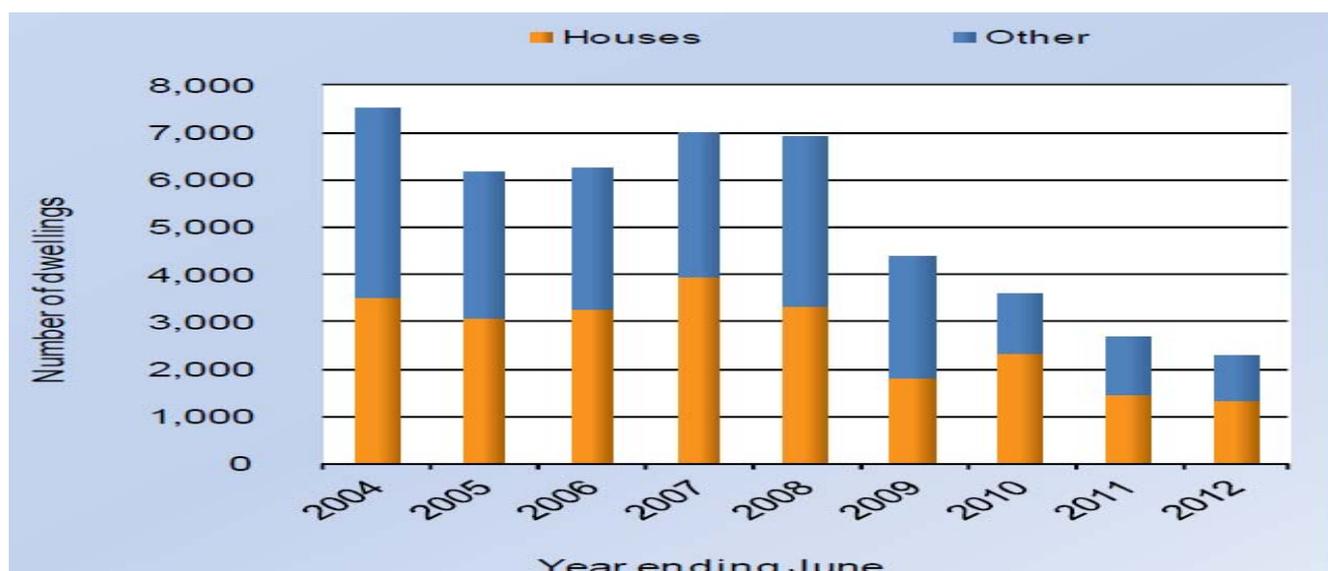
Over the five year period connection growth has been 5.2 per cent with growth over the last two years at just 1.07 per cent for 2011-12 and 0.7 per cent for 2012-13 as illustrated in Figure 7.3.1b below.

Figure 7.3.1b 2012/13 water and wastewater connections actual vs. forecast



This reduction can also be demonstrated in the OESR Residential Land and Activity Profile of the Gold Coast.

Figure 7.3.1c Residential Land and Activity Profile Gold Coast June Quarter 2012



Source: OESR Residential Land and Activity Profile Gold Coast June qtr 2012

Based on the above data, a growth rate of 0.7 per cent per annum has been assumed for the two year regulatory period. Table 7.3.1 provides connection assumptions used for revenue purposes.

Table 7.3.1 Connection assumptions

Connections	2012-13	2013-14	2014-15
Residential water	221,234	222,705	224,264
Residential sewage	208,717	210,178	211,649
Non-residential water	16,433	16,662	16,778
Non-residential sewage	14,785	14,888	14,992

7.5. Bounce back effect

Levels in south east Queensland water storages have improved significantly over the last three years. The last remaining water restrictions for residential and non-residential users were lifted on 1 January 2013. For the purposes of demand forecasts, GCW has assumed no water restrictions over the regulatory period.

Utilising billing data the percentage change in consumption for the period 2008-09 to 2012-13 for residential connections is outlined in Table 7.3.2a below.

Table 7.3.2a Reportable Billing Data Connection Growth

Year	Consumption per Residential Connection (kL)	Residential % Consumption Growth per Connection
2008-09	166.3kL	11.68%
2009-10	182.7kL	9.83%
2010-11	161.4kL	-11.66%
2011-12	164.7L	2.07%
2012-13	160.7kL	-2.43%
Average	167.2kL	1.90%

As a consequence of preparing for quarterly billing, the Quarter four meter reading period for 2012-13 was reduced resulting in the number of billable days in 2012-13 (i.e. 1 July 2012 to 30 June 2013) summing to 340 days, rather than the standard 365. Therefore, recorded total billed consumption per connection is not reflective of the full billing year.

To ensure a reliable comparison with previous years an assessment of the 2012-13 consumption data has been undertaken with additional consumption to cover the shortfall in the billing year. Quarter four consumption volumes have been increased by 26 per cent to allow for the 26 per cent shortfall in billing days. Table 7.3.2b below provides the revised figures for consumption per connection:

Table 7.3.2b Consumption per connection

Year	Consumption per Residential Connection (kL)	Residential % Consumption Growth per Connection
2012-13 (Existing Data)	160.7kL	-2.43%
2012-13 (Revised Data)	171.6kL	4.01%
2013-14 (Forecast)	175kL	2.00%
2014-15 (Forecast)	178.5kL	2.00%

Based on the adjusted figures for 2012-13 the estimated bounce back effect over the period 2010-11 to 2012-13 consumption per residential connection has increased by around six per cent from 161.4kL in 2010/11 to 171.6kL in 2012-13. GCW has continued this trend over the two year regulatory period with a two per cent increase per annum for residential and non residential customers.

7.6. Price elasticity:

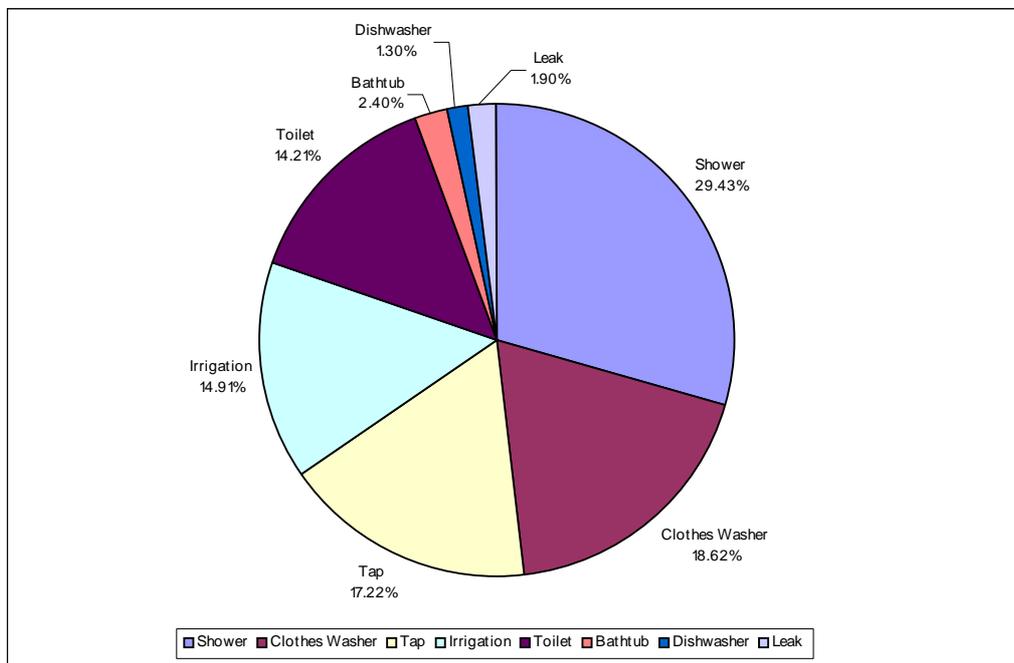
GCW has considered price elasticity which measures the responsiveness of demand to price changes when forecasting demands. The residential water demand forecasts for 2013-14 to 2014-15 have considered the likely fall in residential water demand as a result of the increase in the price of water, as shown in Table 7.3.3 below.

Table 7.3.3 Assumed residential price elasticity of demand

Residential consumption type	Proportion of residential consumption	Estimated fall in demand per each percentage point price increase	Estimated fall in demand with a 5% water price increase
Discretionary	20%	0.14%	0.67%
Non discretionary	80%	0%	0%

Price elasticity of 0.14 per cent⁹ was assumed for discretionary water for each percentage point increase in the price of water which suggests discretionary water use is more price responsive. The price elasticity analysis for residential forecasts suggests a 121ML reduction in water demand over the two year regulatory period which is considered immaterial.

The forecasts assumed no price elasticity for non-discretionary water use. GCW has assumed around 80 per cent of residential water consumption is non-discretionary which is consistent with Gold Coast End Use studies. The Figure below illustrates that the majority of water consumption occurs within the household where water use is considered inelastic.



Source: Domestic Water End Use Study: An investigation of the water savings attributed to Demand Management Strategies and Dual Reticulation Recycled Water Systems, R M Willis (2010).

⁹ Price elasticity of 0.14 per cent is based on Sydney Water's price elasticity study which is considered at the higher range to demonstrate the immateriality of price influencing water consumption.

Estimating the price elasticity of water demand is difficult due to different variables influencing demand and the limitation of data. Variability of household incomes, adoption of water efficient home appliances, house characteristics and socio-demographic factors mean that households have different demand characteristics and that they are likely to have different response to changes in water prices. Although evidence of water usage indicates that water demand tends to be inelastic.

Table 7.3.3a below summarises Sydney Water’s price elasticity study which GCW reviewed as part of its price elasticity analysis. GCW will investigate the impacts of price elasticity as part of its tariff review discussed in Chapter 8.

Table 7.3.3a Sydney Water price elasticity study

Study	Findings			Assumptions
Residential price elasticity of demand for water, Sydney Water (2011)	Household type			This study was a panel data analysis involving 95,000 individuals. Based on weighted average results and considering a 10% price increase. The study found a 2% increase in water demand in the 18 months following water restrictions being lift in Sydney.
	Owner occupied	Immediate	Long-term	
	Tenanted	-0.08	-0.14	
	Housing units	-0.02	-0.10	
	Weighted average	-0.01	-0.03	

7.7. Bulk purchases

GCW purchases all potable water from Seqwater. Forecasts water demand supplied by Seqwater is outlined in Table 7.4 below. Residential and non-residential demands represent around 90 per cent of bulk purchases. An allowance has been made for losses and unaccounted water and standpipes.

Table 7.4 Forecasts water demand supplied by Seqwater

ML	2012-13	2013-14	2014-15
Residential	38,437.79	39,481.00	40,154.95
Non-Residential	11,310.87	11,617.84	11,933.15
Standpipes	300.00	300.00	300.00
Losses / Unaccounted	5,983.23	5,521.25	5,499.30
Total	56,031.89	56,920.09	57,887.40
Non revenue water (%)	11%	9.7%	9.5%

7.8. Infrastructure Leakage Index

Utilisation of the Infrastructure Leakage Index (ILI) is an indicator of water utility performance in managing real water losses in the distribution system. It is the preferred indicator for state and national comparisons and has been adopted by the National Water Commission (NWC) as the preferred indicator for national comparisons.

The measure takes into account a range of factors for each utility such as average water pressure, meter accuracy, billed consumption volumes and actual supplied water volumes.

Performance scores in relation to the ILI are grouped into band ratings with the description of each band in the following Table.

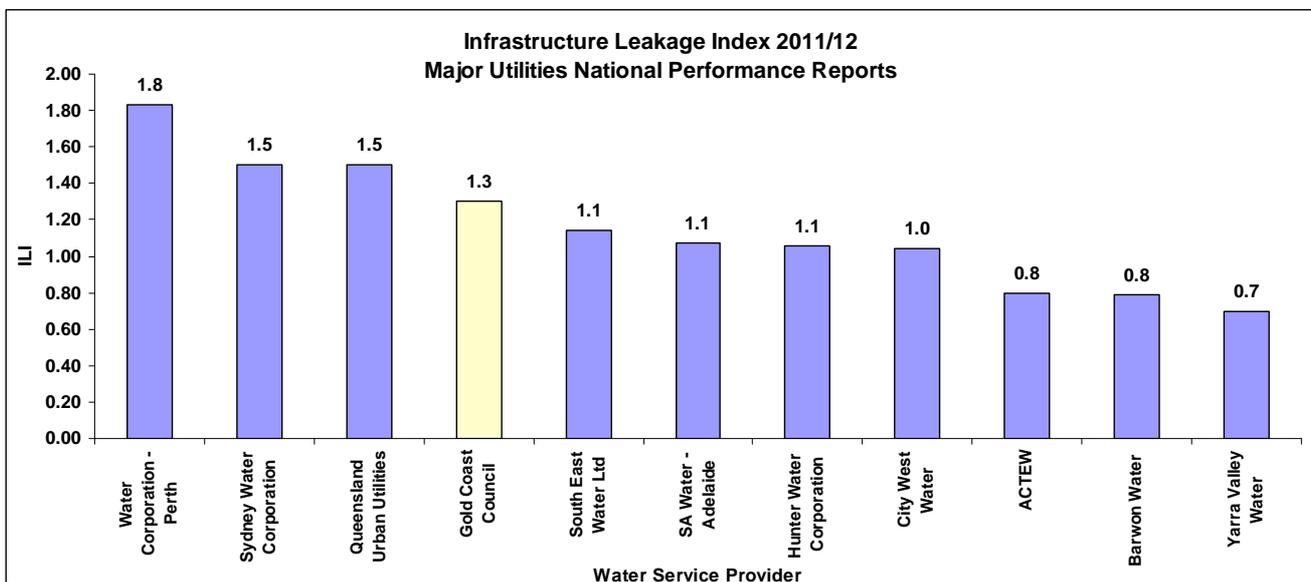
Table 7.5 2012 –13 National performance framework: Urban performance reporting indicators and definitions handbook

ILI Range	BAND	Calculated ILI for CoGC System	General description of Real Loss Management Performance Categories for Developed and Developing Countries
Less than 2	A	1.3	Further loss reduction may be uneconomic unless there are shortages - careful analysis needed to identify cost-effective improvement.
2 to <4	B		Potential for marked improvements; consider pressure management, better active leakage control practices, and better network maintenance.
4 to <8	C		Poor leakage record - tolerable only if water is plentiful and cheap; even then, analyse level and nature of leakage and intensify leakage reduction efforts.
8 or more	D		Very inefficient use of resources - leakage reduction programs imperative and high priority.

Data in relation to ILI performance is captured by the NWC and published through the Annual National Performance Reporting program.

GCWs performance in comparison with other large water utilities for the 2011-12 reporting year is shown in Figure 7.5 below.

Figure 7.5 Infrastructure leakage index 2011-12 major utilities performance reports



7.9. Sewage and trade waste

Forecasts are produced for non-residential chargeable parameters, namely:

- non-residential sewage volumes
- chemical oxygen demand
- non volatile suspended solids
- phosphorous.

Forecasts for non-residential sewage volumes were calculated using billed potable water consumption data split by industry types. Each industry is allocated a discharge factor. Applying the discharge factor to the industry water consumption provides forecast sewage volumes. All non-residential customers are offered a domestic usage allowance of 185kl per annum. The number of non-residential customers for each industry type determines the total allowance for sewage volumes exempt from charges. Deducting these volumes from the sewage forecast calculates billable sewage forecasts for non-residential customers.

As sewage volumes are dependant on potable water consumption an upward trend is observed which is consistent with the trend observed in Table 7.4 above.

Table 7.6a

Non residential (ML)	2012-13	2013-14	2014-15
Sewage	6,560.3	6,738.3	6,921.2

Trade waste loads, shown in the Table 7.6b, were calculated from the loads billed against customers, which are determined using the best available data source including customer sampling, GCW sampling and established industry average data. The forecast was prepared by projecting forward the trend of historical loads.

Table 7.6b Trade waste loads

Pollutant type (tonnes)	2012-13	2013-14	2014-15
Chemical oxygen demand	108.9	111.8	114.7
Non-volatile suspended solids	24.5	25.1	25.8
Phosphorous	4.0	4.1	4.2

Council is currently undertaking a comprehensive review of its trade waste management system based on the Water Services Association of Australia (WSAA) guidelines. These guidelines outline how sewage service providers can manage trade waste in line with best practice and includes an assessment of trade waste discharges, asset management processes, and technical and economic instruments.

8. Prices and Tariff structures

8.1. Overview

Tariff structures for 2013-14 remain unchanged from 2012-13 and have increased by a CPI of 2.1 per cent. GCW has considered its maximum allowable revenue (MAR) when setting prices. GCW will be reviewing tariff structures with the intention to implement tariff reform in 2014-15. As a consequence of the review GCW is not in a position to provide 2014-15 tariffs.

8.2. Pricing principles

When determining prices and tariff structures, GCW considers a number of pricing principles as outlined in Table 8.2 below. These principles aim to promote efficiency and simplicity, consistent with the National Water Initiative's pricing principles.

Table 8.2 Pricing principles

Purpose	Principle
Sustainable revenue stream	Prices provide GCW a sustainable revenue stream that does not abuse monopoly power. Prices are set to recover operating and maintenance expenditure and a return on and of existing and future assets.
Subsidy free	In the absence of customers willingness to pay prices are set to recover the costs reflective of the service provided.
Tariff structure design	Tariff structures should be simple, understandable and cost reflective. For the provision of water and sewerage services a two part tariff structure is preferred. Trade waste tariffs are based on a polluter pays principle where prices are based on load-based charges where measurement is feasible and where the benefits outweigh the costs.
Customer focus and equity	Tariffs should have regard to the ability of customers to understand the tariff and the service offering and respond to price signals.

8.3. Pricing: 2012-13 to 2013-14

The recent transition from Allconnex Water presents significant challenges for GCW. The implementation of tariff reform in the short term is problematic as tariff structure changes may result in structural changes that conflict with the above principles. Structure changes result in differential movements in price between customers and or customer segments. GCW wants to understand these changes before considering tariff reform to ensure all customers have tariffs applied in an equitable and cost reflective manner.

As a result no tariff structural changes are proposed for 2013-14. A detailed schedule of all prices across all services for 2013-14 can be found in Attachment 1.

8.4. Customer impacts

Based on the prices in Attachment 1, the impacts of GCW prices for 2013-14 are shown in Table 8.3 below. Customer bill impacts have been calculated for low, average and high residential water users. An average residential customer will see their bill increase by around \$66, taking it from \$1,478 to \$1,545. Of the \$66 increase, \$44 is attributable to the bulk water price (the amount GCW pays for water that is then passed onto customers) increase of 11 per cent on 2012-13 prices.

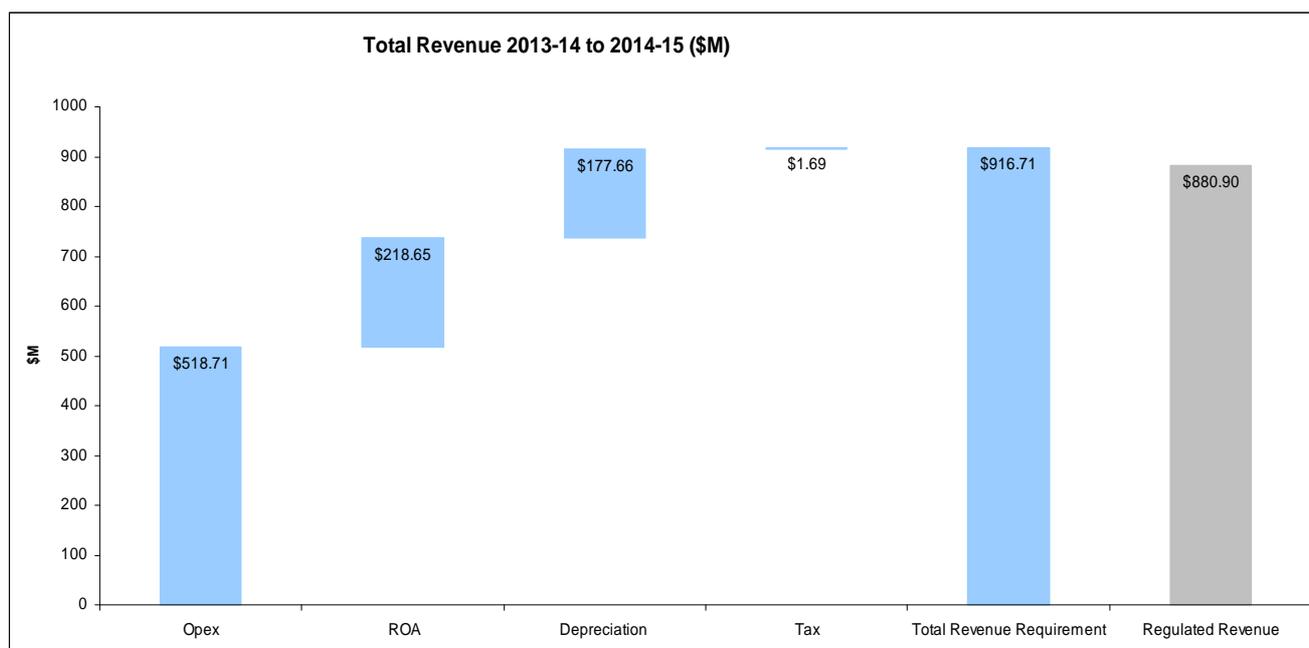
Table 8.3 Bill impacts scenarios by usage

Customer	Low user	Average user	High user
Annual consumption (KL)	100	180	300
GCW	\$994.80	\$1,078.34	\$1,203.64
State bulk water	\$222.50	\$400.50	\$667.50
2012-13 annual bill (\$)	\$1,217.30	\$1,478.84	\$1,871.14
GCW	\$1,015.69	\$1,100.98	\$1,228.92
State bulk water	\$247.00	\$444.60	\$741.00
2013-14 annual bill (\$)	\$1,262.69	\$1,545.58	\$1,969.92
GCW	20.89	22.65	25.28
State bulk water	24.50	44.10	73.50
Total Bill difference (\$)	\$45.39	\$66.75	\$98.78
GCW	2.1%	2.1%	2.1%
State bulk water	11%	11%	11%
Total Bill difference (%)	3.7%	4.5%	5.3%

8.5. Recovery of MAR

In setting prices GCW needs to ensure a sustainable revenue stream to recover operating and maintenance expenditure and a return on and of existing and future assets whilst not abusing monopoly power. Table 8.5 below demonstrates that revenue generated from prices over the regulatory period is four per cent below the maximum allowable revenue.

Table 8.5 Total revenue 2013-14 to 2014-15(\$m)



8.6. 2014-15 GCW tariff review

GCW is currently reviewing its tariff structures with the intention to implement reform in 2014-15. This review will involve:

- price modelling (including the simulation of water accounts based on different tariff structures);
- market research (utilising modelling techniques to determine customers attitude towards tariff reform, their likely acceptance of proposed tariff options, and any changes that this might have to their water use behaviour); and
- simplifying tariffs (where possible to promote efficiency consistent with the National Water Initiative pricing principles).

In addition to the tariff review GCW is conducting a trade waste study which will consider the future role prices play to provide the right incentives to drive the best outcomes to trade waste management.

Glossary of Terms

Term	Definition
Active Asset	An asset with moving parts for example pump stations and treatment plants are classified as active assets.
Asset	<p>A resource controlled by a firm as a result of past events and from which future economic benefits are expected to flow to the entity.</p> <p>Infrastructure assets are a sub-class of property, plant and equipment which are non-current assets with a life greater than 12 months and enable services to be provided.</p>
Asset Base	The underlying assets giving value to a firm, investment or loan. The asset base is not fixed; it will appreciate or depreciate according to market forces.
Asset Management	The combination of management, financial, economic, engineering and other practices applied to physical assets with the objective of providing the required level of service in the most cost effective manner.
Asset Management Plan	City of Gold Coast (CoGC) maintains asset management plans to meet its regulatory obligations under the <i>Local Government Act 2009</i> to ensure community assets are adequately maintained to meet Council's service obligations to the community; financial, environmental and socially sustainable services.
Biosolids	<p>Previously referred to as sewage sludge, biosolids are primarily an organic solid product produced by the sewage treatment process and used as fertiliser.</p> <p>Solids become biosolids when they come out of a digester or other treatment process and can be beneficially used.</p> <p>Until such solids are suitable for beneficial use they are defined as wastewater solids.</p>
Bulk Water	Bulk water is the name given to water supplied wholesale to councils and distribution entities for retail sale to the public. The council-owned system of reticulated pipes that delivers water to consumers is the distribution system.
Bulk Water Costs	Bulk water costs means all direct and indirect operating expenditure associated with the purchase of bulk services including costs associated with: the purchase of bulk water; and the purchase of bulk sewerage services.
Capital Expenditure (CAPEX)	<p>Relatively large (material) expenditure, which has benefits, expected to last for more than 12 months. Capital expenditure includes renewal, expansion and upgrade.</p> <p>Where capital projects involve a combination of renewal, expansion and/or upgrade expenditures, the total project cost needs to be allocated accordingly.</p>
Capital Expenditure - Expansion	<p>Expenditure that extends the capacity of an existing asset to provide benefits, at the same standard as is currently enjoyed by existing beneficiaries and or to a new group of users.</p> <p>It is discretionary expenditure, which increases future operations and maintenance costs, because it increases the organisation's asset base, but</p>

	<p>may be associated with additional revenue from the new user group (i.e. extending a drainage or road network, the provision of an oval or park in a new suburb for new residents.</p>
Capital Expenditure - New	<p>Expenditure which creates a new asset providing a new service/output that did not exist beforehand. As it increases service potential it may impact revenue and will increase future operations and maintenance expenditure.</p>
Capital Expenditure - Renewal	<p>Expenditure on an existing asset or on replacing an existing asset, which returns the service capability of the asset up to that which it had originally. It is periodically required expenditure, relatively large (material) in value compared with the value of the components or subcomponents of the asset being renewed.</p> <p>As it reinstates existing service potential, it generally has no impact on revenue, but may reduce future operations and maintenance expenditure if completed at the optimum time (i.e. resurfacing or replacing a material section of a drainage network with pipes of the same capacity).</p>
Capital Expenditure - Upgrade	<p>Expenditure, which enhances an existing asset to provide a higher level of service or expenditure that will increase the life of the asset beyond that which it had originally. Upgrade expenditure is discretionary and often does not result in additional revenue unless direct user charges apply.</p> <p>It will increase operations and maintenance expenditure in the future because of the increase in the organisation's asset base, (i.e. replacing drainage pipes with pipes of a greater capacity).</p>
Capital Works Program	<p>Capital works programs are a list of capital projects (i.e. new works, upgrades and renewals) programmed for construction in a given year or years.</p>
Catchment (Seqwater definition)	<p>A catchment for a river or dam is the area of land that, if rain falls on it, will feed that river or dam.</p>
Catchment (Gold Coast Water definition)	<p>Area where water and sewage is serviced by a treatment plant.</p>
Class A + Recycled Water	<p>The highest class of recycled water used for non-drinking purposes.</p>
Consumer Price Index (CPI)	<p>The CPI is a measure of the average change over time in the prices paid by households for a fixed basket of goods and services.</p> <p>In Australia, the CPI measures the changes in the price of a fixed basket of goods and services, acquired by household consumers who are resident in the eight State/Territory capital cities.</p>
Demand Management	<p>Strategies to reduce water consumption by residential, commercial and industrial sectors. These strategies can include using existing resources more efficiently as a cost-effective alternative to building additional infrastructure.</p>
Depreciation	<p>The systematic allocation of the depreciable amount (service potential) of an asset over its useful life.</p>
Water Distribution Network	<p>The system of water reticulation pipes owned by local regional councils that supplies water to customers.</p>
Donated Assets	<p>A Donated Asset is an asset provided to a firm with the expectation of a future</p>

	benefit (either in the form of a price offset or future rebate from an <i>entity</i>). There may be instances where such a benefit is not anticipated. Details of the nature of the arrangement are required in this instance.
Enterprise Resource Planning (ERP)	
Entity	Entity means a provider of monopoly distribution and retail water and sewerage services as stated in the Ministerial Direction, listed under section 1.3 of these requirements as: <ul style="list-style-type: none"> (a) Unitywater (b) Queensland Urban Utilities (c) Logan City Council (d) Redland City Council (e) Gold Coast City Council.
Fixed Costs	A cost that does not change with an increase or decrease in the amount of goods or services produced. Fixed costs are expenses that have to be paid by an entity, independent of any business activity. It is one of the two components of the total cost of a good or service, along with variable cost.
Gravity Sewer	A pipe that uses a declining grade to cause wastewater to flow downstream. It is the most common type of sewer line in existence.
Green Field Developments	Refer to undeveloped land zoned for residential development on the urban fringe of the city. These areas are generally used for rural purposes until residential subdivision takes place.
Infill Developments	Infill developments, also referred to as Brownfield developments can be defined as an existing urban area to be redeveloped. Or additional infrastructure on an existing services site that takes place on vacant or underutilised parcels of land within an area that is already defined by urban development and maintains access to urban services.
Inflation	Inflation is measured as the growth of the money supply in an economy, without a commensurate increase in the supply of goods and services. This results in a rise in the general price level as measured against a standard level of purchasing power. <p>Indices for which inflation rates are commonly reported are the Consumer Price Index (CPI), which measures nominal consumer prices, and the GDP deflator, which measures the nominal prices of goods and services produced by a given country or region.</p>
Maximum Allowable Revenue (MAR)	The total revenue that the utility is authorised to recover, which includes operating expenses and a reasonable return on its regulated asset base.
Megalitre	One million litres – about the size of a one metre deep Olympic-sized swimming pool.
National Water Initiative (NWI)	The National Water initiative (NWI) is an intergovernmental agreement between the Australian, state and territory governments to improve the management of Australia’s water resources and provide greater certainty for

	future investment.
Ministerial Direction	Ministerial Direction means the Ministers' Direction Notice made under Section 23 (a) of the Queensland Competition Authority Act 1997 and published in the Queensland Government Gazette Vol. 362, No. 24 on Friday 8 February 2013.
Netserv Plan	<p>A Netserv Plan is a statutory requirement under the <i>South East Queensland Water (Distribution and Retail Restructuring) Act 2009</i>. Gold Coast Water's Netserv Plan (the Plan) outlines plans for the provision of safe, reliable and secure water supply and sewerage services for the next 20 years.</p> <p>Part A</p> <p>Provides an overview of how Gold Coast Water will provide for future growth, renew existing assets to maintain reliability and continuity of services and conduct its business to deliver the required standard of service described in Gold Coast Waters, Water and Wastewater Customer Service Charter and Standards.</p> <p>Part B</p> <p>Details how Council will achieve the commitments made in Part A. This document is designed to be used by Council officers as internal planning document.</p>
Nominal terms	<p>The term nominal refers to an unadjusted rate, value or change in value.</p> <p>This type of measure often reflects the current situation, such as the current price of something, and doesn't make adjustments to reflect factors such as seasonality or inflation, which provide a more accurate measure in real terms.</p>
Non-Class A+ recycled water	Class A, B or C recycled water as defined under Schedule 3D of the Public Health Regulation 2005.
Non-revenue Water	Non-revenue Water (NRW) is water that has been produced and is "lost" before it reaches the customer. Losses can be real losses (through leaks, sometimes also referred to as physical losses) or apparent losses (for example through theft or metering inaccuracies). High levels of NRW are detrimental to the financial viability of water utilities, as well to the quality of water itself. NRW is typically measured as the volume of water "lost" as a share of net water produced. However, it is sometimes also expressed as the volume of water "lost" per km of water distribution network per day.
Office of Economic and Statistical Research (OESR)	<p>OESR is the Queensland Government Statistician and is a part of Queensland Treasury and Trade. OESR's key areas of work include:</p> <ul style="list-style-type: none"> • Providing a broad range of statistical services to support stakeholders' evidence base for policy evaluation and performance • Providing data, information and analysis for population dynamics and forecasts, residential dwelling activities and urban land supply and • Coordinating the activities of key statistics providers to establish and maintain an integrated statistical service across governments.
Operating Expenditure (OPEX)	<p>Operating expenditure (opex) is a category of expenditure (often referred to as operating costs and or operating expenses) that a firm incurs as a result of performing its normal day to day business operations.</p> <p>For example, electricity, fuel, labour, plant equipment, on-costs and corporate overheads but excludes maintenance and depreciation. Maintenance and</p>

	depreciation is included in operating expenses.
Passive Asset	real or personal property, both tangible or intangible, that increases or decreases in fair market value because of forces like supply and demand, as opposed to active forces, such as performance or conduct.
Potable Water	Drinkable water. In Australia the water supplied to households, commerce and industry must meet Australian Drinking Water Guidelines (ADWG) even though only a very small proportion is actually consumed or used in food preparation.
Price Elasticity	Price elasticity is a measure of the relationship between a change in the quantity demanded of a particular good and a change in its price.
Producer Price Index	<p>The producer price indexes measure changes in the prices received, or paid, by producers of commodities and providers of services.</p> <p>In Australia they generally relate to prices for goods and services as they affect businesses, for example, the price of goods used as input to or output from the manufacturing sector, the price of materials used as input to the building industry and, more recently, the price of services provided by the property and business services, and transport (freight) and storage industries.</p> <p>This contrasts with the CPI which measures changes in the retail prices paid by consumers.</p>
Productivity Rate	Productivity refers to the efficiency with which an economy employs resources to produce economic output. Growth in productivity is the key driver of growth in per capita income and living standards in the long run.
Pump Stations	Pump stations are facilities that move water or sewage from one point to another.
QCA	<p>Under the QCA Act, the Queensland Competition Authority's roles in relation to the water industry are to:</p> <ul style="list-style-type: none"> ▪ investigate and report on the pricing practices of certain declared monopoly or near monopoly business activities of State and local governments ▪ receive, investigate and report on competitive neutrality complaints ▪ mediate and/or arbitrate access disputes and water supply disputes and ▪ investigate and report on matters relevant to the implementation of competition policy (section 10(e) of the QCA Act). <p>A business activity may be declared a government monopoly business activity either by regulation or by Ministerial declaration.</p>
Quality Environment Management System (QEMS)	<p>QEMS is Gold Coast Water's integrated management system.</p> <p>This integrated management system has been audited and certified by a third party certification body.</p> <p>The management system provided Gold Coast Water with the processes to ensure that the water provided to Council's stakeholders and the wastewater discharged meets at least national water quality guidelines and the services that are provided, meets and at times exceeds customer expectations.</p>

Queensland Development Code	<p>The <i>Queensland Development Code</i> consolidates Queensland-specific building standards into a single document.</p> <p>The code covers Queensland matters outside the scope of, and in addition to, the Building Code of Australia, such as requirements (insert water specific example).</p>
Recycled Water	Highly treated wastewater reused for non-drinking purposes.
Release Points	Point where recycled water is released to the environment.
Reservoirs	Large water holding tank.
Return on Assets	An indicator of how profitable a firm is relative to its total assets. ROA gives an idea as to how efficient management is at using its assets to generate earnings. Calculated by dividing a firm's annual earnings by its total assets, ROA is displayed as a percentage. Sometimes this is referred to as "return on investment".
Revenue Requirement	The amount of money that a utility must receive from its customers to cover its costs, operating expenses, taxes, interest paid on debts owed to investors and, if applicable, a reasonable return (profit).
SEQ	South East Queensland
Seqwater	<p>Seqwater is South East Queensland's bulk water supply provider. It owns and manages the region's dams, weirs and water treatment plants.</p> <p>Seqwater is also responsible for catchment management and water quality of these assets, and owns and operates the Gold Coast Desalination Plant (Tugun) and the Western Corridor Recycled Water Scheme producing desalinated and purified recycled water, respectively.</p>
Sewage	<p>Sewage is a water-carried waste, in solution or suspension, that is intended to be removed from a community.</p> <p>Also known as wastewater, it is more than 99% water and is characterised by volume or rate of flow, physical condition, chemical constituents and the bacteriological organisms that it contains.</p>
Sewage Treatment Plant (STP)	<p>A sewage treatment plant removes contaminants from wastewater and household sewage, both runoff (effluents), domestic, commercial and institutional.</p> <p>The objective of sewage treatment is to produce an environmentally safe fluid waste stream (or treated effluent) and a solid waste (or treated sludge) suitable for disposal or reuse.</p>
Sewerage	The infrastructure network that moves the sewage to the sewage treatment plants.
Tariff	<p>A water tariff is a price assigned to water and wastewater supplied by a water utility through a piped network to its customers.</p> <p>Water and wastewater tariffs are not charged for water itself, but to recover the costs of water treatment, water storage, transporting it to customers, collecting</p>

	<p>and treating wastewater, as well as billing and collection.</p> <p>Prices paid for water itself are different from water tariffs.. Water tariffs can vary widely in their structure and level between cities and sometimes between user categories (i.e. residential, commercial or industrial).</p>
Trade Waste	Trade waste is a liquid waste generated by any industry, business, trade or manufacturing process acceptable for discharge to a Gold Coast Water sewer.
Vacuum Sewer	A vacuum sewer system uses the differential pressure between atmospheric pressure and a partial vacuum maintained in the piping network and vacuum station collection vessel. This differential pressure allows a central vacuum station to collect the wastewater of several thousand individual homes, depending on terrain and the local situation. Vacuum sewers take advantage of available natural slope in the terrain and are most economical in flat sandy soils with high ground water.
Variable Costs	A corporate expense that varies with production output. Variable costs are those costs that vary depending on an firms production volume; they rise as production increases and fall as production decreases. Variable costs differ from fixed costs such as rent, advertising, insurance and office supplies, which tend to remain the same regardless of production output.
SEQ Water Grid	The SEQ Water Grid is a network of two-way pipelines that connect South East Queensland's water supplies. In times of shortage, it allows treated drinking water to be transported from areas of water surplus to areas with a shortfall. In the event of an incident or accident, it ensures continued supply of the highest available quality drinking water across the SEQ Water Grid.
Water Mains	A principal water supply pipe in an arrangement of pipes for distributing water to customers.
Weighted Average Cost of Capital (WACC)	A calculation of a firms cost of capital in which each category of capital is proportionately weighted. All capital sources - common stock, preferred stock, bonds and any other long-term debt - are included in a WACC calculation. All else equal, the WACC of a firm increases as the beta and rate of return on equity increases, as an increase in WACC notes a decrease in valuation and a higher risk.

