



Determination No. 16 of 1989

**Determination under Section 58B of the Defence Act 1903¹
(Amendment)**

I, MICHAEL GRAHAM COGLAN, Acting First Assistant Secretary, Co-ordination and Conditions Division, Department of Industrial Relations, pursuant to a delegation made by the Minister of State for Industrial Relations under Defence Force Regulation 72A, hereby make the following Determination under section 58B of the *Defence Act 1903*.

Dated 27 February 1989.

M. COGLAN

Acting First Assistant Secretary
Co-ordination and Conditions Division
Department of Industrial Relations

Isolated Establishment Allowance

1. Determination 0404, Isolated Establishment Allowance, is amended -

(a) by inserting before the definition of "category 0 member" in clause 2 the following definition:

"category MS member" means a member who maintains a home for his or her dependants and -

(a) who is prevented from residing in that home by the exigencies of the Service; or

(b) whose family is to be removed at the expense of the Commonwealth to the place at which he or she is required to live, but whose family is not removed to that place by reason that -

- (i) the member is unable to obtain suitable accommodation for his or her family at the place at which he or she is required to live;
 - (ii) the member is unable to remove his or her family to that place by reason of illness or infirmity of a dependant of the member;
 - (iii) a removal of the member's family to that place would result in interference to the continuity of the secondary or tertiary education of his or her child; or
 - (iv) it is necessary for the member to continue to maintain his or her home at his or her former place of residence in the interests of his or her child who is serving an apprenticeship or is a handicapped child attending a school for handicapped children or a rehabilitation centre;";
- (b) by omitting from the definition of "designated establishment" in clause 2 all words after "Schedule 2 to this" and substituting "Determination;";
- (c) by inserting after "category O" in the definition of "live out" in clause 2 "or category MS";
- (d) by omitting from paragraph 5(c) "or to Amberley in Queensland, Edinburgh in South Australia, Richmond in New South Wales, Laverton in Victoria or Fairbairn in the Australian Capital Territory";
- (e) by omitting "\$3.50" from paragraph 5(f) and substituting "\$3.70";
- (f) by inserting after clause 7 the following clause:
- "7A. Isolated Establishment Allowance is not payable to a category MS member who lives out unless the member -
- (a) is serving on duty in a location in Australia;
 - (b) is required to provide his or her own accommodation or meals because Service accommodation or Service rations appropriate to the member's rank and status, including Service accommodation owned or controlled by another arm of the Defence Force, is not, for a period of 72 hours or more, available to him or her within a reasonable distance of his or her place of duty; and

-
- (c) incurs costs for accommodation, meals, food, laundry or utilities.”;
- (g) by inserting in Schedule 2 after the entry for HMAS Cerberus the following entry:
- | | | |
|----------------|------------|--------|
| “HMAS Cerberus | Somerville | 7.91”; |
|----------------|------------|--------|
- and
- (h) by omitting Schedule 1 and Schedule 2 and substituting the following Schedules:

SCHEDULE 1		Clause 5
DEFENCE FORCE DESIGNATED ESTABLISHMENTS		
Column 1	Column 2	
Designated Establishment	Amount	
	\$	
<i>Australian Capital Territory</i>		
HMAS Creswell	3.86	
<i>New South Wales</i>		
Army Parachute Training School	2.41	
RAAF Base Williamtown - Control Tower Radio Section	8.58	
RAAF Base Williamtown - 3 Control and Reporting Unit	9.54	
RAAFTUS Bringelly	4.77	
RAAFTUS Wallgrove	1.69	
RAAFTUS Londonderry	1.69	
<i>Victoria</i>		
Point Cook - Southern Tarmac	3.95	
<i>South Australia</i>		
1 Joint Communications Unit	7.47	
<i>Western Australia</i>		
Harold E. Holt	1.69	
Northam Army Camp	4.05	
Pilbara Regiment, Port Hedland	5.30	
Pilbara Regiment, South Hedland	1.69	
Pilbara Regiment, Karratha	3.04	
Pilbara Regiment, Tom Price	1.69	
<i>Queensland</i>		
114 Control and Reporting Unit	1.69	
Land Warfare Centre, Canungra	16.39	
<i>Northern Territory</i>		
Jindalee	18.32	
Shoal Bay Radio Station	3.04	

