

South Australia

# **Highways (Port River Expressway Project) Regulations 2019**

under the *Highways Act 1926*

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### **1—Short title**

These regulations may be cited as the *Highways (Port River Expressway Project)  
Regulations 2019*.

### **2—Commencement**

These regulations come into operation on 1 September 2019.

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### 3—Interpretation

In these regulations—

*Act* means the *Highways Act 1926*;

*commencement day* means the day on which these regulations come into operation;

*Project* means the Port River Expressway Project;

*revoked regulations* means the *Highways (Port River Expressway Project) Regulations 2004* as in force immediately prior to the commencement of these regulations.

### 4—Port River Expressway Project outline

- (1) Particulars of the principal features of the Project are contained in Schedule 1 as follows:
  - (a) the principal features of the Project that are ongoing on the commencement day are contained in Schedule 1 Part 1;
  - (b) the authorisations and declarations for the closure of roads and government railway lines under section 39G of the Act, and the obstruction of navigation under section 39H of the Act, for the implementation of the Project are contained in Schedule 1 Part 2.
- (2) The particulars of the other principal features of the Project (being the features completed before the commencement day) are contained in Schedule 1 Parts 1 and 2 of the revoked regulations (other than clauses 5A and 9).
- (3) The land to which the Project applies (including those aspects of the Project that are ongoing and the other aspects of the Project) is the area of land bounded by the bold black line connecting the coordinate points shown in Figures 2 to 5 in Schedule 2 of the revoked regulations.

### 5—Responsibility for carrying out the Port River Expressway Project

The responsibility for carrying out the Project continues to be assigned to the Commissioner as the project authority.

## Schedule 1—Principal features of the Project

### Part 1—Principal features of the ongoing aspects of the Project

#### 1—Maintenance and operation of the road bridge named The Lieutenant Tom ‘Diver’ Derrick, VC, DCM Bridge

Maintenance and operation of the road bridge across the Port River and its associated works will continue to be carried out (construction of the bridge and its associated works having been completed).

#### 2—Maintenance and operation of the rail bridge named The Saint Mary MacKillop Bridge

Maintenance and operation of the rail bridge across the Port River and its associated works will continue to be carried out (construction of the bridge and its associated works having been completed).

## **Part 2—Authorisations and declarations for closure of roads and government railway lines and obstruction of navigation**

### **Division 1—Permanent closure of roads**

#### **3—Permanent closure of roads**

Pursuant to section 39G(1)(b) of the Act, the Commissioner is authorised to permanently close any road that it is necessary to permanently close for the purposes of implementing the Project.

### **Division 2—Permanent closure of government railway lines**

#### **4—Permanent closure of particular government railway lines**

- (1) Pursuant to section 39G(2)(b) of the Act, for the purposes of implementing the Project, the Commissioner is authorised—
  - (a) to permanently limit the use of the government railway lines listed in subregulation (2); or
  - (b) to permanently close any or all of those government railway lines, as the case requires.
- (2) The government railway lines are—
  - (a) the rail corridor between Francis Street and Eastern Parade, Port Adelaide; and
  - (b) (following their transfer from the Australian Rail Track Corporation to the Crown)—
    - (i) the rail corridor between Signal 1456 (Glanville Station) and Signal 3 (Birkenhead); and
    - (ii) the rail corridor between Signal 14 (Gillman Junction) and Signal 1155 (Port Adelaide Junction).

### **Division 3—Permanent obstruction of navigation**

#### **5—Permanent obstruction of navigation in Port River**

Pursuant to section 39H(2) of the Act—

- (a) it is declared that the permanent obstruction of navigation over that area of the Port River bounded by bold black lines in Figures 2 and 3 in Schedule 2 of the revoked regulations (the *delineated area*) is necessary for the implementation of the Project; and
- (b) accordingly, the Commissioner is authorised to permanently obstruct navigation over the delineated area.

## **Schedule 2—Revocation of *Highways (Port River Expressway Project) Regulations 2004***

The *Highways (Port River Expressway Project) Regulations 2004* are revoked.

**Note—**

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

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 1 August 2019

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