List of Attached Documents

Attachment 1 - GCW detailed 2013-14 pricing schedule

Attachment 2 - GCW NetServ Part A

Attachment 3 - GCW Water and Wastewater Customer Service Charter and Standards



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Section	Detail	Requireme	Governme	GOC	Standard	Harmonise	J&P	GovOnly	Excluded	Commencement	Expire	Transitiona	Transport and Main Road
	Division 6 Obtaining written work diary	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
115	Form of written work diary	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
115(1)	This section states the requirements for written work diaries issued by the chief executive under this division.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
115(2)	A written work diary must allow for information to be recorded in the format approved by the Australian Transport Council. Note— A copy of the approved format may be obtained from a written work diary must contain— (a) a unique identifying number for the work diary; and (b) sheets (daily sheets) that— (i) provide for recording information daily; and (ii) are sequentially numbered; and (c) 2 duplicates of each daily sheet; and (d) a duplicate of any application form contained in the work diary under subsection (4); and (e) instructions for use of	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
115(3)	A written work diary may contain an application in the approved form for the issue of another work diary.	6	6	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
115(4)	Each daily sheet of a written work diary must be in a form that ensures that if information is written on the daily sheet in the way stated in the instructions in the work diary or this	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
115(5)	A written work diary must be in the approved form.	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
115(6)	The approved form must be the same as the form approved by the Australian Transport Council for the purpose.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
115(7)	Application for written work diary	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
116	The driver of a fatigue regulated heavy vehicle who wants to be issued with a written work diary (including a replacement work diary) must apply in person to the chief executive.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
116(1)	The application must be in the approved form.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
116(2)	The approved form must be the same as the form approved by the Australian Transport Council for the purpose.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
116(3)	If the application is for a written work diary to replace a written work diary that has been previously issued to the driver (the existing written work diary), the driver must give the existing written work diary to the chief executive with the application, unless the existing written work diary has been destroyed, lost or stolen.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
116(4)	If the driver gives the existing written work diary to the chief executive, the chief executive must— (a) cancel any unused daily sheets in the written work diary; and (b) return the written work diary to the driver when the chief executive issues the replacement written work diary to the driver.	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
116(5)	If the application is for a written work diary to replace a written work diary that has been destroyed, lost or stolen, the application must— (a) state the previous work diary's number and that it has been destroyed, lost or stolen; and (b) briefly outline the circumstances of the destruction, loss or theft.	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
116(6)	Transport Operations (Road Use Management—Fatigue Management) Regulation 2008 [as amended by all amendments that commenced on or before 1 July 2011]	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Part 1 Preliminary	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Division 1 Introductory matters	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
1	Short title	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
1	This regulation may be cited as the Transport Operations (Road Use Management—Fatigue Management) Regulation 2008.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
2	Commencement	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
2	This regulation commences on 29 September 2008, immediately after the Transport Legislation Amendment Act 2007, section 63 commences.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
3	Main purpose of this regulation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
3	The main purpose of this regulation is to provide for the safe management of the fatigue of drivers of fatigue regulated heavy vehicles while they are driving on a road.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
4	Outline of the main features of this regulation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	a way that affects the drivers' fatigue when driving on a road. Examples for paragraph (b)— •employers of drivers of fatigue regulated heavy vehicles •operators of fatigue regulated heavy vehicles •schedulers for fatigue regulated heavy vehicles •consignors and consignees of goods transported or to be transported by fatigue regulated heavy vehicles •loaders and unloaders of goods in fatigue regulated heavy vehicles •loading managers for goods in fatigue regulated heavy vehicles	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
4(1)	Part 2 imposes— (a) general duties directed at preventing persons driving fatigue regulated heavy vehicles on a road while impaired by fatigue, which are imposed on— (i) the drivers of fatigue regulated heavy vehicles; and (ii) parties in the chain of responsibility for fatigue regulated heavy vehicles; and (b) additional duties directed at helping drivers of fatigue regulated and rest arrangements, which— (i) apply to drivers of fatigue regulated heavy vehicles operating other than under a BFM accreditation, AFM accreditation, work and rest hours exemption or work and rest hours alternative compliance scheme; and (ii) are known as 'standard hours'; (b) BFM work and rest arrangements, which— (i) apply to drivers of fatigue regulated heavy vehicles operating under a BFM accreditation (which is an accreditation relating to the basic fatigue management scheme); and (ii) are known as 'BFM hours'; (c) AFM work and rest arrangements, which— (i) apply to drivers of fatigue regulated heavy vehicles operating under an AFM accreditation (which is an accreditation relating to the advanced fatigue	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
4(2)	Part 4 provides for recording the work times and rest times of drivers, amongst other things.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
4(3)	Part 5 enables— (a) operators of fatigue regulated heavy vehicles to seek BFM accreditation or AFM accreditation; and (b) drivers or operators of fatigue regulated heavy vehicles, or employers of or prime contractors for drivers of fatigue regulated heavy vehicles, to seek an exemption from particular requirements of this regulation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
4(4)	Division 2 Interpretation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
5	Definitions	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
5	The dictionary in schedule 6 defines particular words used in this regulation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
6	Who is a driver	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
6(1)	In this regulation, a reference to a driver of a fatigue regulated heavy vehicle is a reference to the driver of the vehicle whether the driver is an employed driver or self-employed driver.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
6(2)	The driver of a fatigue regulated heavy vehicle is an employed driver if the driver is employed by someone else to drive the vehicle under a contract of employment, apprenticeship or	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
6(3)	The driver of a fatigue regulated heavy vehicle is a self-employed driver if the driver is not an employed driver of the vehicle under subsection (2).	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
7	Who is a party in the chain of responsibility	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Each of the following persons is a party in the chain of responsibility for a fatigue regulated heavy vehicle— (a) an employer of the driver of the vehicle; (b) a prime contractor for the driver of the vehicle; (c) an operator of the vehicle; (d) a scheduler for the vehicle; (e) a consignors of goods transported or to be transported by the vehicle; (f) a consignee of goods transported	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
7(1)	A person may be a party in the chain of responsibility in more than 1 capacity. Example— A person may be a driver's employer, operator and consignors of goods at the same time in	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
7(2)	Division 3 Reasonable steps	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Subdivision 1 Reasonable steps defence	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
8	What is the reasonable steps defence	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	against the provision if the person charged establishes that— (a) the person did not know, and could not reasonably be expected to have known, of the contravention concerned; and (b) either— (i) the person took all reasonable steps to prevent the contravention; or (ii) there were no steps the person could reasonably be expected to have taken to prevent the contravention. Note— See section 57H(1)(d) of the Act, which provides that the Criminal Code, section 24 (Mistake of fact) does not apply to an offence against a fatigue management	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
8	Subdivision 2 Deciding whether person took reasonable steps	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
9	Matters court may consider for deciding whether person took all reasonable steps	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	This section applies in relation to— (a) proceedings for an offence against a provision of part 2 that may be committed by a person failing to take all reasonable steps; and (b) proceedings for an offence against a provision of this regulation if, under this regulation, the person charged has the benefit of the reasonable steps defence.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
9(1)	In deciding whether things done or omitted to be done by the person charged with the offence to which the proceedings relate constitute reasonable steps, the court may have regard to the matters mentioned in section 57DB(1)(a) to (k) of the Act. Note— See also sections 33 and 34.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
9(2)	For applying the matters mentioned in section 57DB(1)(a) to (k) of the Act to the proceedings, a reference in section 57DC(1)(a) to (k) of the Act to a contravention is taken to be a	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
9(3)	When person regarded to have taken all reasonable steps—pt 2 duties	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
10	This section applies in relation to proceedings for an offence against a provision of part 2 that may be committed by a person failing to take all reasonable steps.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
10(1)	Without limiting the circumstances in which things done or omitted to be done by the person charged with the offence to which the proceedings relate constitute reasonable steps, the person is to be regarded as having taken all reasonable steps if the person did all of the things mentioned in section 57DC(1)(a) to (e) of the Act to prevent the act or omission that led to	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
10(2)	For applying the things mentioned in section 57DC(1)(a) to (e) of the Act to the proceedings— (a) a reference in section 57DC(1)(a) to (e) of the Act to a relevant driver for the person charged is taken to be a reference to the driver of a fatigue regulated heavy vehicle in relation to which the person charged is a party in the chain of responsibility; and (b) a reference in	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
10(3)		0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1

11	When person regarded to have taken all reasonable steps—reasonable steps defence	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
11(1)	This section applies in relation to proceedings for an offence against a provision of this regulation if, under this regulation, the person charged has the benefit of the reasonable steps person is to be regarded as having taken all reasonable steps if the person did all of the following to prevent the act or omission that led to the contravention to which the offence relates— (a) identified and assessed— (i) the risks that the contravention may occur; and (ii) if there is a substantial risk that the contravention may occur—the measures the person may take to eliminate the risk or, if it is not reasonably possible to eliminate the risk, to minimise the risk; (b) carried out the identification and assessment mentioned in paragraph (a)— (i) at least annually; and (ii) after each event that may significantly increase the risk of the contravention occurring; (c) took the measures identified and assessed under paragraph (a)(ii); (d) documented each action the person has taken under this section— (i) during the past 3 years; or (ii) if 3 years have not passed since the commencement of this section—from the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
11(2)	Application of s 57E of the Act to offences against this regulation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
12	Section 57E of the Act also applies to a provision of this regulation that provides that a person may avoid liability, or is not liable, for an offence if the person took all reasonable steps in	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
13	Application of s 57F of the Act to offences against this regulation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
13(1)	Section 57F(2) to (4) of the Act also applies for deciding whether a person charged with a following offence took all reasonable steps to prevent the contravention constituting the offence— (a) an offence against a provision of part 2 that may be committed by a person failing to take all reasonable steps; (b) an offence against a provision of this regulation if, under	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
13(2)	Subdivision 3 Other provisions about taking reasonable steps	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
14	Examples for how to take reasonable steps—identifying and assessing aspects of activities that may lead to contraventions	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
14(1)	This section applies— (a) for sections 57DB and 57DC of the Act; and (b) for the application of sections 57DB and 57DC of the Act to offences against this regulation under sections 9 and management requirement by a relevant driver for the person— (a) consulting the relevant drivers, other parties in the chain of responsibility, unions and industry associations about ways of identifying and assessing the aspects; (b) reviewing driving or work schedules and work records of the relevant drivers, including reviewing opportunities for rest time; Note— Section 33 provides for a duty of drivers of fatigue regulated heavy vehicles to give a party in the chain of responsibility particular information. (c) reviewing loading and unloading times and delays at loading and unloading places; (d) reviewing contractual arrangements and documentation relating to the consignment and delivery of goods; (e) regularly assessing and monitoring workplace health and safety practices; (f) regularly assessing fitness for duty of the relevant drivers; (g) analysing injury and incident reports. Note— For the meaning of relevant driver for a	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
14(2)	Examples for how to take reasonable steps—eliminating or minimising risks of contraventions	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
15	This section applies— (a) for sections 57DB and 57DC of the Act; and (b) for the application of sections 57DB and 57DC of the Act to offences against this regulation under sections 9 and of a fatigue management requirement by a relevant driver for the person— (a) having workplace procedures and policies relating to fatigue and compliance with maximum work requirements and minimum rest requirements; (b) contingency planning in relation to fatigue and compliance with maximum work requirements and minimum rest requirements; (c) having a program to report and monitor fatigue-related incidents, risks and hazards; (d) having a program for assessing fitness for duty of the relevant drivers; (e) having training and information for the relevant drivers, staff and parties in the chain of responsibility about fatigue and compliance with maximum work requirements and minimum rest requirements; (f) having appropriate supervision and management of the relevant drivers, staff and parties in the chain of responsibility; Notes— 1 Section 33 provides for a duty of drivers of fatigue	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
15(1)	Part 2 Duties relating to fatigue	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
16	Division 1 Meaning of fatigue and impaired by fatigue	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
16	What is fatigue	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
16	Fatigue includes— (a) feeling sleepy; and (b) feeling physically or mentally tired, weary or drowsy; and (c) feeling exhausted or lacking energy; and (d) behaving in a manner consistent with	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
17	Matters court may consider in deciding whether person is fatigued	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
17(1)	When deciding whether the person driving a fatigue regulated heavy vehicle (the driver) was fatigued, a court may consider the following— (a) what is commonly understood as being fatigued; (b) any cause of fatigue that may have caused or contributed to the driver's fatigue, whether or not the cause arose while the driver is at work; (c) any sign of fatigue exhibited by	6	6	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
17(2)	Subsection (1) does not limit the matters the court may consider when deciding whether a driver was impaired by fatigue.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
18	What is impaired by fatigue	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
18	A person is impaired by fatigue if the person is fatigued to the extent that the person is incapable of driving a fatigue regulated heavy vehicle safely.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
19	Matters court may consider in deciding whether person is impaired by fatigue	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
19(1)	have caused or contributed to the driver's fatigue, whether or not the cause arose while the driver is at work; (b) any sign of fatigue exhibited by the driver, whether or not the sign is exhibited before, during or after the driver drove the vehicle; (c) the degree to which a cause mentioned in paragraph (a) or a sign mentioned in paragraph (b) indicates the driver was impaired by fatigue; (d) any behaviour exhibited by the driver that may have resulted from the driver being impaired by fatigue; Examples for paragraph (d)— •the circumstances of any incident, crash or near miss •poor driving judgement •inattentive driving such as drifting into other lanes on a road or not changing gears smoothly (e) the nature and extent of any physical	7	7	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
19(2)	Subsection (1) does not limit the matters the court may consider when deciding whether a driver was impaired by fatigue.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
19(3)	A court may consider the driver to be impaired by fatigue even if the driver has complied with— (a) the requirements under the Act, including, for example, the maximum work	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
20	Division 2 Causation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
20	Causing includes contributing to causing and encouraging	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
20	In this part, a reference to causing a thing must be taken to include a reference to contributing to causing the thing, and to encouraging the thing.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
21	Division 3 Duty to avoid and prevent fatigue	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
21	Duty of driver to avoid driving while fatigued	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
21	A person must not drive a fatigue regulated heavy vehicle on a road while the person is impaired by fatigue. Maximum penalty—45 penalty units.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
22	Duty of party in the chain of responsibility to prevent driver driving while fatigued	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
22(1)	A party in the chain of responsibility (a party) for a fatigue regulated heavy vehicle must take all reasonable steps to ensure a person (the other person) does not drive the vehicle on a road	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
22(2)	A corresponding obligation that is the same or substantially the same as the duty under subsection (1) is prescribed for section 150C of the Act.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
22(3)	against subsection (1)— (a) evidence that, at the relevant time, the party complied with a duty of obligation mentioned in subsection (2) is evidence that the party took the reasonable steps; and (b) if the party is an operator of the fatigue regulated heavy vehicle—evidence that, at the relevant time, the operator complied with the conditions of a BFM accreditation or AFM accreditation granted to the operator under this regulation is evidence that the operator took the reasonable steps.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
22(4)	In proceedings for an offence against subsection (1), it is not necessary for the prosecution to prove that the other person drove, or would or may have driven, the vehicle while impaired	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
23	Division 4 Additional duties of particular parties in the chain of responsibility	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
23	Subdivision 1 Employers, prime contractors and operators	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
23	Duty of employer, prime contractor or operator to ensure business practices will not cause driver to drive while fatigued etc.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
23(1)	A relevant party for the driver of a fatigue regulated heavy vehicle must take all reasonable steps to ensure the relevant party's business practices will not cause the driver to— (a) drive while impaired by fatigue; or (b) drive while in breach of the driver's work and rest hours option; or (c) drive in breach of another law in order to avoid driving while impaired by fatigue or and includes— (a) the operating policies and procedures of the business; and (b) the human resource and contract management arrangements of the business; and (c) arrangements for managing safety. relevant party, for the driver of a fatigue regulated heavy vehicle, means— (a) an employer of the driver, if the driver is an employed driver; or (b) a prime contractor of the driver, if the driver is a self-employed driver; or (c) an operator of the vehicle if the driver of the vehicle is to make a journey for the operator.	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
23(2)	Duty of employer not to cause driver to drive if particular requirements not complied with	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
24	An employer of an employed driver of a fatigue regulated heavy vehicle must not cause the driver to drive the vehicle unless— (a) the employer has complied with section 23; and (b) the employer, after making reasonable inquiries, is satisfied each scheduler for the vehicle has complied with subdivision 2. Maximum penalty—30 penalty units.	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
25	Duty of prime contractor or operator not to cause driver to drive if particular requirements not complied with	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
25(1)	This section applies to— (a) a prime contractor of a self-employed driver (the driver) of a fatigue regulated heavy vehicle; and (b) an operator of a fatigue regulated heavy vehicle being	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
25(2)	The prime contractor or operator must not cause the driver to drive the fatigue regulated heavy vehicle, or enter into a contract or other agreement with the driver to that effect, unless— (a) the prime contractor or operator has complied with section 23; and (b) the prime contractor or operator, after making reasonable inquiries, is satisfied each scheduler for the vehicle	5	0	0	5	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
26	Subdivision 2 Schedulers	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
26	Duty of scheduler to ensure driver's schedule will not cause driver to drive while fatigued etc.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
26	A scheduler for a fatigue regulated heavy vehicle must take all reasonable steps to ensure the schedule for the driver of the vehicle will not cause the driver to— (a) drive while impaired by fatigue; or (b) drive while in breach of the driver's work and rest hours option; or (c) drive in breach of another law in order to avoid driving while impaired by fatigue or while in breach of	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1

27	Duty of scheduler not to cause driver to drive if particular requirements not complied with	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	for the driver of the vehicle allows for— (i) the driver to take rest time under the driver’s work and rest hours option; and (ii) traffic conditions and other delays that could reasonably be expected. Examples of traffic conditions and other delays that could reasonably be expected— • the actual average speed able to be travelled lawfully and safely by the driver on the route												
27	to be travelled by the vehicle • known traffic conditions, for example, road works or traffic congestion on the route • delays caused by loading, unloading or queuing Maximum penalty—30	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Subdivision 3 Consignors and consignees	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
28	Duty of consignor or consignee to ensure terms of consignment will not cause driver to drive while fatigued etc.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
28(1)	A consignor or consignee of goods for transport by a fatigue regulated heavy vehicle must take all reasonable steps to ensure the terms of consignment, for example delivery times, will not result in, encourage or provide an incentive to the driver of the vehicle to— (a) drive while impaired by fatigue; or (b) drive while in breach of the driver’s work and rest hours option; or (c) result in, encourage or provide an incentive to a relevant party for the driver of the vehicle to cause the driver to— (a) drive while impaired by fatigue; or (b) drive while in breach of the driver’s work and rest hours option; or (c) drive in breach of another law in order to avoid driving while impaired by fatigue or while in breach of the driver’s work and rest hours option.	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
28(2)	Maximum penalty—45 penalty units.	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
28(3)	In this section— relevant party, for the driver of a fatigue regulated heavy vehicle, means— (a) an employer of the driver, if the driver is an employed driver; or (b) a prime contractor of the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
29	Duty of consignor or consignee not to cause driver to drive if particular requirements not complied with	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	A consignor or consignee of goods for transport by a fatigue regulated heavy vehicle must not cause the driver of the vehicle to drive the vehicle, or enter into a contract or agreement to that effect, unless— (a) the consignor or consignee has complied with section 28; and (b) the consignor or consignee, after making reasonable inquiries, is satisfied— (i) each relevant party												
29(1)	In this section— relevant party, for the driver of a fatigue regulated heavy vehicle, means— (a) an employer of the driver, if the driver is an employed driver; or (b) a prime contractor of the	6	0	0	6	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
29(2)	Duty of consignor or consignee not to make a demand that may result in driver driving while fatigued etc.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
30	A consignor or consignee of goods for transport by a fatigue regulated heavy vehicle must not make a demand that affects, or may affect, a time in a schedule for the transport of the												
30(1)	consigned goods and that may cause the driver of the vehicle to— (a) drive while impaired by fatigue; or (b) drive while in breach of the driver’s work and rest hours option; or (c) drive in Subsection (1) does not apply if the consignor or consignee, before making the demand— (a) has complied with section 28; and (b) is satisfied, after making reasonable inquiries, that the	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
30(2)	making of the demand will not cause a scheduler for the vehicle to fail to comply with subdivision 2.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Subdivision 4 Loading managers	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
31	Duty of loading manager to ensure loading arrangements will not cause driver to drive while fatigued	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	the loading manager will not cause the driver of a fatigue regulated heavy vehicle to— (a) drive while impaired by fatigue; or (b) drive while in breach of the driver’s work and rest hours option; or (c) drive in breach of another law in order to avoid driving while impaired by fatigue or while in breach of the driver’s work and rest hours option. Examples of reasonable steps to												
31	comply with this section— •providing for necessary rest to be taken with adequate facilities •providing for the reporting of travel delays and providing a mechanism for managing late												
31	arrivals •allowing loading and unloading to happen at an agreed time •having a system of setting and allocating loading and unloading times that the driver of a fatigue regulated heavy	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
32	Duty of loading manager to ensure drivers can take rest in particular circumstances	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	directly or indirectly, of when the loading or unloading of the vehicle is to start, and the loading manager or person becomes aware that the loading or unloading will, or is likely to, start												
32	more than 30 minutes late; or (b) has advised the driver of the vehicle, either directly or indirectly, of when the loading or unloading of the vehicle is to finish, and the loading manager or												
	person becomes aware that the loading or unloading will, or is likely to, finish more than 30 minutes late; or (c) is unable to advise the driver of the vehicle of when the loading or unloading												
32	of the vehicle is to start; or (d) is unable to advise the driver of the vehicle of when the loading or unloading of the vehicle is to finish; the loading manager must take all reasonable steps to												
	ensure the driver is able to take rest while waiting for the vehicle to be loaded or unloaded. Example of reasonable steps that may be taken to ensure the driver of a fatigue regulated heavy	6	0	0	6	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Division 5 Additional duties of particular persons for enabling other persons to comply with duties relating to fatigue	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
33	Duty of driver to ensure party in the chain of responsibility has relevant information	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	vehicle to give the party any of the following details in a stated way— (a) the work and rest hours option under which the driver is operating; (b) the maximum work requirements and												
33(1)	minimum rest requirements applying to the driver under the work and rest hours option under which the driver is operating; (c) the details of the driver’s work times and rest times during												
33(2)	the previous 24 hours.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
33(2)	The driver must give the details to the party in the stated way.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	For subsection (1)— (a) the party’s duties include— (i) the duties under this part; and (ii) duties or responsibilities for ensuring the person can avoid liability, or is not liable, under section												
33(3)	57B of the Act; and (b) the way for giving the details may be only either of the following— (i) showing the party the relevant part of the driver’s written or electronic work diary; (ii) another	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	omitted to be done by the party constitute reasonable steps— (a) whether or not the party made a request of the driver under this section; (b) whether or not the driver complied with the												
33(4)	request. Note— For other matters to which the court must or may have regard, see— (a) sections 57DB to 57F of the Act and sections 14 and 15 of this regulation, in relation to an offence												
	against section 57B of the Act; or (b) sections 9 to 15 of this regulation, in relation to an offence against this part.	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
34	Duty of principal loading manager to ensure supervising loading manager aware of duties and responsibilities	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
34(1)	This section applies if a principal loading manager for goods in a fatigue regulated heavy vehicle assigns another person to be a supervising loading manager for goods in the vehicle.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	The principal loading manager must give the supervising loading manager written notice of the following— (a) the supervising loading manager’s duties under this part; (b) that, under												
34(2)	section 57B of the Act, if the driver of the vehicle commits an offence relating to a contravention of a maximum work requirement or minimum rest requirement involving the vehicle, the	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	regard to whether or not the principal loading manager complied with this section in deciding whether things done or omitted to be done by the principal loading manager or supervising												
34(3)	loading manager constitute reasonable steps. Note— For other matters to which the court must or may have regard, see— (a) sections 57DB to 57F of the Act and sections 14 and 15 of												
	this regulation, in relation to an offence against section 57B of the Act; or (b) sections 9 to 15 of this regulation, in relation to an offence against this part.	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
34(4)	In this section— principal loading manager, for goods in a fatigue regulated heavy vehicle, means a loading manager for the goods within the meaning given by the Act, schedule 4,												
	definition loading manager, paragraph (a)(i). supervising loading manager, for goods in a fatigue regulated heavy vehicle, means a loading manager for the goods within the meaning given	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Division 6 Particular requests etc. and contracts etc. prohibited	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
35	Particular requests etc. prohibited	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	do something the person knows, or reasonably ought to know, would have the effect of causing the driver of the vehicle to— (a) drive while impaired by fatigue; or (b) drive while in breach												
35	of the driver’s work and rest hours option; or (c) drive in breach of another law in order to avoid driving while impaired by fatigue or while in breach of the driver’s work and rest hours												
	option. Example of a requirement that contravenes this section— a requirement that the driver complete a journey in a time the person knows or reasonably ought to know can not be												
35	complied with unless the driver commits a speeding offence or does not take all the rest time the driver is required to take under this regulation Maximum penalty—60 penalty units.	6	0	0	6	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
36	Particular contracts etc. prohibited	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	that the person knows, or reasonably ought to know, would have the effect of causing the driver of the vehicle to— (a) drive while impaired by fatigue; or (b) drive while in breach of the												
36(1)	driver’s work and rest hours option; or (c) drive in breach of another law in order to avoid driving while impaired by fatigue or while in breach of the driver’s work and rest hours option.												
	Note— See also section 168D of the Act for other prohibited contracts or agreements. Maximum penalty—60 penalty units.	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	ought to know, would encourage or provide an incentive for a party in the chain of responsibility to cause the driver to— (a) drive while impaired by fatigue; or (b) drive while in breach of												
36(2)	the driver’s work and rest hours option; or (c) drive in breach of another law in order to avoid driving while impaired by fatigue or while in breach of the driver’s work and rest hours option.												
	Note— See also section 168D of the Act for other prohibited contracts or agreements. Maximum penalty—60 penalty units.	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Part 3 Requirements relating to work time and rest time	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Division 1 Key concepts for this part	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Subdivision 1 Concepts relating to work time and rest time	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
37	What is a driver’s work and rest hours option	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
37(1)	The work and rest hours option of a driver of a fatigue regulated heavy vehicle is the maximum work requirements and minimum rest requirements applying to the driver under this												
	accreditation, AFM accreditation, work and rest hours exemption or work and rest hours alternative compliance scheme; and (ii) are known as ‘standard hours’; or (b) the BFM work and												
	rest arrangements, which— (i) apply to drivers of fatigue regulated heavy vehicles operating under a BFM accreditation; and (ii) are known as ‘BFM hours’; or (c) the AFM work and rest												
	arrangements, which— (i) apply to drivers of fatigue regulated heavy vehicles operating under an AFM accreditation; and (ii) are known as ‘AFM hours’; or (d) the maximum periods of												
	work and minimum periods of rest applying to drivers of fatigue regulated heavy vehicles operating under a work and rest hours exemption (whether or not granted in combination with an												
37(2)	operator’s BFM accreditation or AFM accreditation); or (e) the maximum periods of work and minimum periods of rest applying to drivers of fatigue regulated heavy vehicles operating	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
38	What is work time	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
38	For the driver of a fatigue regulated heavy vehicle, work time is any time the driver spends working in relation to the vehicle. Note— See definition work in schedule 4 of the Act for the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
39	What is rest time	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
39	For the driver of a fatigue regulated heavy vehicle, rest time is any time that is not work time for the driver.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1

40	What is a work and rest change	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
40	A work and rest change for the driver of a fatigue regulated heavy vehicle is— (a) a change from work time to rest time; or (b) a change from rest time to work time; or (c) a change from being a solo driver to being a driver who is a party to a two-up driving arrangement; or (d) a change from being a driver who is a party to a two-up driving arrangement to being a solo	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Subdivision 2 Counting time	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
41	Counting periods of less than 15 minutes	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
41(1)	A period of work time of less than 15 minutes counts as 15 minutes work time. Examples for subsection (1)— •A period of working for 14 minutes counts as 15 minutes work time. •A period of working for 17 minutes counts as 30 minutes work time. •A period of working for 53 minutes counts as 1 hour work time. because 14 minutes is less than 15 minutes. •A period of not working for 17 minutes counts as 15 minutes rest time, because 17 minutes is more than 15 minutes, but is less than 2 lots of 15 minutes (30 minutes). •A period of not working for 53 minutes counts as 45 minutes rest time, because 53 minutes is more than 3 lots of 15 minutes (45 minutes), but is less than 4 lots of 15 minutes (60 minutes).	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
41(2)	Time must be counted after rest time ends	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
42	period—the end of a relevant major rest break; or (b) in any other case—the end of a relevant period of rest time. Example— An authorised officer intercepts the driver of a fatigue regulated heavy vehicle on a Friday and inspects the driver’s work diary. The driver works under standard hours. The officer examines the work diary entries for the previous Monday. The entries show that the driver completed 7 continuous hours of stationary rest time at 7a.m. on that day, started work at that time, worked until 12.15p.m. that day, had 1 hour of rest time, then worked until 7.15p.m. that day. For the purposes of deciding the number of hours worked by the driver on the Monday, the officer must start counting from the rest period that finished at 7a.m. Adding the periods 7a.m. to 12.15p.m. and 1.15p.m. to 7.15p.m. results in a total of 11¼ hours worked that day. The officer might also decide to calculate the number of	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
43	Period must be counted by reference to time zone of driver’s base	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
43	the purposes of this regulation, the period must be counted by reference to the time zone of the driver’s base. Example— If, for the driver of a fatigue regulated heavy vehicle with a base in Queensland, it is necessary to work out the hours of night work time while the driver is in Western Australia on a journey, the hours of night work time are the hours between midnight and 6a.m. in the Queensland time zone (being the time zone in which the driver’s base is situated), even though the hours equate to 10p.m. and 4a.m. in Western Australia (Eastern	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
44	Counting time spent within participating zone	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
44	In applying this part to the driver of a fatigue regulated heavy vehicle, any time spent by the driver in another jurisdiction within the participating zone must be treated in the same way as it	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
45	Counting time spent outside participating zone	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
45(1)	This section applies to the driver of a fatigue regulated heavy vehicle if the driver drives a fatigue regulated heavy vehicle into this jurisdiction from another jurisdiction within the non-If, within the last 7 days, the driver has spent any work time inside the participating zone, any time spent by the driver in the other jurisdiction within the non-participating zone must be	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
45(2)	treated in the same way as it would have been treated if the time had been spent in this jurisdiction.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
45(3)	the start of the driver’s last major rest break before entering this jurisdiction must be disregarded; and (b) any time spent by the driver in the other jurisdiction within the non-participating zone after the start of the last major rest break mentioned in paragraph (a) must be— (i) taken into account; and (ii) treated in the same way as it would have been treated if the time had been spent in this jurisdiction.	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
46	Division 2 Standard work and rest arrangements	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
46	Purpose of div 2	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
46	This division sets out the maximum work requirements and minimum rest requirements applying to the driver of a fatigue regulated heavy vehicle if the driver is not operating under a BFM accreditation, AFM accreditation, work and rest hours exemption or work and rest hours alternative compliance scheme (the standard hours).	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
47	Options about standard hours for solo driver of a bus	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
47	The solo driver of a bus may operate under either, but not both, of the following— (a) the standard hours under section 48; (b) the standard hours under section 49.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
48	Standard hours—solo drivers	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
48(1)	Schedule 1, table 1 sets out the standard hours for the solo driver of a fatigue regulated heavy vehicle.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
48(2)	rest time stated in column 3. Example— If the solo driver of a fatigue regulated heavy vehicle starts work at midday on Monday, after a 2 day break, the minimum rest times the driver might have to comply with under standard hours for the solo driver of a fatigue regulated heavy vehicle are as follows— •15 continuous minutes rest time before 5.30p.m. •another 15 continuous minutes rest time before 8p.m. (making a total of 30 minutes rest time since midday) •another continuous 30 minutes rest time before 11p.m. (making a total of 60 minutes rest time since midday) •another 7 continuous hours rest time before midday on Tuesday. The driver could do the same hours through to Saturday, but would have to take a break from midday Sunday until midday Monday, that is 24 continuous hours stationary rest time. The driver could continue the same pattern for a second week, through until the second Saturday, if	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
48(3)	A contravention of subsection (2) for any period stated in column 1 is a breach of the risk category stated in column 4 for the circumstances of the contravention.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
48(4)	In this section, a reference to a column by number is a reference to the column of that number in schedule 1, table 1.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
48(5)	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
49	Standard hours—solo drivers of buses	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
49(1)	Schedule 1, table 2 sets out the standard hours for the solo driver of a bus.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
49(2)	In any period stated in column 1, the solo driver of a bus— (a) must not work for more than the work time stated in column 2; and (b) must have the rest of the period off work, with at least the rest time stated in column 3. Maximum penalty— (a) for a minor risk breach—15 penalty units; or (b) for a substantial risk breach—30 penalty units; or (c) for a severe risk	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
49(3)	A contravention of subsection (2) for any period stated in column 1 is a breach of the risk category stated in column 4 for the circumstances of the contravention.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
49(4)	In this section, a reference to a column by number is a reference to the column of that number in schedule 1, table 2.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
49(5)	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
50	Standard hours—two-up drivers	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
50(1)	Schedule 1, table 3 sets out the standard hours for the driver of a fatigue regulated heavy vehicle who is a party to a two-up driving arrangement.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
50(2)	In any period stated in column 1, the driver— (a) must not work for more than the work time stated in column 2; and (b) must have the rest of the period off work, with at least the rest time stated in column 3. Maximum penalty— (a) for a minor risk breach—15 penalty units; or (b) for a substantial risk breach—30 penalty units; or (c) for a severe risk breach—45 penalty	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
50(3)	A contravention of subsection (2) for any period stated in column 1 is a breach of the risk category stated in column 4 for the circumstances of the contravention.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
50(4)	In this section, a reference to a column by number is a reference to the column of that number in schedule 1, table 3.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
50(5)	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
51	Defence relating to short rest breaks	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
51(1)	This section applies if, at a particular time, the driver of a fatigue regulated heavy vehicle is required, under section 48, 49 or 50, to take a short rest break. Examples of when this section applies— The driver is required to take 15 continuous minutes rest time because— (a) the driver has worked for 5¼ hours; or (b) the driver has worked for 7¼ hours and has only taken was required to take the short rest break, there was no suitable rest place; and (b) the driver took the short rest break— (i) at the next suitable rest place available after that time on the forward route of the driver’s journey; and (ii) no later than 45 minutes after the time the driver was required to take the short rest break. Example of when the defence applies— The driver of a fatigue regulated heavy vehicle fails to take a short rest break after 5¼ hours of work time because there was no suitable rest place when the driver was scheduled to take the short rest break. Instead, the driver takes a short rest break after 5½ hours work at another place down the road.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
51(2)	In this section— short rest break means rest time of less than 1 hour.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
52	Division 3 BFM work and rest arrangements	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
52	Purpose of div 3	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
52	This division sets out the maximum work requirements and minimum rest requirements applying to the driver of a fatigue regulated heavy vehicle operating under and complying with a	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
53	BFM hours—solo drivers	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
53(1)	Schedule 2, table 1 sets out the BFM hours for a solo driver of a fatigue regulated heavy vehicle.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
53(2)	In any period stated in column 1, the solo driver— (a) must not work for more than the work time stated in column 2; and (b) must have the rest of the period off work, with at least the rest time stated in column 3. Maximum penalty— (a) for a minor risk breach—15 penalty units; or (b) for a substantial risk breach—30 penalty units; or (c) for a severe risk breach—45	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
53(3)	A contravention of subsection (2) for any period stated in column 1 is a breach of the risk category stated in column 4 for the circumstances of the contravention.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
53(4)	In this section, a reference to a column by number is a reference to the column of that number in schedule 2, table 1.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
53(5)	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1

54	Defence for solo drivers relating to split rest breaks	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
54(1)	This section applies if, at a particular time, the driver of a fatigue regulated heavy vehicle is required under section 53 to take 7 continuous hours of stationary rest time in a period of 24 time the driver was required to take the 7 continuous hours of stationary rest time, the driver was driving under BFM hours as a solo driver of a fatigue regulated heavy vehicle; and (b) during the period of 24 hours for which the 7 continuous hours of stationary rest time was required to be taken, the driver took 6 continuous hours of stationary rest time and 2 continuous hours of stationary rest time (a split rest break); and (c) the driver had not taken a split rest break in the previous 24 hour period. Example of when the defence applies— The driver of a fatigue regulated heavy vehicle stops work to take 7 continuous hours of stationary rest time, but can not sleep, so the driver takes only 2 continuous hours of stationary rest time and then	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
54(2)	BFM hours—two-up drivers	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
55	Schedule 2, table 2 sets out the BFM hours for the driver of a fatigue regulated heavy vehicle who is a party to a two-up driving arrangement.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
55(1)	In any period stated in column 1, the driver— (a) must not work for more than the work time stated in column 2; and (b) must have the rest of the period off work, with at least the rest time stated in column 3. Maximum penalty— (a) for a minor risk breach—15 penalty units; or (b) for a substantial risk breach—30 penalty units; or (c) for a severe risk breach—45 penalty	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
55(2)	A contravention of subsection (2) for any period stated in column 1 is a breach of the risk category stated in column 4 for the circumstances of the contravention.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
55(3)	In this section, a reference to a column by number is a reference to the column of that number in schedule 2, table 2.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
55(4)	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
55(5)	Division 4 AFM hours	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
56	AFM hours	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
56(1)	The accreditation certificate for an AFM accreditation sets out the maximum work requirements and minimum rest requirements applying to the driver of a fatigue regulated heavy vehicle	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
56(2)	In any period stated in the AFM accreditation, the driver— (a) must not work for more than the maximum work time stated in the AFM hours; and (b) must have at least the minimum rest time stated in the AFM hours. Maximum penalty— (a) for a minor risk breach—15 penalty units; or (b) for a substantial risk breach—30 penalty units; or (c) for a severe risk breach—45	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
56(3)	A contravention of subsection (2) for any period stated in the AFM accreditation and stated in schedule 3, part 2, table 1, column 1 is a breach of the risk category stated in schedule 3, part	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
56(4)	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
57	AFM outer limits	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
57(1)	Schedule 3, part 1, table sets out the AFM outer limits for the driver of a fatigue regulated heavy vehicle operating under AFM hours.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
57(2)	In any period stated in schedule 3, part 1, table, column 1, the driver— (a) must not work for more than the maximum work time stated in schedule 3, part 1, table, column 2 for the period; and (b) must have at least the minimum rest time stated in schedule 3, part 1, table, column 3 for the period. Maximum penalty— (a) for a minor risk breach—15 penalty units; or (b) for a	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
57(3)	A contravention of subsection (2) for any period stated in schedule 3, part 2, table 2, column 1 is a breach of the risk category stated in schedule 3, part 2, table 2, column 2 for the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
57(4)	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
57A	Division 4A Exemptions	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
57A(1)	Work and rest hour exemptions A gazette notice for a class work and rest hours exemption granted under section 154 or an exemption notice for a work and rest hours exemption granted under section 157 sets out the maximum work time and minimum rest time applying to the driver of a fatigue regulated heavy vehicle operating under, and complying with, the exemption.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
57A(2)	In any period specified in a work and rest hours exemption, a driver— (a) must not work for more than the maximum work time specified in the exemption; and (b) must have at least the minimum rest time specified in the exemption. Maximum penalty— (a) for a minor risk breach—15 penalty units; or (b) for a substantial risk breach—30 penalty units; or (c) for a severe	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
57A(3)	A contravention of subsection (2) for any period stated in the work and rest hours exemption and stated in schedule 3A, table, column 1 is a breach of the risk category stated in schedule	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
57A(4)	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
58	Division 5 Changing work and rest hours option	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
58(1)	Driver may change work and rest hours option The driver of a fatigue regulated heavy vehicle may drive under only 1 work and rest hours option at any 1 time.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
58(2)	However, the driver of a fatigue regulated heavy vehicle may change from 1 work and rest hours option to a different work and rest hours option.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
59	Driving under new work and rest hours option after change change is from standard hours or BFM hours, either the driver— (i) is in compliance with all the maximum work requirements and minimum rest requirements under the work and rest hours option to which the driver has changed; or (ii) has had a reset rest break; and Examples for paragraph (a)— 1 If the driver of a fatigue regulated heavy vehicle is changing from BFM hours to standard hours and the minimum rest requirements applying under standard hours requires the driver to have longer rest time than is required under BFM hours, the driver may start driving under standard hours only if the driver has had the longer rest time or a reset rest break. 2 If the driver of a fatigue regulated heavy vehicle is changing from BFM hours to standard hours and the minimum rest requirements applying under standard hours requires the driver to take rest time earlier than is required under BFM hours, the driver may start	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
59(1)	If the driver of a fatigue regulated heavy vehicle has had a reset rest break between changing from 1 work and rest hours option to a different work and rest hours option, the period to which the new work and rest hours option applies must be counted forward from the end of the reset rest break.	5	0	0	5	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
59(2)	In a proceeding for an offence against subsection (1), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
59(3)	In this section— reset rest break means a period of rest time of at least 48 hours continuous rest.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
59(4)	Part 4 Requirements about record keeping Division 1 Key concepts for this part	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
60	What is 200km work and 200+km work	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
60(1)	The driver of a fatigue regulated heavy vehicle is engaged in 200km work if the driver is driving in an area with a radius of 200km or less from the driver's base.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
60(2)	The driver of a fatigue regulated heavy vehicle is engaged in 200+km work if the driver is driving in an area with a radius of more than 200km from the driver's base.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
61	What is a driver's base in particular circumstances	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
61(1)	This section applies if— (a) under schedule 4 of the Act, definition base, paragraph (a)(ii), the base of the driver of a fatigue regulated heavy vehicle is the vehicle's garage address; and (b) under schedule 4 of the Act, definition garage address, paragraph (b)(ii), the vehicle has more than 1 garage address because the vehicle has 2 or more registered operators.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
61(2)	For this regulation, the base of the driver is the home address of the vehicle's registered operator whose name is listed first on the registration certificate for the vehicle's registration.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
62	Who is a driver's record keeper	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
62	The following person is the record keeper for the driver of a fatigue regulated heavy vehicle— (a) if the driver is operating under a BFM accreditation or AFM accreditation of an operator of the vehicle or a work and rest hours exemption that was granted in combination with an operator's BFM accreditation or AFM accreditation—the operator; (b) otherwise— (i) for an	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
63	Person engaged to undertake particular functions must be notified of offences following functions of the record keeper under this regulation— (a) a function under any of the following provisions— (i) section 85(2); (ii) section 86(2); (iii) section 87(2); (iv) section 96(1); (v) section 97(1) or (2); (vi) section 98(1), (2) or (3); (vii) section 99(4); (viii) section 100(3); (ix) section 101(2); (b) the function of operating or maintaining an electronic work diary used or to be used by the driver.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
63(1)	The record keeper must, before or when the other person is engaged, give the other person written notification of the following— (a) the carrying out of the function is subject to a provision of this regulation that creates an offence; (b) that if the engaged person carries out the function, the engaged person is liable for an offence against the provision; (c) the	7	0	0	7	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
63(2)	The written notification required under subsection (2) may be included in the written agreement setting out the terms of the engagement.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
64	Person engaged to operate or maintain electronic work diary must have appropriate systems and procedures	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
64(1)	The record keeper for the driver of a fatigue regulated heavy vehicle must not engage another person to operate or maintain an electronic work diary used or to be used by the driver unless the record keeper is satisfied the other person has appropriate systems and procedures for ensuring— (a) the person can comply with sections 92 and 93; and (b) the electronic	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
64(2)	In a proceeding for an offence against subsection (1), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
65	What is a driver's record location	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
65	The record location of the driver of a fatigue regulated heavy vehicle is— (a) if the driver's record keeper has advised the driver of the place that is the driver's record location—the place	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
66	Division 2 Work diary requirements Subdivision 1 Requirement to carry work diary Application of sdiv 1	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
66	hours or AFM hours; or (d) was driving under BFM hours or AFM hours in the last 28 days; or (e) is driving under a work and rest hours exemption (whether or not granted in combination with an operator's BFM accreditation or AFM accreditation); or (f) was driving under a work and rest hours exemption (whether or not granted in combination with an operator's BFM accreditation or AFM accreditation) in the last 28 days.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1

67	Meaning of work diary for sdiv 1 work diaries in the last 28 days— (i) the written work diary the driver is currently using; and (ii) any filled up written work diary the driver has used during the last 28 days; (b) if the driver has used only an electronic work diary in the last 28 days— (i) the electronic work diary the driver is currently using; and (ii) printouts of the information no longer stored in the electronic work diary the driver is currently using and relating to any period during the last 28 days; and (iii) printouts of the information in any other electronic work diary the driver has used in the last 28 days that relates to any period during the last 28 days and is not recorded in the electronic work diary the driver is currently using; (c) if the driver has used a combination of a written work diary and an electronic work diary in the last 28 days— (i) the written work diary, or electronic work diary, the driver is currently using; and (ii) each written work diary the driver has made a supplementary record in the last 28 days— (a) a reference in this subdivision to the driver's work diary is taken to include a reference to the supplementary record; and (b) for this subdivision, the supplementary record is taken to be a part of the work diary.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
67(1)	If the driver has made a supplementary record in the last 28 days— (a) a reference in this subdivision to the driver's work diary is taken to include a reference to the supplementary record; and (b) for this subdivision, the supplementary record is taken to be a part of the work diary.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
67(2)	Driver of fatigue regulated heavy vehicle must carry work diary	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
68	subdivision 2 for the prescribed period; and (ii) the driver's work diary is kept in the vehicle while the driver is driving the vehicle. Notes— 1 For the requirement to record particular information in a supplementary record if the work diary of the driver of a fatigue regulated heavy vehicle is filled up, destroyed, lost, stolen or, for an electronic diary, is malfunctioning, see section 80. 2 Under section 49 of the Act, an authorised officer may require the driver of a fatigue regulated heavy vehicle to produce for inspection the driver's work diary. Maximum	5	0	0	5	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
68(1)	Subsection (1) applies irrespective of the number of days in the prescribed period on which the driver spent working in relation to a fatigue regulated heavy vehicle.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
68(2)	It is a defence to an offence against subsection (1) relating to the driver failing to keep a work diary containing particular information if the driver proves— (a) the information was recorded in a work diary that, at the time of the offence, has been destroyed, lost or stolen; or (b) the information was— (i) recorded in an electronic work diary; and (ii) destroyed or lost as a result	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
68(3)	In this section— prescribed period means a day on which the driver of a fatigue regulated heavy vehicle is driving the vehicle and the previous 28 days.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
68(4)	Subdivision 2 Information required to be included in work diary	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
69	Purpose of sdiv 2 This subdivision states the information the driver of a fatigue regulated heavy vehicle must record in the driver's written or electronic work diary for each day on which the driver— (a) engages in 200+km work; or (b) works under BFM hours or AFM hours; or (c) works under a work and rest hours exemption.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
69	engages in 200+km work; or (b) works under BFM hours or AFM hours; or (c) works under a work and rest hours exemption.	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
70	How information requirements apply to a day	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
70(1)	In this subdivision, the requirement to record information for a day continues to apply for each period of work time and rest time the driver has on that day.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
70(2)	However, if the driver stops working on a day and starts a major rest break that will continue until the end of the day, the driver may stop recording information for the day when the driver	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
71	Information to be recorded immediately after starting work jurisdiction in which the licence was issued; and (d) whether the driver is working under— (i) standard hours (including whether the driver is working under standard hours for solo drivers of a bus); or (ii) BFM hours; or (iii) AFM hours; or (iv) a work and rest hours exemption; and (e) if the driver is working under BFM hours or the hours specified in a work and rest hours exemption that was granted in combination with an operator's BFM accreditation—the accreditation number for the BFM accreditation of the operator of the vehicle; and (f) if the driver is working under AFM hours or the hours specified in a work and rest hours exemption that was granted in combination with an operator's AFM accreditation—the accreditation number for the AFM accreditation of the operator of the vehicle; and (g) the address of the driver's base, unless the driver has previously recorded the address in relation to the work and it is still	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
71(1)	For proceedings for an offence against this section relating to the driver of a fatigue regulated heavy vehicle failing to record information before starting to engage in 200+km work on a day, it is a defence for the driver to prove that at the time of the offence— (a) the driver was unaware that the driver would be engaging in 200+km work on the day; and (b) the driver under the law—the number identifying the bus accreditation for the purposes of the law under which the bus accreditation was granted; or (b) for another BFM accreditation—the number identifying the accreditation given to the holder of the accreditation under section 137 or a corresponding fatigue law. accreditation number, for an AFM accreditation, means the number identifying the accreditation given to the holder of the accreditation under section 146 or a corresponding fatigue law.	16	0	0	16	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
71(2)	Information to be recorded immediately after starting work	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
71(3)	Information to be recorded immediately before or after work and rest change the driver since the last work and rest change; and (c) the time and place of the work and rest change; and (d) the odometer reading at the time of the work and rest change; and (e) the registration number for each fatigue regulated heavy vehicle that the driver drives; and (f) if the driver is or becomes a party to a two-up driving arrangement on the day—the following information about the other driver in the two-up driving arrangement— (i) the other driver's name; (ii) the other driver's driver licence number; (iii) unless the driver is recording information in an electronic work diary the driver shares with the other driver, the security or other identifying number of the other driver's work diary and the name of the participating	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
72	Information to be recorded immediately before or after work and rest change	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
72(1)	It is a defence for an offence against subsection (1)(d) for the driver to prove that— (a) at the time of the offence, the odometer was malfunctioning; and (b) the driver has complied with	11	0	0	11	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
72(2)	Information to be recorded immediately after change of base or record location Immediately after any change of the driver's base or record location, the driver must record— (a) for a change of the driver's base— (i) the address of the new base; and (ii) the time zone of the new base; or (b) for a change of the driver's record location—the address of the new record location. Maximum penalty—60 penalty units.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
73	Information to be recorded immediately before finishing work Immediately before finishing work on a day, the driver must record the total of the work time and the total of the rest time the driver had that day. Maximum penalty—60 penalty units.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
73(1)	Subsection (1) does not require the driver to record the change of the driver's base or record location if, before the change, the driver was not— (a) engaging in 200+km work; or (b)	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
73(2)	Information to be recorded immediately before finishing work	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
74	Subdivision 3 How information must be recorded in work diary	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
75	Purpose of sdiv 3	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
75	This subdivision states how the driver of a fatigue regulated heavy vehicle must record information in the driver's work diary.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
76	Recording information in written work diary daily sheet in a work diary that has not been cancelled under this regulation; (b) if, on a day, the driver changes the work and rest hours option under which the driver is working, the information for the part of the day that is after the change must be written on a separate daily sheet in a work diary that has not been cancelled under this regulation; (c) if, on a day, the driver's base changes, the information for the part of the day that is after the change must be written on a separate daily sheet in a work diary that has not been cancelled under this regulation; (d) if, on a day, the driver changes the employer for which the driver is working, the information for the part of the day that is after the change must be written on a separate daily sheet in a work diary that has not been cancelled under this regulation; (e) information must be written on a daily sheet in the way stated in the instructions in the work diary for taken to be 1 requirement that the driver record the information for the part of the day that is after the changes on a separate daily sheet; and (b) the driver is required to change to a new daily sheet only once for the changes. Example for subsection (2)— If, on a day, the driver changes the employer for which the driver is working and at the same time the driver's base and the work and rest hours option under which the driver is working changes, subsections (1)(b), (c) and (d) amount to 1 requirement that the driver record the information after the changes on a separate daily sheet and requires the driver to change to a new daily sheet only once.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
76(1)	Recording information in electronic work diary relation to the way information must be recorded in the electronic recording system constituting the work diary; and (b) the manufacturer's instructions for recording information in the electronic recording system constituting the work diary, to the extent the instructions are consistent with the conditions mentioned in paragraph (a). Note— The chief executive may impose conditions on the use of an electronic recording system under section 119 or 130. Maximum penalty—20 penalty units.	11	0	0	11	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
76(2)	Time zone of driver's base must be used	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
77	The driver must record time in the driver's work diary according to the time zone in the place where the driver's base is, rather than the time zone in the place where the driver is. Note— Subdivision 4 Requirements about work diaries that are filled up etc.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
78	Application of sdiv 4 This subdivision applies if— (a) a written work diary of the driver of a fatigue regulated heavy vehicle has been filled up, destroyed, lost or stolen; or (b) an electronic work diary of the driver of a fatigue regulated heavy vehicle— (i) has been filled up, destroyed, lost or stolen; or (ii) is malfunctioning.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
79	Driver must make supplementary records in particular circumstances a supplementary record the information the driver is required under subdivision 2 to record for the period (the required information). Note— Under subdivision 1, the driver of a fatigue regulated heavy vehicle must keep a supplementary record for 28 days after it is made (see section 67(2) and section 68). Also, under section 98, the driver's record keeper must keep the record for at least 3 years after it is received by the record keeper.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
80	subdivision (2)— *For complying with section 76(1)(a) for a supplementary record in a similar form to a written work diary, a separate page of the record must be used for each day information is recorded in the record. *For complying with section 78, any time recorded in the supplementary record must be recorded according to the time zone in the place where the driver's base is.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
80(1)	if the existing work diary is an electronic work diary that is filled up—the work diary is made capable of recording new information; (c) if the existing work diary is an electronic work diary that is malfunctioning—the work diary is brought into working order; (d) the expiry of 7 business days after the day on which the driver starts recording information under this section.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
80(2)	Note— If subsection (1) ceases to apply, the driver must, under subdivision 2, record the required information in a written or electronic work diary.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
80(3)	In this section— supplementary record means a record that— (a) is not made in a written or electronic work diary; but (b) is in a similar form to a written or electronic work diary.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1

