



**THE SOUTH AUSTRALIAN
GOVERNMENT GAZETTE**

www.governmentgazette.sa.gov.au

PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 15 SEPTEMBER 2016

CONTENTS

	Page
Appointments, Resignations, Etc.....	3720
Aquaculture Act 2001—Notice	3720
Botanic Gardens and State Herbarium Act 1978—Notice.....	3721
Corporations and District Councils—Notices.....	3750
Fisheries Management Act 2007—Notices	3721
Health Care Act 2008—Notice.....	3723
Land Acquisition Act 1969—Notices.....	3723
Liquor Licensing Act 1997—Notices.....	3726
Local Government Act 1999—Notice.....	3724
Petroleum and Geothermal Energy Act 2000—Notice.....	3724
Private Advertisement	3765
Proclamations	3739
Public Trustee Office—Administration of Estates	3765
 REGULATIONS	
Births, Deaths and Marriages Registration Act 1996— (No. 225 of 2016).....	3742
Family Relationships Act 1975 (No. 226 of 2016)	3744
Development Act 1993 (No. 227 of 2016).....	3746
Remuneration Tribunal—Determination and Report.....	3721
Roads (Opening and Closing) Act 1991—Notices	3724

GOVERNMENT GAZETTE NOTICES

Notices for publication in the *South Australian Government Gazette* should be emailed to GovernmentGazetteSA@sa.gov.au. Content should be sent as Word format attachment(s). Covering emails should include the date the notice is to be published and to whom the notice will be charged. **Closing time for lodgement is 4 p.m. on the Tuesday preceding the regular Thursday publication.** Gazette enquiries to: **Phone 8207 1045**. The *Government Gazette* is available online at: www.governmentgazette.sa.gov.au.

Department of the Premier and Cabinet
Adelaide, 15 September 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Veterinary Surgeons Board of South Australia, pursuant to the provisions of the Veterinary Practice Act 2003:

Member: (from 1 October 2016 until 30 September 2019)
Andrea Michaels

By command,
ZOE LEE BETTISON, for Premier

16MAFF0064

Department of the Premier and Cabinet
Adelaide, 15 September 2016

HIS Excellency the Governor in Executive Council has revoked the appointment of Victor David Rejman as a Visiting Inspector for the purposes of the Correctional Services Act 1982, effective from 15 September 2016, pursuant to Section 20 of the Correctional Services Act 1982 and Section 36 of the Acts Interpretation Act 1915.

By command,
ZOE LEE BETTISON, for Premier

MCS16/12CS

Department of the Premier and Cabinet
Adelaide, 15 September 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Kyam Joseph Maher, MLC, Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation and Minister for Science and Information Economy to be also Acting Minister for Police, Acting Minister for Correctional Services, Acting Minister for Emergency Services and Acting Minister for Road Safety for the period from 5 October 2016 to 16 October 2016 inclusive, during the absence of the Honourable Peter Bryden Malinauskas, MLC.

By command,
ZOE LEE BETTISON, for Premier

MCS16/11CS

Department of the Premier and Cabinet
Adelaide, 15 September 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Zoe Lee Bettison, MP, Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for the Status of Women, Minister for Ageing, Minister for Multicultural Affairs, Minister for Youth and Minister for Volunteers to be also Acting Minister for Police, Acting Minister for Correctional Services, Acting Minister for Emergency Services and Acting Minister for Road Safety for the period from 18 October 2016 to 27 October 2016 inclusive, during the absence of the Honourable Peter Bryden Malinauskas, MLC.

By command,
ZOE LEE BETTISON, for Premier

MCS16/11CS

Department of the Premier and Cabinet
Adelaide, 15 September 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the people listed as Special Justices of the Peace for South Australia for the terms specified, pursuant to Section 7 (1) of the Justices of the Peace Act 2005:

For a term commencing on 12 October 2016 and expiring on 2 September 2021:
David Martin

For a term commencing on 12 October 2016 and expiring on 8 July 2019:
Annette Louise Tsouris

For a term commencing on 12 October 2016 and expiring on 11 October 2021:
Suzanne Kaye Wendland

By command,
ZOE LEE BETTISON, for Premier

JP16/021CS

AQUACULTURE ACT 2001

CALL FOR SUBMISSIONS

Primary Industries and Regions South Australia—Draft Aquaculture (Zones—Eastern Spencer Gulf) Amendment Policy 2016

PURSUANT to Section 12 of the Aquaculture Act 2001, notice is hereby given that the Minister for Agriculture, Food and Fisheries has released the draft Aquaculture (Zones—Eastern Spencer Gulf) Amendment Policy 2016 (the draft Amendment Policy) and draft Policy Report for a formal two month public consultation period until Wednesday, 9 November 2016.