SCHEDULE 2

Clause 5

DEFENCE FORCE DESIGNATED ESTABLISHMENTS - MEMBER RESIDING IN
MARRIED QUARTERS

Column 1	Column 2	Column 3
Designated Establishment	Married quarter locality	Amount
		\$
<i>Australian Capital Territory</i>		
HMAS Creswell	HMAS Albatross	15.42
<i>New South Wales</i>		
RAAF Base Williamtown	Woodberry	11.66
RAAF Base Williamtown - Control Tower Radio Section	Woodberry	13.11
RAAF Base Williamtown - 3 Control and Reporting Unit	Woodberry	14.07
Stockton	Raymond Terrace	11.91
RAAFTUS Bringelly	Penrith	10.12
RAAFTUS Londonderry	Penrith	4.39
<i>Victoria</i>		
Bandiana Military Area	Wirlinga, Thurgoona	8.77
Bonegilla Military Area	Wirlinga, Thurgoona	7.23
Command and Staff College, Queenscliff	Ocean Grove	4.68
HMAS Cerberus	Frankston	11.81
HMAS Cerberus	Somerville	8.29
West Head Gunnery Range	HMAS Cerberus	11.71
<i>Queensland</i>		
Army Aviation Regiment, Oakey	Toowoomba	12.05

Application

2. Determination 0404, Isolated Establishment Allowance, as amended by -

- (a) paragraphs 1(e) and 1 (h) of this Determination - shall apply in relation to service by a member on or after 4 December 1988; and
- (b) paragraph 1(g) of this Determination - shall apply in relation to service by a member in accordance with whichever of the provisions of clauses 9 to 14 of Determination 0404, Isolated Establishment Allowance, is applicable to the member's circumstances as if a reference in those clauses to "the day on which this Determination is made" were a reference to the date on which this Determination is made.

NOTE

- 1. Previous amendments to Determination 0404, Isolated Establishment Allowance: No. 59 of 1988.

EXPLANATORY STATEMENT

DETERMINATION NO. 16 OF 1989

ISSUED BY THE AUTHORITY OF THE MINISTER FOR INDUSTRIAL RELATIONS

UNDER SECTION 58B OF THE DEFENCE ACT 1903

Sections 58B and 58E of the Defence Act 1903 allow the Minister or his delegate to make determinations on conditions of service for members of the Defence Force.

Determination 0404, Isolated Establishment Allowance, provides for the payment of an allowance to members serving in certain establishments which are isolated from the nearest urban areas. The allowance is paid to compensate for the additional cost of travelling to work each day at one of these establishments.

Paragraph 1(a) of this determination inserts a definition in Determination 0404 for a category MS member, paragraph 1(c) makes a minor consequential amendment and paragraph 1(f) inserts a new clause 7A which sets out the criteria required to be met for the member to receive the allowance. This change is effective from the date on which the determination was signed because it restricts the entitlement of certain members to the allowance.

Paragraphs 1(b) and 1(d) of this determination delete the reference to certain designated establishments in Determination 0404. These establishments are now included in the determination by reference to Schedule 12 of Public Service Determination 1983/10 which has recently been amended to include them.

Paragraphs 1(e), 1(h) and 2(a) of this determination amend Determination 0404 by increasing, with effect from 4 December 1988, the rates payable to members and by correcting some minor errors in the descriptions of Defence Force establishments.

Paragraph 1(g) of this determination further amends Schedule 2 of Determination 0404 to include Somerville as a married quarter locality for the designated Defence establishment HMAS Cerberus.

Paragraph 2(b) provides for the application of the transitional clauses 9 to 14 in Determination 0404 to apply for those members living in married quarters at Somerville. The transitional clauses apply the provisions from 1 July 1988, the original date for introduction of Isolated Establishment Allowance in Determination No. 59 of 1988.