81	Driver must notify chief executive if work diary filled up etc.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Within 2 business days after the driver becomes aware that the driver's written or electronic work diary has been filled up, destroyed, lost or stolen, the driver must give the chief executive written notice, in the approved form, of that happening. Maximum penalty—40 penalty units.	5	0	0	5	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
81(1)		5	0	0	5	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
81(2)	In a proceeding for an offence against subsection (1), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
82	What driver must do if lost or stolen written work diary found or returned	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	following— (a) immediately cancel any unused daily sheets in the old work diary; (b) if the old work diary is found or returned within 28 days after it was lost or stolen— (i) immediately notify the chief executive in writing that it has been found or returned; and (ii) give it to the chief executive within 2 business days after the 28 day period ends; (c) if the old work diary is found or returned later than 28 days after it was lost or stolen—give it to the chief executive as soon as practicable after it is found or returned. Maximum penalty—40 penalty units.	7	0	0	7	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
82(1)		7	0	0	7	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	If a driver gives a previously lost or stolen written work diary to the chief executive under subsection (1), the chief executive must— (a) if the driver has not complied with subsection (1)(a), cancel any unused daily sheets in the work diary; and (b) return the work diary to the driver.	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
82(2)		2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
82(3)	In a proceeding for an offence against subsection (1), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
83	Driver must notify record keeper if electronic work diary filled up etc.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	If the driver of a fatigue regulated heavy vehicle becomes aware that the driver's electronic work diary has been filled up, destroyed, lost or stolen, or becomes aware or reasonably suspects that the driver's electronic work diary is malfunctioning, the driver must inform the driver's record keeper of the matter within 2 business days. Maximum penalty—40 penalty	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
83(1)		2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
83(2)	In a proceeding for an offence against subsection (1), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
84	IAP reporting entity must notify record keeper if electronic work diary malfunctioning	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	This section applies if— (a) the electronic work diary of the driver of a fatigue regulated heavy vehicle includes or forms part of an approved intelligent transport system; and (b) an IAP reporting entity for the approved intelligent transport system becomes aware or reasonably suspects that the electronic work diary is malfunctioning.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
84(1)		0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
84(2)	The IAP reporting entity must inform the driver's record keeper of the malfunctioning or suspected malfunctioning within 2 business days. Maximum penalty—40 penalty units.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
84(3)	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
85	What record keeper must do if electronic work diary filled up	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
85(1)	This section applies if— (a) the driver of a fatigue regulated heavy vehicle uses an electronic work diary supplied to the driver by the driver's record keeper; and (b) the record keeper is	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	The record keeper must, as soon as reasonably practicable after being informed of the matter— (a) either— (i) make the electronic work diary capable of recording new information; or (ii) issue the driver with a new electronic work diary that is in working order; and (b) if the record keeper removes any records relating to the last 28 days from the work diary to make it	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
85(2)		3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	the other person is also liable for an offence against subsection (2) as if the other person was the record keeper mentioned in the subsection. Note— Under section 63, a record keeper who engages another person to carry out the record keeper's function under subsection (2) must give the engaged person written notification of the engaged person's liability under this subsection.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
85(3)		0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
85(4)	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
86	What record keeper must do if electronic work diary destroyed, lost or stolen	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	This section applies if— (a) the driver of a fatigue regulated heavy vehicle uses an electronic work diary supplied to the driver by the driver's record keeper; and (b) the record keeper is informed, under section 83, that the driver's electronic work diary has been destroyed, lost or stolen.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
86(1)		0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	The record keeper must, as soon as reasonably practicable after being informed of the matter— (a) issue the driver a new electronic work diary that is in working order; and (b) give the driver a printout of any information that was in the destroyed, lost or stolen electronic work diary that has been given to the record keeper and relates to the last 28 days. Maximum	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
86(2)		4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	the other person is also liable for an offence against subsection (2) as if the other person was the record keeper mentioned in the subsection. Note— Under section 63, a record keeper who engages another person to carry out the record keeper's function under subsection (2) must give the engaged person written notification of the engaged person's liability under this subsection.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
86(3)		0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
86(4)	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
87	What record keeper must do if electronic work diary malfunctioning	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	This section applies if— (a) the driver of a fatigue regulated heavy vehicle uses an electronic work diary supplied to the driver by the driver's record keeper; and (b) the record keeper is informed, under section 83 or 84, of malfunctioning or suspected malfunctioning of the driver's electronic work diary.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
87(1)		0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	The record keeper must, as soon as reasonably practicable after being informed of the matter— (a) either— (i) ensure the electronic work diary is examined and brought into working order; or (ii) issue the driver with a new electronic work diary; and (b) give the driver a printout of any information that was in the electronic work diary that has been given to the record	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
87(2)		4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	the other person is also liable for an offence against subsection (2) as if the other person was the record keeper mentioned in the subsection. Note— Under section 63, a record keeper who engages another person to carry out the record keeper's function under subsection (2) must give the engaged person written notification of the engaged person's liability under this subsection.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
87(3)		0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Subsection (3) does not apply if the other person is engaged only to repair or otherwise bring the electronic work diary into working order. Example for subsection (4)— a person in the business of repairing electronic recording systems is engaged to repair or otherwise bring the electronic work diary into working order on behalf of the record keeper	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
87(4)		0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
87(5)	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Subdivision 5 Requirements about odometers	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
88	Owner must maintain odometer	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
88(1)	The owner of a fatigue regulated heavy vehicle must maintain an odometer fitted to the vehicle in a way complying with the Vehicle Standard (Australian Design Rule	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
88(2)		1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	In a proceeding for an offence against subsection (1), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
89	Driver must report malfunctioning odometer	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
89(1)	This section applies if the driver of a fatigue regulated heavy vehicle becomes aware or reasonably suspects that an odometer fitted to the vehicle is malfunctioning.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	The driver must inform the following persons of the malfunctioning or suspected malfunctioning within 2 business days— (a) each owner of the vehicle; (b) if the driver is an employed driver—the driver's employer; (c) each operator of the vehicle. Maximum penalty—40 penalty units.	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
89(2)		4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
89(3)	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
90	What owner must do if odometer malfunctioning	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
90(1)	This section applies if the owner of a fatigue regulated heavy vehicle is informed under section 89 of malfunctioning or suspected malfunctioning of the vehicle's odometer.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
90(2)	The owner must, as soon as reasonably practicable after being informed of the matter, ensure the odometer is examined and either brought it into working order or replaced with a new	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
90(3)		3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
91	What employer or operator must do if odometer malfunctioning	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
91(1)	This section applies if an employer of the driver of a fatigue regulated heavy vehicle or an operator of a fatigue regulated heavy vehicle is informed under section 89 of malfunctioning or	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
91(2)		0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	The employer or operator must not drive, or permit another person to drive, the vehicle unless the owner of the vehicle has complied with section 90. Maximum penalty—40 penalty units.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
91(3)		0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Subdivision 6 Operation and maintenance of electronic work diaries	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
92	How electronic work diary must be operated and maintained	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	relation to the operation and maintenance of the electronic recording system constituting the work diary; and (b) the manufacturer's specifications for the electronic recording system constituting the work diary, to the extent the specifications are consistent with the conditions mentioned in paragraph (a). Note— The chief executive may impose conditions on the use of	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
92(1)		2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	an electronic recording system under section 119 or 130. Maximum penalty—60 penalty units.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
92(2)	Subsection (1)(a) does not apply in relation to non-compliance with a particular specification of the manufacturer if— (a) the specification was not integral to the effective operation of the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	electronic recording system; or (b) what was done or not done in relation to the specification was in accordance with industry practice in relation to the handling or maintenance of an	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
93	Person who operates or maintains electronic work diary must ensure driver's compliance with s 92	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
93(1)		0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	A person who operates or maintains an electronic work diary must not permit the driver of a fatigue regulated heavy vehicle who uses the work diary to fail to comply with section 92.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
93(2)		1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	In a proceeding for an offence against subsection (1), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1

94	Record keeper must ensure other person's compliance with s 92	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
94(1)	A record keeper for the driver of a fatigue regulated heavy vehicle who uses an electronic work diary must not permit the driver to fail to comply with section 92. Maximum penalty—60	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
94(2)	If a record keeper for the driver of a fatigue regulated heavy vehicle who uses an electronic work diary has engaged another person to operate or maintain the electronic work diary for the record keeper, the record keeper must not permit the other person to fail to comply with section 92. Maximum penalty—60 penalty units.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
94(3)	In a proceeding for an offence against subsection (1) or (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the Division 3 Records relating to drivers	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
95	Application of div 3	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	regulated heavy vehicle—applies only to the extent the driver is carrying out work in relation to which the record keeper is a record keeper for the driver. Example for paragraph (b)— The driver of a fatigue regulated heavy vehicle works for employer A and employer B. A's obligations to record information under this division apply only to the extent the information is about the work the driver carries out for A. Under section 96 or 97, A need only record the registration numbers of the fatigue regulated heavy vehicles the driver drives for carrying out work for A and the work times and rest times of the driver while carrying out that work. A does not need to record the registration numbers for the fatigue regulated heavy vehicles the driver drives									23/03/2012	30/12/9999		
95	Records record keeper must have if driver engaging in 200km work under standard hours	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
96	after receiving it— (i) the driver's name, driver licence number and contact details; (ii) the dates on which the driver drives a fatigue regulated heavy vehicle on a road; (iii) the registration number for each fatigue regulated heavy vehicle that the driver drives; (iv) the total of the driver's work times and rest times on each day on which the driver drives a fatigue regulated heavy vehicle; (v) the total of the driver's work times and rest times for each week during which the driver drives a fatigue regulated heavy vehicle; (vi) the driver's rosters and trip schedules, including details of driver changeovers; and (b) keep a copy of payment records relating to the driver, including time sheet records if the driver is paid according to time at work.									23/03/2012	30/12/9999		
96(1)	the other person is also liable for an offence against subsection (1) as if the other person was the record keeper mentioned in the subsection. Note— Under section 63, a record keeper who engages another person to carry out the record keeper's function under subsection (1) must give the engaged person written notification of the engaged person's liability under this subsection.	15	0	0	15	TRUE	FALSE	FALSE	FALSE			FALSE	1
96(2)	In a proceeding for an offence against subsection (1), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
96(3)	Records record keeper must have if driver engaging in 200+km work under standard hours or working under an accreditation or exemption	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
97	exemption (whether or not granted in combination with an operator's BFM accreditation or AFM accreditation), the driver's record keeper must— (a) record the following information as soon as possible after receiving it— (i) the driver's name, driver licence number and contact details; (ii) the driver's rosters and trip schedules, including details of driver changeovers; and (b) keep a copy of all duplicate pages and other copies of work diary entries given to the record keeper under section 99; and (c) keep a copy of payment records relating to the driver, including time sheet records if the driver is paid according to time at work. Maximum penalty—20 penalty units.									23/03/2012	30/12/9999		
97(1)	record keeper as a condition of the BFM accreditation or AFM accreditation; (b) the information required to be kept by the record keeper under BFM standards and business rules or AFM standards and business rules. Note— See also section 142 or 151 for other record keeping requirements applying to a record keeper who is an operator working under a BFM accreditation or AFM accreditation. Maximum penalty—20 penalty units.	9	0	0	9	TRUE	FALSE	FALSE	FALSE			FALSE	1
97(2)	(2); and (b) the other person is also liable for an offence against subsection (1) or (2) as if the other person was the record keeper mentioned in the subsection. Note— Under section 63, a record keeper who engages another person to carry out the record keeper's function under subsection (1) or (2) must give the engaged person written notification of the engaged person's liability under this subsection.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
97(3)	In a proceeding for an offence against subsection (1) or (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
97(4)	Requirements about records record keeper must make or keep	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
98	The record keeper of the driver of a fatigue regulated heavy vehicle must keep a record required to be made or kept under this division, or a copy of the record, for 3 years after— (a) for a record made by the record keeper—the day the record keeper makes the record; or (b) for another record—the day the record keeper receives the record. Maximum penalty—60 penalty	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
98(1)	The record keeper must keep the record or copy at the driver's record location in a way that ensures it is reasonably accessible to an authorised officer. Maximum penalty—20 penalty	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
98(2)	The record keeper must keep the record or copy in a way that ensures it is— (a) readable and reasonably capable of being understood; and (b) capable of being used as evidence.									23/03/2012	30/12/9999		
98(3)	Example— To ensure a record kept in a storage facility does not become unreadable, for example, by degrading, the record keeper could scan the hard copy of the record and keep it in an (2) or (3); and (b) the other person is also liable for an offence against subsection (1), (2) or (3) as if the other person was the record keeper mentioned in the subsection. Note— Under section 63, a record keeper who engages another person to carry out the record keeper's function under subsection (1), (2) or (3) must give the engaged person written notification of the engaged person's liability under this subsection.	3	0	0	3	TRUE	FALSE	FALSE	FALSE			FALSE	1
98(4)	In a proceeding for an offence against subsection (1), (2) or (3), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
98(5)	General requirements about driver giving information to record keeper	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
99	This section applies to the driver of a fatigue regulated heavy vehicle required to record information in the driver's written or electronic work diary under division 2.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
99(1)	The driver must within 21 days after the day on which the driver drove the vehicle give a copy of the work diary entry, including any entry made in a supplementary record, recording the information for that day to each person who was a record keeper for the driver on that day. Maximum penalty—20 penalty units.	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
99(2)	For subsection (2), if the work diary entry is made in an electronic work diary, the driver may give a copy of the entry to the record keeper by ensuring the copy is electronically transferred	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
99(3)	The record keeper must obtain the copies mentioned in subsection (2) within the time required under subsection (2). Maximum penalty—20 penalty units.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
99(4)	the other person is also liable for an offence against subsection (4) as if the other person was the record keeper mentioned in the subsection. Note— Under section 63, a record keeper who engages another person to carry out the record keeper's function under subsection (4) must give the engaged person written notification of the engaged person's liability under this subsection.									23/03/2012	30/12/9999		
99(5)	In a proceeding for an offence against subsection (2) or (4), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
99(6)	Requirements about driver giving information to record keeper if driver changes record keeper	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
100	This section applies if— (a) the driver of a fatigue regulated heavy vehicle is required to record information in the driver's written or electronic work diary under division 2; and (b) the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
100(1)	The driver must, before driving a fatigue regulated heavy vehicle for the new record keeper, give the new record keeper a copy of information recorded in a work diary the driver was									23/03/2012	30/12/9999		
100(2)	required to keep in the 28 days before the change happened that relates to that 28 day period. Maximum penalty—20 penalty units.	3	0	0	3	TRUE	FALSE	FALSE	FALSE			FALSE	1
100(3)	The new record keeper must obtain the information mentioned in subsection (2) before the driver starts driving a fatigue regulated heavy vehicle for the new record keeper. Maximum (3); and (b) the other person is also liable for an offence against subsection (3) as if the other person was the new record keeper mentioned in the subsection. Note— Under section 63, a record keeper who engages another person to carry out the record keeper's function under subsection (3) must give the engaged person written notification of the engaged person's liability under this subsection.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
100(4)	In a proceeding for an offence against subsection (2) or (3), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
100(5)	Record keeper must give printouts of information from electronic work diary	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
101	This section applies if the driver of a fatigue regulated heavy vehicle required to record information in the driver's written or electronic work diary under division 2 is using an electronic	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
101(1)	If the driver stops using the electronic work diary, the driver's record keeper must immediately give the driver a printout of the information recorded in the work diary for each day on	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
101(2)	the other person is also liable for an offence against subsection (2) as if the other person was the record keeper mentioned in the subsection. Note— Under section 63, a record keeper who engages another person to carry out the record keeper's function under subsection (2) must give the engaged person written notification of the engaged person's liability under this subsection.									23/03/2012	30/12/9999		
101(3)	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
101(4)	Division 4 Provisions about false representations relating to work records	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
102	False or misleading entries	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
102	A person must not record an entry in a work record that the person knows, or reasonably ought to know, is false or misleading in a material particular. Maximum penalty—60 penalty units.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
103	Possessing or using false or misleading work records prohibited	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
103	A person must not possess or use a work record that contains information the person knows, or reasonably ought to know, is false or misleading in a material particular. Maximum	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1

104	Keeping 2 work diaries simultaneously prohibited	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
104(1)	The driver of a fatigue regulated heavy vehicle must not have in the driver's possession more than 1 written work diary in which information can be recorded on a daily sheet. Note— The driver of a fatigue regulated heavy vehicle does not commit an offence against this subsection if the driver has another written work diary in the driver's possession in which information work diary. Example— The driver of a fatigue regulated heavy vehicle works for Mrs A and Mr B. The driver keeps a written work diary for work done for Mrs A and an electronic work diary for work done for Mr B. On a particular day, the driver works from 1p.m. to 5p.m. for Mrs A and from 6p.m. to 11p.m. for Mr B. The driver must record the information about the period between 1p.m. and 5p.m. in the written work diary kept for Mrs A, and the information for the period between 6p.m. and 11p.m. in the electronic work diary kept for Mr B. The driver must not record information about the period between 1p.m. and 5p.m., or the period between 6p.m. to 11p.m., in both the written work diary and electronic work diary. Maximum penalty—60	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
104(2)	For subsections (1) and (2), a reference to a written work diary includes a reference to a logbook issued under the repealed Transport Operations (Road Use Management—Fatigue	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
104(3)	Possession of purported work records etc. prohibited	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
105	The driver of a fatigue regulated heavy vehicle or a record keeper for a driver of a fatigue regulated heavy vehicle must not have in the driver's or record keeper's possession a thing purporting to be a work record if the driver or record keeper knows, or reasonably ought to know, that it is not a work record. Maximum penalty—60 penalty units.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
105(1)	If a record keeper for the driver of a fatigue regulated heavy vehicle has engaged another person (the engaged person) to keep, for the record keeper, a work record the record keeper is required to keep under this regulation, the reference to the record keeper in subsection (1) includes a reference to the engaged person.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
105(2)	If a record keeper for the driver of a fatigue regulated heavy vehicle has engaged a person as mentioned in subsection (2), the record keeper must not permit the engaged person to have in the engaged person's possession a thing purporting to be a work record if the record keeper knows, or reasonably ought to know, that it is not a work record. Maximum penalty—60	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
105(3)	In a proceeding for an offence against subsection (3), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
105(4)	False representation about work records prohibited	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
106	A person must not falsely represent that a work record, or an entry in a work record, was made by the person. Maximum penalty—60 penalty units.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
106	Division 5 Interfering with work records	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
106	Subdivision 1 Work records generally	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
107	Defacing or changing work records etc. prohibited	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
107	person giving an official a work record that the person knows is false or misleading in a material particular. 2 See section 98 for the requirement that a record keeper for the driver of a fatigue regulated heavy vehicle keep particular records in a way that ensures they are readable and reasonably capable of being understood and capable of being used as evidence.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
107	Maximum penalty—60 penalty units.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
108	Making entries in someone else's work records prohibited	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
108(1)	A person must not make an entry in someone else's work record. Maximum penalty—60 penalty units.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
108(2)	Subsection (1) does not apply to— (a) a person who— (i) makes an entry in another person's work diary under a work diary exemption applying to the other person; and (ii) is nominated by the other person to make the entry; or (b) an authorised officer; or (c) a party to a two-up driving arrangement— (i) signing the written work diary of the other party to the arrangement; or	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
109	Destruction of particular work records prohibited	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
109	If a work record is required under this part to be kept for a particular period by a person, the person or someone else must not destroy the record before the end of the period. Note— See section 98 for the period for which record keepers for drivers of fatigue regulated heavy vehicles are required to keep particular work records. Maximum penalty—60 penalty units.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
109	Subdivision 2 Electronic work diaries	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
110	Meaning of tampers	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
110(1)	malfunctioning; or (iii) alters any of the data recorded by the work diary; or (iv) could alter any of the data recorded by the work diary; or (v) results in inaccurate information being recorded by the work diary; or (vi) could result in inaccurate information being recorded by the work diary; and (b) the person either— (i) engages in that conduct with the intention of causing an effect mentioned in paragraph (a)(i), (iii) or (v); or (ii) is negligent or reckless as to whether that conduct would cause an effect mentioned in paragraph (a)(i), (iii) or (v).	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
110(2)	diary; and (b) the alteration or interference has or could have an effect mentioned in subsection (1)(a)(i), (iii) or (v); and (c) the person either— (i) engages in that conduct with the intention of causing an effect mentioned in subsection (1)(a)(i), (iii) or (v); or (ii) is negligent or reckless as to whether that conduct would cause an effect mentioned in subsection (1)(a)(i), (iii) or (v).	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
111	Person must not tamper with electronic work diary	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
111(1)	A person must not tamper with the operation of an electronic work diary. Maximum penalty—60 penalty units.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
111(2)	Subsection (1) does not apply to— (a) a person who is repairing a malfunctioning electronic work diary; or (b) an authorised officer; or (c) a person performing a function under the Act for In a proceeding for an offence against subsection (1) involving a person altering or otherwise interfering with any electronic signal that is sent to or from an electronic work diary, it is a	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
111(3)	defence if the person charged proves that the person was not aware, and could not reasonably be expected to have been aware, that the activity constituting the alleged tampering or Subsection (3) does not apply to— (a) the driver of a fatigue regulated vehicle who is using the electronic work diary; or (b) a record keeper for the driver mentioned in paragraph (a); or (c) a person engaged by a record keeper mentioned in paragraph (b) to carry out any of the following functions for the record keeper— (i) keep records relating to the electronic work diary	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
112	Person operating or maintaining electronic work diary must ensure it is not tampered with	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
112(1)	A person who operates or maintains an electronic work diary must not permit another person to tamper with the operation of the electronic work diary. Maximum penalty—60 penalty	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
112(2)	In a proceeding for an offence against subsection (1), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
113	Driver's record keeper must ensure electronic work diary is not tampered with	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
113(1)	A record keeper for the driver of a fatigue regulated heavy vehicle who uses an electronic work diary must not permit another person to tamper with the operation of the electronic work	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
113(2)	In a proceeding for an offence against subsection (1), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
114	IAP reporting entity must ensure electronic work diary is not tampered with	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
114(1)	This section applies if an electronic work diary being used by the driver of a fatigue regulated heavy vehicle includes or forms part of an approved intelligent transport system.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
114(2)	An IAP reporting entity for the system must not permit another person to tamper with the operation of the electronic work diary. Maximum penalty—60 penalty units.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
114(3)	In a proceeding for an offence against subsection (2), the person charged has the benefit of the reasonable steps defence for the offence. Note— See part 1, division 3 for the reasonable	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
116(7)	For subsections (4) to (6), a reference to a written work diary to be replaced under this section includes a reference to a logbook issued under the repealed Transport Operations (Road Use	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
117	Issue of written work diary	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
117(1)	The chief executive must issue a written work diary to the driver of a fatigue regulated heavy vehicle if the driver— (a) identifies himself or herself by showing the driver's current driver licence to the chief executive; and (b) pays the fee payable under this regulation for the issue of the work diary.	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
117(2)	If the chief executive issues a written work diary to the driver of a fatigue regulated heavy vehicle, the chief executive must note the date, time and place of issue on the written work diary.	3	3	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
117(3)	The chief executive may make other notes on the written work diary.	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
117(4)	the corresponding authority for that jurisdiction of— (i) the identifying number for the work diary; and (ii) the driver's name and driver licence number; and (iii) the date, time and place of the issue of the work diary; and (b) the chief executive must include with the notification either— (i) a statement of the reason why the chief executive issued the work diary; or (ii) a copy of the application the chief executive received for the issue of the work diary.	8	8	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
118	Division 7 Electronic recording systems to become electronic work diary	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
118	Subdivision 1 Approval of electronic recording systems	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
118	Application for approval of electronic recording system	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
118(1)	A person who wants to have an electronic recording system approved under this subdivision must apply to the chief executive for the approval. Examples of persons who may apply for an approval under this section— manufacturers of electronic recording systems, operators of fatigue regulated heavy vehicles, drivers of fatigue regulated heavy vehicles	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
118(2)	The application must be in the approved form.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
118(3)	The approved form must be the same as the form approved by the Australian Transport Council for the purpose.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1

119	Deciding application for approval	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
119(1)	The chief executive must, as soon as practicable after receiving an application for approval of an electronic recording system— (a) grant the approval, with or without conditions about the operation and maintenance of the electronic recording system to which the approval relates; or (b) refuse the application.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
119(2)	vehicle; and (b) has a mechanism that readily indicates to the driver of the fatigue regulated heavy vehicle to which it is fitted or in which it is used that the system is or is not properly functioning; and (c) is capable of accurately monitoring and recording the work times and rest times of the driver of the fatigue regulated heavy vehicle to which it is fitted or in which it is used, and of recording any other information the driver is required under this regulation to record in a work diary; and (d) if the system is to be fitted to a fatigue regulated heavy vehicle and is to be used by more than 1 driver of the vehicle, is capable of ensuring the following— (i) all of the information mentioned in paragraph (c) can be accurately monitored or recorded for each of the drivers; (ii) the details recorded by, or in relation to 1 of the drivers, are readily distinguishable from the details recorded by, or in relation to, the other drivers; (iii) the name In deciding whether or not to grant the approval, the chief executive must have regard to any guidelines for electronic recording systems for use under this regulation approved by the Australian Transport Council. Note— A copy of the approved guidelines may be obtained from the department's website.	13	0	0	13	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
119(3)	Steps after decision to grant approval	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
120	If the chief executive grants an approval under section 119, the chief executive must give the applicant— (a) a numbered certificate of approval; and (b) an electronic work diary label that the holder can use to create a copy for attaching to an electronic recording system the subject of the approval.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
120(1)	If the chief executive imposes conditions on the approval the certificate of approval given to the applicant must state the conditions.	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
120(2)	If the chief executive imposes conditions on the approval not sought by the applicant, the chief executive must give the applicant an information notice for the decision.	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
120(3)	Steps after decision to refuse application	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
121	If the chief executive decides not to grant an application for approval of an electronic recording system, the chief executive must give the applicant an information notice for the decision.	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
122	Effect of approval	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
122(1)	An approval of an electronic recording system granted under this subdivision covers any system that is identical to the system that was given to the chief executive for approval.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
122(2)	The conditions imposed on the approval under section 119 apply to each identical system that is covered by the approval.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
123	Requirement to notify users of conditions of approval	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
123(1)	This section applies if the chief executive grants an approval for an electronic recording system subject to conditions.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
123(2)	The holder of the approval must give each person to whom the holder supplies an electronic recording system the subject of the approval a written notice stating the conditions. Maximum penalty—60 penalty units.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
123(3)	Subdivision 2 Provisions about electronic work diary labels	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
124	Placing electronic work diary label on device	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
124(1)	A person may place on any device that is, or forms part of, an approved electronic recording system an electronic work diary label relating to the approval. Note— Under the definition of electronic work diary in schedule 6, placing an electronic work diary label on an approved electronic recording system makes the approved electronic recording system an electronic work diary.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
124(2)	A person must not place on any device an electronic work diary label if the device is not, or does not form part of, an approved electronic recording system to which the label relates.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
124(3)	A person must not place on any device any other label indicating that the device is, or is part of, an approved electronic recording system, if the device is not, or does not form a part of, an electronic work diary.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
125	Effect of electronic work diary label on device	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
125(1)	This section applies if a device has attached to it a label that is, or appears to be, an electronic work diary label.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
125(2)	know, that the device is not, or is not a part of, an approved electronic recording system. Example for subsection (2)— A record keeper for the driver of a fatigue regulated heavy vehicle gives the driver a device to which an electronic work diary label is attached for recording information required to be included in the driver's work diary under this regulation. The driver may rely on the label as indicating the device is, or a part of, an approved electronic recording system meaning the driver may record the required information in the device on the basis that it is an electronic work diary. However, the driver may not rely on the label if the driver knows, or reasonably ought to know the device is not, or is not a part of, an approved electronic recording system.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
126	Prohibition on using device as electronic work diary if it is not an approved electronic recording system	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
126(1)	A person must not use as an electronic work diary for this regulation any device that has attached to it an electronic work diary label if the person knows, or reasonably ought to know, that the device is not, or does not form part of, an approved electronic recording system to which the label relates. Maximum penalty—60 penalty units.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
126(2)	A person must not use as an electronic work diary for this regulation any device that has attached to it any other label indicating that the device is, or is part of, an approved electronic recording system, if the person knows, or reasonably ought to know, that the device is not, or does not form part of, an approved electronic recording system. Maximum penalty—60 penalty units.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
127	Subdivision 3 Amendment or cancellation of approval	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
127(1)	Amendment or cancellation of approval on application	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
127(2)	The holder of an approval of an electronic recording system may apply to the chief executive for an amendment or cancellation of the approval.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
127(3)	The application must— (a) be in writing; and (b) if it is for an amendment of the approval, state clearly the amendment sought and outline the reasons for the application.	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
127(4)	The chief executive may, by written notice given to the applicant, require the applicant to give the chief executive any additional information the chief executive reasonably requires to decide the application as soon as practicable after the chief executive receives it.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
127(5)	If the chief executive decides to grant the application, the chief executive must give the applicant written notice of that decision.	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
127(6)	If the chief executive decides to amend or cancel the approval, the chief executive must give the applicant written notice of that decision.	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
127(7)	The amendment or cancellation takes effect— (a) when written notice of the decision is given to the applicant; or (b) at a later time stated in the written notice.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
128	Amendment or cancellation of approval without application—grounds	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
128(1)	exists— (a) the application for the approval was false or misleading in a material particular, but the circumstances do not require its cancellation; (b) that— (i) since the approval was given, a change has happened in relation to something that the chief executive must consider in deciding whether to give an approval of that kind; and (ii) the approval would have been given as it is proposed to be after the amendment if the change had happened before the approval was given.	3	3	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
128(2)	exists— (a) the application for the approval was false or misleading in a material particular; (b) that— (i) since the approval was given, a change has happened in relation to something that the chief executive must consider in deciding whether to give an approval of that kind; and (ii) the approval would not have been given if the change had happened before the approval was given.	3	3	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
129	Amendment or cancellation of approval without application—procedure	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
129(1)	of the approval a written notice that— (a) states the proposed amendment or cancellation; and (b) states the ground for the proposed amendment or cancellation; and (c) outlines the facts and circumstances forming the basis for the ground; and (d) invites the holder to state in writing, within a stated time of at least 14 days after the notice is given to the holder, why the approval should not be amended or cancelled.	7	7	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
129(2)	If, after considering any written statements made within the stated time, the chief executive is reasonably satisfied a ground exists to take the proposed action, the chief executive may— (a) if the proposed action is to amend the approval in a stated way—amend the approval in that way; or (b) if the proposed action is to cancel the approval—cancel the approval, or amend the approval.	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
129(3)	The chief executive must give the holder written notice of the chief executive's decision.	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
129(4)	If the chief executive decides to amend or cancel the approval, the chief executive must also give the holder an information notice for the decision.	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
129(5)	The amendment or cancellation takes effect— (a) when written notice of the decision, and the reasons for the decision, is given to the holder; or (b) at a later time stated in the written notice.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
130	Alternative to cancelling approval	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
130(1)	This section applies if, under section 128, the chief executive is reasonably satisfied a ground exists to cancel an approval of an electronic recording system.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
130(2)	Instead of cancelling the approval, the chief executive may, by written notice to the holder of the approval, permit the continued use of an electronic recording system the subject of the approval.	3	3	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
130(3)	If the chief executive decides to permit the continued use only for a stated period or subject to stated conditions, the written notice under subsection (2) must be or include an information notice for the decision.	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
130(4)	For subsection (2)— (a) the approval is taken to be continued under this section; and (b) an electronic recording system the subject of the approval continues to be an approved electronic recording system.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
130(5)	However, only an electronic recording system the subject of the approval that is being used as an electronic work diary on the day the chief executive makes a decision under subsection (2) is an approved electronic recording system.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
130(6)	Also, an electronic recording system covered by the approval is an approved electronic recording system only if it is being used in compliance with the conditions stated in the notice.	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1

131	Requirements if approval amended	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
131(1)	This section applies if under this division the chief executive amends an approval of an electronic recording system to change the conditions about the operation and maintenance of the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
131(2)	The holder of the approval must give each person to whom the holder has supplied an electronic recording system the subject of the approval a written notice stating the amended person has supplied an electronic recording system the subject of the approval. Example for subsection (3)— The holder of an approval is a manufacturer and the manufacturer has supplied an electronic recording system the subject of the approval to an operator of a fatigue regulated heavy vehicle who has supplied the system to the driver of the vehicle. If, under subsection (2), the manufacturer gives the operator a written notice stating the amended conditions of the approval, the operator must give the driver a copy of the notice. Maximum	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
131(3)	In this section— amended conditions, of an approval of an electronic recording system that has been amended under this division, means the conditions of the approval as they apply after Requirements if approval cancelled	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
131(4)	This section applies if under this division the chief executive cancels an approval of an electronic recording system.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
132	Requirements if approval cancelled	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
132(1)	The holder of the approval— (a) must remove from any electronic recording system in the holder's possession any electronic work diary label relating to the approval; and (b) must notify in writing each person to whom the holder has supplied an electronic recording system the subject of the approval that— (i) the approval has been cancelled; and (ii) any electronic work recording system the subject of the approval that— (a) the approval has been cancelled; and (b) any electronic work diary label relating to the approval on an electronic recording system still in the other person's possession must be removed. Example for subsection (3)— The holder of an approval is a manufacturer and the manufacturer has supplied an electronic recording system the subject of the approval to an operator of a fatigue regulated heavy vehicle who has supplied the system to the driver of the vehicle. If, under subsection (2)(b), the manufacturer notifies the operator of the approval's cancellation, the operator must notify the driver of the cancellation and the requirement to remove any electronic work diary label relating to the	5	0	0	5	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
132(2)	A person who is aware that the approval of an electronic recording system in the person's possession has been cancelled must remove from the system any electronic work diary label	7	0	0	7	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
132(3)	In this section— holder, of an approval of an electronic recording system that has been cancelled, means the person who, immediately before the cancellation took effect, held the Requirements if effect of approval continued instead of cancelled	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
132(4)	This section applies if under section 130 the chief executive decides to permit the continued use of an electronic recording system the subject of an approval instead of cancelling the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
132(5)	The holder of the approval must give each person to whom the holder has supplied an electronic recording system the subject of the approval a written notice stating the relevant matters has supplied an electronic recording system the subject of the approval. Example for subsection (3)— The holder of an approval is a manufacturer and the manufacturer has supplied an electronic recording system the subject of the approval to an operator of a fatigue regulated heavy vehicle who has supplied the system to the driver of the vehicle. If, under subsection (2), the manufacturer gives the operator a written notice stating the relevant matters for the approval, the operator must give the driver a copy of the notice. Maximum penalty—60 penalty chief executive made the decision; (b) that the approval permits the continued use of an electronic recording system the subject of the approval if the system was in existence when the chief executive made the decision and is used in compliance with the conditions of the continued use; (c) the period for which the approval permits the continued use of an electronic recording system the subject of the approval; (d) the conditions applying to the continued use of an electronic recording system the subject of the approval.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
133	Part 5 Accreditation and exemptions	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
133(1)	Division 1 Preliminary	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
133(2)	Who is an associate of an operator of a fatigue regulated heavy vehicle operator are members of the same household; or (c) the person and operator are partners; or (d) the person and operator are both trustees or beneficiaries of the same trust, or either the person or operator is a trustee and the other is a beneficiary of the same trust; or (e) either the person or operator is a body corporate and the other is a director or member of the governing body of the body corporate; or (f) either the person or operator is a body corporate (other than a public company whose shares are listed on a stock exchange) and the other is a shareholder in the body corporate; or (g) the person and operator are related bodies corporate within the meaning of the Corporations Act; or (h) a chain of relationships can be traced	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
134	Division 2 BFM accreditation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
134(1)	Subdivision 1 Obtaining BFM accreditation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
135	Applying for BFM accreditation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
135(1)	An operator of a fatigue regulated heavy vehicle may apply to the chief executive for BFM accreditation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
135(1A)	The application can only be made for a period of not longer than 3 years.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
135(2)	ensuring compliance with the BFM standards and business rules; (b) a statement from an approved auditor that the auditor considers the operator's BFM fatigue management system will ensure compliance with the BFM standards and business rules; (c) any other information required for the application under the BFM standards and business rules; (d) if the operator does not have an interception book for each fatigue regulated heavy vehicle to be operated under the accreditation— (i) a request for the interception book; and (ii) any fee payable under this regulation for the interception book; (e) the fee payable under this regulation for the application.	7	0	0	7	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
135(3)	operator's knowledge of the following information— (a) whether, in the 5 years immediately before the application was made, the operator or an associate of the operator has been convicted for a contravention of a law that is or was a transport Act or a corresponding law to a transport Act and, if so, details of the contravention; (b) whether the operator or an associate of the operator has had the operator's or associate's BFM accreditation or AFM accreditation amended, suspended or cancelled under the Act or a corresponding fatigue law and, Subsection (3)(b) does not require the operator to declare information about an amendment, suspension or cancellation of a BFM accreditation or AFM accreditation that happened because of a conviction, if the operator is not required to declare the information about the conviction under subsection (3)(a).	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
135(4)	The applicant must also provide any other relevant information reasonably required by the chief executive to decide the application.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
135(5)	The applicant must also provide any other relevant information reasonably required by the chief executive to decide the application.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
135(6)	In this section— transport Act does not include— (a) the Queensland Road Rules; or (b) a regulation made under the Act applying to the transport of dangerous goods.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
136	Deciding application for BFM accreditation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
136(1)	The chief executive must, as soon as reasonably practicable after receiving an application for BFM accreditation— (a) grant the accreditation; or (b) refuse the accreditation.	3	3	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
136(1A)	accreditation— •a condition that a named driver can not drive under the operator's BFM accreditation for a stated period •a condition that a named employee or associate of the operator can not be involved in the operator's BFM fatigue management system at all or for a stated period (b) if the applicant does not ask for a specific period of accreditation—for a period of not longer than 3 years; or (c) if the applicant asks for a specific period of accreditation of not longer than 3 years—for a period that is less than the period sought by the applicant.	3	3	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
136(2)	provided to the chief executive under section 135(2) and (5); and (ii) the matters to which the chief executive may or must have had regard under subsection (3); and (b) the applicant is a suitable person to be granted BFM accreditation, having regard to— (i) the information provided to the chief executive under section 135(3) and (5); and (ii) the matters to which the chief executive may or must have had regard under subsection (3).	6	6	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
136(3)	operator's BFM fatigue management system, or proposed BFM fatigue management system; and (b) must have regard to— (i) any relevant advice given to the chief executive by the fatigue authorities panel; and (ii) any guidelines in relation to BFM accreditation issued by the fatigue authorities panel by notice published in the Commonwealth gazette. Note— A copy of the guidelines may be obtained from the department's website.	3	3	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
137	Steps if BFM accreditation granted	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
137(1)	If the chief executive decides to grant a BFM accreditation, the chief executive must issue the applicant an accreditation certificate that is in the form approved by the Australian Transport Council. Note— A copy of the approved form may be obtained from the department's website.	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
137(2)	The accreditation certificate must state the following— (a) the operator has been granted BFM accreditation; (b) the details of the accreditation, including— (i) the number identifying the	3	3	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
137(3)	The BFM accreditation takes effect— (a) when the accreditation certificate is issued to the applicant; or (b) if a later time is stated in the certificate, at the later time.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
137(4)	The BFM accreditation applies for the period of not longer than 3 years stated in the accreditation certificate.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
137(5)	Subsection (6) applies if the chief executive decides— (a) to impose a condition on the BFM accreditation that was not sought by the applicant; or (b) to grant the BFM accreditation— (i) if the applicant does not ask for a specific period of accreditation—for a period of less than 3 years; or (ii) if the applicant asks for a specific period of accreditation of not longer than 3	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
137(6)	The chief executive must give the applicant an information notice for the chief executive's decision.	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
138	Steps if BFM accreditation not granted	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
138	If the chief executive decides to refuse an application for BFM accreditation, the chief executive must give the applicant an information notice for the decision.	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
139	Subdivision 2 Operating under BFM accreditation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
139	Chief executive must issue interception book for vehicle	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
140	The chief executive must issue an operator of a fatigue regulated heavy vehicle who holds a BFM accreditation an interception book if the operator asks for an interception book and pays	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
140(1)	Conditions of BFM accreditation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
140(2)	A BFM accreditation is subject to the condition that the operator who holds the accreditation must comply with the BFM standards and business rules.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
140(3)	A BFM accreditation is also subject to any other conditions stated in the accreditation certificate for the accreditation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
140(3)	The holder of a BFM accreditation must comply with the conditions of the accreditation. Maximum penalty for subsection (3)—60 penalty units.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1