The draft Amendment Policy has been developed in accordance with the provisions of Part 4 of the Aquaculture Act 2001. It aims to ensure the ecologically sustainable development of aquaculture along the Eastern Spencer Gulf, to provide community confidence, to ensure certainty for industry stakeholders and to facilitate opportunities for aquaculture development.

Section 29 of the Development Act 1993 enables the Minister for Planning to amend a development plan in accordance with an approved aquaculture policy under the Aquaculture Act 2001. It is proposed to amend the Land Not Within A Council Area (Coastal Waters) Development Plan, subject to the approval of the draft Amendment Policy.

The proposed amendments are to reflect the aquaculture zone areas contained within the draft Amendment Policy into the Aquaculture Zone within the Land Not Within A Council Area (Coastal Waters) Development Plan.

Public Briefing

Officers from PIRSA Fisheries and Aquaculture will hold two public briefings on the draft Amendment Policy on Wednesday, 28 September 2016, from 5.30 p.m. to 7 p.m. at the Wallaroo Sailing Club and on Thursday, 29 September 2016, from 5.30 p.m. to 7 p.m. at the Minlaton Town Hall.

The draft Amendment Policy and draft Policy Report will be available from PIRSA Fisheries and Aquaculture, 14th Floor, 25 Grenfell Street, (G.P.O. Box 1625), Adelaide, S.A. 5001, at www.pir.sa.gov.au/aquaculture, by phone on (08) 8226 0900, or by fax on (08) 8204 1388.

Written submissions on the draft Amendment Policy and/or the proposed amendment to the Land Not Within A Council Area (Coastal Waters) Development Plan are invited from the public and should be made to PIRSA Fisheries and Aquaculture, G.P.O. Box 1625, Adelaide, S.A. 5001.

Submissions must be received by 5 p.m. on Wednesday, 9 November 2016.

S. SLOAN, Director,
Fisheries and Aquaculture Policy

BOTANIC GARDENS AND STATE HERBARIUM ACT 1978

Appointments to the Board of the Botanic Gardens and State Herbarium

PURSUANT to Part 2 of Section 8 of the Botanic Gardens and State Herbarium Act 1978, I, the Honourable Ian Hunter MLC, Minister for Sustainability, Environment and Conservation, Minister of the Crown to whom the administration of the Botanic Gardens and State Herbarium Act 1978, is committed, am pleased to appoint the following person as a member of the Board of the Botanic Gardens and State Herbarium:

Richard Nunn.

Pursuant to Section 8(1) of the Act, I appoint the above member for the period commencing 14 September 2016 and concluding 9 July 2020.

Dated 13 September 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

Abalone Fishing area*	Location	Minimum legal length (mm)
6	Number 2 Rocks	125
7	Admella	110
8	Carpenters Rocks	125
9	Gerloff Bay	110
10	Blackfellows Caves	125
11	Middle Point	120
12	Port MacDonnell	120
13	East Port MacDonnell	110

*As prescribed in Regulation 15 and defined in Schedule 2 of the Fisheries Management (Abalone Fisheries) Regulations 2006.

Dated 5 August 2016.

A. FISTR, Acting Director,
Fisheries and Aquaculture Policy

DETERMINATION AND REPORT OF THE
REMUNERATION TRIBUNAL

NO. 10 OF 2016

Overseas Accommodation and Daily Allowance for The Chief Justice of The Supreme Court—Travel to Papua New Guinea in September 2016

A. REPORT

1. The Remuneration Tribunal ('the Tribunal') has received a request from the Courts Administration Authority ('CAA') for a Determination in relation to the payment of overseas travelling allowances to the Chief Justice of the Supreme Court for the purposes of business related travel to Port Moresby, Papua New Guinea. The travel is scheduled for September 2016.

2. The Tribunal's Determination 6 of 2015¹ provides for the payment of travelling and accommodation allowances to members of the Judiciary. This Determination is silent on the matter of travelling and accommodation allowances for overseas journeys, therefore, the Tribunal has decided to make a Determination accordingly.

B. DETERMINATION

1. For the purpose of business related travel to Port Moresby, Papua New Guinea, undertaken by the Chief Justice of the Supreme Court of South Australia in September 2016, the Chief Justice shall be entitled to the accommodation and daily allowance provisions as prescribed by the Commonwealth Remuneration Tribunal's Determination 7 of 2016, Official Travel by Office Holders.

2. All other conditions of Determination No. 6 of 2015, as amended from time to time, will continue to apply.

DATE OF OPERATION

This determination will come into operation from 1 September 2016.

Dated 13 September 2016.