141	Driver must carry BFM accreditation details	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
141(1)	This section applies if the driver of a fatigue regulated heavy vehicle is working under a BFM accreditation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	the BFM accreditation, stating that the driver— (i) is working under the operator’s BFM accreditation; and (ii) has been inducted into the operator’s BFM fatigue management system; and (iii) meets the requirements relating to drivers under the operator’s BFM accreditation. Note— This subsection applies even if the driver and operator are the same person. Maximum penalty—20 penalty units.									23/03/2012	30/12/9999		
141(2)	If the operator of the vehicle has given the driver a document for the purposes of subsection (2), the driver must, within 2 business days, return the document to the operator if the driver— (a) stops operating under the operator’s BFM accreditation; or (b) no longer meets the requirements relating to drivers under the operator’s BFM accreditation. Maximum penalty—20 penalty units.	6	0	0	6	TRUE	FALSE	FALSE	FALSE			FALSE	1
141(3)	General requirements applying to operator with BFM accreditation	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
142	This section applies to an operator of a fatigue regulated heavy vehicle who holds a BFM accreditation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
142(1)	The operator must ensure that each driver who works under the accreditation— (a) is inducted into the operator’s BFM fatigue management system; and (b) at all times, meets the requirements relating to drivers under the operator’s BFM accreditation.	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
142(2)	The operator must keep— (a) the accreditation certificate for the BFM accreditation; and (b) a current list of drivers operating under the operator’s BFM accreditation; and (c) records demonstrating that each of the drivers— (i) has been inducted into the operator’s BFM fatigue management system; and (ii) meets the requirements relating to drivers under the BFM accreditation.	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
142(3)	The operator must keep a document required to be kept under subsection (3) for the following period— (a) for an accreditation certificate—while the BFM accreditation is current; (b) for each list made under subsection (3)(b)—at least 3 years after the list is made; (c) for each record made under subsection (3)(c)—at least 3 years after the record is made. Maximum penalty—20 penalty units.	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
142(4)	The operator must keep a document required to be kept under subsection (3) in a way that ensures it is— (a) reasonably accessible to an authorised officer; and (b) readable and reasonably capable of being understood; and (c) capable of being used as evidence. Maximum penalty—20 penalty units.	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
142(5)	The chief executive may require the operator to give the chief executive, in the form and within the time required by the chief executive— (a) a copy of the list mentioned in subsection (3)(b); and (b) a copy of the document required to be kept under subsection (3)(c). Maximum penalty for subsection (7)—20 penalty units.	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
142(6)	The operator must comply with a requirement made under subsection (6). Maximum penalty for subsection (7)—20 penalty units.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
143	Operator must give notice of amendment, suspension or ending of accreditation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
143(1)	This section applies if— (a) an operator of a fatigue regulated heavy vehicle holds a BFM accreditation; and (b) the BFM accreditation is amended or suspended, or the operator ceases to hold a BFM accreditation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
143(2)	The operator must as soon as practicable after the amendment, suspension or cessation happens give notice of the amendment, suspension or cessation to any driver of, or scheduler for, a fatigue regulated heavy vehicle who may be affected by the amendment, suspension or cessation. Maximum penalty—30 penalty units.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
143(3)	If the driver of a fatigue regulated heavy vehicle is given a notice under subsection (2), the driver must, within 2 business days, return to the operator any document given to the driver by the operator.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	Subdivision 1 Obtaining AFM accreditation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
144	Applying for AFM accreditation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
144(1)	An operator of a fatigue regulated heavy vehicle may apply to the chief executive for AFM accreditation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
144(1A)	The application can only be made for a period of not longer than 3 years.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	operator has an AFM fatigue management system for ensuring compliance with the AFM standards and business rules; (c) a statement from an approved auditor that the auditor considers the operator’s AFM fatigue management system will ensure compliance with the AFM standards and business rules; (d) any other information required for the application under the AFM standards and business rules; (e) if the operator does not have an interception book for each fatigue regulated heavy vehicle to be operated under the accreditation— (i) a request for the interception book; and (ii) any fee payable under this regulation for the interception book; (f) the fee payable under this regulation for the application.									23/03/2012	30/12/9999		
144(2)	operator’s knowledge of the following information— (a) whether, in the 5 years immediately before the application was made, the operator or an associate of the operator was convicted for a contravention of a law that is or was a transport Act or a corresponding law to a transport Act and, if so, details of the contravention; (b) whether the operator or an associate of the operator has had the operator’s or associate’s BFM accreditation or AFM accreditation amended, suspended or cancelled under the Act or a corresponding fatigue law and, if so, details of the amendment, suspension or cancellation of a BFM accreditation or AFM accreditation that happened because of a conviction, if the operator is not required to declare the information about the conviction under subsection (3)(a).	8	0	0	8	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
144(3)	The applicant must also provide any other relevant information reasonably required by the chief executive to decide the application.	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
144(4)	In this section— transport Act does not include— (a) the Queensland Road Rules; or (b) a regulation made under the Act applying to the transport of dangerous goods.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
145	Deciding application for AFM accreditation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
145(1)	The chief executive must, as soon as reasonably practicable after receiving an application for AFM accreditation— (a) grant the accreditation; or (b) refuse the accreditation.	3	3	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
	accreditation— •a condition that a named driver can not drive under the operator’s AFM accreditation for a stated period •a condition that a named employee or associate of the operator can not be involved in the operator’s AFM fatigue management system at all or for a stated period •a condition requiring additional records to be kept, and audits to be performed, to ensure that the driver fatigue management practices applying under the accreditation are followed consistently and effectively (b) setting work and rest hours limits that are different to the work and rest hours limits sought by the applicant; or (c) if the applicant does not ask for a specific period of accreditation—for a period of not longer than 3 years; or (d) if the applicant is a suitable person to be granted AFM accreditation, having regard to— (i) the information provided to the chief executive under section 144(3) or (5); and (ii) the matters to which the chief executive may or must have had regard under subsection (3); and (b) the applicant is a suitable person to be granted AFM accreditation, having regard to— (i) the information provided to the chief executive under section 144(3) or (5); and (ii) the matters to which the chief executive may or must have had regard under subsection (3); and (c) the driver fatigue management practices, including proposed work and rest hours limits, stated in the operator’s AFM fatigue management proposal would, if followed, safely manage the risk of driver fatigue; and (d) the operator and drivers operating under the accreditation are likely to follow the AFM fatigue management system, or proposed AFM fatigue management system; and (ii) for assessing the operator’s AFM fatigue management proposal—any relevant body of fatigue knowledge; and (b) must have regard to— (i) any relevant advice given to the chief executive by the fatigue authorities panel; and (ii) any guidelines in relation to AFM accreditation issued by the fatigue authorities panel by notice published in the Commonwealth gazette. Note— A copy of the guidelines may be obtained from the department’s website.									23/03/2012	30/12/9999		
145(1A)	between work, rest, risk management and fatigue countermeasures; and (b) must not set limits— (i) that allow a driver to work more than the work time allowed, or to have less than the rest time required, under the AFM outer limits; or (ii) that the chief executive considers would be unsafe, having regard to the operator’s AFM fatigue management proposal and any relevant body of fatigue knowledge. Note— See section 57 for the AFM outer limits for drivers of a fatigue regulated heavy vehicle operating under AFM hours.	4	4	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
145(2)	Steps if AFM accreditation granted	3	3	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
146	If the chief executive decides to grant an AFM accreditation, the chief executive must issue the applicant an accreditation certificate that is in the form approved by the Australian Transport Council. Note— A copy of the approved form may be obtained from the department’s website.	4	4	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
146(1)	The accreditation certificate must state the following— (a) the operator has been granted AFM accreditation; (b) the details of the AFM accreditation, including— (i) the number identifying the accreditation; and (ii) the work and rest hours limits applying under the accreditation; and (iii) any conditions imposed on the accreditation by the chief executive.	5	5	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
146(2)	The AFM accreditation takes effect— (a) when the accreditation certificate is issued to the applicant; or (b) if a later time is stated in the certificate, at the later time.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
146(3)	The AFM accreditation applies for the period of not longer than 3 years stated in the accreditation certificate.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
146(4)	work and rest hours limits that are different to the work and rest hours limits sought by the applicant; or (c) to grant the AFM accreditation— (i) if the applicant does not ask for a specific period of accreditation—for a period of less than 3 years; or (ii) if the applicant asks for a specific period of accreditation of not longer than 3 years—for a period that is less than the period sought by the applicant.									23/03/2012	30/12/9999		
146(5)	The chief executive must give the applicant an information notice for the chief executive’s decision.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
146(6)	Steps if AFM accreditation not granted	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
147	If the chief executive decides to refuse an application for AFM accreditation, the chief executive must give the applicant an information notice for the decision.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
148	Subdivision 2 Operating under AFM accreditation	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
149	Chief executive must issue interception book for vehicle	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
148	The chief executive must issue an operator of a fatigue regulated heavy vehicle who holds an AFM accreditation an interception book if the operator asks for an interception book and pays the fee for the interception book.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
149	Conditions of AFM accreditation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
149(1)	An AFM accreditation is subject to the condition that the operator who holds the accreditation must comply with the AFM standards and business rules.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
149(2)	An AFM accreditation is also subject to any other conditions stated in the accreditation certificate for the accreditation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
149(3)	The holder of an AFM accreditation must comply with the conditions of the accreditation. Maximum penalty for subsection (3)—60 penalty units.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1

159	Applying for exemption generally	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
159(1)	An application for an exemption must be made in writing to the chief executive. applicant is the driver of a fatigue regulated heavy vehicle—the address of the driver’s base and record location; (d) if the applicant is an employer of drivers of fatigue regulated heavy vehicles—the address of the record locations for the drivers to be covered by the exemption; (e) the period, of not longer than 3 years, for which the exemption is sought; (f) any conditions to which the exemption is sought to be subject.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
159(2)	Additional requirement for application for work and rest hours exemption	8	0	0	8	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
160	the exemption; and (b) state the proposed maximum periods of work and minimum periods of rest that would be followed by the drivers operating under the exemption; and (c) if the proposed maximum periods of work and minimum periods of rest to apply under the exemption could be accommodated within a BFM accreditation or AFM accreditation— (i) state the driver fatigue management practices that would be followed by the applicant and the drivers operating under the exemption; and (ii) show how the practices would safely manage fatigue risks; and (iii) show how the requirements applying to BFM accreditation or AFM accreditation would be unreasonable for the operations conducted by persons to which the exemption is to apply, having regard to the nature of the operations; and (d) if the proposed maximum periods of work and minimum periods of rest to apply under the exemption exceed the maximum	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
160	Additional requirement for application for work diary exemption based upon driver’s illiteracy	11	0	0	11	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
161	An application for a work diary exemption on the basis of the matters mentioned in section 158(3)(a) must also— (a) nominate a person (the nominee) to make written work records for the driver of a fatigue regulated heavy vehicle to which the exemption is to apply; and (b) must be accompanied by the nominee’s written agreement to the nomination.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
161	Additional requirement for application for work diary exemption based upon infrequency of 200+km work	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
162	An application for a work diary exemption on the basis of the matters mentioned in section 158(3)(b) must also include details of the following— (a) the 200km work the driver of a fatigue regulated heavy vehicle to which the exemption is to apply (the driver) normally engages in; (b) the 200+km work to be engaged in by the driver for which the exemption is to apply,	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
163	Chief executive may request further information	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
163	The chief executive may, by written notice given to the applicant for an exemption, require the applicant to give the chief executive any additional information the chief executive	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
164	Deciding application for exemption	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
164(1)	The chief executive must, as soon as practicable after receiving an application for an exemption— (a) grant the exemption; or (b) refuse the application. Without limiting subsection (1)(a), the chief executive may grant the exemption— (a) with or without conditions; or (b) for a work and rest hours exemption under section 157—in a way	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
164(2)	that does not cover all the persons sought by the applicant; or (c) setting maximum periods of work and minimum periods of rest that are different to the periods of work and the periods	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
165	Steps if exemption granted	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
165(1)	If the chief executive grants an exemption, the chief executive must give the applicant a written notice (exemption notice) stating the details of the exemption, including any conditions	3	3	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
165(2)	An exemption takes effect— (a) when the exemption notice is given to the applicant; or (b) if a later time is stated in the exemption notice, at the later time.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
165(3)	An exemption applies for the period of not longer than 3 years stated in the exemption notice. under section 157 in a way that does not cover all the persons sought by the applicant; or (c) to grant a work and rest hours exemption under section 157 setting maximum periods of work and minimum periods of rest that are different to the periods of work and the periods of rest sought by the applicant; or (d) to grant an exemption for a period that is less than the period	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
165(4)	of not more than 3 years sought by the applicant.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
165(5)	The chief executive must give the applicant an information notice for the decision.	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
166	Steps if exemption not granted	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
166	If the chief executive decides to refuse the application, the chief executive must give the applicant an information notice for the decision.	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
167	Subdivision 4 Operating under exemption	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
167	Compliance with conditions of exemption	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
167(1)	A person to whom a work and rest hours exemption or work diary exemption applies must comply with the conditions of the exemption. Maximum penalty—60 penalty units. In this section— conditions means— (a) for a class work and rest hours exemption—the conditions stated in the gazette notice for the exemption; or (b) for a work and rest hours	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
167(2)	exemption granted under section 157 or a work diary exemption—the conditions stated in the exemption notice for the exemption.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
168	Driver must carry copy of gazette notice or exemption notice	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
168(1)	This section applies if the driver of a fatigue regulated heavy vehicle is working under a work and rest hours exemption or work diary exemption. exemption; (b) if the driver is working under a work and rest hours exemption granted under section 157 or a work diary exemption—the exemption notice for the exemption. Note—	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
168(2)	Under section 49 of the Act, an authorised officer may require the driver of a fatigue regulated heavy vehicle to produce for inspection the gazette notice or exemption notice required to be kept under this section. Maximum penalty—20 penalty units. If the driver of a fatigue regulated heavy vehicle is operating under an exemption held by a relevant party for the driver and the relevant party has given the driver an exemption notice for the purpose of subsection (2), the driver must, within 2 business days, return the exemption notice to the relevant party if the driver— (a) stops working for the relevant party; or (b) stops	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
168(3)	operating under the relevant party’s exemption; or (c) no longer meets the requirements relating to drivers under the relevant party’s exemption. Maximum penalty—20 penalty units. In this section— exemption notice, for an exemption, includes a copy of the exemption notice for the exemption. relevant party, for the driver of a fatigue regulated heavy vehicle, means—	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
168(4)	(a) an employer of the driver, if the driver is an employed driver; or (b) a prime contractor of the driver, if the driver is a self-employed driver; or (c) an operator of the vehicle if the driver	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
169	Division 7 Amendment or cancellation of accreditation or exemption upon application	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
169	Definition for div 7	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
169	In this division— exemption means— (a) a work and rest hours exemption granted under section 157; or (b) a work diary exemption.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
170	Application for amendment or cancellation of accreditation or exemption	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
170(1)	A person may apply to the chief executive for an amendment or cancellation of the person’s BFM accreditation, AFM accreditation or exemption.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
170(2)	The application must— (a) be in writing; and (b) if the application is for an amendment—state clearly the amendment sought and the reasons for the amendment; and (c) be accompanied	5	0	0	5	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
170(3)	The chief executive may, by written notice given to the applicant, require the applicant to give the chief executive any additional information the chief executive reasonably requires to	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
170(4)	The chief executive must decide the application as soon as practicable after receiving it.	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
171	Steps if amendment or cancellation made	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
171(1)	If the chief executive decides to grant the application, the chief executive must give the applicant written notice of the decision.	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
171(2)	The amendment or cancellation takes effect— (a) when written notice of the decision is given to the applicant; or (b) if a later time is stated in the written notice, at the later time.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
172	Steps if amendment or cancellation not made	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
172	If the chief executive decides not to amend or cancel the accreditation or exemption, as sought by the applicant, the chief executive must give the applicant an information notice for the	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
173	Division 8 Other provisions about accreditations and exemptions	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
173	Return of accreditation certificate or exemption notice	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
173(1)	If a person’s BFM accreditation, AFM accreditation or exemption is amended or cancelled under the Act, the chief executive may, by written notice, require the person to return the	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
173(2)	The person must comply with the notice within 7 days after the notice is given to the person or, if a longer period is stated in the notice, within the longer period. Maximum penalty—60	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
173(3)	If the accreditation or exemption has been amended, the chief executive must give the person a replacement accreditation certificate or exemption notice for the accreditation or	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
173(4)	In this section— exemption means— (a) a work and rest hours exemption granted under section 157; or (b) a work diary exemption.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
174	Replacement of lost etc. accreditation certificate or exemption notice	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
174(1)	business days, apply to the chief executive for a replacement accreditation certificate or exemption notice. Note— See— (a) section 142 for the requirement to keep an accreditation certificate for a BFM accreditation while the accreditation is current; and (b) section 151 for the requirement to keep an accreditation certificate for an AFM accreditation while the accreditation is current. Maximum penalty—60 penalty units.	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
174(2)	If the chief executive is satisfied that the accreditation certificate or exemption notice has been defaced, destroyed, lost or stolen, the chief executive must give the person a replacement	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
174(3)	If the chief executive decides not to give a replacement accreditation certificate or exemption notice to the person, the chief executive must give the person an information notice for the	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
175	Offence to falsely represent that accreditation or exemption is held	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
175(1)	A person must not falsely represent— (a) that the person holds a BFM accreditation, AFM accreditation or exemption that the person does not hold; or (b) that the person is operating	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
175(2)	under a BFM accreditation, AFM accreditation or exemption that the person is not entitled to work under. Maximum penalty—60 penalty units. A person must not represent that the person is operating under a BFM accreditation, AFM accreditation or exemption if the accreditation or exemption is no longer in force. Maximum	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1
175(3)	A person must not possess a document that falsely purports to be— (a) an accreditation certificate for a BFM accreditation or AFM accreditation; or (b) a gazette notice or exemption notice for an exemption; or (c) a copy of a document mentioned in paragraph (a) or (b); or (d) a document mentioned in section 141(2)(b) or 150(2)(b) or (c). Maximum penalty—60 penalty	8	0	0	8	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	FALSE	1

190	Acts Interpretation Act 1954, s 20 not limited	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
190	This part does not limit the Acts Interpretation Act 1954, section 20.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
190A	Infringement notice offences	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
190A(1)	This section applies if a provision of this part continues the effect of a provision of the repealed regulation that creates an offence (the old offence) in relation to which the State Penalties	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
190A(2)	The State Penalties Enforcement Regulation 2000 as in force immediately before 29 September 2008 continues to apply in relation to the old offence after the commencement of this	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	Division 2 Transitional provisions about work and rest hours option	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	Subdivision 1 Continuing particular work and rest hours arrangements	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
191	Exemption to apply to particular drivers	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
191(1)	The chief executive must, by gazette notice, grant an exemption complying with this section that allows drivers of fatigue regulated heavy vehicles to work under the maximum periods of	4	4	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
191(2)	The maximum periods of work stated in the exemption must be the same as, or equivalent to, maximum driving times and maximum work times applying to drivers under the repealed	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
191(3)	The exemption— (a) must be granted for a period of 6 months starting at the commencement; and (b) may be subject to conditions the chief executive considers appropriate.	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
191(4)	The exemption may be granted before the commencement.	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
191(5)	Despite subsection (4), the exemption takes effect at the commencement and applies for 6 months after the commencement.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
191(6)	The exemption is taken to be a class work and rest hours exemption for the provisions of this regulation other than section 59.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
191(7)	However, subsection (6) does not require the driver of a fatigue regulated heavy vehicle who does not engage in 200+km work to comply with part 4 of this regulation until 14 days after	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
191(8)	Also, the application of part 4 in relation to the driver of a fatigue regulated heavy vehicle driving under the exemption is subject to section 196.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
191(9)	The gazette notice is not subordinate legislation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
191(10)	However, the Statutory Instruments Act 1992, sections 49 to 51 apply to the gazette notice as if it were subordinate legislation. Note— These provisions deal with the tabling in, and	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
192	BFM hours apply to particular drivers	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	This section applies to the driver of a fatigue regulated heavy vehicle who is registered as a driver participant in the TFMS or a corresponding TFMS. Note— See— (a) section 207 for the												
192(1)	continuation of registrations in the TFMS or a corresponding TFMS in existence at the commencement; and (b) section 208, 225 or 227 for other provisions under which a person may be	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	corresponding certification manual as defined under the repealed regulation; and (b) the driver complies with the driver TFMS requirements applicable to the driver; and (c) if the driver is												
	an employed driver— (i) the driver's employer is registered as an employer participant in the TFMS; and (ii) the driver's employer complies with the employer TFMS requirements												
	applicable to the employer. Notes— 1 If the driver of a fatigue regulated heavy vehicle to which this section applies does not comply with this subsection, part 3 of this regulation applies to												
192(2)	the driver (unless the driver is driving the vehicle under section 191 or 193). 2 See section 209 for the continued application of particular provisions of the repealed regulation to a person	4	0	0	4	TRUE	FALSE	FALSE	FALSE			TRUE	1
192(3)	Subsection (2) stops applying to the driver if the driver starts operating under a 2008 regulation arrangement.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	For applying this regulation to the driver of a fatigue regulated heavy vehicle driving under subsection (2), other than for section 59, the driver is taken to be operating under the work and												
192(4)	rest hours option known as BFM hours as if the driver was operating under a BFM accreditation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	requirement under section 71(1)(e) to record the accreditation number of the BFM accreditation of the operator of the vehicle were a requirement to record— (i) for an employed												
	driver—the driver's employer's TFMS registration number; or (ii) for a self-employed driver—the driver's TFMS registration number; and (c) the driver's record keeper was— (i) for an												
	employed driver—the driver's employer; or (ii) for a self-employed driver—the driver.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
192(5)	However, subsection (5), does not require the driver of a fatigue regulated heavy vehicle who does not engage in 200+km work to comply with part 4 of this regulation until 14 days after	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
192(6)	Also, the application of part 4 in relation to the driver of a fatigue regulated heavy vehicle driving under subsection (2) is subject to section 196.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
192(7)	regulation, section 30 as if subsection (1)(a) of that section referred to the driver managing the driver's work time and rest time so the driver can comply with BFM hours. employer TFMS												
	requirements means the requirements applying under the repealed regulation, section 35 as if— (a) subsection (1)(a) of that section referred to the employer managing the driver's work												
192(8)	time and rest time so the driver is able to comply with BFM hours; and (b) subsection (1)(d)(ii) of that section included a reference to medical examinations undergone by the employer's	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
193	Hours under alternative compliance scheme continue to apply to particular drivers	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
193(1)	This section applies if, immediately before the commencement, the driver of a fatigue regulated heavy vehicle was subject to an alternative compliance scheme for the repealed regulation,	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	Until the end of 28 September 2009, the driver may drive a fatigue regulated heavy vehicle under the alternative work and rest hours applying under the alternative compliance scheme if												
193(2)	the driver complies with the conditions applying to the scheme under section 15(6) of the Act. Note— If the driver of a fatigue regulated heavy vehicle to which this section applies does not	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	For applying this regulation to the driver of a fatigue regulated driver driving under subsection (2)— (a) the driver's work and rest hours option is taken to be the alternative work and rest												
193(3)	hours applying under the scheme; and (b) other than for section 59, the driver is taken to be operating under maximum periods of work and minimum periods of rest applying to drivers of	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
193(4)	Subsections (2) and (3) stop applying to the driver if the driver starts operating under a 2008 regulation arrangement.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	In this section— alternative work and rest hours, applying under an alternative compliance scheme for the repealed regulation, part 2, means the maximum driving times, maximum work												
193(5)	times and minimum rest times applying to a person subject to the scheme that are different to the maximum driving times, maximum work times and minimum rest times that would	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	Subdivision 2 Transferring to new work and rest hours arrangements	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
194	Transferring to new work and rest hours arrangements on commencement	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	This section applies to the driver of a fatigue regulated heavy vehicle who on the commencement (changeover day) stops operating under an arrangement (existing arrangement)												
194(1)	mentioned in column 1 of the following table and starts operating under an arrangement (new arrangement) mentioned in column 2 of the table opposite the existing arrangement—	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
194(2)	The driver must continue to operate under the existing arrangement until the end of the first period of rest taken, as required under the existing arrangement, by the driver on the	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
194(3)	From the end of the relevant rest period, the driver must start operating under the new arrangement.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	For the changeover day, the driver is taken to have complied with the new arrangements for the day only if the driver has complied with— (a) the existing arrangement until the end of the												
194(4)	relevant rest period; and (b) the new arrangement from the end of the relevant rest period; and (c) the existing arrangement for any 24 hour period that includes any part of the	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
194(5)	In this section— arrangement means arrangement to the extent it relates to the maximum periods of work and minimum periods of rest that apply to the driver of a fatigue regulated	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
195	Transferring to new work and rest hours arrangements after commencement	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	This section applies to the driver of a fatigue regulated heavy vehicle who, under this regulation, on a day after the commencement (changeover day) stops operating under an												
195(1)	arrangement (existing arrangement) mentioned in column 1 of the following table and starts operating under an arrangement (new arrangement) mentioned in column 2 of the table	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
195(2)	The driver must continue to operate under the existing arrangement until the end of the first period of rest taken, required under the existing arrangement, by the driver on the changeover	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
195(3)	From the end of the relevant rest period, the driver must start operating under the new arrangement.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	For the changeover day, the driver is taken to have complied with the new arrangement for the day only if the driver has complied with— (a) the existing arrangement until the end of the												
195(4)	relevant rest period; and (b) the new arrangement from the end of the relevant rest period; and (c) the new arrangement for any 24 hour period that includes any part of the changeover	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	For the day immediately preceding the changeover day, the driver is taken to have complied with the existing arrangement for the day only if the driver has complied with— (a) the existing												
195(5)	arrangement until the end of the relevant rest period; and (b) the new arrangement from the end of the relevant rest period; and (c) the new arrangement for any 24 hour period that	4	0	0	4	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
195(6)	In this section— arrangement means arrangement to the extent it relates to the maximum periods of work and minimum periods of rest that apply to the driver of a fatigue regulated	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	Division 3 Transitional provisions about driving records	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	Subdivision 1 Continuing existing record keeping requirements for a period	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
196	Existing logbook requirements continue to apply if using existing logbook or approved DSMD	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
196(1)	This section applies if, at the commencement, the driver of a fatigue regulated heavy vehicle— (a) has a logbook issued under the repealed regulation that is not filled up; or (b) is using an	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
196(2)	The driver may continue to use the logbook or approved DSMD for the prescribed period if the driver complies with the repealed regulation, part 4 as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
196(3)	However, if the driver starts operating under a 2008 regulation arrangement, subsection (2) stops applying to the driver 14 days after the driver starts operating under the 2008 regulation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	For subsection (2)— (a) the repealed regulation, part 4 continues to apply in relation to the driver as if this regulation had not been made; and (b) the repealed regulation, sections 70 and												
196(4)	71 continue to apply, as if this regulation had not been made, in relation to the driver to the extent the sections relate to the driver committing a driving record offence as defined in the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
196(5)	Part 4 of this regulation does not apply in relation to the driver of a fatigue regulated heavy vehicle who is using a logbook or approved DSMD under subsection (2).	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	Subsection (5) applies only for the prescribed period for the driver. Note— For this regulation, a logbook issued under the repealed regulation, and a record made by an approved DSMD												
196(6)	within the meaning of the repealed regulation— (a) is a work record (see schedule 6, definition work record, paragraph (d)); and (b) under section 206, is taken to be a part of the driver's	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	In this section— prescribed period, for the driver of a fatigue regulated heavy vehicle, means the period— (a) starting at the commencement; and (b) ending when the first of the following												
196(7)	happens— (i) the driver obtains a written work diary under this regulation; (ii) the driver starts using an electronic work diary under this regulation; (iii) if the driver is using a logbook issued	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1

197	Requirements under alternative compliance scheme continue to apply	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
197(1)	This section applies if— (a) immediately before the commencement, the driver of a fatigue regulated heavy vehicle was subject to an alternative compliance scheme for the repealed regulation, parts 4 and 6; and (b) after the commencement, the driver drives a fatigue regulated heavy vehicle under section 193(2).	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
197(2)	requirements applying under the alternative compliance scheme if the driver complies with the conditions applying to the scheme under section 15(6) of the Act. Note— If the driver of a fatigue regulated heavy vehicle to which this section applies does not comply with the conditions mentioned in this subsection, the record keeping obligations under part 4 of this regulation apply in relation to the driver (subject to section 196).	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
197(3)	Part 4 of this regulation does not apply in relation to the driver of a fatigue regulated heavy vehicle if the driver and the driver's employer make records under subsection (2).	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
197(4)	Subsection (3) applies only for the period the driver drives a fatigue regulated heavy vehicle under section 193(2).	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
197(5)	In this section— alternative record requirement, applying under an alternative compliance scheme for the repealed regulation, parts 4 and 6, means the requirements about driving records applying to a person subject to the scheme that are different to the requirements about driving records and logbooks that would otherwise apply to the person under the repealed Subdivision 2 Continuing particular requirements after new record keeping requirements start applying	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
198	Definition for sdiv 2	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
198	In this subdivision— relevant day, for the driver of a fatigue regulated heavy vehicle, means the day part 4 of this regulation starts applying in relation to the driver instead of the repealed regulation, part 4. Note— See subdivision 1 for the period for which the repealed regulation, part 4 continues to apply in relation to particular drivers of fatigue regulated heavy vehicles.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
199	Particular information to be recorded by driver ceasing to engage in non-local area work	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
199(1)	This section applies if immediately before the relevant day for the driver of a fatigue regulated heavy vehicle— (a) the driver was required to continue to record information in the driver's logbook until the cut-off time under the repealed regulation, section 47(1); and (b) the cut-off time had not been reached.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
199(2)	The repealed regulation, section 47 continues to apply to the driver in relation to recording the information as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
199(3)	For subsection (2), the driver is taken to comply with the repealed regulation, section 47 if, instead of recording the information in the driver's logbook, the driver records the information in	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
200	Particular information to be recorded by employer of employed driver	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
200(1)	This section applies if immediately before the relevant day for the driver of a fatigue regulated heavy vehicle— (a) an employer of the driver was required to record information under the repealed regulation, section 52(1); and (b) the information had not been recorded because the period within which the information was required to be recorded had not passed.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
200(2)	The repealed regulation, section 52 continues to apply to the employer in relation to recording the information as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
201	Particular information to be recorded by self-employed driver	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
201(1)	This section applies if immediately before the relevant day for a self-employed driver of a fatigue regulated heavy vehicle— (a) the driver was required to record information under the repealed regulation, section 53(1); and (b) the information had not been recorded because the period within which the information was required to be recorded had not passed.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
201(2)	The repealed regulation, section 53 continues to apply to the driver in relation to recording the information as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
202	Particular driving records to be given to employers	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
202(1)	This section applies if immediately before the relevant day for an employed driver of a fatigue regulated heavy vehicle— (a) the driver was required to give the driver's employer a copy of a record under the repealed regulation, section 55; and (b) the copy had not been given to the driver's employer because the period within which the copy was required to be given had not	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
202(2)	The repealed regulation, sections 55 and 55A continue to apply in relation to the driver giving, and the employer obtaining, the copy as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
203	Non-local area work records to be kept	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
203(1)	This section applies if immediately before the relevant day for the driver of a fatigue regulated heavy vehicle— (a) a person was required to keep records, relating to the driver, under the repealed regulation, section 56(1) or (3); and (b) the minimum time for keeping the records under that section had not expired.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
203(2)	The repealed regulation, section 56 continues to apply to the person in relation to keeping the records as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
204	Local area work records to be kept	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
204(1)	This section applies if immediately before the relevant day for the driver of a fatigue regulated heavy vehicle— (a) a person was required to keep records, relating to the driver, under the repealed regulation, section 57(1) or (3); and (b) the minimum time for keeping the records under that section had not expired.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
204(2)	The repealed regulation, section 57 continues to apply to the person in relation to keeping the records as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
205	Requirements about destroyed etc. logbook	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
205(1)	This section applies if— (a) on the relevant day for the driver of a fatigue regulated heavy vehicle, the driver has a logbook issued under the repealed regulation; and (b) the logbook, or an earlier logbook within the meaning of the repealed regulation, section 58(2), contains information relating to a day, within the 28 days before the relevant day, on which the driver was	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
205(2)	The repealed regulation, section 58 continues to apply to the person in relation to the logbook, or earlier logbook, as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
206	Subdivision 3 Other transitional provision about record keeping requirements	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
206(1)	Driving records for non-local area work taken to be part of work diary	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
206(2)	This section applies if, on any day within the 28 days before the relevant day for the driver of a fatigue regulated heavy vehicle, the driver was engaged in non-local area work as defined under the repealed regulation, section 39. Note— See the repealed regulation, section 54 for the requirement for the driver to carry driving records relating to the 28 days before the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
206(2)	For part 4, division 2, subdivision 1 of this regulation, the driver's driving records, within the meaning of the repealed regulation, section 42 relating to the 28 days before the relevant day	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
207	Division 4 Transitional provisions about registration for TFMS	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
207(1)	Subdivision 1 Continuing effect of TFMS registration	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
207(2)	Existing TFMS registration continues for 12 months	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
207(3)	This section applies if, immediately before the commencement, a person is registered as a driver participant or employer participant in the TFMS under the repealed regulation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
208	The person's registration continues to have effect until the end of 28 September 2009.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
208(1)	Subsection (2)— (a) ceases to apply if— (i) the person's registration is cancelled under the Act; or (ii) the person's registration ends under section 210; and (b) does not apply during any period for which the person's registration is suspended under the Act. Note— Under section 192, a person whose registration as a driver participant in the TFMS is continued under this	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
208(2)	Existing applications for TFMS registration must be decided under repealed regulation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
208(3)	An application for registration as a participant in the TFMS made under the repealed regulation, section 77 before the commencement and not finally decided before the commencement	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
208(4)	If, under the repealed regulation, the chief executive registers the applicant as a participant in the TFMS— (a) the repealed regulation, section 81(3) and (4) continues in effect as if this regulation had not been made; and (b) the person's registration continues to have effect until the end of 28 September 2009. Note— Under section 192, a person who is registered as a	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
209	Subsection (2)(b)— (a) ceases to apply if— (i) the person's registration is cancelled under the Act; or (ii) the person's registration ends under section 210; and (b) does not apply during any	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
209(1)	If, under the repealed regulation, the chief executive decides not to register the applicant as a participant in the TFMS, the repealed regulation, section 81(5) and (6) continues in effect as if	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
209(2)	this regulation had not been made. Note— Section 222 provides for the review of a decision of the chief executive not to register the applicant as a participant in the TFMS under this	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
209(3)	Application of repealed regulation to TFMS registration	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
209(4)	This section applies to— (a) a person whose registration as a driver participant or employer participant in the TFMS under the repealed regulation is continued under section 207; or (b) a	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
209(5)	person who is registered as a driver participant or employer participant in the TFMS under section 208, 225 or 227.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
210	Subject to subsection (3), until the end of 28 September 2009, the following provisions of the repealed regulation continue to apply in relation to the person, or the person's registration, as	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
210	if this regulation had not been made— (a) sections 31 to 33, 36, 82 and 83; (b) part 7, divisions 2 to 4.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
211	The repealed regulation, section 91 applies under subsection (2) with the following changes— (a) the reference in the repealed regulation, section 91(1) to part 3 of the repealed regulation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
211	is taken to be a reference to the following— (i) BFM hours under this regulation; (ii) the requirements applying under section 192(2); (b) the reference in the repealed regulation, section	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
211	Without limiting subsection (2), a notice given by the chief executive under the repealed regulation, section 31, 32 or 36 before the commencement continues in force and the repealed	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
211	regulation section 31, 32 or 36 continues to apply in relation to the notice as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
211	Also, until the end of 28 September 2009, the repealed regulation, section 100 continues to apply to the person's registration as if— (a) this regulation had not been made; and (b) the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
211	reference in the repealed regulation, section 100(6) to part 2 of the repealed regulation were a reference to section 192 of this regulation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
211	Participant may end TFMS registration	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
211	A person's registration as a participant in the TFMS ends if the person gives the chief executive a written notice stating that— (a) the person wishes the person's registration to stop having	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
211	effect under this regulation; and (b) for a person registered as a driver participant in the TFMS, the person has destroyed the person's driver certification manual as defined under the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
211	Subdivision 2 Application of particular requirements after TFMS registration ends	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
211	Definitions for sdiv 2	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
211	In this subdivision— participant means a person who, on or after the commencement, was registered as a driver participant or employer participant in the TFMS under subdivision 1.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
211	relevant day, for a participant, means— (a) 29 September 2009; or (b) an earlier day after the commencement on which the participant's registration ends under the Act.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1

212	Obligation to comply with particular notices continue after registration ends	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
212(1)	This section applies if— (a) the driver of a fatigue regulated heavy vehicle operates under section 192 after the commencement; and (b) the chief executive gives the driver, or the driver’s employer, a notice under the repealed regulation, section 31, 32 or 36, as continued under section 209 of this regulation, before the relevant day; and (c) the notice has not been complied	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
212(2)	The notice continues to have effect and the repealed regulation, section 31, 32 or 36 continues to apply in relation to the notice as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
213	Application for replacement driver certification manuals taken to be withdrawn	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
213(1)	This section applies if a participant has made an application for a replacement driver certification manual under the repealed regulation, section 82 and the application has not been finally	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
213(2)	On the relevant day, the application is taken to be withdrawn.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
214	Requirement to return driver certification manual	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
214(1)	This section applies if the chief executive has given a participant a notice under the repealed regulation, section 87 before the relevant day for the participant.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
214(2)	The notice continues in force and the repealed regulation, section 87(2) continues to apply in relation to the notice as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
215	Reports of review to be kept	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
215(1)	This section applies if immediately before the relevant day for a participant— (a) the participant was required to keep a report under the repealed regulation, section 90(1); and (b) the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
215(2)	The repealed regulation, section 90 continues to apply to the participant in relation to the report as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
216	Division 5 Transitional provisions about exemptions Existing exemptions continue	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
216(1)	At the commencement, an exemption (existing exemption) given under the repealed regulation, section 95 and in force immediately before the commencement is taken to be— (a) if the existing exemption is a driving records exemption—a work diary exemption granted under this regulation; or (b) if the existing exemption is a regulated hours exemption—a work and rest	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
216(2)	Unless the exemption is cancelled under the Act, the exemption continues to apply for the term for which it was given under the repealed regulation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
217	Existing applications for exemption	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
217(1)	This section applies to an application for an exemption (existing application) made under the repealed regulation, section 95 and not finally decided before the commencement.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
217(2)	At the commencement, the existing application is taken to be an application made under this regulation for— (a) if the existing application is for a driving records exemption—a work diary exemption made under this regulation; or (b) if the existing application is for a regulated hours exemption—a work and rest hours exemption made under this regulation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
218	Division 6 Transitional provisions about enforcement matters Offences against repealed regulation continue as information offences	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
218	An offence against the repealed regulation involving a heavy vehicle is an information offence for section 50 of the Act, despite the repeal of the regulation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
219	Limited jeopardy continues	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
219	The repealed regulation, section 97 continues in effect for offences or contraventions of a regulated hours offence provision, or TFMS offence provision, mentioned in the section.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
220	Deferral on prohibition on driving continues	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
220(1)	This section applies if, before the commencement of this section, an authorised officer has, under the repealed regulation, section 98, deferred the start of a requirement made under	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
220(2)	The deferral continues in force and the repealed regulation, section 98(4) and (5) continue to apply in relation to the deferral as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
221	Requirement to give particular information continues	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
221(1)	This section applies if, before the commencement of this section, an authorised officer has asked a person for particular information under the repealed regulation, section 100.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
221(2)	The request continues in force and the repealed regulation, section 100(5) and (6) continues to apply in relation to the request as if— (a) this regulation had not been made; and (b) the reference in the repealed regulation, section 100(6) to part 2 of the repealed regulation included a reference to section 192 of this regulation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
222	Division 7 Transitional provisions about review and appeal Subdivision 1 Continuing review and appeal rights Reviews about particular decisions	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
222(1)	Subsection (2) applies if— (a) a person has made an application under the repealed regulation for a review of a decision mentioned in the repealed regulation, schedule 1; and (b) a decision on the application for review has not been made before the commencement of this section.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
222(2)	A decision on the application for review must be made under the repealed regulation.	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
222(3)	Subsection (5) applies if— (a) immediately before the commencement, a person could have applied under the repealed regulation for a review of a decision mentioned in the repealed regulation, schedule 1; and (b) the person has not made the application before the commencement of this section.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
222(4)	Subsection (5) also applies if the chief executive decides not to register an applicant as a participant in TFMS under section 208.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
222(5)	The person may apply to the chief executive for a review of the decision as provided under the repealed regulation, and the chief executive’s decision on that application must be made	2	0	0	2	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
222(6)	For subsections (2) and (5), the repealed regulation continues to have effect as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
223	Appeals about particular decisions	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
223(1)	Subsection (2) applies if— (a) a person has appealed to a court under the repealed regulation against a decision of the chief executive confirming a decision mentioned in the repealed	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
223(2)	The court must hear, or continue to hear, and decide the appeal under the repealed regulation.	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
223(3)	Subsection (5) applies if— (a) immediately before the commencement, a person could have appealed to a court under the repealed regulation against a decision mentioned in subsection	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
223(4)	Subsection (5) also applies to a review decision mentioned in section 222(3)(a) or (4), 226(1)(c), 230(1)(c), 234(1)(c) or 238(1)(c).	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
223(5)	The person may appeal to the court as provided under the repealed regulation, and the court must hear and decide the appeal under the repealed regulation.	3	0	0	3	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
223(6)	For subsections (2) and (5), the repealed regulation continues to have effect as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
224	Subdivision 2 Effect of decisions about refusal to register applicant in TFMS Application of sdiv 2	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
224(1)	This subdivision applies to the following— (a) a decision made after the commencement (review decision) on an application for review of a registration decision; (b) a decision made after the commencement (appeal decision) on an appeal against a decision of the chief executive confirming a registration decision.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
224(2)	In this section— registration decision means a decision of the chief executive not to register an applicant as a driver participant or employer participant in TFMS under the repealed	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
225	Effect of review or appeal decision that person should be registered in TFMS	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
225(1)	the repealed regulation— (a) the chief executive must register the person as a driver participant or employer participant in TFMS under the repealed regulation as if this regulation had not been made; and (b) the repealed regulation, section 81(3) and (4) continues in effect in relation to the person’s registration as if this regulation had not been made; and (c) the person’s registration continues to have effect until the end of 28 September 2009. Notes— 1 Under section 192, a person who is registered as a driver participant in the TFMS under this section may drive under BFM hours until the end of 28 September 2009. 2 See section 209 for the continued application of particular provisions of the repealed regulation in relation to a person	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
225(2)	Subsection (1)(c)— (a) ceases to apply if— (i) the person’s registration is cancelled under the Act; or (ii) the person’s registration ends under section 210; and (b) does not apply during any	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
226	Effect of review or appeal decision that applicant should not be registered in TFMS	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
226(1)	participant or employer participant in TFMS under the repealed regulation continues to be an application to be dealt with under the repealed regulation; and (b) any further decision about the application must be made under the repealed regulation; and (c) for a review decision—the person in relation to whom the review decision is made may appeal against the review decision under the repealed regulation. Note— Section 223(4) provides for the appeal of a review decision mentioned in paragraph (c).	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
226(2)	For subsection (1), the repealed regulation continues to have effect as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
227	Effect of appeal decision returning matter to chief executive	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
227(1)	and (b) the chief executive must follow the court’s directions to the extent possible; and (c) if the chief executive decides that the applicant should be registered as a driver participant or employer participant in TFMS under the repealed regulation— (i) the chief executive must register the applicant as a driver participant or employer participant in TFMS under the repealed regulation as if this regulation had not been made; and (ii) the repealed regulation, section 81(3) and (4) continues in effect in relation to the registration as if this regulation had not been made; and (iii) the applicant’s registration continues to have effect until the end of 28 September 2009. Notes— 1 Under section 192, a person who is registered as a driver participant in the TFMS under this section may drive under BFM hours until the end of 28 September 2009. 2 See section 209 for the continued application of particular provisions of the repealed	4	4	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
227(2)	Subsection (1)(c)— (a) ceases to apply if— (i) the applicant’s registration is cancelled under the Act; or (ii) the applicant’s registration ends under section 210; and (b) does not apply during	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
227(3)	For subsection (1), the repealed regulation continues to have effect as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	Subdivision 3 Effect of decisions about refusal to cancel TFMS registration	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1

228	Application of sdiv 3	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	This subdivision applies to the following— (a) a decision made after the commencement (review decision) on an application for review of a cancellation decision; (b) a decision made after the commencement (appeal decision) on an appeal against a decision of the chief executive confirming a cancellation decision.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
228(1)	In this section— cancellation decision means a decision of the chief executive not to cancel a person's registration as a driver participant or employer participant in TFMS under the	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
229	Effect of review or appeal decision that person's TFMS registration be cancelled	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
229	If the effect of the review decision or appeal decision is that the registration to which the cancellation decision relates be cancelled, the chief executive must cancel the registration under	1	1	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
230	Effect of review or appeal decision that person's TFMS registration not be cancelled	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	participant or employer participant in TFMS under the repealed regulation continues to be an application to be dealt with under the repealed regulation; and (b) any further decision about the application must be made under the repealed regulation; and (c) for a review decision—the person in relation to whom the review decision is made may appeal against the review decision under the repealed regulation. Notes— 1 Under section 207, a person's registration as a participant in the TFMS under the repealed regulation ceases to have effect at the end of 28 September 2009. 2 Under section 210, a person's registration as a participant in the TFMS under the repealed regulation ends if the person gives the chief executive written notice to	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
230(1)	For subsection (1), the repealed regulation continues to have effect as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
231	Effect of appeal decision returning matter to chief executive	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	repealed regulation; and (b) the chief executive must follow the court's directions to the extent possible; and (c) if the chief executive decides that the person's registration should be cancelled, the chief executive must cancel the person's registration under the repealed regulation, section 84, as continued under section 209. Notes— 1 Under section 207, a person's registration as a participant in the TFMS under the repealed regulation ceases to have effect at the end of 28 September 2009. 2 Under section 210, a person's registration as a participant	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
231(1)	in the TFMS under the repealed regulation ends if the person gives the chief executive written notice to that effect.	3	3	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
231(2)	For subsection (1), the repealed regulation continues to have effect as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	Subdivision 4 Effect of decisions about refusal to grant exemption	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
232	Application of sdiv 4	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	This subdivision applies to the following— (a) a decision made after the commencement (review decision) on an application for review of an exemption decision; (b) a decision made after the commencement (appeal decision) on an appeal against a decision of the chief executive confirming an exemption decision.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
232(1)	In this section— exemption decision means a decision of the chief executive not to give a person an exemption under the repealed regulation, section 95.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
233	Effect of review or appeal decision that person be given exemption	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	a regulated hours exemption—grant the person a work and rest hours exemption under part 5, division 6 of this regulation as if the application for the regulated hours exemption were an application for a work and rest hours exemption made under the part; or (b) if the exemption is a driving records exemption—grant the person a work diary exemption under part 5, division 6 of this regulation, as if the application for the driving records exemption were an application for a work diary exemption made under the part.	2	2	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
234	Effect of review or appeal decision that person not be given exemption	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	an application to be dealt with under the repealed regulation; and (b) any further decision about the application must be made under the repealed regulation; and (c) for a review decision—the person in relation to whom the review decision is made may appeal against the review decision under the repealed regulation. Note— Section 223(4) provides for the appeal	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
234(1)	of a review decision mentioned in paragraph (c).	1	0	0	1	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
234(2)	For subsection (1), the repealed regulation continues to have effect as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
235	Effect of appeal decision returning matter to chief executive	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	and (b) the chief executive must follow the court's directions to the extent possible; and (c) if the chief executive decides that the person should be given the exemption, the chief executive must— (i) if the exemption is a regulated hours exemption—grant the person a work and rest hours exemption under part 5, division 6 of this regulation, as if the application for the regulated hours exemption were an application for a work and rest hours exemption made under the part; or (ii) if the exemption is a driving records exemption—grant the person a work	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
235(1)	diary exemption under part 5, division 6 of this regulation, as if the application for the driving records exemption were an application for a work diary exemption made under the part.	3	3	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
235(2)	For subsection (1), the repealed regulation continues to have effect as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	Subdivision 5 Effect of decisions about imposition of condition on exemption	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
236	Application of sdiv 5	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	This subdivision applies to the following— (a) a decision made after the commencement (review decision) on an application for review of an exemption condition decision; (b) a decision made after the commencement (appeal decision) on an appeal against a decision of the chief executive confirming an exemption condition decision.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
236(1)	In this section— exemption condition decision means a decision of the chief executive to impose a condition on an exemption given to a person under the repealed regulation, section 95.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
237	Effect of review or appeal decision that condition not be imposed on exemption	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	If the effect of the review decision or appeal decision is that the exemption to which the exemption condition decision relates must not be subject to the condition, or be subject to different conditions, the chief executive must, under this regulation, amend the exemption as continued under section 216 to remove the condition or amend the conditions imposed on	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
238	Effect of review or appeal decision that condition be imposed on exemption	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	continues to be a decision to be dealt with under the repealed regulation; and (b) any further decision about the decision to impose the condition must be made under the repealed regulation; and (c) for a review decision—the person in relation to whom the review decision is made may appeal against the review decision under the repealed regulation. Note— Section 223(4) provides for the appeal of a review decision mentioned in paragraph (c).	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
238(1)	For subsection (1), the repealed regulation continues to have effect as if this regulation had not been made.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
239	Effect of appeal decision returning matter to chief executive	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
	executive must follow the court's directions to the extent possible; and (c) if the chief executive decides that the exemption should not be subject to the condition, or be subject to different conditions, the chief executive must, under this regulation, amend the exemption as continued under section 216 to remove the condition or amend the conditions imposed on the exemption in accordance with the appeal decision.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
239(1)	For subsection (1), the repealed regulation continues to have effect as if this regulation had not been made.	3	3	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
239(2)	Division 8 Other transitional provisions	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
240	References to repealed regulation	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1
240	In a document, a reference to the repealed regulation is, if the context permits, taken to be a reference to this regulation.	0	0	0	0	TRUE	FALSE	FALSE	FALSE	23/03/2012	30/12/9999	TRUE	1



City of Gold Coast Water and Sewerage Network Services Plan

(Netserv Plan)

Adopted July 2013

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Glossary

Potable Water	Drinking water
Recycled Water	Highly treated wastewater reused for non-drinking purposes
Sewage	Wastewater from residents and industry
Sewerage	The infrastructure network that moves the sewage to the sewage treatment plants
SEQ	South East Queensland
Water Grid	The bulk water network operated by the Queensland state government
Biosolids	A solid product from the sewage treatment process that is used as fertiliser. It is treated and applied to a high, regulated standard
Reservoirs	Large water holding tank
STP	Sewage Treatment Plant
Release Points	Point where recycled water is released to the environment
Catchment	Area where water or sewage is serviced by a treatment plant
Mains	Pipes
Desalination Plant	Treats ocean water to drinking water
Class A+ Recycled Water	The highest class of recycled water used for non-drinking purposes
Non-Class A+ Recycled Water	Used for non-residential and industrial purposes under agreement
PIP	Priority Infrastructure Plan
OESR	Office of Economic and Statistical Research
DSS	The Desired Standards of Services
SEQ D&C Code	South East Queensland Design and Construction Code
IDM	Infrastructure Demand Model
Demand Management	The management of water use to lower the water required
Smart Meter	Continuous metering
Australian Standards	Voluntary Standards for quality products
AICR	Adopted Infrastructure Charges Resolution
QCA	Queensland Competition Authority
ADWF	Average Dry Weather Flow
PWWF	Peak Wet Weather Flow

1 Introduction

1.1 Our business

The Gold Coast is Australia's sixth largest city and has a proud history in the development of water and sewerage infrastructure (refer Appendix 1). The City of Gold Coast is responsible for providing water, recycled water and sewage services to customers across the Gold Coast city and is working towards achieving the 2020 City Vision that *'The Gold Coast is a global city that is loved by its people, attracts investment and welcomes opportunity'*.

As a part of Council, Gold Coast Water is responsible for:

- distribution and retail of safe drinking water purchased from the South East Queensland (SEQ) Water Grid
- collecting and treating sewage
- providing recycled water and biosolids (a waste product of sewage treatment which is used as fertiliser) to customers to be reused
- releasing excess recycled water to the ocean
- planning, constructing and maintaining infrastructure and assets including:
 - drinking water and recycled water reservoirs,
 - pumping stations and pipelines,
 - sewage treatment plants (STPs); and
 - release points.

1.2 The City of Gold Coast Netserv Plan

The purpose of the Plan is to satisfy with the requirements of a Netserv Plan (Part A) as described in the *South East Queensland Water (Distribution and Retail Restructuring) Act 2009*.

An outline of the requirements of a Netserv Plan (Part A) and how the requirements are addressed in the Council's Netserv Plan is summarised in Appendix 2.

2 Current infrastructure and capacity

2.1 The drinking water network

Council is responsible for distributing drinking (or potable) water to residents and businesses across the Gold Coast. This is achieved via a network of reservoirs, pump stations and mains (pipes). (Refer to Map in Appendix 3).

Water supply is provided from a variety of sources including the Hinze and Little Nerang dams and the Gold Coast Desalination Plant. Water from Hinze Dam and Little Nerang Dam is treated at the Mudgeeraba or Molendinar Water Treatment Plants. Desalinated water is produced at Tugun. The Hinze and Little Nerang dams, Mudgeeraba and Molendinar drinking water treatment plants and the Gold Coast Desalination Plant are all owned and operated by SEQ Water.

The water is transported from SEQ Water's infrastructure to Council's distribution network via bulk water mains. Council can also receive water from other areas of SEQ including the Wivenhoe Dam through the connection to the water grid by the Southern Regional Water Pipeline (refer Figure 1).

After treatment, drinking water is distributed to customers via a network of pipes, pumps and water reservoirs (refer Table 1). The water is pumped uphill to storage reservoirs, and then gravity fed to customers. Drinking water is used by households, businesses, industry and for fire fighting .

Table 1 Key components of Gold Coast's drinking water network

Description	Water Assets
Length of mains (kilometres)	3,092
Number of water supply reservoirs	65
Number of water pump stations	56
Number of re-chlorination facilities	3*
Water connections	236,051

* Located at Jacobs Well, Pimpama and Coomera

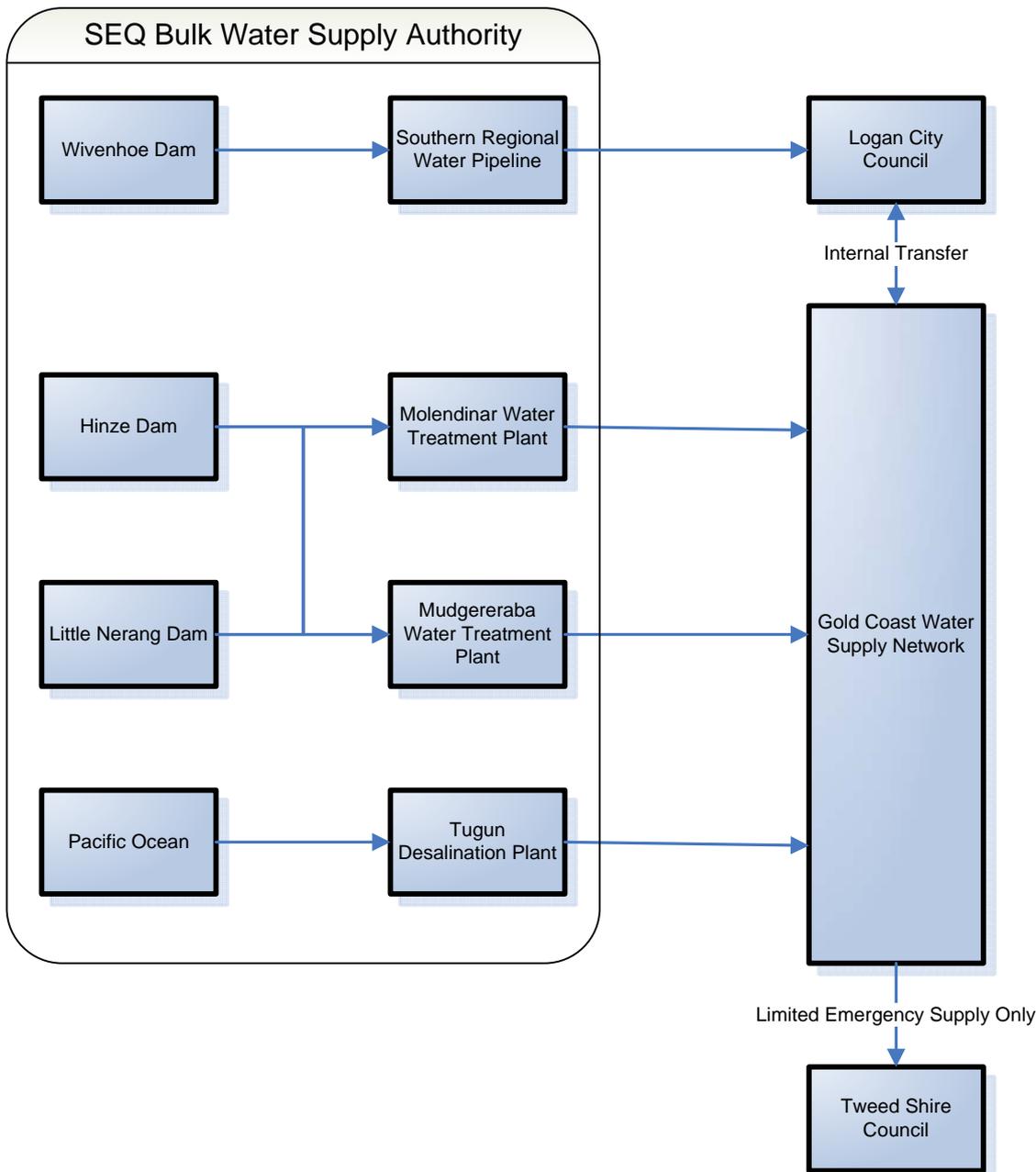


Figure 1 The supply of drinking water to the Gold Coast area

The safety of drinking water is Council’s number one priority. The water supply system is regularly monitored for safety by the SEQ Bulk Water Supply Authority and Gold Coast Water (GCW) to ensure the drinking water quality meets the Australian Drinking Water Guidelines. Each year Council prepares a report to the Department of Health summarising the performance of the water supply system.

2.2 Sewerage network and treatment

The Gold Coast sewerage network is divided into five sewage catchment areas: Stapylton, Pimpama, Coombabah, Merrimac, and Elanora. A map of the catchments is shown in Appendix 4, and a list of suburbs in each catchment is available in Appendix 5. The sewerage catchments include sewage treatment plants (STP), pipes and sewage pump stations. The components of Council's sewerage networks are outlined in Table 4. A detailed description of the characteristics of each of the STP is summarised in Appendix 6.

Table 4 Key components of Council sewerage network

Description	Sewerage Assets
Length of mains (kilometres)	3,143
Number of sewage pump stations	527
Number of sewage treatment plants (STP)	4
Number of recycled water treatment plants (RWTP)	1
Sewerage connections	224,150

Sewage from the Stapylton sewage catchment is currently treated at the Beenleigh STP. Beenleigh STP is now owned and operated by Logan City Council after being transferred as part of Local Government Boundary Reforms in 2008. It continues to provide cost effective treatment services under a contract agreement between Gold Coast and Logan City Councils.

Each of the sewage catchment areas have environmental regulations associated with their operation which are outlined in their Development Approval (DA), issued under the *Environmental Protection Act 1994*. These operating conditions are regulated by the Department of Environment and Heritage Protection (DEHP). Each year Council prepares a report to the DEHP summarising the performance of these systems.

2.3 Recycled water treatment, reuse and release

Sewage that has been treated through a STP is referred to as recycled water. There are different standards of recycled water ranging from Class A+ (highest quality) to Class D (the lowest quality). The class of the recycled water determines what it can be used for (refer Table 2). Council produces both Class A+ and Non-Class A+ (Class A to D) recycled water. Currently about 17% of all water used on the Gold Coast is recycled.

Table 2 Suitable uses for the different classes of recycled water available within the Gold Coast City area

Recycled Water Class	Suitability	Produced at
Class A+	<ul style="list-style-type: none"> • irrigation of lawns, gardens, fruit trees and vegetable crops (fruit and vegetables should be rinsed in drinking water before consumption) • flushing toilets • washing cars, houses and other similar outdoor uses • filling ornamental ponds, water features and fountains • approved commercial, construction and industry uses • fire fighting (except fire sprinkler systems) 	Pimpama recycled water treatment plant
Class A-D (Non-Class A+)	<ul style="list-style-type: none"> • irrigation (on golf courses, cane farms, nurseries and Council playing fields), • dust suppression • road works • other industrial and business activities 	Coombabah STP Merrimac STP Elanora STP Beenleigh STP

Class A+ recycled water is the highest quality of recycled water used for non-drinking purposes in Queensland. City of Gold Coast produces Class A+ water at its Pimpama Recycled Water Treatment Plant where it undergoes rigorous treatment to ensure that it meets strict environmental and health guidelines. It is supplied to homes and businesses in the surrounding areas, where a separate pipe system has been installed (known as dual reticulation). A map of the dual reticulation area is shown in Appendix 7. The key components of the recycled water network are summarised in Table 3.

Table 3 Key components of City of Gold Coast's recycled water assets

Description	Class A+	Class A-D	Total
Volume reused (ML/d)	0.7	19	19.7
Length of mains (kilometres)	267	6.5 (northern reuse and release system) 21.3 (southern reuse and release system)	-
Number of recycled water pump stations	3	2	5
Number of reservoirs	2	0	2
Number of re-chlorination facilities	1	0	1
Release systems	0	2	2
Connections	5,457	50	5,507

Customers using non-Class A+ water enter into an agreement with Council. They also submit a Recycled Water Management Plan (which is developed to comply with *Queensland Water Recycling Guidelines 2005*). This ensures that the recycled water is used in a responsible and safe manner.

Excess recycled water produced by the city's four STPs, which is not reused, is released to the ocean on the outgoing tide at the Gold Coast Seaway. This system has been operating since the 1980's and is regulated through Development Approvals for the STPs issued by the Department of Environment and Heritage Protection (DEHP).

The Seaway release system will reach capacity in the next few years. A range of options to improve the current system have been investigated since 2003, and all the appropriate short to medium term solutions have been implemented. A long term release plan is required before the Commonwealth Games in 2018.

3 Planning assumptions

3.1 Introduction

Council goes through a rigorous planning process to ensure its' water and sewerage infrastructure is designed and delivered to support community growth and services. Figure 2 outlines the structure and planning framework used by Council for the planning of water and sewage services. A description of each of the main components of the planning framework and assumptions are contained in the following sections.

3.2 South East Queensland Regional Plan 2009-2031

The South East Queensland (SEQ) Regional Plan 2009-2031¹ is the Queensland Government's plan to manage regional growth in the most sustainable way, to protect and enhance quality of life in the region. This plan provides guidance for development in SEQ, and covers issues such as continued population growth, traffic congestion, housing affordability, climate change and employment generation. Regional planning assumptions for the SEQ Regional Plan have been incorporated into Council's planning scheme and planning assumptions. Of particular importance to Council is the population and housing projections and the designated urban footprint. Reviews of Council's planning scheme will integrate any future changes to the SEQ Regional Plan.

3.3 The Gold Coast Planning Scheme and the Priority Infrastructure Plan

"Our Living City" Planning Scheme guides the growth and development of Gold Coast city. The current version of the Planning Scheme (Version 1.2) commenced on the 14 November 2011.

As part of the Planning Scheme, Council has a Priority Infrastructure Plan² (PIP). The PIP outlines the planned scale, type, timing and location of growth of infrastructure on the Gold Coast. This allows Council to plan future infrastructure and determine the charges required to fund growth. The integration of land use (within the Planning Scheme) and infrastructure planning (within the PIP) is undertaken to allow infrastructure to be supplied in a coordinated, efficient and orderly manner. This allows sustainable development and encourages urban growth in areas where adequate infrastructure already exists or can be provided cost effectively.

Section 3 of the PIP describes the Planning Assumptions associated with the water and sewerage networks.

¹ <http://www.dsdip.qld.gov.au/resources/plan/seq/regional-plan-2009/seq-regional-plan-2009.pdf>

² About Our Living City - Gold Coast Planning Scheme 2003 - Part 8 Infrastructure, Division 1 Priority Infrastructure Plan (PIP).Section 3.0 PIP Planning Assumptions provides the planning assumptions for the PIP http://www.goldcoast.qld.gov.au/gcplanningscheme_1111/attachments/planning_scheme_documents/part8_infrastructure/priority_infrastructure_plan.pdf

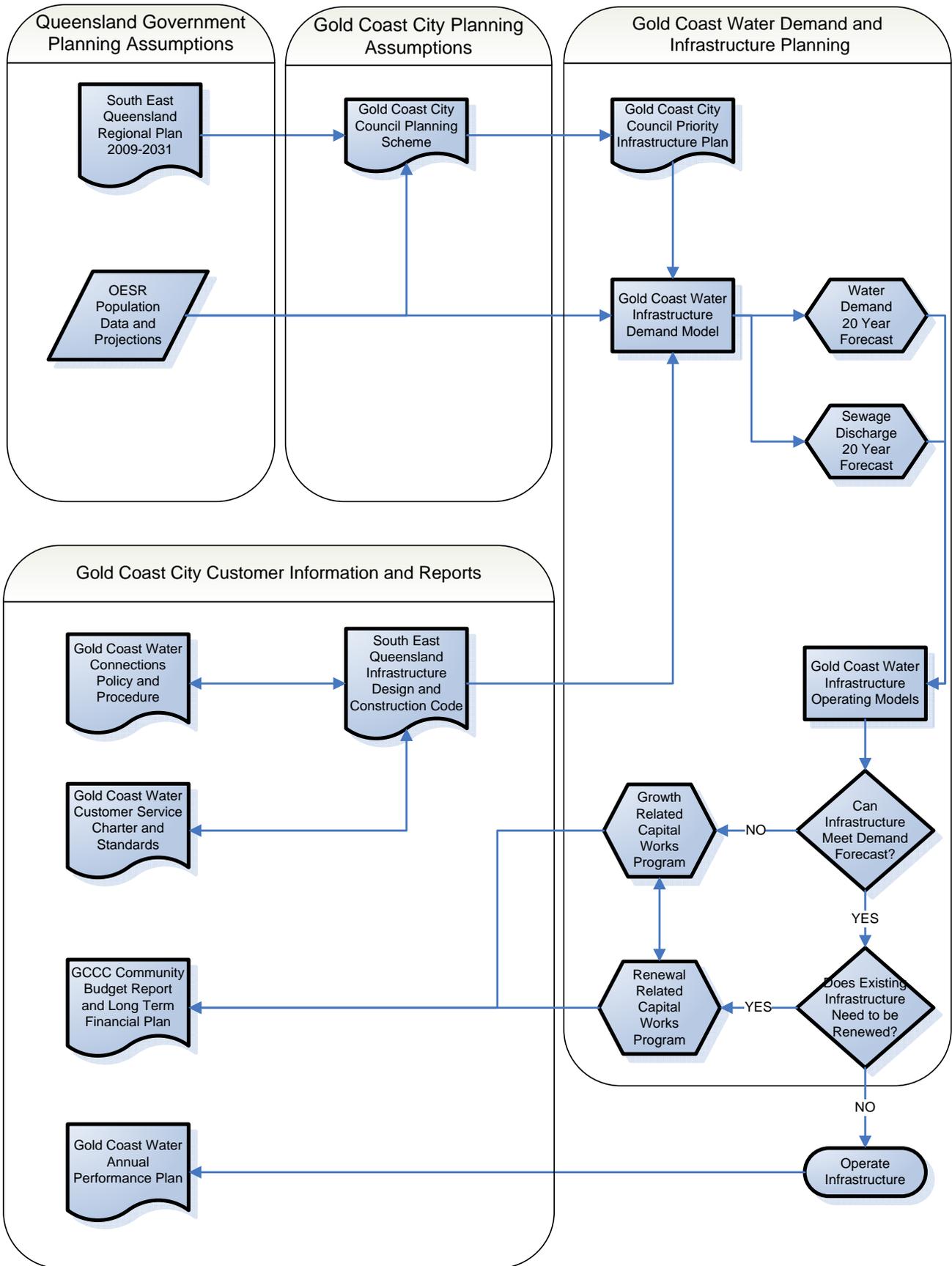


Figure 2 The structure and planning framework used by Council and GCW for planning of network services

3.4 Population growth planning assumptions

In order to plan for the future, Council uses population and growth data. Council sources population data from the Queensland Government Office of Economic and Statistical Research (OESR), which is the most up to date source of population predictions and projections. Current OESR data is based on 2006 census data, and is currently being updated to reflect the 2011 census data.

The population growth within the Gold Coast area over recent years, has been significantly lower than what has been previously experienced due to the global financial downturn. Although a complete update of planning documents such as the PIP is only undertaken every few years, amendments to planning assumptions and capital works programs are based on the best available data at any time.

3.5 Twenty year water demand forecasting

Water demand and sewage discharges are determined by a combination of both population and per capita demand (which is how much water is used per person and how much sewage is discharged per person). Council calculates the future demand for water across the Gold Coast using estimates of both population growth and the amount of water each person will use. Council is responsible for ensuring that the water distribution network and sewage collection, treatment, reuse and discharge facilities will be adequate to meet future demands. This information is also provided to SEQ Water who are responsible for ensuring that SEQ has enough water to meet the future demands of population growth and climate change .

When forecasting the amount of water the Gold Coast will require in the future, a range of population growth figures are considered along with different rates of water demand. These water demand rates include residential water use, non residential use (industry and business use) and non-revenue water (water which Council doesn't receive payment for, such as fire fighting etc.). Assumed high, medium and low rates of demand, are detailed below.

- The high demand rate is based on 375 litres per person per day (L/p/d). This figure includes allowances for residential (230 L/p/d), non-residential and non-revenue water (145 L/p/d) use. The Department of Energy and Water Supply (DEWS) have identified this as being the upper bound for normal operation of urban areas.
- The medium bound assumes 345 L/p/d total urban demand. This is based on the Queensland Governments voluntary target of 200 L/p/d residential and 145 L/p/d non-residential and non-revenue water.
- The low bound is based on total urban demands that gradually increases from a current level of 278 L/p/d to 315 L/p/d to allow for some increase in current water use after the drought. This is based on the current residential and non-residential water use on the Gold Coast.

These high, medium and low water use forecasts can be combined with high, medium and low population forecasts to predict a range of future water needs for the Gold Coast City. These are shown in Table 5.

Table 5 Annual Gold Coast drinking water forecast for 2031 at low, medium and high population growth and per capita water consumption

		Annual Water Use in 2031 (ML)			
		Population Growth	Low	Medium	High
Per Capita Consumption (L/p/d)	Low (315 L/p/day)		80,874	90,662	98,546
	Medium (345 L/p/day)		89,293	100,101	108,805
	High (375 L/p/day)		98,044	109,911	119,468

The lower bound for water consumption is considered to be the most likely future water demand for the Gold Coast, based on the current usage of the city. Applying the low bound and low growth, the Gold Coast area will require a minimum of 81,000 ML of water per year in 20 years time (2031-32). However, this is about 50 per cent greater than the existing water demand.

3.6 Desired Standards of Service and the SEQ Design and Construction Code

The Desired Standards of Services (DSS) sets out the standards of service which Council aims to achieve for its' water and sewerage infrastructure. These levels of service are used to determine if new or upgraded infrastructure is required.

The DSS for water and sewerage infrastructure networks are summarised in Section 4 of the Council Priority Infrastructure Plan - Part 8, Division 1 and detailed in the Council's Policy 11, Land Development Guidelines available at

http://www.goldcoast.qld.gov.au/gcplanningscheme_policies/policy_11.html .

The DSS have been expressed in both qualitative and quantitative terms. Qualitative standards are planning criteria that are primarily about the performance of the network whilst quantitative standards are design criteria that are primarily about the capacity of the network.

The *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* requires SEQ water service providers to produce a single standard of service relating to the design and construction of water and sewerage infrastructure in the region after July 2013. In accordance with Section 755D of the *Sustainable Planning Act 2009*, the SEQ Design and Construction (D&C) Code will prevail over any existing provisions within the Councils' planning schemes that specify water and sewage service infrastructure outcomes. Once this new code is in place, the Council's DSS will be replaced by the SEQ D&C Code.

Further information on these changes can be obtained from the SEQ Design and Construction Code Fact Sheet (http://www.seqcode.com.au/storage/SEQ%20Code%20Fact%20Sheet_FINAL.pdf) or the SEQ Design and Construction Code website (www.seqcode.com.au).

3.7 Water and sewerage infrastructure planning

Council uses an Infrastructure Demand Model (IDM) to predict future water demand and sewage discharges. The IDM allows Council to identify the infrastructure needed to service a growing population to appropriate levels of service. Current town planning information and predicted population and employment figures provide a basis for the model. The IDM is updated whenever new information is available and it can calculate future demand up to 2061.

The capacity of existing infrastructure, including distribution networks and treatment plants, is regularly assessed against the current and projected water demand and sewage discharges. This allows Council to identify when the infrastructure will approach its capacity and will require upgrading.

The current IDM will be updated based on the soon to be released 2011 census data by the OESR. When complete a new long-term infrastructure plan and capital works program will be developed and updated.

3.8 Growth and renewals related capital works program

To ensure the water and sewerage infrastructure can meet predicted future water, recycled water and sewage treatment demand, a range of growth and renewal (or replacement) related capital works projects are planned. The Council Planning Scheme 2003, Part 8 Infrastructure, Division 2 Infrastructure Charges Schedule, Appendix B (page 122)³ outlines the proposed increases in capacity within the Gold Coast local government area. The major growth-related capital works projects planned for the next five years are summarised in Table 6. Further details on growth and renewal related capital works projects are also available in the Council's Community Budget Report and Long Term Financial Plan 2012-13.⁴

³http://www.goldcoast.qld.gov.au/gcplanningscheme_1111/attachments/planning_scheme_documents/part8_infrastructure/infrastructure_charges_schedule.pdf

⁴ <http://www.goldcoast.qld.gov.au/documents/bf/community-budget-report-2012-13.pdf>

Table 6 Council planned major growth related projects for 2012-17

Major growth related projects	Description	Estimated Cost (\$m)
Merrimac West Sewage Augmentation Stage 2	The augmentation and replacement of sewerage network infrastructure within the Merrimac West sub-catchment.	40
Rising Mains and Gravity Mains for Burleigh Waters Pump Station	New rising mains and gravity mains will be constructed at Burleigh Waters, including modifications to Pump Station B47.	7.1
Sandy Creek Sewer External	The provision of sewage collection in the industrial and enterprise precinct in the Sandy Creek Catchment will be continued.	8.9
Coombabah Sewage Catchment Augmentation	The design and construction of a major augmentation of sewerage network infrastructure within the Coombabah catchment between Broadbeach and Coombabah STP to accommodate growth including increased demands resulting from the Commonwealth Games.	34.5
Pimpama A+ Recycled Water Scheme Extension	The extension of the PCWF scheme to supply Class A+ recycled water to the Stockland Pimpama development.	4.3
Pimpama STP Class B Release Pipeline	The construction of a pipeline from Pimpama STP to Saltwater Creek to transport Class B recycled water to Coombabah WWTP.	18.2
Stapylton Sewage Strategy	A strategy will be developed to provide a sewerage network and treatment capacity to service growth within the Stapylton sewage catchment.	12
Long Term Seaway Release	The extension of the release infrastructure out of the seaway to increase the capacity of the network and achieve environmental outcomes.	300
Bull Road Reservoir	The construction of a 3.5 ML high level reservoir at Bull Road. The reservoir will assist in improving pressure in the high level zone as well as catering for current demand and future growth.	3.1
Maudsland Water Reservoir	New 5 ML reservoir at Maudsland, to provide required additional storage to meet the growing demand in the district.	3.3
Pacific Motorway Elanora Rising Main Augmentation	The building rising mains immediately upstream of the Elanora WWTP, from the intersection of KP McGrath Drive and the Pacific Motorway.	4.2

4 Demand Management

4.1 Historical water use

Managing water demand allows Council and the Community to maintain services in a sustainable manner. In the past, drought has accelerated the need for a wide range of demand management initiatives. These have included water restrictions, permanent water conservation measures (PWCM), education programs, targeted rebates, leakage reduction schemes and changes to building codes. These initiatives, backed by State Government legislation, have resulted in businesses and households reducing total water consumption across the Gold Coast over several years (refer Figure 3).

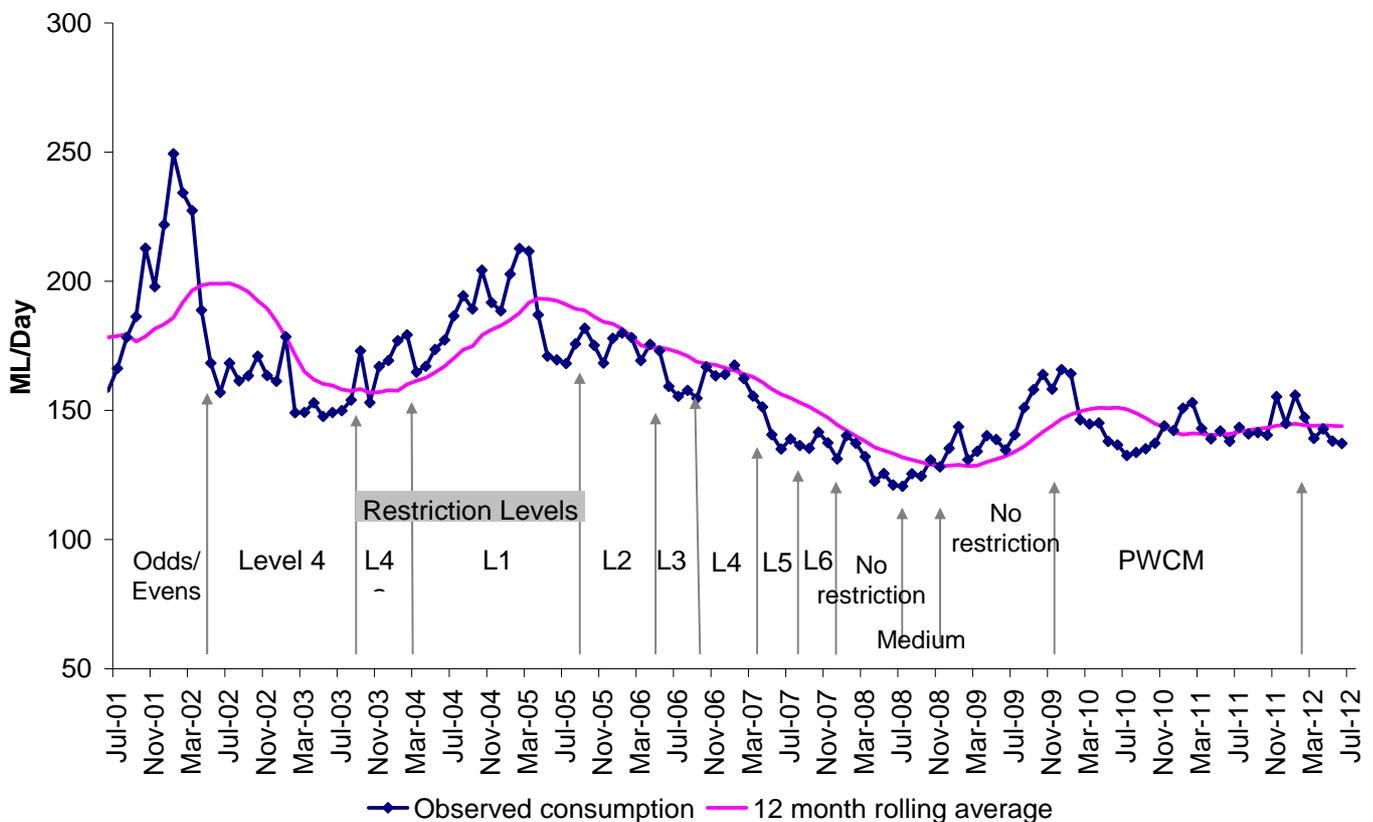


Figure 3 Average daily (ML/day) water supplied to the Gold Coast region from 2001 to 2012 compared with water restrictions for this period

During the drought period, the Gold Coast City total water supply reduced from 470 litres per person per a day (L/p/d) in 2001 to approximately 260 L/p/d in 2011. Individual residential per capita water use has also shown corresponding reduction from 301 L/p/d to 183 L/p/d (refer Figure 4). The reduction in per capita usage over this period has led to significant benefits by deferring the need for upgrading infrastructure into the future.

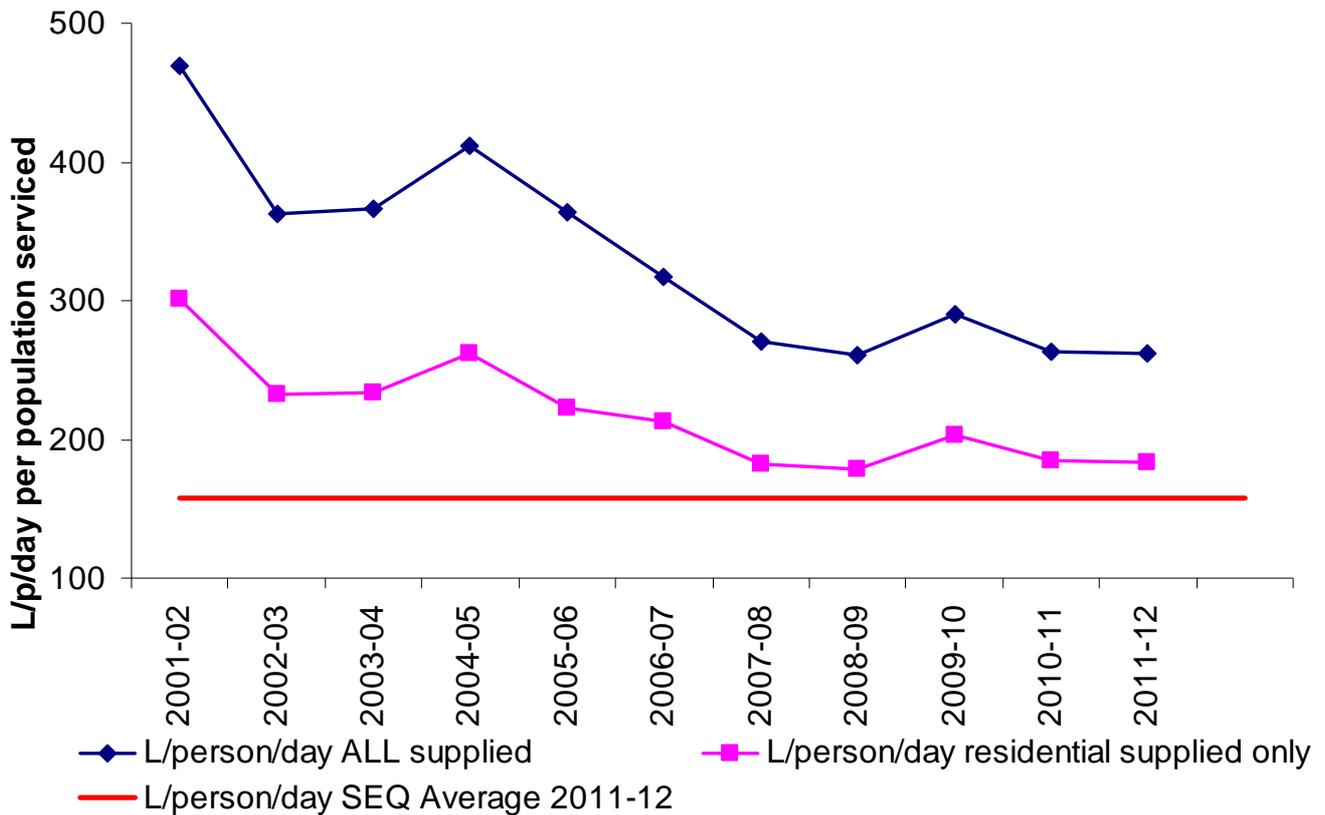


Figure 4 Total and residential drinking water supplied per population per population from 2001/02 - 2011/12

The current level of residential water use on the Gold Coast remains above the average for the whole of SEQ. Residential water use however varies considerably.

Appendix 8 shows a comparison of the average single dwelling water consumption for each suburb in the Gold Coast. Single dwelling water consumption gives a good indication of the residential water consumption in each suburb. Suburbs in newer areas generally have lower water consumption mainly due to stricter building codes (including water tanks), modern technologies and (generally) smaller block sizes. High water consumption suburbs are mostly within older suburbs, where block sizes are often larger and buildings are less water efficient. Reducing the water required, especially for the higher use suburbs, will significantly extend the life of infrastructure required to service the region.

4.2 Residential water use within the Gold Coast

During 2008-2010 a study was undertaken into how residents on the Gold Coast used water in and around their homes. Smart meter technology was used to determine water consumption from different areas.

On average, showering was found to consume the most water, followed by washing clothes, taps and tap use. Outdoor water use (irrigation, watering gardens etc.) was the fourth highest, followed by toilets. It was found that leaks, bathtubs and dishwashers on average consumed smaller volumes of water (refer Figure 5).

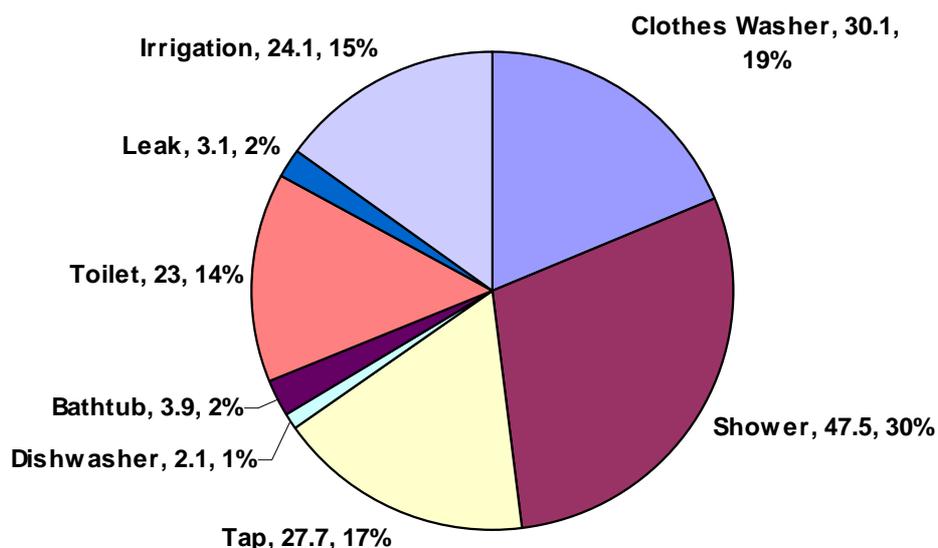


Figure 5 Gold Coast Residential (indoor and outdoor) water consumption for study period (winter 2008 to autumn 2010)

4.3 Demand management planning

Council continuously reviews its demand management plan. The objective of the demand management plan is to efficiently manage water use and minimise water loss by:

- Improving Council's understanding and confidence in water supply and consumption data
- Increasing knowledge of both average and peak demands
- reducing water leakage and loss
- better informing / educating customers
- reducing sewage flows and maximising efficient use of recycled water
- improving system performance through:
 - encouraging customer behaviour (such as saving water and not putting harmful items down drains and toilets) which will reduce the cost of infrastructure investment
 - reducing operational costs
 - cost reflective pricing

The plan identifies a range of performance measures and business improvements to contribute to the sustainable use of the region's water resources and improve the efficiency and effectiveness of existing infrastructure. The main demand management activities currently undertaken by Council are described in Table 6.

Table 6 Demand management activities Council has currently underway

Activity	Description
Pressure and leakage management	The pressure and leakage management program has been underway since 2007. It involves monitoring the network and undertaking a maintenance program to reduce leakage in the distribution networks. It is planned that this program will continue with further resources.
Recycled water implementation	Council manages the Pimpama-Coomera dual reticulation area as well as customers that utilise recycled water produced from the four STPs. Use of recycled water lowers the drinking water requirements of the region.
Customer notification	Customers that are identified to have higher than normal water consumption rates are notified as a courtesy by Council. This allows customers to investigate potential leaks or other factors that may be contributing to their high water consumption.
Community programs	Council undertakes many programs to educate the community about demand management. This includes school programs, the watersaver program, community events, recycled water training and communication with customers via the website and other materials.
Managing large consumers	Council works with high water using commercial and industrial customers by assisting customers in achieving efficient water use.

5 Service charges and price monitoring

5.1 Introduction

Charges are a key part of how customers and the Community engage with Council and its' water and sewerage services.

Charges are designed to reflect costs and are based on the “user pays principle”. Like all SEQ water service providers, Council is required under legislation to undergo price monitoring by the Queensland Competition Authority (QCA). The QCA requires that Council must provide details on revenue from fees and charges, other revenue (infrastructure charges), capital, profit and loss, operating expenditure, and a balance sheet for the following categories:

- each activity (water, sewage, recycled water)
- each geographic area
- each core service and (in aggregate) non-regulated services and
- each asset class and cost driver as required.

The QCA reviews Council's submission in detail to ensure that revenue is being collected and used appropriately. The QCA ensures that water service providers, including Council, are managing their businesses efficiently and not increasing prices to cover unnecessary expenses.

5.2 Service charges

To cover the cost of providing water, sewerage and recycled water services, charges are applied. These charges allow Council to maintain the current systems and invest in infrastructure required for the future.

Operational charges include residential and non-residential water, sewerage (including trade waste) and recycled water charges as well as general administration charges. Capital charges include infrastructure charges.

5.3 Residential charges

Council's residential water and sewerage charges comprise four components:

- water service fixed access charge
- water consumption volumetric charge
- sewerage service fixed access charge
- Class A+ recycled water consumption volumetric charge (if applicable).

Service charges are a fixed fee for the connection, or ability to connect, to Council's drinking water supply and sewerage system. The water service charge contributes to our maintenance of the water supply network, including water mains, pumping stations and meters, to ensure a high-quality and reliable supply of water.

The water consumption charge is a charge per kilolitre (1000 litres) of water used and is based on the reading from the property's water meter. Unlike the service charge, this fee is based on actual water used. The water consumption charge is made up of the cost of purchasing bulk water from the State Government, and the Council's cost of delivery to customers. The variable costs reflect things such as chemicals and electricity. This method of charging accurately reflects the balance of fixed and variable costs associated with providing water supplies.

The sewerage service charge is a fixed fee for each residential property's connection, or ability to connect, to the sewerage distribution system. The sewerage service charge assumes a fixed level of sewage discharge for residential properties. This is an administratively simple and cost effective approach. The sewerage service charge contributes to our maintenance of the sewerage network including sewer mains, pumping stations and emergency relief structures, to ensure we can reliably transport sewage from our customers to a treatment plant for treatment and disposal.

The Class A+ recycled water consumption charge is currently relevant only to properties in the Pimpama-Coomera Master Plan area connected to the Class A+ recycled water system. As with the water consumption charge, this is charged per kilolitre (1000 litres) of recycled water used and is based on the reading from the property's recycled water meter. The charge for recycled water is not based on the actual cost to supply the recycled water, it is based on a percentage of the drinking water volumetric charge, to encourage reuse.

Details of the current charges are outlined in the 'Your Water Charges' fact sheet available on the Council website

http://www.goldcoast.qld.gov.au/documents/Brochures%20and%20Factsheets/water_rates_notice_insert.pdf

5.4 Non residential charges

Non-residential charges for businesses and industry are similar to residential charges but are comprised of six components:

- water service fixed access charge (as for residential charges)
- water consumption volumetric charge (as for residential charges)
- sewerage service fixed access charge (as for residential charges)

- sewerage volumetric charge (based on a percentage of the water consumption volumetric charge, this varies with industry type)⁵
- trade waste charges
- Class A+ or Class C recycled water consumption volumetric charge (if applicable)

As opposed to residential customers, for non-residential properties (e.g. commercial and industrial properties) a volumetric sewerage charge is also applied. This recognises that non-residential properties may have highly variable sewage discharges and are thus charged on the user pays principle.

The sewerage volumetric charge is a charge per kilolitre (1000 litres) of sewage discharged and is based on the reading from the property's water meter, multiplied by a discharge factor applicable to the type of commercial or industrial activity.

Similar to residential properties, the Class A+ recycled water consumption charge is currently relevant only to properties in the Pimpama-Coomera Master Plan area connected to the Class A+ recycled water system. As with the water consumption charge, this is charged per kilolitre (1000 litres) of recycled water used and is based on the reading from the property's recycled water meter. Class C recycled water, which is used for a range of non-residential uses such as dust suppression, golf course and sporting field irrigation is currently supplied without charge.

Additional sewage quality charges may apply to customers that operate commercial premises, industry, trade or manufacturing businesses that discharge liquid wastes, other than just domestic sewage. Trade waste charges are comprised of three parts, one for access, one based on the volume discharged and one based on the concentration of waste accepted by Council for treatment. Charges apply to each kilogram of sewage discharged that has:

- chemical oxygen demand greater than 1000 milligrams per litre (mg/L)
- non-volatile suspended solids greater than 10 mg/L and
- phosphorous greater than 10 mg/L.

These charges reflect the user-pays principle as these types of waste require greater transport and treatment capacity than normal sewerage services. Full details of Council's trade waste management system and charges are available on the Council website.⁶

5.5 Infrastructure charges

Infrastructure charges are applied to new developments or developments that change the use on the land. These charges help to pay for the infrastructure required to meet the additional demand that the

⁵ <http://www.goldcoast.qld.gov.au/documents/bf/nonresidential-sewage-industry-type-discharge-factors-definitions.pdf>

⁶ <http://www.goldcoast.qld.gov.au/environment/trade-waste-7874.html>

new development places on the water and sewerage networks. In general, water and sewerage supply networks are constructed prior to land development occurring. Infrastructure charges are collected to pay off the cost of the new infrastructure investment over time. Infrastructure charges are based on the user pays principle ensuring existing residents do not pay for infrastructure for new homes.

Historically, Council levied infrastructure charges for the water and sewage networks based on schedules contained within the PIP:

- Clause 8.0 Water Supply Network – Infrastructure Charges Schedule available at

http://www.goldcoast.qld.gov.au/search-results.html?q=pip_watersupply_network_infrastructure_chargerates.pdf&o=1&v=2

- Clause 9.0 Sewerage Network – Infrastructure Charges Schedule available at

http://www.goldcoast.qld.gov.au/search-results.html?q=pip_wastewater_network_infrastructure_chargerates.pdf&o=1&v=2

The PIP⁷ set out the scale, type, timing and location of growth, in order to plan and fund infrastructure at appropriate times.

While the PIP was implemented in January 2007, the water and sewerage charges did not commence until 25 January 2010. From 2004 to January 2010 the infrastructure charging mechanism in force were the Developer Contribution policies in the Council planning scheme. The water and sewerage charges were assessed and approved by the Queensland Competition Authority and Planning Minister in 2009.

On 1 July 2011, the Queensland Government set new maximum (fixed) adopted trunk infrastructure charges for residential and non-residential development. Under this regime, Councils are able to pass their own adopted infrastructure charges resolution. This allows Councils to adopt the maximum or less than the maximum State Government charge.

Council's Adopted Infrastructure Charges Resolution (AICR) commenced on 1 July 2011 and applies to development for reconfiguring a lot, making a material change of use and carrying out building works. On 22 June 2012, Council amended the AICR to reflect returning of water and sewerage assets to Council. The amended version is referred to as the *Adopted Infrastructure Charges Resolution No.1 of 2011 (version 1.2)* and is available at http://www.goldcoast.qld.gov.au/documents/bf/adopted-infrastructure-charges-resolution_V1_2.pdf

⁷ see Section 3.2 for more information

6 Achieving effective outcomes from Network services

6.1 Introduction

Provision of water and sewerage infrastructure to meet the Communities' changing needs and expectations at an affordable price, is a challenging and at times difficult task. Council is committed to communicating and engaging with customers and the Community to achieve these outcomes. A number of Council documents are available to assist customers understanding service standards, customer's rights and responsibilities and how Council is performing in provision of its service. These documents are described below.

6.2 Gold Coast Water's Connections Policy and Procedures

The Gold Coast Water (GCW) Connections Policy and Procedure provides information on the requirements and procedures for connection to Council's water, sewerage and recycled water networks. Council is committed to ensuring that connections or extensions to the water, sewerage and recycled water networks meet required standards, support population growth, and protect the health and safety of the community. The Gold Coast Water Connections Policy and Procedure has been developed to assist developers, builders, plumbers and home owners to work with Council to deliver the best possible outcomes for all our customers connecting to the networks.

The Gold Coast Water Network Connections Policy and Procedure is available on the Council website at: <http://www.goldcoast.qld.gov.au/gold-coast-water-network-connections-policy--14311.html>

The Gold Coast Water Connections Policy contains the strategic objectives, policy statement and scope of connections to Council's networks. The Gold Coast Water Connections Procedure contains the information on the Gold Coast connections area, connections within and outside of the connections area, non-conforming connections and disconnection from GCW's networks.

Information on whether a property is within Council's current connections area is available on the Council's Property Enquiry mapping system, located on the Council website at: <http://www.goldcoast.qld.gov.au/planning-and-building/find-your-property-3699.html>

For technical specifications around connections and plumbing and building works that interacts with Council's infrastructure, please refer to Section 7.3 of the Land Development Guidelines.⁸

6.3 Water and Wastewater Customer Service Charter and Standard

The purpose of the Customer Service Charter and Standards is to describe Council's water and sewerage customer services, charter and standards in accordance with the SEQ Customer Water and Sewage Code. This document:

⁸ http://www.goldcoast.qld.gov.au/gcplanningscheme_policies/policy_11.html

- explains the services offered for drinking water, recycled water, sewage collection and treatment. General information is also provided about trade waste services
- contains information on a range of customer service processes including connections, metering, billing managing maintenance work, complaints and dispute resolution
- provides a list of key performance indicators and targets that Council aims to deliver to its customers and to protect the environment. These include standards for drinking water quality, water pressure, water supply interruptions, sewage overflows and odours, response times and repair completion times.

This document also sets out the shared rights and responsibilities of customers and the Council.

The Water and Wastewater Customer Service Charter and Standard informs customers of the water and sewerage service they can expect to receive from Council, and outlines customer obligations in relation to their use of the water and sewerage systems. It applies to all customers who do not have a specific or individual contract with Council for supply of water and sewerage services. Developers, trade waste and recycled water services customers are subject to individual contracts with Council.

A copy of this document is available at:

http://www.goldcoast.qld.gov.au/documents/Brochures%20and%20Factsheets/CUSTOMER_SERVICE_CHARTER_AND_S_TANDARDS.pdf

6.4 Gold Coast Water Annual Performance Plan

The Gold Coast Water Annual Performance Plan outlines the performance criteria of Council's water and sewerage services. This document is prepared in accordance with the requirements of Section 104 of the *Local Government Act 2009* and Section 31 of the *Local Government (Beneficial Enterprises and Business Activities) Regulation 2010*.

The Gold Coast Water Annual Performance Plan includes :

- Scope of service provisions
- Responsibilities
- Objectives
- Performance targets
- Financial information
- Economic regulation and
- Performance reporting

A copy of the Council's Operational Plan is available at:

<http://www.goldcoast.qld.gov.au/operational-plan-4585.html> which includes the Gold Coast Water Annual Performance Plan.

Appendix 1 Our Water and Sewerage History

Year	Population	Milestone
1940s	~7,750	Tallebudgera Creek Dam was built to service the southern supply areas of the Gold Coast
1960-70		<p>Little Nerang Dam built (with the construction of Little Nerang Dam in 1962, the Tallebudgera Creek Dam became redundant for water supply purposes).</p> <p>Mudgeeraba Water Purification Plant built</p> <p>Elanora STP built</p> <p>Benowa STP built</p> <p>Tugun STP built</p>
1970-80		<p>Stage 1 Hinze Dam Built (providing a storage capacity of 42,400 million litres)</p> <p>Merrimac WWTP built</p>
1980-90		<p>Stage 2 Hinze Dam (increased the storage capacity to 163,500 million litres)</p> <p>Molendinar Water Purification Plant built</p> <p>Coombabah STP built</p> <p>Benowa STP decommissioned and Benowa Re-pump Facility built</p> <p>Seaway release system built</p>
1991	292,031	
1990		Tugun WWTP decommissioned
1995		<p>Albert and Gold Coast Shires amalgamate to form City of Gold Coast.</p> <p>GCW was established as a directorate of Council to provide the City of the Gold Coast with water and sewerage services, and management of associated assets.</p> <p>The Gold Coast's water supply came primarily from the Hinze Dam, supplemented by the Little Nerang Dam, both managed by GCW. Council also sourced water from Wivenhoe Dam, west of Brisbane, for northern Gold Coast suburbs when the Hinze Dam, at one-tenth of Wivenhoe's capacity, became low. GCW managed two water treatment plants, at Molendinar and Mudgeeraba, where raw water from the dams was treated to a drinking water standard. GCW was also responsible for the operation and maintenance of four STPs located at Beenleigh, Coombabah, Elanora and Merrimac.</p>

Year	Population	Milestone
1996		Northern Sewerage Strategy developed to maximise re-use of sewage at the northern end of the Gold Coast and reduce volumes to be released to waterways.
2001	387,102	
2002		Pimpama Coomera Waterfuture Master Plan commenced planning to provide a blueprint for the capturing, use and reuse water in innovative and sustainable ways.
2003.		Coombah Waterfuture Alliance was established to deliver three infrastructure packages to upgrade the Coomabah WWTP, collection network and release system
2004		BMP Alliance commenced to improve and expand the sewerage network in the rapidly developing areas of Beenleigh, Merrimac and Pimpama on Queensland's Gold Coast.
2004-2005		As a result of the drought and the growing population, GCW commenced the Gold Coast Waterfuture (GCWF) project, to look at the security and sustainability of water supplies for the Gold Coast until 2056.
2005		Planning for a 55 ML/day desalination plant as emergency response to drought began. This was later expanded to 125 ML/day at the request of QLD State Government to service water needs of SEQ region.
2006		Merrimac STP upgrade commenced to cater for population growth and increase nutrient removal and odour control during the treatment process.
2006		Dams in the region fell below 20% capacity and Australia's toughest water restrictions were introduced. Beginning of SEQ Water Reform initiated by the QLD Government.
2008		Beenleigh STP, and part of it's catchment, transferred to the Logan City Council local government area.
2008		Gold Coast desalination plant commissioned.
2008		As part of the SEQ Water Reform process the bulk water assets (including dams, water treatment plants, bulk drinking water mains and pump stations, a desalination plant and advanced water treatment plants) were transferred from local governments to a range of state government owned entities. These assets made up a new regional water grid.
2008		Seaway <i>SmartRelease</i> project commenced to determine the behaviour and impact of our recycled water release, allowing us to optimise the operation of our releases.
2008		Pimpama STP and RWTP commissioned

Year	Population	Milestone
2008		Recycled Water Strategy developed for the use, storage and release of recycled water.
2010		Allconnex Water created to provide water and sewerage services in Council area.
2010-current		Coombabah STP Stage 5 Upgrade
2011	536,480	
2011		Stage 3 Hinze Dam completed by Seqwater. Embankment wall was raised from 93.5m to 108.5m, providing a total storage capacity of 309,700ML. Mitigation against potential flooding in the Nerang River catchment was the key driver behind the decision to raise the Hinze Dam wall.
1 July 2012		Council resumed the delivery of water and sewerage services in the Gold Coast area.

Appendix 2 Structure of the City of Gold Coast’s Netserv Plan

PART A Netserv Plan requirement ⁹	Supporting documentation	How requirement is addressed in this plan
(a) state the relevant planning assumptions on which the plan is based	<ul style="list-style-type: none"> • Council <i>About Our Living City – Gold Coast Planning Scheme 2003 - Part 8 Infrastructure, Division 1 Priority Infrastructure Plan (PIP)</i>. Section 3.0 PIP Planning Assumptions provides the planning assumptions for the PIP¹⁰ • South East Queensland Regional Plan 2009-2031¹¹ 	Section 3 of this Plan outlines the planning assumptions GCW currently bases its planning on. The Priority Infrastructure Plan (PIP) is the primary document on which planning is based. The PIP defines the scale, type, timing and location of growth in Gold Coast in order to plan future trunk infrastructure and to determine the charges required to fund it in a timely fashion. However due to climate, political and social change, many planning assumptions have been updated to align with the current situation.
(b) include information outlining the SEQ service provider’s infrastructure networks for its water service and sewage service, including information about the capacity of each network to service existing and proposed customers	<ul style="list-style-type: none"> • About Our Living City – Gold Coast Planning Scheme 2003 - Part 8 Infrastructure, Division 1 Priority Infrastructure Plan (PIP) • Council Total Asset Management Plan 	Section 2 provides information on GCW’s water, sewerage and recycled water assets and gives an overview of the current infrastructure capacity.
(c) include information outlining any proposed increases in the capacity of the infrastructure networks, including information about the areas into which the networks are to be extended and time frames for increasing the capacity	<ul style="list-style-type: none"> • About Our Living City – Gold Coast Planning Scheme 2003 - Part 8 Infrastructure, Division 1 Priority Infrastructure Plan (PIP) • Council Capital Works Program • Council Community Budget Report and Long-term Financial Plan 2012-13¹² 	A detailed description of increases to infrastructure capacity to meet long-term planning needs is available in the PIP. Section 3.8 provides details of the growth related projects proposed to increase the capacity of GCW for the next five years.

⁹ As per matters mentioned in section 99BO(1) of the *South East Queensland Water (Distribution and Retail Restructuring) Act 2009*

¹⁰ http://www.goldcoast.qld.gov.au/gcplanningscheme_1111/attachments/planning_scheme_documents/part8_infrastructure/priority_infrastructure_plan.pdf

¹¹ <http://www.dsdip.qld.gov.au/resources/plan/seq/regional-plan-2009/seq-regional-plan-2009.pdf>

¹² <http://www.goldcoast.qld.gov.au/documents/bf/community-budget-report-2012-13.pdf>

<p>(d) state the desired standard of service for infrastructure used to provide the SEQ service provider's water service and sewage service</p>	<ul style="list-style-type: none"> • Council Priority Infrastructure Plan – Part 8, Division 1, Section 4.0 Desired Standards of Service¹³ • Draft SEQ Design and Construction Code¹⁴ 	<p>Gold Coast Water's Desired Standards of Service (DSS) provides the standards of service on which the PIP was formed. The DSS will be replaced by the new SEQ Design and Construction Code which is due to come into effect on 1 July 2013. The contents of these documents are outlined in Section 3.</p>
<p>(e) include information outlining the SEQ service provider's strategy for demand management for water</p>	<ul style="list-style-type: none"> • Gold Coast Water Demand Management Plan¹⁵ 	<p>Section 4 provides an overview of the Gold Coast Water Demand Management Plan and water consumption within the Gold Coast area.</p>
<p>(f) state the SEQ service provider's policy for connections to its infrastructure networks for its water service and sewage service (the <i>connections policy</i>), including:</p> <p>(i) the areas (each a <i>connection area</i>) in which the SEQ service provider guarantees to provide connection to its water service or sewage service;</p> <p>(ii) the circumstances in which the SEQ service provider may approve connection outside a connection area; and</p> <p>(iii) the SEQ service provider's criteria for providing connection, with or without conditions, to its water service or sewerage service.</p>	<ul style="list-style-type: none"> • Gold Coast Water Connections Policy and Procedure¹⁶ • City of Gold Coast <i>Planning Scheme</i> – Policy 11 The Land and Development Guidelines, Section 7.3¹⁷ 	<p>The Gold Coast Water Connections Policy and Guidelines covers all aspects of connections to GCW services. An outline of what is contained in the Gold Coast Water Connections Policy and Guidelines can be found in section 5.</p> <p>For further technical specification for connections and plumbing and drainage works please refer to section 7.3 of the Land Development Guidelines. These guidelines are intended for plumbers, developers and builders who are undertaking works within the Council area.</p>

¹³ http://www.goldcoast.qld.gov.au/gcplanningscheme_1111/attachments/planning_scheme_documents/part8_infrastructure/priority_infrastructure_plan.pdf

¹⁴ <http://www.seqcode.com.au/>

¹⁵ Not available publically

¹⁶ <http://www.goldcoast.qld.gov.au/gold-coast-water-network-connections-policy--14311.html>

¹⁷ http://www.goldcoast.qld.gov.au/gcplanningscheme_policies/policy_11.html

<p>(g) include a schedule (a <i>charges schedule</i>) containing details of -</p> <p>(i) charges to connect customers to the SEQ service provider's water service and sewage service;</p> <p>(ii) charges for a customers use of the services; and</p> <p>(iii) charges relating to providing infrastructure for the services</p>	<ul style="list-style-type: none"> • City of Gold Coast fact sheet 'Your Water Charges'¹⁸ • Gold Coast Water Water and Sewage Charges¹⁹ • Water Supply Network Infrastructure charge rates under PIP²⁰ • Sewerage Network Infrastructure charge rates under PIP²¹ • Water Supply Network Infrastructure charge rates under the adopted infrastructure charges resolution²² • Sewerage Network Infrastructure charge rates under the adopted infrastructure charges resolution • Water Supply Network Infrastructure charge rates under Policy 3A²³ • Sewerage Network Infrastructure charge rates under Policy 3B²⁴ 	<p>GCW billing information is outlined in the Council fact sheet 'Your Water Charges' and the <i>Gold Coast Water Water and Sewage Charges</i> document.</p> <p>The Council Infrastructure Charges are available in the Water Supply Network Infrastructure charge rates and the Sewerage Network Infrastructure charge rates. Development applications will be subject to the charging mechanism in force at the time; these are outlined in the relevant documents found on the Council website.</p> <p>Section 5.2 explains Gold Coast Water's Schedule of Charges including:</p> <ul style="list-style-type: none"> • connection charges; • customer use charges; and • infrastructure charges.
<p>(h) indicate how the SEQ service provider proposes to achieve effective outcomes for the provision of water services and sewage services in -</p> <p>(i) the SEQ service provider's relevant area;</p> <p>(ii) the SEQ region; and</p>	<ul style="list-style-type: none"> • Water and Sewage Customer Service Charter and Standards²⁵ • City of Gold Coast Operational Plan 2012-13²⁶ • Gold Coast Water Annual Performance Plan (available within the Council Operational Plan 2012-13 (p102)) 	<p>How GCW proposes to achieve effective outcomes for the provision of water, sewerage and recycled water services are contained within Gold Coast Water's Customer Service Charter and Standards and Annual Performance Plan.</p> <p>An overview of these documents are available in section 6.</p>

¹⁸ http://www.goldcoast.qld.gov.au/documents/Brochures%20and%20Factsheets/water_rates_notice_insert.pdf

¹⁹ <http://www.goldcoast.qld.gov.au/water-sewage-pricing-2012-13-8681.html>

²⁰ http://www.goldcoast.qld.gov.au/search-results.html?q=pip_watersupply_network_infrastructure_chargerates.pdf&o=1&v=2

²¹ http://www.goldcoast.qld.gov.au/search-results.html?q=pip_wastewater_network_infrastructure_chargerates.pdf&o=1&v=2

²² http://www.goldcoast.qld.gov.au/documents/bf/adopted-infrastructure-charges-resolution_V1_2.pdf

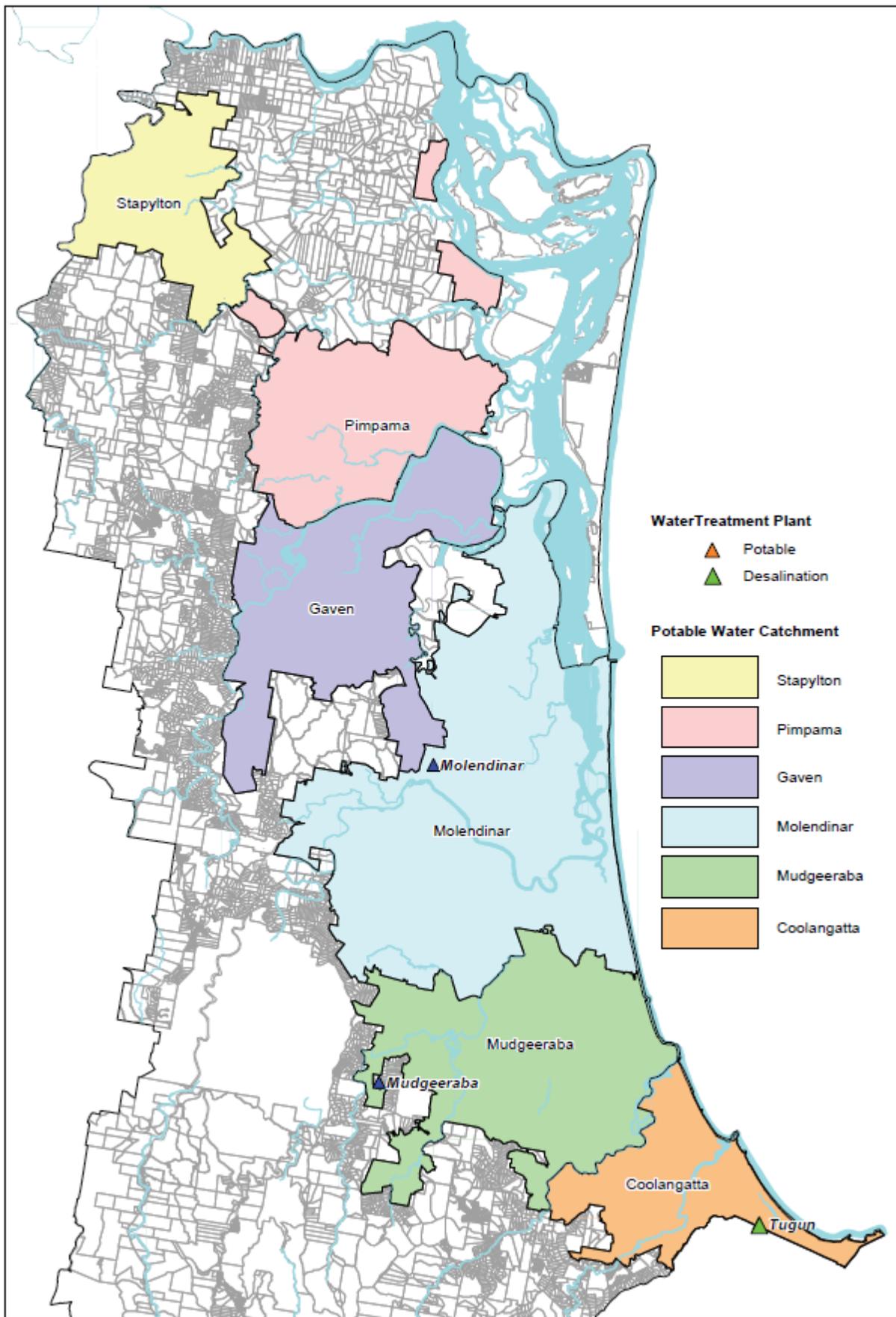
²³ http://www.goldcoast.qld.gov.au/documents/bf/water_supply_infrastructure_charge_rates_policy_3a.pdf

²⁴ http://www.goldcoast.qld.gov.au/documents/bf/sewerage_infrastructure_rates_policy_3b.pdf

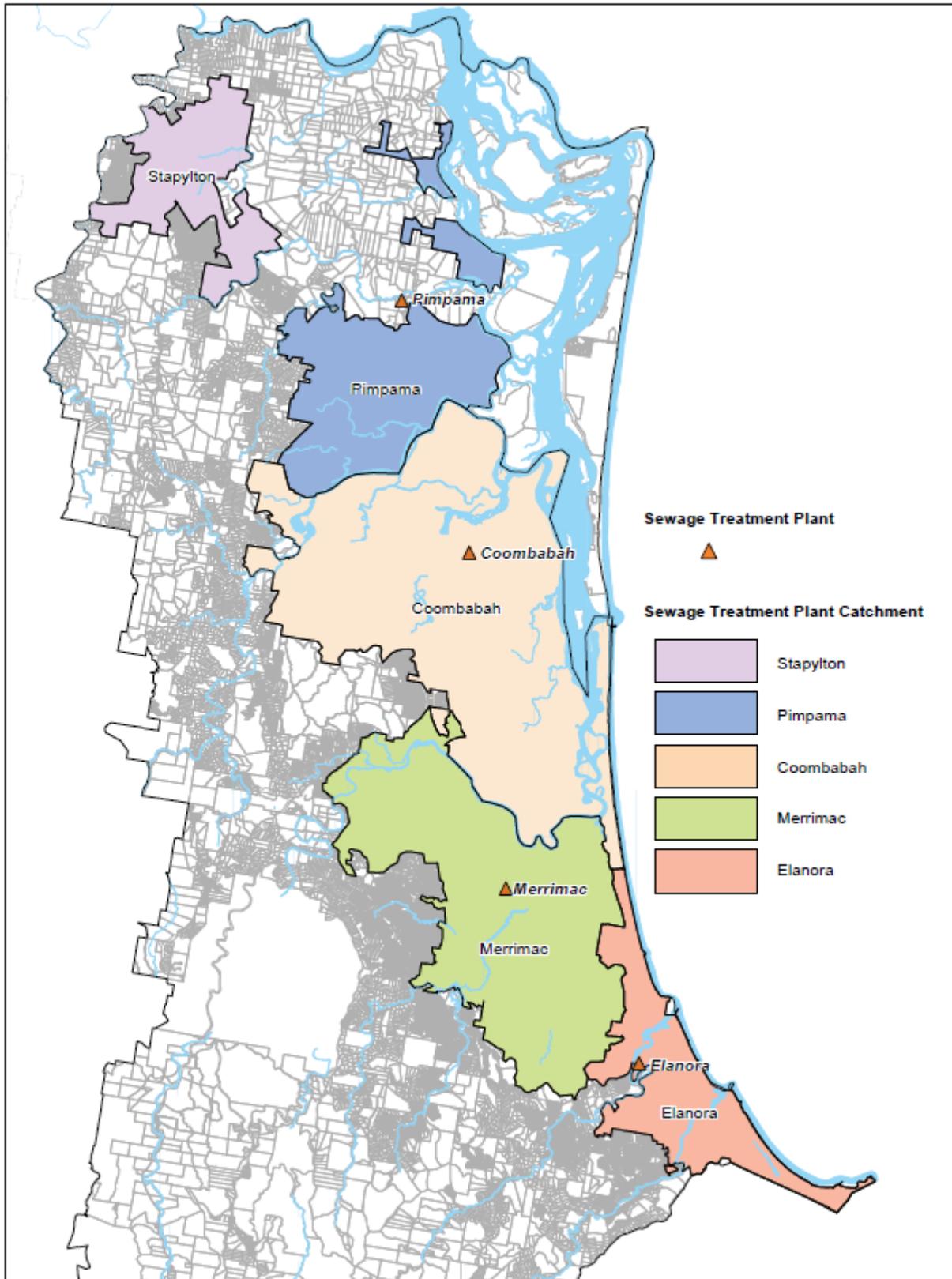
²⁵ http://www.goldcoast.qld.gov.au/documents/Brochures%20and%20Factsheets/CUSTOMER_SERVICE_CHARTER_AND_STANDARDS.pdf

²⁶ [http://www.goldcoast.qld.gov.au/documents/bf/operational_plan_2012-13\(1\).pdf](http://www.goldcoast.qld.gov.au/documents/bf/operational_plan_2012-13(1).pdf)

Appendix 3 Gold Coast Drinking Water Catchments



Appendix 4 Gold Coast Sewage Catchments



Appendix 5 Areas each sewage catchment services within the Gold Coast area

Sewage Catchment	Areas Served
Pimpama-Coomera	Jacobs Well-Alberton Kingsholme-Upper Coomera Pimpama-Coomera
Coomabah	Ashmore-Benowa Kingsholme-Upper Coomera Biggera Waters-Labrador Broadbeach Bundall Coomabah Helensvale Hope Island Main Beach-South Stradbroke Molendinar Oxenford-Maudsland Pacific Pines-Gaven Paradise Point-Runaway Bay Parkwood-Arundel Southport Surfers Paradise
Merrimac	Broadbeach Waters Burleigh Heads Burleigh Waters Carrara-Merrimac Mermaid Wtrs-Clear Is. Wtrs Mudgeeraba-Reedy Creek Nerang Robina Varsity Lakes Worongary-Tallai
Elanora	Bilinga-Tugun Mermaid Beach Burleigh Heads Burleigh Waters Coolangatta Currumbin Currumbin Valley-Tallebudgera Currumbin Waters Elanora Miami Palm Beach
Stapylton	Ormeau-Yatala

Appendix 6 Characteristics of the sewage treatment plants and recycled water treatment plant

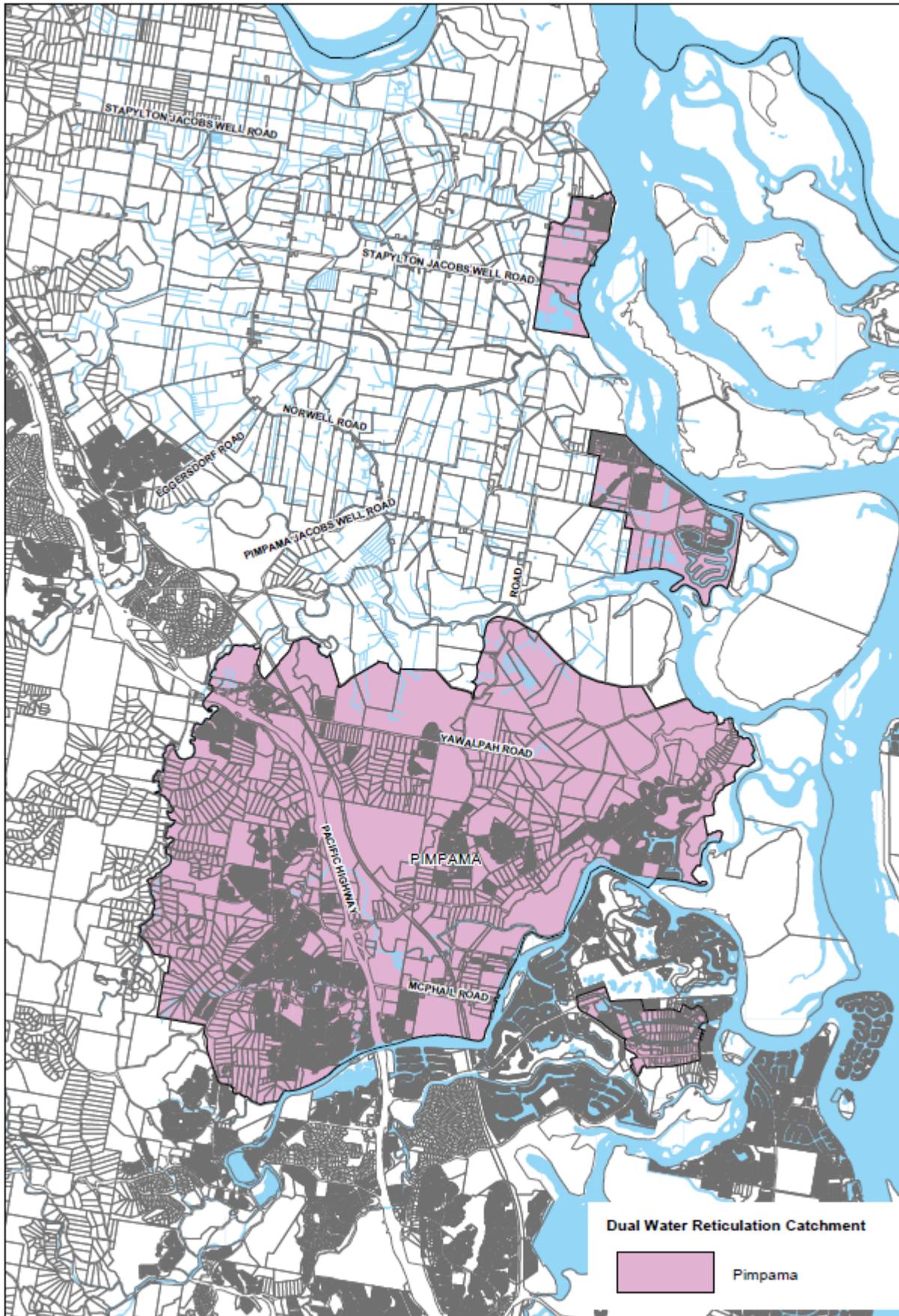
Plant	Licensed Capacity	ADWF*	PWWF+	Plant Process	Release and Reuse System	Planned Augmentation
Pimpama STP and RWTP[^]	17ML/day (RWTP [^] - 9 ML/day)	5 ML/d	32 ML/day	Biological nutrient removal process with sludge stabilisation through extended aeration Recycled Water Treatment Plant with ultra filtration, chlorination and UV disinfection	Northern Reuse and Release System - Recycled water that is not reused (Class A+ and Class C) is released on the northern side of the Gold Coast Seaway. The reuse scheme includes recycled water treated to Class A+ supplied to households within the Pimpama-Coomera area (See section 2.2)	Pimpama RWTP and STP has sufficient capacity for about the next 15-20 years. The efficiency of the plant and reuse systems however can be improved if a Class C recycled water pipeline is constructed from Pimpama to Coombabah. This will mean that only the water that is needed for Class A+ will be treated to that level. A concept design and business case for the project will be produced by 2013-14 for consideration.
Coombabah STP	97.42 ML/day Max release on any one day: 292.26 ML	66 ML/day	250 ML/day	Oxidation ditch process with sludge stabilisation by anaerobic digestion		The current Stage 5 upgrade is due to be completed by 2013. Stage 6 is currently in early planning but is not required for between 5-10 years. The northern release infrastructure is expected to reach capacity between 2015-2020. A project to develop a long-term release solution is underway.
Merrimac STP	57.5 ML/d Max release on any one day: 87ML	33 ML/day	210 ML/day	Activated sludge process with nitrification and sludge stabilisation through anaerobic digestion	Southern Reuse and Release System - recycled water that is not reused (Class C) is released on the southern side of the Gold Coast Seaway.	Merrimac has sufficient capacity until beyond 2030, even with diversion from the Elanora catchment area.
Elanora STP	29 ML/day Max release on any one day: 87ML	23 ML/day	75 ML/day	Activated sludge process with nitrification and sludge stabilisation through anaerobic digestion		Elanora WWTP is currently nearing the design capacity. A diversion project will be completed in 2013 to transfer sewage flows from Elanora to Merrimac. This will reduce operating costs and both Elanora and Merrimac will remain below capacity.

[^] RWTP is a Recycled Water Treatment Plant

* Based on Average Dry Weather Flow (ADWF) 2011/12

+ Based on Peak Wet Weather Flow (PWWF) 2011/12

Appendix 7 Gold Coast Class A+ Recycled Water Catchment



Appendix 8 Single dwelling water consumption within the Gold Coast by suburb 2011/12

2011/12 Single Dwelling Properties Consumption by Suburb				
Suburb	Consumption in ML per annum	Daily ML/d	No of Connections	Consumption per connection per day Litres
MAIN BEACH	24.56	0.07	89	756.01
SURFERS PARADISE	399.39	1.09	1,524	717.99
TALLAI	261.70	0.72	1,092	656.57
GAVEN	120.13	0.33	504	653.04
BUNDALL	340.62	0.93	1,462	638.31
TALLEBUDGERA VALLEY	53.65	0.15	232	633.53
PARADISE POINT	377.48	1.03	1,675	617.42
YATALA	83.88	0.23	375	612.84
TALLEBUDGERA	202.98	0.56	916	607.09
LUSCOMBE	3.00	0.01	14	586.50
CURRUMBIN VALLEY	47.14	0.13	221	584.42
BENOWA	425.68	1.17	2,005	581.67
BROADBEACH WATERS	588.79	1.61	2,852	565.61
BROADBEACH	4.54	0.01	22	565.26
WORONGARY	367.85	1.01	1,787	563.96
PARKWOOD	530.72	1.45	2,605	558.17
CLEAR ISLAND WATERS	212.28	0.58	1,052	552.84
RUNAWAY BAY	404.24	1.11	2,031	545.30
MERMAID WATERS	633.63	1.74	3,193	543.68
BONOGIN	192.26	0.53	974	540.79
CARRARA	481.80	1.32	2,446	539.66
ASHMORE	618.29	1.69	3,193	530.52
HELENSVALE	850.46	2.33	4,450	523.60
MOLENDINAR	343.99	0.94	1,817	518.68
MUDGEERABA	638.40	1.75	3,410	512.91
ROBINA	923.89	2.53	5,018	504.42
ARUNDEL	471.96	1.29	2,564	504.30
NERANG	733.16	2.01	4,027	498.80
HOLLYWELL	166.38	0.46	917	497.10
ORMEAU	623.89	1.71	3,467	493.02
OXENFORD	547.90	1.50	3,046	492.81
HIGHLAND PARK	314.23	0.86	1,751	491.66
BIGGERA WATERS	151.26	0.41	843	491.58
MERMAID BEACH	142.00	0.39	793	490.59
VARSITY LAKES	478.16	1.31	2,683	488.27
ELANORA	624.53	1.71	3,525	485.40
SOUTHPORT	742.55	2.03	4,223	481.74
MERRIMAC	217.58	0.60	1,238	481.51
CURRUMBIN WATERS	457.65	1.25	2,620	478.56
UPPER COOMERA	955.99	2.62	5,545	472.34
BURLEIGH WATERS	671.61	1.84	3,919	469.52
PACIFIC PINES	680.91	1.87	3,975	469.31
PALM BEACH	536.48	1.47	3,132	469.28
BURLEIGH HEADS	266.66	0.73	1,567	466.23

Suburb	Consumption in ML per annum	Daily ML/d	No of Connections	Consumption per connection per day Litres
MIAMI	187.58	0.51	1,105	465.08
HOPE ISLAND	124.36	0.34	735	463.57
MAUDSLAND	149.96	0.41	890	461.62
LABRADOR	280.98	0.77	1,668	461.52
MOUNT NATHAN	41.18	0.11	245	460.53
REEDY CREEK	209.28	0.57	1,251	458.32
NORWELL	3.85	0.01	23	458.13
COOMBABAH	286.20	0.78	1,720	455.87
PIMPAMA	146.83	0.40	921	436.77
CURRUMBIN	85.78	0.24	553	424.95
TUGUN	211.27	0.58	1,365	424.04
COOLANGATTA	63.89	0.18	430	407.09
BILINGA	34.44	0.09	237	398.08
GILSTON	51.57	0.14	355	397.96
ORMEAU HILLS	68.59	0.19	497	378.09
COOMERA	101.54	0.28	751	370.44
Totals	19,962		107,540	
Average		0.91		514.25



Water and Wastewater

Customer Service Charter and Standards

July 2012

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1 Gold Coast City Council's vision, mission and values

1.1 Corporate Plan

Gold Coast City Council's Corporate Plan outlines the vision it shares with the community for a sustainable city that focuses on preserving our natural environment and quality of life. It identifies key focus areas that reflect the community's aspirations for the city's 30-year vision.

1.2 Vision

Defined by our spectacular beaches, hinterland ranges, forests and waterways, the Gold Coast is an outstanding city which celebrates nature and connects distinct communities with the common goal of sustainability, choice and wellbeing for all.

1.3 Our mission

Leading the way towards a bold future that can sustain growth and economic development while retaining a lifestyle that is uniquely Gold Coast.

1.4 Our values

Our strategic decisions and day-to-day activities will be guided by the following organisational values.

- Commitment, pride and passion for our city.
- Working as one team with one vision.
- 360 degree trust.
- Respect for each other.
- Getting the job done right.

The corporate values are communicated and reinforced in induction programs, various leadership actions and through performance management. Councillors, the Chief Executive Officer, management and staff actively promote and consistently demonstrate the corporate values.

1.5 Our water and wastewater facilities

Gold Coast City Council owns and maintains the significant underground network of water and wastewater mains that deliver water throughout the city and collects and treats wastewater (sewage) from homes and businesses. The city's water and wastewater network and assets include:

- four wastewater treatment plants
- an advanced recycled water treatment plant at Pimpama
- 3092 kilometres of water mains
- 3143 kilometres of wastewater mains
- 527 wastewater pump stations
- 56 water pump stations
- 65 water reservoirs

Although Council is the retail water and wastewater service provider, the State Government retains ownership of the bulk water supply. This includes the Hinze Dam and Gold Coast desalination plant at Tugun. The State Government also owns the drinking (potable) water treatment plants.

The State Government sets the bulk water price that Council pays for water which is passed on to customers through the water and wastewater rate notice.

As the water retailer, Council will deliver high quality water and wastewater services across 1400 square kilometres of the Gold Coast.

Our customers comprise a growing population of more than 530,000 residents, local businesses and about 11.5 million visitors each year.

1.6 This document

The purpose of this document is to describe the Gold Coast City Council's water and wastewater customer services, charter and standards in accordance with the *South East Queensland (SEQ) Customer Water and Wastewater Code*.

The Customer Water and Wastewater Code requires Council to publish a customer service standard and customer charter. This document provides:

- an explanation of the services offered for drinking water, recycled water (Classes A+ and non-A+), wastewater collection and treatment. General information is also provided about the provision of trade waste services; however, as with non-Class A+ recycled water services, trade waste customers are expected to have individual contracts with Council that will contain information specific to their requirements
- information on a range of customer service processes including connections, metering, billing managing maintenance work, complaints and dispute resolution
- a list of key performance indicators and targets to express the level of service Council aims to deliver to its customers and the environment. This includes standards for drinking water quality, water pressure, water supply interruptions, wastewater overflows and odours, response times and repair completion times

This document also sets out our shared rights and responsibilities.

Overall, this document informs the customers of the service that they can expect to receive from Gold Coast City Council, and the obligations of customers in relation to their use of the water and wastewater systems. The document is available to all customers. It applies to all customers who do not have a specific or individual contract with Council for supply of water and wastewater services. Trade waste and recycled water services that are not part of the reticulated supply network are subject to individual contracts with Council.

1.7 Disclaimer

The service levels set out in this document are not a contract and are not intended to create any contractual obligation or rights. The times and service levels indicated are not intended to be prescriptive of exact times or levels of services to be provided.

2 Our services

2.1 Drinking water supply

Gold Coast City Council distributes a reliable supply of drinking water via our network of reservoirs, pump stations and mains connected to the SEQ Water Grid.

2.1.1 Standard service area

Council is required to provide drinking water to customers within the water service area. This area generally covers those developed properties within the urban areas and the park living domains of the Gold Coast. Refer to Figure A1.

Council Planning Schemes define the urban areas as the built-up parts of the city and those locations intended to become part of the built-up area.

2.1.2 Areas other than those of the standard service area

Water services are also provided to a number of properties outside the standard service area. The standard of service to these properties may not be equal of that provided to properties within the standard service area because they have typically been connected via infrastructure that is not designed or built to Council standards.

2.1.3 Future connection to non-standard service area

No future properties outside the water service area can be connected to the water supply system without Council approval, in accordance with standards for the planning, design and construction of water supply infrastructure.

2.1.4 Standard water connections

Applications for new water connections and upgrades of existing connections can be made by lodging a Works Application for Water Services and Meters form that can be downloaded from Council's website. Council offers a fixed price installation service for new meters less than 100mm and for upgrades to meters smaller than 40mm. For larger sizes, a quote will be provided on application. Council will provide one free quote. There is a fee for subsequent quotes.

2.1.5 Drinking water filling stations

Bulk drinking water can be obtained by authorised domestic water carriers from Council filling stations. Locations of filling stations in the Gold Coast City Council area can be found on our website or by contacting 1300 000 928.

2.1.6 Metered standpipes

Some business customers can apply to Council to hire a metered standpipe to draw water in bulk from the drinking water supply. These include:

- domestic water carriers that operate drinking water tankers and deliver to residential properties outside of Council's service area. Domestic water carriers must be a registered business and must hold current health inspection and backflow certificates before they can obtain a metered standpipe. Domestic drinking water can only be obtained from an approved drinking water filling station
- water carriers that operate potable water tankers for uses other than domestic use. General water carriers must be a registered business and are required to hold a current backflow certificate before they can obtain a metered standpipe
- water users that use water straight from Council's water mains. Water users must be a registered business

The use of metered standpipes is subject to permit conditions imposed by Council and any water restrictions that may be in force as directed by the Queensland Water Commission.

Applications to hire a metered standpipe can be made by lodging a Metered Standpipe Approval Application available on Council's website.

2.2 Wastewater collection, treatment and disposal

Council owns and operates a number of wastewater treatment plants across the city. They are at Coombabah, Elanora, Merrimac and Pimpama. Council is licensed by the Department of Environment and Heritage Protection to operate the plants in accordance with the Environmental Protection Act (1994) and associated legislation.

Council collects wastewater from homes, businesses and schools across the city and maintains pumps and electrical systems at its wastewater facilities. This helps to minimise the risk of failure that could result in a wastewater overflow. Council also invests in odour control equipment at wastewater pump stations and treatment plants to reduce impact on surrounding homes and businesses.

Reclaimed water and biosolids from the wastewater treatment plants is reused or recycled where possible, prior to disposal or discharge to the environment.

2.2.1 Standard service area

Council is required to provide wastewater services to customers within the wastewater service area. This area generally covers those developed properties within the urban areas of the Gold Coast. Refer Figure A2.

Council Planning Schemes define the urban areas as the built-up parts of the city and those locations intended to become part of the built-up area.

2.2.2 Areas other than those of the standard service areas

Wastewater services are also provided to a number of properties outside the standard service area.

The standard of service provided to properties connected to the wastewater system outside the standard service area is generally the same as that provided to properties within the standard service area because they have generally been connected to the wastewater system via compliant infrastructure.

2.2.3 Future connection to non-standard service areas

Applications to connect to the wastewater system outside the *wastewater service area* will be considered on merit provided the existing system has the available capacity, the applicant is able to connect to it by gravity, and is in accordance with Council standards.

2.2.4 Wastewater connections

Several types of wastewater connection are managed by Council, including:

- new connections
- connections made at the request of a customer to replace a septic tank
- connections made by direction of Council to replace a septic tank

Contact the Customer Contact Centre for enquiries and applications on connections and changes to connections.

New commercial properties requiring service from Council's wastewater network may require a larger connection and approval. This will be coordinated through the Council Plumbing and Drainage section.

2.3 Trade waste management

Trade waste is liquid waste generated from any business (commercial and industrial) other than domestic wastewater from toilets, hand basins and showers.

Wastes such as cooking oil, grease and food solids are produced by thousands of food outlets across the city every day. If this waste is dumped or discharged directly into the wastewater system it could block the system and cause overflows that could harm public health and the environment. To prevent this, all businesses that discharge greasy wastewater must have a grease trap installed.

Trade waste may also contain a variety of toxic or harmful substances, such as heavy metals, organic compounds, solvents, oils and grease, explosive substances, gross solids and chlorinated organic compounds. Wastewater treatment plants are not designed to treat these substances. They could also pose a health and safety risk to staff working at treatment plants.

Businesses may only discharge waste to the wastewater system that complies with Council's wastewater admission standards. These standards set limits on what substances are allowed and those prohibited from discharge into the system.

All businesses that generate trade waste and discharge it to the wastewater system must have current trade waste approval from Council. The approval stipulates the conditions for discharging trade waste into the wastewater system. It is illegal to discharge trade waste into Council's wastewater system without approval.

Council operates a waste tracking program to monitor the regular removal and disposal of waste from grease traps and other industrial holding tanks. The approval granted by Council stipulates how often grease traps must be cleaned out. Approval holders are issued with barcoded dockets that must be given to the licensed liquid waste disposal contractor when the grease trap is emptied. These provide information to Council that verify grease traps have been emptied and record the volume of waste.

Industry, businesses, trade or manufacturing customers wishing to discuss liquid waste discharges should call Council on 1300 000 928.

2.3.1 Trade waste approval

Businesses wishing to discharge trade waste into the wastewater system must apply to Council for a Trade Waste Approval under section 180 of the *Water Supply (Safety and Reliability) Act 2008*. The approval stipulates the conditions for discharging trade waste into the wastewater system.

Applications can be made by lodging an application with Council and providing the following information:

- type of business
- business owner and property owner (or authorised agent)
- layout of the business or industrial plant
- contaminants that are expected to be discharged
- volume and time of day the trade waste will be discharged
- type, size and location of pre-treatment equipment

Applicants must ensure all prior approvals (development application, plumbing and drainage approval) have been obtained from Council prior to lodging the application for approval to discharge trade waste.

The trade waste application must be signed by the applicant (the waste generator) and property owner (authorised agent). The approval is issued to the waste generator and a copy may be forwarded to the property owner and is not transferable. If a trade waste generating business changes ownership, the existing approval is terminated and the new business owner must re-apply for a new approval. If the property changes ownership, the approval will remain current provided the new property owner grants approval, in writing, to discharge the trade waste from the property.

For more information on trade waste applications call 1300 000 928.

2.4 Recycled water (Non Class A+) supply

Recycled water is treated wastewater that has been clarified and disinfected with chlorine, but has not been processed through a Class A+ (advanced) recycled water treatment plant.

Recycled water has been supplied to golf courses, industry and recycled water carriers since the 1970s. More than 40 non-residential customers are connected to recycled water that is produced at Council's wastewater treatment plants.

Non-Class A+ recycled water may be used for:

- irrigating parks, gardens and ovals
- irrigating playing fields and golf courses
- dust suppression on construction sites and roadworks
- irrigating roadside plants

Non-Class A+ recycled water cannot be used for:

- drinking
- cooking or other kitchen purposes
- toilet flushing
- fire fighting
- bathing or showering
- filling swimming pools, spas or play equipment
- washing cars
- watering livestock
- commercial or industrial food processing
- irrigating minimally processed edible food crops
- filling ponds, lakes, water bodies or tanks (unless an agreement to do so has been made)

2.4.1 Connection to recycled water (Non-Class A+)

Access to recycled water (Non-Class A+) for non-residential purposes may be made available within proximity of the pipeline network running from the wastewater treatment plants. Refer Figure A4.

Non-residential customers wishing to connect to non-Class A+ recycled water must lodge an Expression of Interest - Recycled Water Connection form that can be downloaded from Council's website. Connection will be considered on a case-by-case basis. Council will assess the application in relation to:

- proximity to existing infrastructure
- capacity of the supply network to meet demand
- engineering approvals e.g. Operational Works Approval
- compliance with the Water Quality Guidelines for Recycled Water Schemes and the Public Health Regulation (2005)
- suitability

Council may then approve or decline the application based on this assessment. Successful applications will be subject to the following mandatory requirements:

- Supply Agreement with Gold Coast City Council
- Recycled Water Management Plan to be developed by customer or appointed consultant in accordance with the guidelines
- training requirements

Approvals may also be subject to any of the following standard conditions:

- any on-site storage requirements
- on-site treatment
- timing of usage
- metering requirements
- any associated cost for the connection to existing network
- Approved Operational Works Application
- plumbing approval

2.4.2 Recycled water filling stations

Recycled water (Non-Class A+) can be obtained by authorised recycled water carriers from recycled water filling stations. Locations are subject to change without notice, and there are no filling stations for Class A+ recycled water.

2.4.3 Recycled water carriers

Recycled water (Non-Class A+) may only be transported and used by approved recycled water carriers who have a recycled water supply agreement with Council and have completed a recycled water training program. In addition to registered private recycled water carrier businesses, Council operates recycled water vehicles that transport non-Class A+ recycled water to irrigate parks and gardens and for dust suppression on construction sites.

An information package for recycled water carriers can be downloaded from Council's website. It includes information on how to apply for an agreement and includes:

- training requirements
- where to get recycled water
- what recycled water from carriers cannot be used for
- what records to keep
- how the recycled water management plan affects recycled water carriers
- notification of shutdown
- backflow prevention certification

A standard recycled water management plan for recycled water carriers, available on Council's website, has been developed to assist operators in complying with their recycled water supply agreement and general legislative obligations. It includes information on:

- procedures for minimising risk
- vehicle signage requirements
- vehicle disinfection

To become an authorised recycled water carrier you should lodge an Application for Recycled Water Carrier form available on Council's website. The form must include:

- copies of current backflow certification for each recycled water tanker
- a copy of the applicant's current public liability insurance
- completed Security Access form

Council conducts regular surveillance of its filling stations to ensure only authorised recycled water carriers access the supply.

2.5 Class A+ recycled water supply

Class A+ recycled water is the highest quality of recycled water available. It undergoes a rigorous treatment process to ensure it meets strict environmental and health guidelines before being supplied to customers.

Class A+ recycled water is only produced at Council's Pimpama recycled water treatment plant and is available to specially plumbed homes and businesses in the Pimpama-Coomera Master Plan Area (PCMPA). Refer Figure A3.

Class A+ recycled water and drinking water within the PCMPA are supplied via two separate pipe networks. This supply arrangement is known as dual reticulation. For easy identification, Class A+ recycled water infrastructure, including water mains, meter boxes and meters are coloured purple/lilac. Coloured garden hoses are also available to assist customers identify non-drinking water around the home.

Class A+ recycled water may be used for:

- irrigation of lawns, gardens, fruit trees and vegetable crops (fruit and vegetables should be rinsed in drinking water before consumption)
- flushing toilets
- washing cars, houses and other similar outdoor uses
- filling ornamental ponds, water features and fountains
- approved commercial, industrial and construction uses
- fire fighting

Class A+ recycled water cannot be used for:

- drinking
- cooking or kitchen purposes
- personal washing such as baths, showers, bidets and hand basins
- domestic evaporative coolers
- washing clothes
- filling swimming pools and spas
- recreation, such as playing under sprinklers and water toys
- a water source for pets and livestock
- filling rainwater tanks or other storages

2.5.1 Connection to Class A+ recycled water

From August 2005, residential properties within new developments in the Pimpama-Coomera dual reticulation area will automatically be connected to Class A+ recycled water. Pre-existing homes in the recycled water area will continue to use drinking water for all purposes. The cost of Class A+ recycled water connections is similar to that for drinking water.

All new non-residential developments in the recycled water areas will also be plumbed to Class A+ recycled water for toilet flushing and outdoor use. Non-residential customers wishing to use Class A+ recycled water for purposes other than domestic toilet flushing, garden irrigation, outdoor cleaning and fire fighting must lodge an Expression of Interest - Recycled Water Connection form available on Council's website. The application will be assessed in relation to:

- location (must exist within the Class A+ recycled water supplied region)
- capacity of the supply network to meet demand
- engineering approvals, such as operational works approval

- compliance with the Water Quality Guidelines for Recycled Water Schemes and the Public Health Regulation (2005)
- cost of connection to be borne by the customer

Successful applications may be subject to any of the following standard conditions:

- annual review of allocated demand
- terms of use
- volumetric allocation for a defined period (may be reduced in future)
- any on-site storage requirements
- timing of usage
- metering requirements
- approved operational works application
- plumbing approval
- any additional cost for connecting to the Class A+ recycled water network

Under legislation, properties with Class A+ recycled water are subject to regular audits to ensure the integrity of the drinking water and recycled water systems. An appointment will be made prior to the audit by Council inspectors.

2.6 Other services

Gold Coast City Council provides a range of other services that customers can access through the call centre, website or in writing. These include:

- water demand management advice (managing water use and high volume water customers)
- education and information programs (promotion and advice on water conservation, school Waterwise program and visits to Council's treatment plants)
- water and wastewater laboratory testing services

3 Our charges

3.1 Introduction

All current residential water and wastewater charges can be found on Council's website or by calling 1300 000 928.

If fees and charges are amended, Council will advise customers via a public notice in the relevant local newspapers. If the amendment only affects a small number of customers, Council may use other reasonable means of communication to notify affected customers.

3.2 Residential charges

Residential water and wastewater charges comprise four components:

- water service fixed access charge
- wastewater service fixed access charge
- water consumption volumetric charge
- Class A+ recycled water consumption volumetric charge (if applicable)

The water service charge is a fixed fee (regardless of the volume of water used) for the connection, or ability to connect, to Council's drinking water supply system. It is charged in advance.

The wastewater service charge is a fixed fee for each residential property's connection, or ability to connect, to the wastewater distribution system. It is charged in advance.

Service charges help cover the fixed cost of:

- the operation and maintenance of the extensive water and wastewater distribution system
- operation of wastewater treatment plants
- improvements to wastewater treatment processes
- helping to protect the environment

The water consumption charge is charged for each kilolitre (1000 litres) of water used and is based on the reading from a property's water meter. Unlike the service charge, this fee is charged after the water is used. The water consumption charge includes the cost of purchasing bulk water from the State Government and delivery to customers.

The Class A+ recycled water consumption charge is relevant only to properties in the Pimpama-Coomera Master Plan area connected to the Class A+ recycled water system. As with the water consumption charge, this is charged for each kilolitre (1000 litres) of recycled water used and is based on the reading from a property's recycled water meter (coloured purple).

3.3 Non-residential charges

Non-residential charges are similar to residential charges but are comprised of five components:

- water service fixed access charge
- wastewater service fixed access charge
- water consumption volumetric charge
- Class A+ recycled water consumption volumetric charge (if applicable)
- wastewater volumetric charge

The water service charge, wastewater service charge, water consumption charge and Class A+ recycled water consumption charge and are the same as for residential customers.

The wastewater volumetric charge for non-residential customers is based on the volume of wastewater that is assumed to be discharged from the property into the wastewater system. This is calculated by multiplying the customer's water consumption by an industry-based discharge factor. A domestic usage allowance (currently 92.5 kilolitres per half year) is then deducted from the total wastewater discharge volume and the remaining volume is then charged per kilolitre.

If a customer believes that the actual proportion of wastewater discharged from the property differs from the standard industry-based discharge factor then the property owner can lodge an Application for Variation of the Wastewater Discharge Factor form that can be downloaded from Council's website. In order to verify the actual proportion of wastewater discharged, the property owner must either:

- a) install a permanent wastewater discharge meter on every point of discharge from the property to the wastewater system, or
- b) install permanent water meters within the property to measure amounts of water that DO NOT return to the wastewater system, or
- c) install a temporary wastewater flow monitoring device that is monitored for two periods of 30 days each during a 12 month period

3.4 Trade waste charges

Additional wastewater quality charges may apply to customers that operate commercial premises, industry, trade or manufacturing businesses that discharge liquid waste other than just domestic wastewater.

Trade waste charges are comprised of three parts, one for access, one based on the volume and one based on strength and quantity of waste accepted by Council for treatment. Charges apply to each kilogram (kg) of wastewater discharged that has:

- chemical oxygen demand greater than 1000 milligrams per litre (mg/L)
- non-volatile suspended solids greater than 10 mg/L
- phosphorous greater than 10 mg/L

3.5 Metered standpipes

Metered standpipes can be hired on either a short-term or long-term basis. Charges for metered standpipes are comprised of three components:

- minimum hire charge (short-term hire) or security deposit (long-term hire)
- daily hire charge (short-term or long-term rate)
- water consumption charge

There is no water service charge (i.e. the fixed fee for the ongoing connection to the Council's water supply system) payable when hiring a metered standpipe. A contribution towards upgrading, renewing and maintaining the water supply infrastructure is included in the higher water consumption charge for metered standpipe users.

The hirer is responsible for the care of the metered standpipe. If a metered standpipe is lost or damaged the hirer will be charged the cost to replace or repair it, either on the water and wastewater rate notice for a short-term hire, or through a deduction from the security deposit for a long-term hire.

For a short-term hire, an authorised Council officer will record the date and the reading on the metered standpipe when it is returned. The hirer must sign for the correct date and reading and a water and wastewater rate notice is then issued to the hirer in the mail.

For a long-term hire, the hirer must either organise to bring the metered standpipe back to Council for reading, respond with the reading when requested via email or phone the Council officer with the reading on

designated dates throughout the hire period. The hirer must agree or sign for the correct date and reading and a water and wastewater rate notice is then issued to the hirer in the mail.

Where there is doubt concerning the accuracy of a reading or the Council officer suspects the meter may be faulty, the officer will arrange for the metered standpipe to be tested or replaced and the water consumption charge will be adjusted accordingly. The hirer is given a log book by the Council officer to maintain in case the metered standpipe reads faulty; this ensures the last true reading for billing purposes.

3.6 Use of recycled water (Non-Class A+)

Customer fees and charges for the use of recycled water (non-class A+) are negotiated on an individual contract basis.

3.7 Use of water for fire fighting

There is no charge for water taken from a fire fighting system (or a fire hydrant) for fire fighting purposes (this includes training for fire fighting and testing fire fighting equipment). However, a person must not take water from a fire fighting system (or a fire hydrant) without the permission of Council, unless the water is taken for fire fighting purposes. However, a fire fighting system is one that is used solely for fire fighting purposes.

4 Our rights and responsibilities

4.1 Introduction

In general, Gold Coast City Council:

- has the right to enter your property for the purpose of reading, replacing or maintaining your meter between the hours of 7am and 6pm
- has the right to enter your property at other times if the situation is deemed an emergency or a breach of legislation is suspected
- meter readers are required to carry identification and produce it if requested
- has the right to impose on-the-spot fines for illegal use of water in accordance with any water legislation or restriction in force at the time

4.2 Service standards

Gold Coast City Council sets high standards for its water and wastewater services that are consistent with the organisation's corporate vision and commitment to customers and the natural environment. In general, Gold Coast City Council will make every reasonable effort to:

- provide water and wastewater services on a continuous basis unless an interruption is required for emergency repairs or planned maintenance of the system
- supply high quality drinking water free from harmful organisms, colour, taste or odour in accordance with the National Health and Medical Research (NHMRC) Australian Drinking Water Guidelines
- minimise overflows from the wastewater collection system and ensure affected areas are cleaned up and disinfected as soon as possible
- receive an acknowledgement of a complaint within 10 business days
- receive a resolution of a complaint within 45 days, depending on the complexity of the complaint

Council prepares customer service standards to primarily make sure customers without contracts are adequately informed about the services they receive, including the standard of services they can expect.

Appendix B describes the Council customer service standards. Service delivery to customers is not just about response times - it's also about making sure the quality of service remains high.

4.3 Meter reading

Meter readings are used to calculate consumption charges that appear on the Council water and wastewater rate notices.

Council reads drinking water meter and Class A+ recycled water meters quarterly. Non-Class A+ recycled water meters are read every month.

In most cases the water meter is located in the footpath in front of the property. There are cases, however, where the meter is located inside the property and Council's meter reader will enter the property to take the reading.

Meter accuracy may reduce with increasing age or usage. In general, mechanical meters tend to slow down as they get older (i.e. they tend to record less consumption than actually occurs).

Council runs a meter replacement program. If a water meter is found to be damaged or stopped then an estimate of the property's water consumption will be applied based on historical consumption. When a water meter is replaced, the final reading is recorded for billing prior to the new meter being installed. Meter replacement occurs at no cost to the customer except where the customer has damaged the meter.

4.4 Water and wastewater rate notices

A water and wastewater rate notice sent out from Gold Coast City Council will include the following information:

- customer name
- your postal address, water and wastewater rate notice number and the address of the property to which the charges apply
- the date of issue and period covered by the water and wastewater rate notice
- the date of the previous and the current meter reads, or if an estimate was made, a clear statement that an estimate was made
- separation of the bulk water costs (from the State Government) and the distribution and retail charges (by Council)
- separation of the water and wastewater services charges and the fixed access charges from the variable volumetric charges
- the total consumption for the current period and a comparison with the total consumption for the previous period and the same period last year
- daily average consumption for the current period and a comparison with the daily average consumption for the previous period and the same period last year
- the date by which you are required to pay and the ways by which you can pay
- information on help that can be provided if you are experiencing difficulty paying
- our telephone contact details (for account and payment enquiries) as well as a 24 hour telephone number for faults and emergencies
- information about remissions or concessions that you may be entitled to
- information about how to read your water meter
- information about how to check for leaks

Gold Coast City Council customers will receive water and wastewater charges on their water and wastewater rate notice. A water and wastewater rate notices will require payment every six months.

4.5 Tenants water consumption notice

Whilst water and wastewater rate notices are sent to the property owner, Council is also required to issue, as a community service, water consumption information notices to residential tenants of individually metered rental properties. This promotes awareness of water consumption at the property.

The water consumption advice notice includes the following information:

- total and daily consumption for the current period
- total and daily consumption for the previous period
- total and daily consumption for the same period the year before

Residential tenants water consumption advice notices are issued on the same cycle as water and wastewater rate notices.

4.6 Repairs and maintenance

From time to time, Council needs to undertake planned maintenance work and emergency repairs to the water supply and wastewater system.

For planned works Council will:

- provide written notice to the occupier of all affected properties at least 48 hours prior to commencing planned work

- undertake planned work that involves shutting down the water supply or wastewater system at a time that minimises disruption to residents and businesses. Every reasonable effort will be made to perform this work between 9am and 3pm in residential areas and between 6pm and 6am in non-residential areas.

For emergency repairs and service faults, Council will, where possible:

- respond to service faults within quoted timeframes
- broadcast a warning that water supply is about to be turned off via a loudspeaker on a vehicle driven around the affected area prior to an unplanned shutdown
- directly advise that water supply is about to be turned off around the affected area prior to an unplanned shutdown
- try to limit water interruptions to a maximum of five hours
- provide alternative water supply throughout the interruption for customers with special needs, such as those who require water to operate life support equipment

If, as part of our work, we are required to enter your property we will:

- make every effort to contact the occupier of the property prior to entering the property to undertake urgent repairs
- ensure that all Gold Coast City Council staff and authorised contractors produce their identification card upon arrival and keep the identification card clearly visible whenever working within the property
- advise the occupier of the property as to the nature of the work required, the personnel and equipment that will be involved and the timeframe to complete the work
- undertake the work as carefully as possible with all effort made to minimise the impact to the property and disruption to the occupier
- leave a calling card after completion of the work if the occupier of the property is not present
- discuss any reinstatement works with the occupier prior to commencement
- make every effort to reinstate the property to its prior state as quickly as possible after completion of the work

In all circumstances we will:

- undertake works in a safe manner in line with best practices
- present ourselves in a neat and tidy manner
- conduct ourselves professionally and courteously at all times and refrain from any offensive behaviour or coarse language

4.7 Reinstatement of surfaces

In the majority of cases, water and wastewater mains are located beneath the street or footpath in front of the property. It is therefore necessary from time to time that landscaping and concrete driveways will need to be cut and excavated in order to repair or replace water mains and other infrastructure.

Council will take reasonable care in undertaking such works to find an alternative to cutting driveways where possible, but should an alternative solution not be viable, cutting may be unavoidable. Council will restore the driveway with plain concrete.

Some properties have decorative driveways with pavers, exposed aggregate, stamped concrete, tiles or slate surfaces that are difficult or impossible to reinstate to their previous condition. Council will undertake works, or provide funding to the property owner up to \$300, to match the finish of decorative driveways as close as practicable. The property owner may undertake additional works at their cost (subject to the finish not creating a hazard to the public, slip resistance standards being complied with, and Council approval being obtained and complied with).

4.8 Restriction of supply

Under the *SEQ Customer Water and Wastewater Code*, Council may restrict the water supply to a property when the property owner:

- has not paid a water and wastewater rate notice
- has been provided with at least two reminder notices and has not sought assistance in paying the rate notice
- has failed, more than once in a 12 month period, to comply with any agreed payment plan

By law, the water supply may be reduced to the minimum level required for the health and sanitation of the occupier, but not completely shut off.

We will not restrict the supply if you are registered with Council for special health needs.

Resumption of full supply will occur when the reason for the restriction of services no longer applies, but will not exceed five business days.

5 Your rights and responsibilities

5.1 Introduction

In general, customers:

- are responsible for internal plumbing on the property. Internal plumbing should be maintained, including preventing tree root intrusion on wastewater pipes, and regularly checking for leaks on water pipes
- are responsible for ensuring their water meter is readily accessible by Council's meter readers
- are responsible for the cost of a wastewater blockage if caused by a covered inspection hole, defective fitting on their property or placement of inappropriate items in the wastewater system
- are required to notify Council of any dangers on their property e.g. dangerous dogs
- should advise Council if they require uninterrupted/high volumes of water for use by life support equipment so we are aware of the situation
- must ensure that stormwater drainage is not connected to or not permitted to enter the wastewater system through the overflow relief gully (ORG)

In addition, customers must allow an authorised person (officer) from Council access to their property to:

- install, read, test maintain or alter meters
- replace meters and other equipment
- connect or restrict or restore supply
- inspect, make safe, operate, change, maintain, remove, repair or replace any infrastructure or equipment
- disconnect unauthorised connections to the system

5.2 Information and privacy

Council is committed to protecting customer privacy. Council collects and manages personal information in accordance with the Information Privacy Act 2009.

The primary intent of the legislation is to protect personal information which is collected, stored, used and disclosed in the delivery of Government services and the conduct of Government business.

5.2.1 Internet access

Gold Coast City Council's Internet Service Provider records anonymous web log data and email traffic for statistical purposes, system trouble shooting and maintenance purposes only.

This includes browser type (e.g. Internet Explorer, Safari, Firefox), traffic patterns through our site (e.g. the date and time of visits, pages visited, and what documents are downloaded) as well as referring information (e.g. the previous page visited prior to accessing Gold Coast City Council's website).

No attempt is made to identify personal details except in the event of an investigation when a law enforcement agency may exercise a warrant (Telecommunications Interception Act 2009) to inspect our Internet Service Provider's logs.

5.2.2 Customer call monitoring

When you phone the Gold Coast City Council Customer Contact Centre, you will hear the message "your call may be monitored or recorded for quality, training and verification purposes. Please let us know if you'd prefer not to have your call monitored or recorded".

Any personal information you provide to Council during your phone call will only be used to appropriately respond to your enquiry or request. Gold Coast City Council complies with the Information Privacy Act 2009 when dealing with personal information.

5.3 Notification of special health needs

Customers have a responsibility to register with Council if there is a need for water to maintain special medical needs.

For example, Council maintains a register of residential properties and hospitals that operate dialysis machines. This information is available to Council's personnel to ensure as much as possible that a continuous supply of drinking water is maintained at these locations in the event of a burst water main or a planned shutdown of the water supply for maintenance purposes.

Council issues registered dialysis patients and hospitals with an emergency telephone number that may be called if water supply to the property is interrupted. If the situation becomes life threatening, emergency services should be called immediately on 000.

Council maintains a policy and guidelines for the management of dialysis remissions.

5.4 Property connections

5.4.1 Development of properties

Enquiries on the development of properties involving a material change in use, reconfiguring a lot, and operational works should be directed to 1300 000 928.

5.4.2 Redevelopment of properties

Sometimes when a property is redeveloped it is necessary to relocate or upgrade the existing water supply and wastewater connections. Property owners can lodge applications for this work to Council using the following forms:

- Water Supply - Works Application for Water Services and Meters
- Wastewater - Quote for Water and Wastewater Construction Works

5.4.3 Disconnection of water supply

If a property no longer requires water supply, Council can disconnect the existing service and remove the meter and meter box from the property. Fixed water supply charges will still apply. Applications for disconnection of existing connections can be made by lodging the Works Application for Water Services and Meters form. Council offers a fixed price disconnection service for new meters less than 100mm in size. For larger sizes, a quotation will be provided on application. On receipt of the application, Council will provide a fixed price quote within 10 business days.

5.4.4 Disconnection of wastewater

If a property no longer requires an existing wastewater connection, the pipe connecting to Council's wastewater main must be cut off and capped by a licensed plumber to prevent water or soil entering the system. The connection pipe should be cut off as deep in the ground as is practical to avoid being damaged by future landscaping or building works. Fixed wastewater supply charges will still apply.

Council can undertake the wastewater disconnection work for a fee. Property owners can lodge a Quote for Water and Wastewater Construction Works form. On receipt of the application, Council will provide a fixed price quote within 10 business days.

5.4.5 Flow and pressure tests

Customers can request water flow and pressure information for a fee. Customers must fill in the Water Network Hydraulic Information Report Request form, available on Council's website.

5.4.6 Backflow prevention

Backflow prevention is the term used to prevent the reverse flow of water from a potentially polluted or contaminated source into Council's drinking water supply system. This can occur in commercial and industrial facilities that have:

- taps or running water outlets in a contaminated area
- submerged water outlets used for filling tanks in a commercial/industrial process
- water supply connected to commercial or industrial process pipes

Backflow is also required for properties that are connected to recycled water or have rainwater tanks connected to the internal plumbing.

Backflow is prevented by installing a prevention device such as a one-way valve that prevents contaminants from entering the drinking water supply system. These are supplied in testable and non-testable types depending on the risk associated with the possible contamination. Testable devices require annual testing to ensure satisfactory operation. Further information on backflow prevention requirements is available from Council's Plumbing and Drainage section.

5.4.7 No building near or over services

There are strict land development guidelines regarding structures being built near or over Council water and wastewater infrastructure. In general:

- building work near or over a water or wastewater main must not interfere with or adversely affect the function of the service or place any additional load on the service
- adequate access must be provided to the mains for future maintenance
- adequate access must be provided and maintained to access covers
- adequate access must be provided and maintained to wastewater connection points

5.4.8 No discharge of stormwater into the wastewater system

It is the property owner's responsibility to ensure stormwater is not discharged into the wastewater system. This can cause wastewater overflows into properties downstream, public health impacts and environmental damage. Illegal sources of stormwater inflow can include:

- connection of roof downpipes into the wastewater system (including carports, patio covers and extensions added after the house was originally constructed)
- connection of garden drains and 'agi' pipes from behind retaining walls into the wastewater system
- concreting, paving or turfing up to the level of the overflow relief gully (ORG) that allows stormwater runoff to enter the wastewater system
- inadequate property drainage that leads to flooding and inundation of the overflow relief gully (ORG) during heavy rain

Council regularly inspects and investigates areas that incur wet weather wastewater overflows.

5.4.9 No obstruction of overflow relief gullies

An overflow relief gully (ORG) is a fitting outside the home designed to release wastewater overflows safely. The shape and size of ORGs can vary but in general they are round grated drains between 100mm and 150mm in diameter. The grating may be metal or plastic and black, white or silver in colour.

In the event of a wastewater blockage or high stormwater inflows the ORG fitting should pop off to release the pressure and direct any wastewater away from the home.

Plumbing regulations required that the ORG must be installed at a level that is at least 150mm lower than the lowest drain inside the home (particularly the shower, toilet and any laundry or bathroom floor drains). It must also be installed at least 75mm above the surrounding ground level to ensure stormwater does not flow into the wastewater system via the ORG.

It is the property owner's responsibility to ensure their home has a properly installed and operational ORG. It must also not be:

- covered by an object such as a pot plant
- covered by landscaping or garden beds
- unable to pop off because it is locked in place, corroded, filled with silt or concreted in

5.4.10 Operation of wastewater flap valves

A flap valve is a one-way flap valve fitted to a private wastewater drain pipe to prevent back flow from the wastewater mains. Council's wastewater system is designed to cater for predicted normal (dry weather) wastewater flows, plus a margin for additional flow during wet weather conditions caused by stormwater infiltration into the system.

Stormwater infiltration can enter the wastewater system via:

- stormwater flooding over the top of wastewater manholes
- infiltration of ground water through cracks in the pipes

Council may fit flap valves at the property owner's request that have experienced problems with wastewater backing up from the mains and overflowing into the property during heavy rain. If the wastewater main starts to back up, the flap valve is designed to be pushed closed by any flow coming back up the pipe to protect the property from an overflow.

Once installed, the flap valve becomes part of the property owner's wastewater system. Wastewater flap valves require maintenance to ensure they operate correctly but property owners are advised not to interfere with the valve in any way as it could result in a malfunction leaving the property unprotected from wastewater overflows during heavy rain. If the flap valve appears to be malfunctioning, a licensed plumber should be contacted immediately to check the valve.

Customers who request installation of a flap valve must be conscious that when the flap valve is pushed closed during wet weather, it cannot release any wastewater from the property until the back pressure has subsided. Occupiers of properties with flap valves fitted must avoid running showers, washing clothes or dishes and flushing toilets during this period to prevent an overflow within the property.

5.4.11 On-site wastewater pump stations and treatment facilities

On-site wastewater facilities include pump stations and many types of wastewater treatment and land application such as septic tanks, aerated wastewater treatment systems, biofilter systems, composting toilets and activated sludge systems.

On-site wastewater facilities are situated within private property and pump or treat the wastewater generated from the property. They are owned and managed by the property owner.

On-site wastewater facilities on the Gold Coast are regulated by Council's Plumbing and Draining section.

5.5 Metering

5.5.1 Special meter readings

Property owners request a special water meter reading, for example:

- if the property is being sold and a water rate adjustment is required as part of final settlement figures
- if a tenancy agreement requires the tenant to pay or contribute to the water consumption charges

Property owners and/or their agent can order a special water meter reading by contacting Council's Customer Contact Centre on 1300 000 928. A standard fee is payable upon application. Gold Coast City Council will take all reasonable action to provide the meter reading within 10 business days.

5.5.2 Sub-metering of multi-unit developments

Historically, multi-unit developments had two options for the management of their water consumption charges:

- option A - have the total consumption recorded by the master meter apportioned in accordance with Lot Entitlement and billed to each Lot owner separately through the rate notice
- option B - have the total consumption recorded by the master meter billed entirely to the Body Corporate

Pre-1 January 2008, sub-meters were not required to be installed and if they were installed were not owned by Council.

Post-1 January 2008 when sub-metering of multi-unit developments was introduced; the sub-meters are owned by Council, and located so they are easy to read and maintain. It is not mandatory to retro-fit sub-meters to existing multi-unit complexes. The Body Corporate can, however, elect to do so at its own cost.

During the planning of new multi-unit complexes, the developer must submit plans to Council showing the proposed arrangement of the internal plumbing, the proposed location of each meter and the proposed make and model of meter to be installed. The sub-meters must be accessible for reading and periodic replacement. Only meters approved by Council can be installed and all meters used in a complex must be of the same make.

In cases where access to sub-meters is not possible, the developer must install automatic meter reading technology that transmits the meter reading to a central control panel electronically, although wherever possible, conventional water meters are the preferred solution.

After the sub-meters have been inspected, tested and approved they will become the property of Council. From that time onwards, the meters will be read, maintained and replaced by Council similar to standard individual property meters.

5.5.3 Meter accuracy testing

If the property owner is concerned that the water meter is not reading correctly, then the property owner can apply to have the meter tested. This can be done within 12 months of the relevant rate notice by lodging an Application for Water Meter Accuracy Test form that can be downloaded from Council's website.

Council offers three different tests that are progressively more accurate but also progressively more expensive:

- option A - a field test using Gold Coast City Council's flow meter
- option B – an independent laboratory test whereby the meter is removed
- option C - an independent laboratory test whereby the meter is removed and disassembled

The applicant must pay the fee for the test when the application form is lodged. Council will take all reasonable action to conduct the meter test within 10 business days, and provide a meter test report within 10 business days following completion of the test.

The prescribed margin for meter accuracy is defined by the National Measurement Institute *National Framework for Urban Water Measurement 2010*. If the meter is found to be registering within +/- 4 per cent, or registering greater than 4 per cent less than the actual amount used in the test (i.e. the meter is running 'slow' and under-charging the property owner) no refund or adjustment to the water consumption charge will be made.

If the meter is found to be registering greater than 4 per cent more than the actual amount used in the test (i.e. the meter is running 'fast' and over-charging the property owner) Gold Coast City Council will refund the testing fee and adjust the water consumption charge on the next rate notice for the estimated amount that has been over-charged.

5.5.4 Monitoring of water use and water leaks

Customers are responsible for all water use and water leaks on their property. Customers can monitor their water use by reading their water meter on a regular basis.

To perform a leak check, turn off all taps and water-using appliance in and around your property. Then check your water meter. If the dials on your water meter are moving there could be a leak. If there is no movement on the dials, there may still be a slow leak. To check this, do not use any water for at least 30 minutes, then take another reading. If the meter reading has changed, there may be a leak. To fix, check all fixtures and fittings or call a licensed plumber.

Larger water customers may wish to monitor their water consumption more regularly. The property owner can apply to Council for permission to install an electronic data logger by lodging an Application for Permission to Install Probe/Data Logger form that can be downloaded from Council's website.

Data loggers typically consist of an electronic probe connected to the water meter that transmits pulses from the water meter to a data collection unit that displays the current reading and allows analysis of water consumption data. If approved, the applicant is responsible for arranging and paying for the purchase and installation of the data logger by an approved technician.

The following conditions also apply:

- the data logging equipment is owned and maintained by the applicant
- the applicant is responsible for the accuracy of the data logger and use of the data collected from it
- the installation of the probe must not affect the functioning or reading of the water meter
- Gold Coast City Council may replace the water meter at any time with a meter that is not necessarily the same size, make or type as the original meter
- Gold Coast City Council will advise the occupier prior to meter replacement but not replace, re-install or reimburse the customer for the probe or the data collection unit
- water consumption charges are calculated from the meter installed by Gold Coast City Council only

5.6 Water conservation

5.6.1 Permanent water conservation measures

Permanent water conservation measures encourage water efficient behaviours to ensure we continue to enjoy our enviable lifestyle and amenities. In times of drought, stricter water restrictions may be imposed.

Permanent water conservation measures apply to both residential and non-residential users in the Gold Coast City Council area. These specify measures for watering gardens and lawns, general outdoor cleaning and cleaning of paved surfaces, and swimming pools and spas. For further information go to www.qwc.qld.gov.au or telephone 1300 789 906.

5.6.2 Large customer water efficiency management plans

Water Efficiency Management Plans (WEMPs) are a long-term demand management strategy requiring businesses to achieve efficient water use. The WEMP process is a statutory requirement enforceable under the Water Act 2000.

WEMPs assist businesses to:

- identify water saving measures that can be readily applied to a business or other non-residential premises
- prepare a plan for implementing the water saving measures including timelines for their completion

A WEMP must be submitted by the following businesses:

- businesses using greater than 10 mega litres (ML or million litres) per year
- businesses irrigating an area of greater than 500 square metres with town water
- nurseries, turf farms and market gardens
- public pools using one mega litre (ML or million litres) or more per year
- all premises with cooling towers

All WEMPs must:

- be prepared in accordance with the QWC guidelines
- be submitted to Gold Coast City Council for approval
- be capable of third party certification
- contain details (including dates) of how the business is achieving or plans to achieve a 25 per cent reduction of water use or best practice

Best practice can be demonstrated by documenting and justifying why such measures are considered to be best practice. For example, businesses can assess and benchmark their activities and processes against industry accepted key performance indicators or relevant business or industry standards. In addition:

- all businesses using more than one mega litre a year must have water efficient appliances, such as low-flow taps, trigger sprays, showerheads, urinals and cooling towers
- vehicle washers must use water only in accordance with guidelines
- commercial pool and spa operators must keep a weekly log and install a rainwater tank, sub-meter and clear view screen in the backwash outlet line where required, with a range of water-efficient fittings
- operators of visitor accommodation must display water conservation information in bathrooms to help guests be Waterwise

Visit qwc.qld.gov.au or call 1300 789 906 for more information on guidelines.

5.6.3 Recycled water management plans

All non-residential non-Class A+ recycled water customers connecting to recycled water must enter into an agreement for the supply of recycled water with Gold Coast City Council. The agreement documents the obligations of the customer and Council regarding supply and use of recycled water. Customers must also submit a recycled water management plan (RWMP).

A RWMP is a site-specific risk management document which:

- identifies potential environmental and public health hazards associated with a recycled water project and the control measures in place to prevent harm
- can change and grow with increased knowledge and experience to better suit the needs of the business
- is audited in line with the supply agreement
- should be written in accordance with the 12 element approach outlined in the Australian Guidelines for Water Recycling

In some instances, customers may be required to submit a recycled water management plan to the Department of Environment and Heritage Protections for approval under the Queensland Recycled Water Guidelines. Council will advise customers if they will be affected by these guidelines.

Customers using recycled water in the Gold Coast area (excluding Class A+ dual reticulated customers in the Pimpama-Coomera area) are required to undertake Council's recycled water user training.

5.6.4 Rainwater tanks

Rainwater tanks help conserve the region's drinking water supply and can provide a valuable source of water. Depending on their size and the roof catchment area, tanks can provide a property with up to 75,000 litres per year. Rainwater tanks also help to reduce the volume of storm water runoff from homes and other buildings.

Queensland Health does not recommend the use of water from rainwater tanks for drinking or food preparation if town drinking water supply is available. In areas where the rainwater tank is the sole supply of water, Queensland Health recommends that all users follow the advice provided on its website to optimise the water quality and manage risks to human health.

Connecting a rainwater tank to the internal plumbing of a property requires approval from Council's Plumbing and Drainage section.

5.7 Water and wastewater rate notice

5.7.1 Payment

Payments of Council water and wastewater rate notices are required within 30 days of the date on the water and wastewater rate notice. A range of payment options are available. Property owners can also make arrangements to have their charges paid automatically via Direct Debit.

5.7.2 Tenants

From 1 April 2008 property owners have been entitled to pass on water consumption costs for rented properties to the tenants provided all of the following conditions are satisfied:

- the property is individually metered
- the property is water-efficient (this generally means that all water using devices have a minimum 3-star rating under the water-efficient labelling scheme, however tenants are advised to refer to the *Residential Tenancies Act 2008*)
- the rental agreement states that the tenant must pay for water consumption

Costs associated with water and wastewater access charges and the installation of water saving devices remain the responsibility of the landlord and may not be passed on to tenants in rental properties.

For more information on tenant water charging go to the Residential Tenancies Authority website: www.rta.qld.gov.au or call them on 1300 366 311.

5.7.3 Hardship arrangements

Gold Coast City Council recognises that customers may experience financial hardship (often due to circumstances beyond their control) which could affect their ability to meet the payment terms for their water and wastewater rate notices. Under the Gold Coast City Council Hardship Policy, Council may provide assistance to customers who are suffering from financial hardship or experiencing difficulty in paying water and wastewater rate notices.

A customer can make an application for financial hardship. Customers may also be identified by Council, or an independent accredited financial counsellor as having the intention but not the financial ability to meet the payment terms and timeframes that are set by Council. A customer's eligibility to receive assistance under these provisions is at the absolute discretion of Gold Coast City Council.

5.7.4 Concealed water leaks

Council is responsible for water breaks and repairing leaks to the water mains up to and including the water meter at the front of the property.

The property owner is responsible for breaks and repairing water leaks within the property. In the event of a burst or leaking pipe, the property owner must arrange and pay for a licensed plumber to undertake the repair.

In some cases a concealed water leak occurs on a property. A concealed leak is one that is hidden from view either underground or under concrete, and a property owner could not be reasonably expected to be aware of its existence. In cases where a concealed water leak has been found and repaired, the property owner can lodge an application to Council to claim relief from the water consumption charges and the wastewater volume charges (relevant to non-residential customers only) under Council's Water Charge Remission for Concealed Leaks Policy. The leakage relief is in the form of a partial refund of the charges once the leak has been repaired by a licensed plumber. Pensioners and non-profit organisations may be eligible for a larger proportion of leakage relief. In all cases the property owner is responsible for paying for the leak to be repaired.

Applications for leakage relief are only for leaks in the supply pipe from the water meter to the building. Leaks in internal plumbing, toilets, showers, hot water systems and swimming pools do not qualify. Application of the leak remission does not remove the customer's obligation to pay outstanding charges for the water supplied. Additional conditions apply to multi-unit developments.

5.7.5 Water used for fire fighting

In the event that water is used at a property for fire fighting purposes, the property owner can lodge an application to Council for a rebate under Gold Coast City Council's Water Charge Remission Policy for Genuine Fire Emergencies. The application should be in the form of a letter stating:

- name/s of the property owner
- address of the property owner
- telephone numbers - home and work
- real property description of the property for which rebate is being claimed
- address of property for which rebate is being claimed
- type of property i.e. residential, commercial, industrial
- details of the fire and its location
- proof in accordance with Council's policy that a fire occurred
- the type of installation from which the water was drawn i.e. hose, fire hose, hydrant
- the actual or estimated quantity of water that was used

5.8 Bursts, blockages and spills

5.8.1 Wastewater blockages in private plumbing

The property owner is responsible for clearing blockages and repairing cracks or breaks to the wastewater plumbing within the property and down to the connection to Council's wastewater main. In cases where the connection of the private plumbing to the wastewater main is outside the property boundary, then the property owner is only responsible for the private plumbing up to the line of the property boundary.

In the event of a wastewater blockage, the property owner must contact a licensed plumber in the first instance to identify the cause. If the blockage is located within the property owner's area of responsibility then the property owner must pay for the cost of clearing the blockage and any associated repairs to the private plumbing.

If the plumber believes that the blockage is located within Council's area of responsibility then the plumber must contact Council as soon as possible to arrange for a Council officer to attend the property and liaise and inspect with the plumber in relation to the location of the blockage. This will usually require the plumber to have a camera on-site for internal inspection of the sewer.

If the blockage is located within Council's area of responsibility, Council will reimburse reasonable charges from the plumber in attending on-site.

5.8.2 Water damage and wastewater overflows

From time to time, water mains burst and wastewater pipes get blocked with tree roots or other debris causing an overflow. If this occurs:

- property owners should contact their insurers
- tenants should contact their insurers in relation to any personal effects and advise the owner or property manager/agent of any damage to the property

Council recognises that such an event is distressing and will, without liability, assist owners and occupiers with support and advice throughout the process.

6 Working together

6.1 General enquiries

General enquiries can be made by contacting Gold Coast City Council's Customer Contact Centre on 1300 000 928 on week days between the hours of 7am and 5pm (excluding public holidays).

General enquiries can also be sent by email to:

customercontact@goldcoast.qld.gov.au
Gold Coast City Council
PO Box 5042
Gold Coast Mail Centre QLD 9729

6.2 Service faults

To report service faults or concerns about water quality or wastewater odours contact Gold Coast City Council's Customer Contact Centre on 1300 000 928 at any time 24 hours per day, 7 days per week.

6.3 Payment enquiries

Payment enquiries or requests for assistance with payment of charges can be made at Gold Coast City Council's Customer Contact Centre on 1300 000 928 or in person at one of the following locations:

Surfers Paradise

135 Bundall Road, Bundall QLD 4217
Open 8am to 5pm, Monday to Friday

Nerang

833 Southport Nerang Road, Nerang QLD 4211
Open 8am to 5pm, Monday to Friday

Broadbeach

Corner Hooker and Sunshine Boulevards, Mermaid Waters QLD 4218
Open 8.45am to 5pm, Monday to Friday (Closed noon to 12.45pm)

Burleigh Heads

Park Avenue, Burleigh Heads QLD 4220
Open 8.15am to 4.30pm, Monday to Friday

Coolangatta

3rd floor, Showcase on the Beach, Griffith Street, Coolangatta QLD 4225
Open 8.15am to 4.30pm, Monday to Friday (Closed 1pm to 1.45pm)

Southport

47 Nerang Street, Southport QLD 4215
Open 8.15am to 4.30pm, Monday to Friday

6.4 Complaints

6.4.1 What is a complaint?

Council recognises a complaint is an expression of dissatisfaction related to its products or services, or the complaints process itself, where a response or resolution is explicitly or implicitly expected. A complaint could include a customer:

- providing negative feedback about dealings with Gold Coast City Council
- dissatisfied with a decision made under Gold Coast City Council policy
- dissatisfied with an action or failure to act by Gold Coast City Council

Examples of matters that are not classified as complaints include:

- a request for service or assistance with clarification on a matter
- an inquiry into the progress of a water meter connection
- a request to take action on a leaking water pipe or any other service fault
- an inquiry to seek clarification or further information about a water and wastewater rate notice

However, if no action or inadequate action is taken on a request for service or information, or inquiry seeking clarification, the subsequent contact would be classified as a complaint and managed under the Complaints (Administrative Action) Policy.

6.4.2 Complaint handling

When customers contact Gold Coast City Council with a complaint by telephone, email, letter or in person, customers can expect to:

- have their complaint and personal details kept confidential
- be treated with courtesy and respect
- receive the appropriate support where special needs are identified (for example, availability of interpreters, etc)
- receive an acknowledgement of a complaint within 10 business days
- be provided with a reference number for any future enquiry or follow-up
- have the matter investigated thoroughly and objectively
- be kept informed of the process and outcome
- receive a decision on the complaint within 45 business days.

Gold Coast City Council prioritises complaints based on the seriousness and complexity of the complaint.

If after the above process is conducted, the customer is not satisfied, the customer may within 10 business days request a review of the complaint by a Council Senior Manager.

If, after the review available through Council's complaints policy the customer is not satisfied, the matter may be referred to the Energy and Water Ombudsman Queensland who may be able to assist. The Energy and Water Ombudsman can be contacted:

- by phone on 1800 662 837
- by email on complaints@EWOQ.com.au
- at their website, visit www.ewoq.com.au
- by fax on (07) 3227 7068
- or by post at PO Box 3640, South Brisbane, Qld 4101

6.4.3 Reporting of odour complaints

Wastewater naturally produces gases that can cause some odour. In general, wastewater odour is caused by hydrogen sulphide gas which is recognisable by its characteristic rotten egg smell. This can be more noticeable in winter, early morning and calm conditions.

Similar odours can also be generated from sources not related to the wastewater system including mangrove swamps, rubbish, dead animals or industrial air emissions.

Council will investigate all odour reports that it receives. Customers can assist investigations by providing the following information:

- the likely source of the odour (if known)
- the wind direction (if known)
- the location of the person when the odour was experienced
- when the odour was first detected and the frequency of the odour if it occurs regularly
- the date and time of the odour
- whether the odour is still present

6.4.4 Reporting of water quality complaints

Supplying good quality, safe drinking water is Council's number one priority. Council undertakes regular monitoring of the quality of the drinking water in accordance with the Australian Drinking Water Guidelines. If at any time you have any concerns regarding the taste, odour or appearance of your drinking water supply, please contact Council.

Chlorine taste or odour is a feature of our water supply at times. Chlorine is added as a disinfectant to provide protection of the water supply and ensure it is safe to drink. If you do not like the taste or odour of chlorine, fill drinking water containers and let them stand for a period. The chlorine will naturally dissipate over a short time.

Council will investigate all water quality reports that it receives. Customers can assist investigations by providing the following information:

- description of the appearance, taste and odour of the water
- the location where the water quality was experienced
- the date and time of the experience
- whether the water quality is still present and has been experienced before

6.4.5 Reporting of water and wastewater rate notice complaints

Complaints or disputes associated with water and wastewater rate notices will generally be managed in accordance with the complaint handling process outlined above, with the following additions:

- within 20 business days of receiving a request to do so, Council will review a customer's water and wastewater rate notice
- following the review Council may require the customer to pay the higher of: the portion of the rate notice that is not in dispute; or the average amount of the customer's water and wastewater rate notice for the relevant property in the last 12 months – pending resolution of the dispute

If the customer and Council cannot agree on the amount owing, the complaint handling resolution process will apply.

Once the dispute is resolved, the customer must pay any balance owing to Council, or Council will refund any overpaid amount to the customer within 20 business days after the date on which the dispute is resolved.

6.5 Appointments

When making an on-site appointment with a customer for any purpose related to water and wastewater services, the Council officer will specify a time period for the appointment which:

- In urban areas will identify whether the appointment will be during the morning or afternoon of a specified day
- In rural areas will identify a specific day

Council and the customer may reschedule the appointment by providing reasonable notice before the appointment.

6.6 Websites

An extensive amount of information is available on Gold Coast City Council's website at

goldcoastcity.com.au/water

More information of the State Government's Water Reform Program and each of the State Government-owned water supply authorities can be found at the following websites:

- www.qwc.qld.gov.au/Water+Reform
- www.seqwater.com.au
- www.linkwater.com.au

6.7 Scientific and education

6.7.1 Scientific services

The scientific services section of Gold Coast City Council consists of one laboratory situated at the convenient location of Southport (Smart Water Centre). The section is accredited with the National Association of Testing Authorities for sample collection and a wide range of chemical and microbiological tests. The section is equipped for testing water from a range of sites, such as swimming pools, rainwater tanks, bores, waterways, cooling towers, houseboats and private or commercial wastewater treatment systems. For further information about our sample collection and testing services and the fees that apply, please contact Council's Customer Contact Centre on 1300 000 928. For information about our water quality monitoring, training or consulting services please call the number above or email scientificservices@goldcoast.qld.gov.au

6.7.2 School education programs

The 'Make your water mark!' water saver education program is a comprehensive water curriculum with a regional focus. Specifically tailored for schools in the Gold Coast City Council region and linked to Education Queensland Learning outcomes, a full suite of lesson plans are available for early childhood, primary school, middle and secondary school. To ensure students get the most from the curriculum material, teachers receive support via:

- online access to educational resources including lesson plans, worksheets and activities
- professional development seminars
- professional development via teacher workshops, and
- access to facilities for excursions

Complimentary classroom presentations are offered to raise awareness of water issues in a fun and innovative environment. An experienced presenter will visit the school to deliver a tailored presentation.

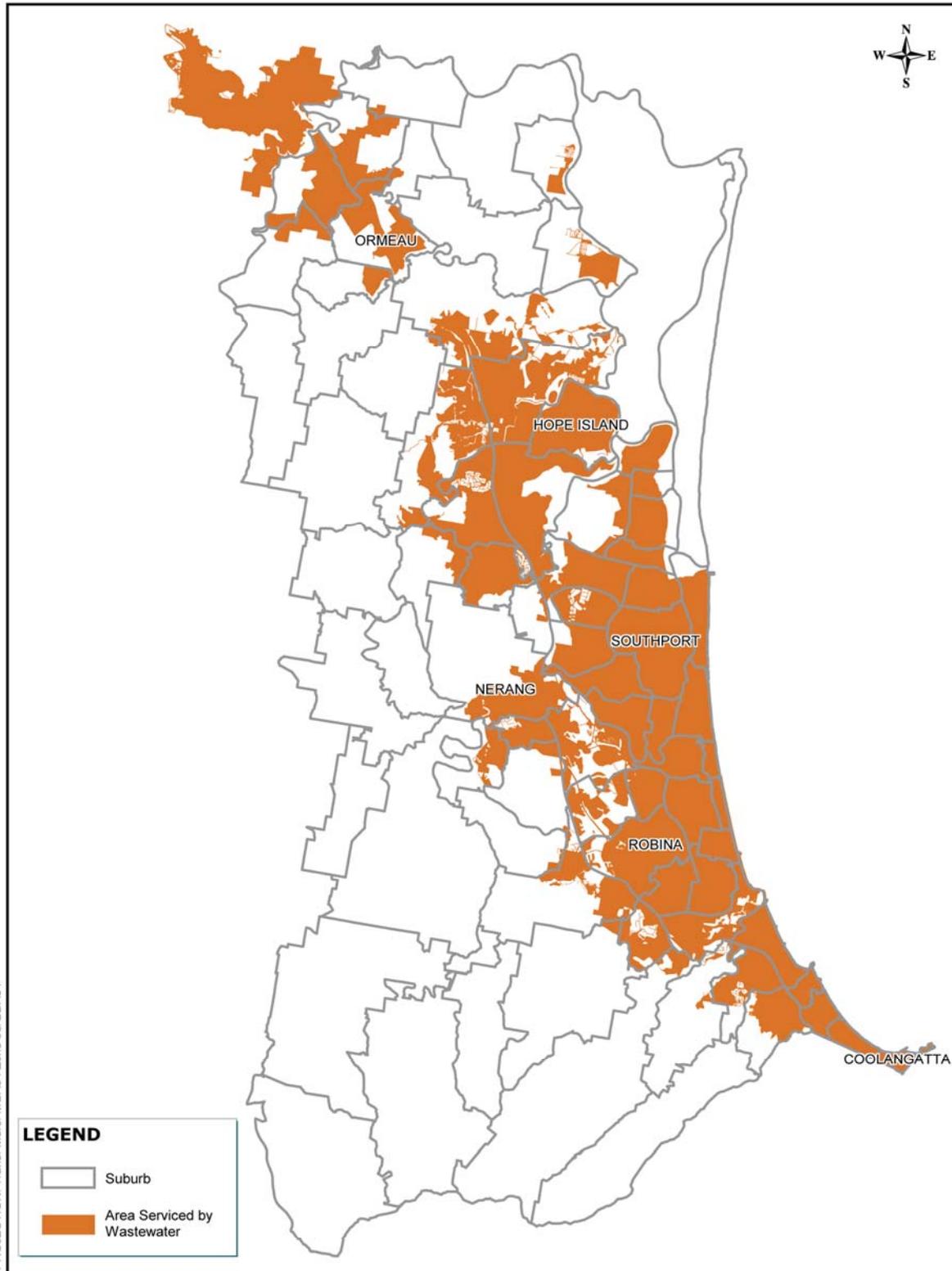
Excursions to the Pimpama-Coomera Recycled Water Treatment Plant are also available to complement the in-class lessons and enhance the learning experience in a practical way.

7 Definitions and meanings

Term	Definition
ADWG	<i>Australian Drinking Water Guidelines (2004)</i> published by the National Health and Medical Research Council (NHMRC).
Backflow	A reverse flow condition created by a difference in water pressures that causes water to flow back into the distribution pipes of a potable water supply from any source other than the intended one.
Bulk water, bulk distribution, bulk source and treatment	Ownership of water sources such as dams, weirs and aquifers has been aggregated into a single Bulk Supply Authority owned by the Queensland Government. The Queensland Bulk Water Supply Authority, trading as Seqwater, conducts its affairs on a commercial basis and sells all its water services to the South East Queensland Water Grid Manager. LinkWater is the Queensland Bulk Water Transport Authority.
Catchment	The area which drains naturally to a particular point on a river, lake or other body of water, thus contributing to its natural discharge. Frequently used to refer to areas that feed into dams. May also refer to areas served by a wastewater or stormwater system.
Consumption	Water that is consumed by humans or livestock, incorporated into products or crops, evaporated, transpired by plants or otherwise removed from the immediate environment.
Demand management	Strategies to reduce water consumption by residential, commercial and industrial sectors. These strategies can include using existing resources more efficiently as a cost-effective alternative to building additional infrastructure.
DEHP	Department of Environment and Heritage Protection
Desalination	The process that removes salt from saline water to produce potable/drinking water.
Dual reticulation	A water supply system that provides two types of water services to each property. It requires two separate pipe systems in the roads and properties. One type is potable (drinking) water suitable for indoor use that requires high quality water. The other type is Class A+ recycled water that can be used outdoors and to flush toilets, etc.
E.coli (Escherichia coli)	A common bacterium found in the gut of warm-blooded animals and used as an indicator of faecal pollution. High levels of E.coli do not necessarily indicate the presence of human pathogens as E.coli is also found in birds and cattle.
Freshwater	Water that contains less than 1,000 milligrams per litre (mg/L) of dissolved solids; generally more than 500mg/L of dissolved solids is undesirable for drinking and many industrial uses. Water found in lakes, rivers, streams.
Greywater	Domestic wastewater from baths, showers and laundries. Generally considered to be less contaminated than wastewater, but at times may contain levels of faecal contamination similar to wastewater from toilets. Excludes toilet waste. Previously called sullage.
Kilolitre	One thousand litres.
Leakage	Water that is lost in transit from a pipe.
LinkWater	LinkWater is the Queensland Government statutory authority responsible for the management, operation and maintenance of potable bulk water pipelines and related infrastructure throughout South East Queensland.
Megalitre	One million litres – about the size of a one metre deep Olympic-sized swimming pool.
NHMRC	National Health and Medical Research Council
Non-Class A+ recycled water	Class A, B or C recycled water as defined under Schedule 3D of the <i>Public Health Regulation 2005</i> .
ORG	Overflow Relief Gully - a drain-like fitting located outside the home, designed to release any wastewater overflow outside of the home in the event of a blockage in the wastewater main.
Potable water	Drinkable water. Usually treated freshwater that meets Australian Drinking Water Guidelines (ADWG).

Term	Definition
QCA	Queensland Competition Authority
Rainwater tank	On-site storages to collect roof water for beneficial use.
Reclaimed water	See Recycled water.
Recycled water	Wastewater that has been highly treated to appropriate standards for the required use in accordance with the <i>Public Health Regulation 2005</i> Schedules 3C and 3D. It is classified as Class A+, A, B or C.
Saline water	Water that contains significant amounts of dissolved solids, usually sodium chloride (salt).
Seqwater	Seqwater is South East Queensland's bulk water supply provider. Responsible for the dams, reservoirs and water treatment plants that form the SEQ Water Grid.
Sewage	See Wastewater.
Sewage Treatment Plant (STP)	See Wastewater Treatment Plant.
Trade waste agreements	Agreements reached between Gold Coast City Council and industrial and commercial customers to restrict the amount of toxic and other potentially harmful substances discharged to the wastewater system. These agreements often involve setting appropriate charges and limits for the discharge of waste.
Wastewater system	The system of pipes and pump stations for collecting and transporting wastewater from each property to the wastewater treatment plant.
Wastewater Treatment Plant (WWTP)	A facility for the treatment of wastewater to remove pollutants (solid matter and pathogens) producing treated recycled water and biosolids.
Water Acts	Queensland Government Legislation specific to the water industry, particularly in SEQ, for example: Water Act 2000, Water Supply Safety and Reliability Act 2008, SEQ Water (Restructuring) Act 2007, SEQ Water (Distribution and Retail Restructuring) Act 2000, South East Queensland Water (Distribution and Retail Restructuring) and Other Legislation Amendment Act 2010
Water conservation	Preventing and reducing wasteful, uneconomical, impractical or unreasonable use of water resources.
Water demand	Total water use requirements of an area for drinking, agriculture, industry, recreation and gardening. This demand is seasonal and highly influenced by the weather.
Water Efficiency Labelling and Standards (WELS) Scheme	A Federal Government regulatory scheme ensuring a range of products are labelled for water efficiency, helping Australian households to save water and money. WELS is a star rating; the more stars, the more water-efficient the product. Gold Coast City Council promotes four stars or better as the ideal to aim for when purchasing products which fall under the WELS rating scheme.
Water grid	The water supply and transport infrastructure that supplies water to South East Queensland. Managed by the Water Grid Manager.
Water quality	Physical, chemical and biological measures of water.
Water Reclamation Facility (WRF)	See Wastewater treatment plant.
Water Reform	State-driven water reforms that restructured the water industry in South East Queensland starting in 2007 and culminating in the creation of the local government- owned Gold Coast City Council and two other retail-distribution entities (Queensland Urban Utilities and Unity Water) in 2010. Earlier stages resulted in the creation of the Grid Manager, Linkwater and Seqwater.
Water Treatment Plant	A facility that treats freshwater piped from reservoirs into potable water for supply to the community.

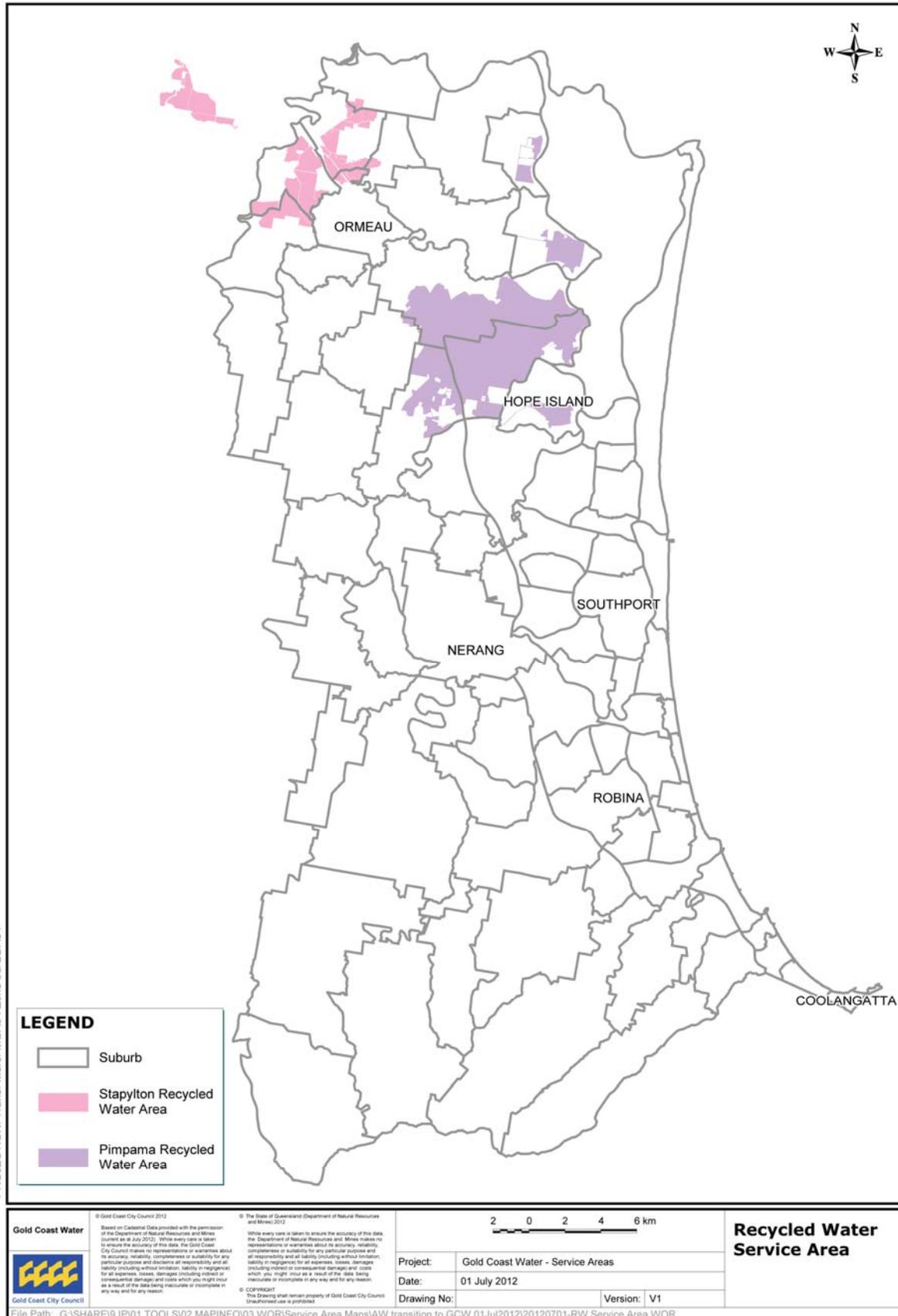
8.1 Figure A2: Wastewater service area



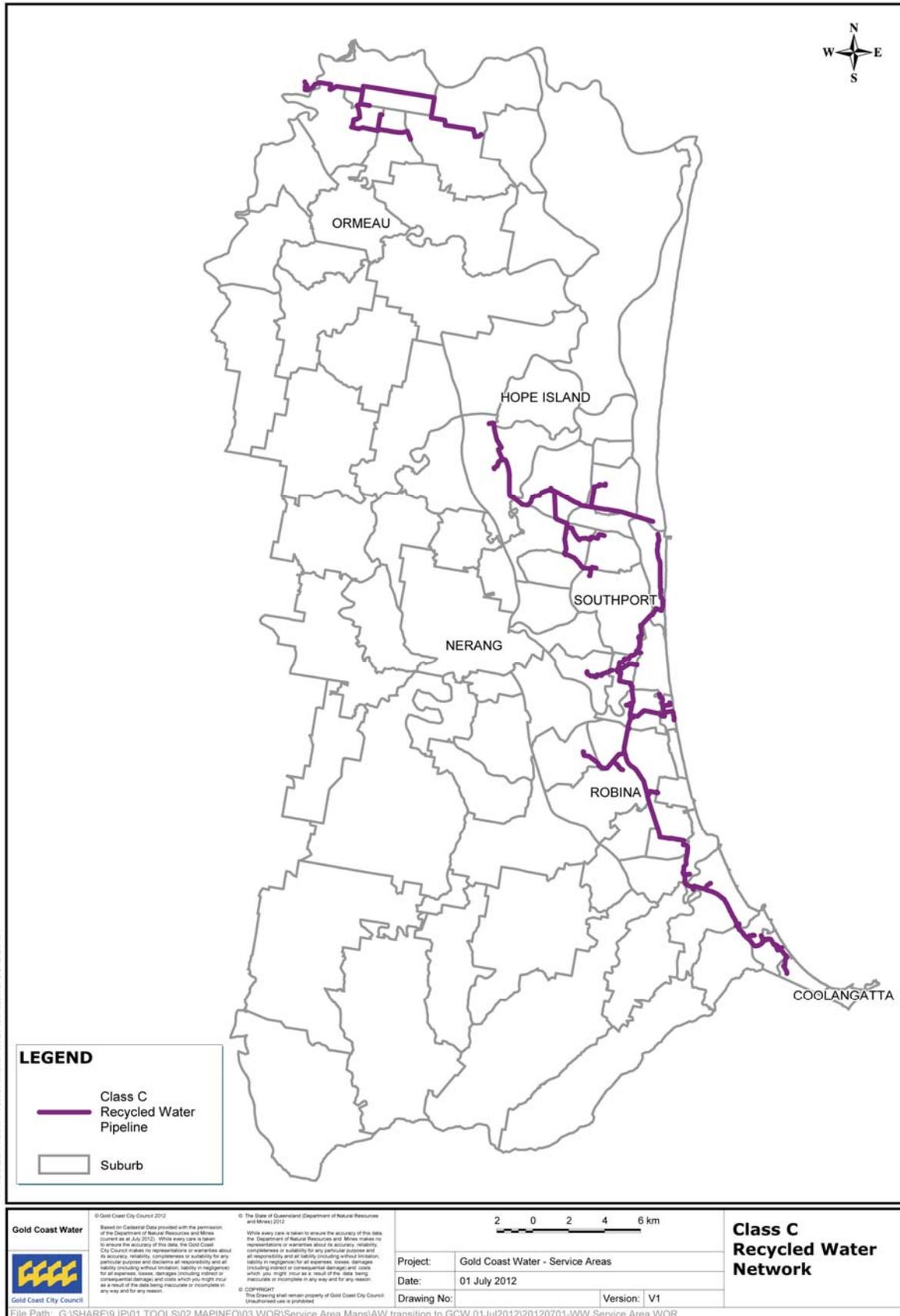
PROJECTION: Trans. Merc. MGAG4 Zone 56/GDA94

<p>Gold Coast Water</p>	<p>Based on Customer Data provided with the permission of the Department of Natural Resources and Mines (current as at July 2012). While every care is taken to ensure the accuracy of this data, the Gold Coast City Council makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability or negligence) for all expenses, losses, damages (including indirect or consequential damages) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.</p>	<p>© The State of Queensland (Department of Natural Resources and Mines) 2012</p> <p>While every care is taken to ensure the accuracy of this data, the Department of Natural Resources and Mines makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability or negligence) for all expenses, losses, damages (including indirect or consequential damages) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.</p>			<p>Wastewater Service Area</p>
			<p>© COPYRIGHT This Drawing shall remain property of Gold Coast City Council (Unauthorized use is prohibited)</p>	<p>Project: Gold Coast Water - Service Areas</p> <p>Date: 01 July 2012</p> <p>Drawing No: _____</p>	
<p>File Path: G:\SHARE\9 IP101 TOOLS\02 MAPINFO\03 WOR\Service Area Maps\AW transition to GCW 01Jul2012\20120701-PW Service Area.WOR</p>					

8.2 Figure A3: Class A+ recycled water supply area

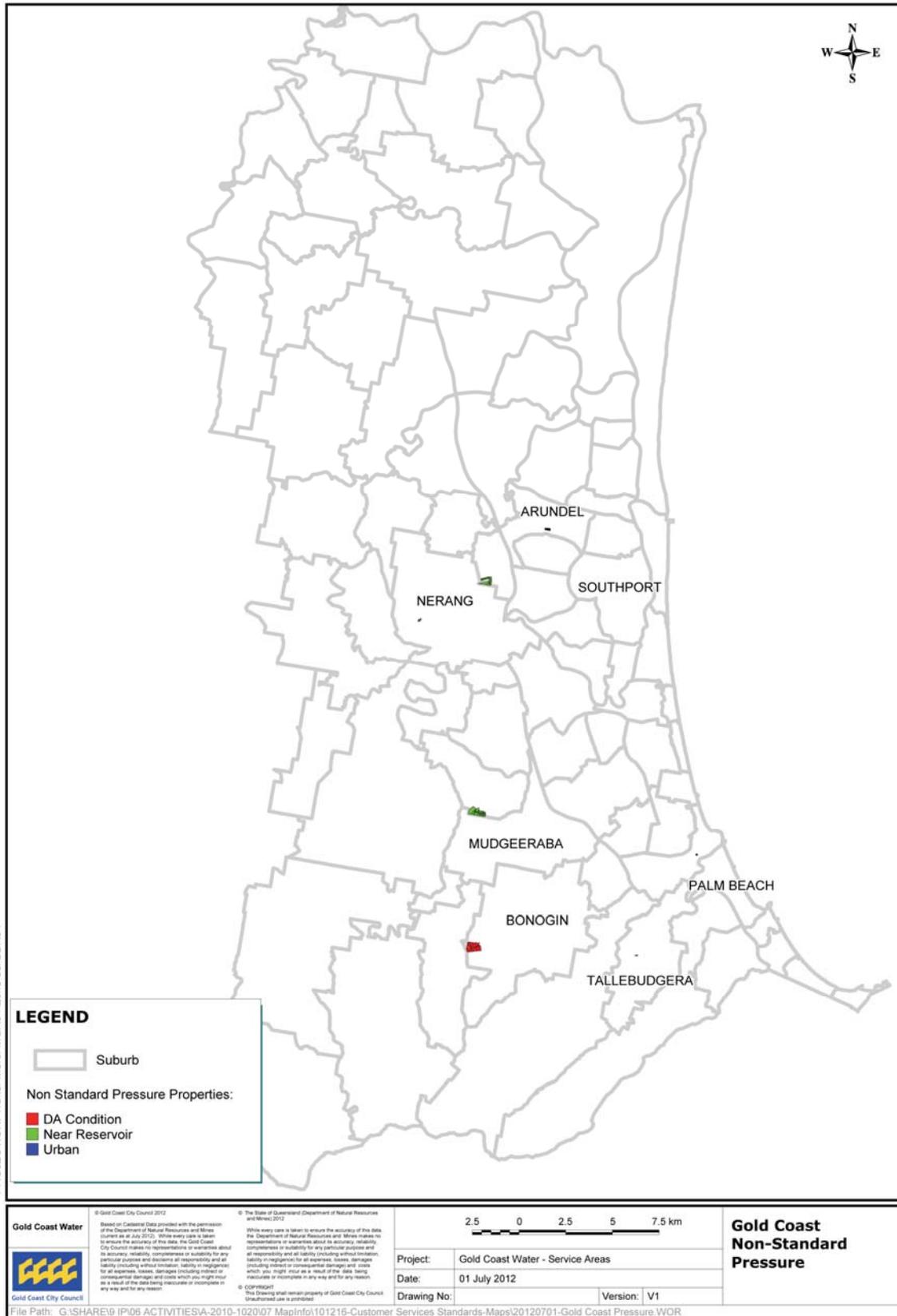


8.3 Figure A4: Non-Class A+ recycled water pipelines



PROJECTION: Trans. Merc. MGA94 Zone 56/GDA94

8.4 Figure A5: Gold Coast district non-standard pressure areas serviced by Gold Coast City Council



PROJECTION: Trans. Merc. MGA94, Zone 56/GDA94

9 Appendix B - service standards

9.1 Service standards for water supply

The following table outlines the service standards for the water and wastewater network.

Standards	Description	Target	Customer service priority	Comments	Benchmark
Minimum drinking water pressure	The minimum pressure customers can expect to receive immediately upstream of the water meter under normal service conditions. This excludes those customers in non-standard water service areas and during periods of fire flow.	22m	2	Customer Service Standard REQUIRED under SEQ Customer Water and Wastewater Code Clause 5.1 for Relevant Service. Relevant Service includes potable water under Clause 1.3.	Industry standard
Minimum A+ recycled water pressure	The minimum pressure customers can expect to receive immediately upstream of the water meter. This excludes those customers in non-serviced areas.	<22m (and less than potable water pressure)	3	Customer Service Standard REQUIRED under SEQ Customer Water and Wastewater Code Clause 5.1 for Relevant Service. Relevant Service includes dual- reticulated water under Clause 1.3.	Industry standard
Extent of unplanned drinking water interruptions (Water Interruption Frequency)	*An unplanned water supply interruption occurs when a property is without a service due to any cause. This excludes the following: property service connection interruptions (unless the burst or leak requires the water main to be shut down for repairs which affects multiple customers); interruptions that cause some reduction to the level of service but where normal activities (shower, toilet flushing, washing, etc) are still possible; planned interruptions, except where the customer has not received notification or the interruption exceeds the original notification.	<100 unplanned interruptions per 1,000 connections per annum	1	Customer Service Standard REQUIRED under SEQ Customer Water and Wastewater Code Clause 5.1 for Relevant Service. Relevant Service includes potable water under Clause 1.3.	Urban Water Utilities National Performance Report*
Extent of unplanned A+ recycled water interruptions	An unplanned recycled water supply interruption occurs when a property is without a service due to any cause. This excludes the following: property service connection interruptions, unless the burst or leak requires the water main to be shut down for repairs which affects multiple customers; interruptions that cause some reduction to the level of service but where normal activities (toilet flushing, outdoor cleaning, car washing, etc) are still possible; planned interruptions, except where the customer has not received notification or the interruption exceeds the original notification.	<100 unplanned interruptions per 1,000 connections per annum	2	Customer Service Standard REQUIRED under SEQ Customer Water and Wastewater Code Clause 5.1 for Relevant Service. Relevant Service dual reticulated water under Clause 1.3.	Consistent with drinking water interruptions

Standards	Description	Target	Customer service priority	Comments	Benchmark
Time for restoration of water service – unplanned interruption	Restoration occurs where all interrupted connections are restored to normal service.	80% within 5 hours	1	Customer Service Standard REQUIRED under SEQ Customer Water and Wastewater Code Clause 5.1 for Relevant Service. Relevant Service includes potable water under Clause 1.3.	Internal performance target
Time for restoration of A+ recycled water service – unplanned interruption	Restoration occurs where all interrupted connections are restored to normal service.	60% within 5 hours	2	Customer Service Standard REQUIRED under SEQ Customer Water and Wastewater Code Clause 5.1 for Relevant Service. Relevant Service includes dual-reticulated water under Clause 1.3.	Internal performance target
Time for restoration of wastewater service – unplanned interruption	Restoration occurs where all interrupted connections are restored to normal service.	80% within 5 hours	1	Customer Service Standard REQUIRED under SEQ Customer Water and Wastewater Code Clause 5.1 for Relevant Service. Relevant Service includes sewerage services under Clause 1.3.	Internal performance target
Compliance with drinking water quality	The Australian Drinking Water Guidelines specified by the National Health and Medical Research Council.	>98% of samples pass E.Coli test	1	Customer Service Standard RECOMMENDED under SEQ Customer Water and Wastewater Code Clause 5.1 for Relevant Service. Relevant Service includes potable water under Clause 1.3.	Australian Drinking Water Guidelines
Compliance with A+ recycled water quality	The Australian Recycled Water Guidelines specified by the National Health and Medical Research Council.	>98% of samples pass E.Coli test	2	Customer Service Standard RECOMMENDED under SEQ Customer Water and Wastewater Code Clause 5.1 for Relevant Service. Relevant Service includes dual-reticulated water under Clause 1.3.	Australian Recycled Water Guidelines
Drinking water quality complaints	*The total number of complaints received that relate to water quality including water quality complaints resulting from operational practices. Including: discoloration, taste, odour, stained washing, illness, and cloudy water. Excluding: service interruption, adequacy of services, restrictions, water pressure.	<5 complaints per 1,000 connections per annum	2	Customer Service Standard RECOMMENDED under SEQ Customer Water and Wastewater Code Clause 5.1 for Relevant Service. Relevant Service includes potable water under Clause 1.3.	Urban Water Utilities National Performance Report*

Standards	Description	Target	Customer service priority	Comments	Benchmark
A+ recycled water quality complaints	The total number of complaints received that relate to recycled water quality including water quality complaints resulting from operational practices. Including: discoloration, odour, illness, and cloudy water. Excluding: service interruption, adequacy of services, restrictions, water pressure. Complaints from separate customers arising from the same cause count as separate complaints, as do multiple complaints from one customer. Includes complaints received in person, by mail, phone, email or text.	<5 complaints per 1,000 connections per annum	3	Customer Service Standard RECOMMENDED under SEQ Customer Water and Wastewater Code Clause 5.1 for Relevant Service. Relevant Service includes dual-reticulated water under Clause 1.3.	Consistent with drinking water interruptions
Wastewater overflows to customer properties	Wastewater overflows to customer properties may occur either as a result of on-lot plumbing or off-lot sewerage issues. Customers are advised in the first instance to contact their plumber if their system is blocked (by tree roots, etc). If the plumber identifies the issue is with the sewerage system, Gold Coast Water will reimburse the plumber/customer for the work and undertake rectification. Most overflows occur during wet weather periods as a result of high inflow/infiltration of stormwater to the wastewater system. The wastewater system is designed to cater for limited inflows, events greater than this (including widespread flooding and inundation) are excluded from this criterion).	<5 overflows per 1,000 connections per annum	1	Customer Service Standard RECOMMENDED under SEQ Customer Water and Wastewater Code Clause 5.1 for Relevant Service. Relevant Service includes sewerage services under Clause 1.3.	Internal performance target
Wastewater odour complaints	*If a customer rings to report a sewage odour, this is a complaint. Complaints from separate customers arising from the same cause count as separate complaints, as do multiple complaints from one customer. Includes complaints received in person, by mail, phone, email or text.	<3 complaints per 1,000 connections per annum	2	Customer Service Standard RECOMMENDED under SEQ Customer Water and Wastewater Code Clause 5.1 for Relevant Service. Relevant Service includes sewerage services under Clause 1.3.	Urban Water Utilities National Performance Report*

9.2 Table B3: Response times and repair completion times - water supply

	Priority 1	Priority 2	Priority 3	Priority 4	Priority 5
Definition	A complete failure to maintain continuity or quality of supply to a customer Safety/traffic hazard	Partial failure to maintain continuity of supply to a group of customers at a non-critical time	Non-urgent fault, but significant in the belief of the customer of Gold Coast City Council	Known fault, non-urgent	Preventative maintenance
Possible issue	<ul style="list-style-type: none"> ▪ Broken water main or service ▪ Jammed hydrant ▪ No water ▪ Weir/lock access ▪ Missing lid (meter/hydrant, etc) ▪ Stop cock faulty (flooding house - urgent shutdown required) ▪ Shutdown required (where meter/valve not isolating/found or key required) ▪ Illness 	<ul style="list-style-type: none"> ▪ Dirty water/colour ▪ Dirty water taste/odour ▪ Poor pressure ▪ Reservoir pumps/alarms ▪ Leak creating a safety/traffic issue ▪ Leak with major water loss (e.g. pouring out) ▪ Stop cock faulty (need to shut off supply today) ▪ Shutdown required (where meter/valve not able to be found and flooding and works required for today) ▪ Water hammer (where only turning off stop cock stops hammer) ▪ Asset location – plan and machinery on-site 	<ul style="list-style-type: none"> ▪ Water leak (not causing safety/traffic issue) ▪ Install temporary service ▪ Partial failure of connections ▪ Water hammer (stops when taps turned off) ▪ Water illegal use (under Level 1 restrictions) ▪ Asset locations – no plans or machinery on-site 	<ul style="list-style-type: none"> ▪ Faulty meter ▪ Damaged meter (unable to read) ▪ Missing/faulty stop tap (no work being carried out) ▪ Service disconnection ▪ Faulty valve/hydrant 	<ul style="list-style-type: none"> ▪ Known fault not critical to supply or customers ▪ Planned work ▪ Capital works ▪ Missing hydrant
Response time	Within 1 hour	Within 4 hours	Within 36 hours	Within 5 business days	Within agreed timeframe (1 week default)
Repairs to commence	Within 1 hour	Within 16 hours	Within 48 hours	Within 5 business days	Within agreed timeframe (1 week default)
Fault repaired (i.e. asset functioning and back in service)	Within 5 hours	Within 24 hours	Within 48 hours	Within 5 business days	Within agreed timeframe (1 week default)
Surface reinstatement and clean-up completed	<ul style="list-style-type: none"> ▪ Within 5 business days ▪ Notify customer if not at time of repair 	<ul style="list-style-type: none"> ▪ Within 5 business days ▪ Notify customer if not at time of repair 	<ul style="list-style-type: none"> ▪ Within 5 business days ▪ Notify customer if not at time of repair 	<ul style="list-style-type: none"> ▪ Within 5 business days ▪ Notify customer if not at time of repair 	Within agreed timeframe (1 week default)
Compliance	80%	80%	80%	80%	80%

9.3 Table B4: Response times and repair completion times – wastewater

	Priority 1	Priority 2	Priority 3	Priority 4	Priority 5
Definition	<ul style="list-style-type: none"> ▪ A complete failure to contain wastewater within the wastewater system or any problem affecting customers ▪ Safety/traffic hazard 	Minor failure within the wastewater system or any problem affecting customers	Non-urgent fault but significant in the belief of the customer of Gold Coast City Council	Known fault non-urgent	Preventative maintenance
Possible issue	<ul style="list-style-type: none"> ▪ Manhole overflowing ▪ Pump station red light ▪ Broken gravity/rising main ▪ Missing manhole lid ▪ Wastewater odour occurring now ▪ Wastewater blockage – locator (camera) on-site ▪ Subsidence causing immediate danger ▪ Wastewater Treatment Plant critical alarms 	<ul style="list-style-type: none"> ▪ Cracked wastewater pipe ▪ Pump station fault ▪ Partial wastewater blockage ▪ Subsidence causing danger ▪ Asset location – plan and machinery on-site 	<ul style="list-style-type: none"> ▪ Minor subsidence ▪ Jet rodding asset locations – no plans or machinery on-site ▪ Noisy manhole ▪ Pump station noisy ▪ Wastewater odour not occurring now 	<ul style="list-style-type: none"> ▪ Reinstatement ▪ System investigation ▪ Pump station/manhole noisy (not causing major concern to customer's peace and quiet) 	<ul style="list-style-type: none"> ▪ Known fault not critical to supply or customers ▪ Planned work ▪ Capital works ▪ Video surveillance
Response time	Within 1 hour	Within 4 hours	Within 36 hours	Within 5 days	Within agreed timeframe (1 week default)
Repairs to commence	Within 1 hour	Within 16 hours	Within 48 hours	Within 5 days	Within agreed timeframe (1 week default)
Fault repaired (i.e. asset functioning and back in service)	Within 5 hours	Within 24 hours	Within 48 hours	Within 5 days	Within agreed timeframe (1 week default)
Surface reinstatement and clean-up completed	Within 5 business days (if not, notify customer at time of repair)	Within 5 business days (if not, notify customer at time of repair)	Within 5 business days (if not, notify customer at time of repair)	Within 5 business days (if not, notify customer at time of repair)	Within agreed timeframe
Compliance	80%	80%	80%	80%	80%



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