J. LEWIN, President
P. ALEXANDER, Member
P. MARTIN, Member

FISHERIES MANAGEMENT ACT 2007

Undersized Fish in the Southern Abalone Fishery

TAKE notice that for the purposes of Clause 5 (2) (a) of Part 2 of Schedule 2 of the Fisheries Management (General) Regulations 2007, I hereby declare that Blacklip Abalone (*Haliotis rubra*) taken in an abalone fishing area of the Southern Zone Abalone Fishery is undersized if its length is less than that specified below:

Abalone Fishing area*	Location	Minimum legal length (mm)
1	Cape Jaffa	125
2	Nora Creina	125
3	Beachport	125
4	Rivoli Bay	120
5	South End	125

FISHERIES MANAGEMENT ACT 2007: SECTION 90 (2)

Department of Primary Industries and Regions SA—Fisheries Division

NOTICE is hereby given pursuant to Section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by Officers of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture at Wallaroo near Bird Island on 4 September 2016.

- One green monofilament mesh net; and
- One brown multifilament mesh net.

These nets were joined together.

The above items were suspected to have been used, or intended to be used, in contravention of the Fisheries Management Act 2007, and were taken into possession near Bird Island.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Largs North office of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture.

B. BALMER, Prosecutions Co-ordinator

FISHERIES MANAGEMENT ACT 2007: SECTION 90 (2)

Department of Primary Industries and Regions SA—Fisheries Division

NOTICE is hereby given pursuant to Section 90 (2) of the Fisheries Management Act 2007, that the following items have been seized by Officers of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture:

- 1 Mesh nylon net, 30 metres long, red in colour, orange header and foot ropes, homemade anchor at one end, yellow floats, 2.2 metres deep.

The above items were suspected to have been used, or intended to be used, in contravention of the Fisheries Management Act, 2007, and were taken into possession at Whyalla on 25 August 2016.

After the expiration of one month from the date of this notice the item listed above shall, on the order of the Minister for Agriculture, Food and Fisheries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Whyalla office of the Department of Primary Industries and Regions SA, Fisheries and Aquaculture.

Dated 15 September 2016.

B. BALMER, Prosecutions Co-ordinator

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, the holder of a Northern Zone Rock Lobster Fishery licence issued pursuant to the Fisheries Management (Rock Lobster Fisheries) Regulations 2006 (the 'exemption holder') is exempted from the provisions of Regulation 4 of the Fisheries Management (Vessel Monitoring Scheme) Regulations 2007, but only insofar as the exemption holder shall not be guilty of an offence when using a registered boat that is endorsed on the licence without a fitted and approved vessel monitoring unit (the 'exempted activity'), subject to the conditions specified in Schedule 1 in the area described in Schedule 2, until 31 October 2016, unless this notice is varied or revoked earlier.

SCHEDULE 1

1. The registered boat used pursuant to this exemption must be 7.5 m or less in length.

2. The exemption holder may only conduct the exempted activity when fishing for species other than southern rock lobster (*Jasus edwardsii*) and giant crab (*Pseudocarinus gigas*).

3. The exemption holder must ensure that only a master registered on their Northern Zone Rock Lobster Fishery licence undertakes the exempted activity on his or her behalf. Exemption No. 9902864.

4. The exemption holder must notify PIRSA Fisheries and Aquaculture by calling 1800 065 522 prior to engaging in the exempted activity and providing the following information:

- the name of the licence holder making the call;
- the fishery licence number of the licence on which the registered boat is endorsed;
- the name of the boat and the commercial boat registration number;
- the time and date the exempted activity will commence; and
- the time and date the exempted activity will cease.

5. An exemption holder must ensure that no rock lobster pots are on board the registered boat at any time during the exempted activity.

6. An exemption holder must not take or have on board the registered boat any rock lobster during the exempted activity.

7. An exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any other regulations made under that Act, except where specifically exempted by this notice.

SCHEDULE 2

8. The area of the Northern Zone Outer Region of the Northern Zone Rock Lobster Fishery as described in the Fisheries Management (Rock Lobster Fisheries) Regulations 2006.

Dated 30 June 2016.

DR H. ALLEWAY, Acting Director,
Fisheries and Aquaculture Policy

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Garry Warrick of 1979 Kingston Road, Loxton, S.A. 5333 (the 'exemption holder'), holder of River Fishery Licence No. R27, is exempt from Sections 53 (2) and 70 of the Fisheries Management Act 2007 and Regulation 7, Clause 6 of Schedule 6 and Schedule 7 of the Fisheries Management (General) Regulations 2007, but only insofar as he may use the devices described in Schedule 1 to take Carp, Bony Bream and other non-native species in the areas specified in Schedule 2 for the purpose of trade or business (the 'exempted activity'), subject to the conditions set out in Schedule 3, from 7 September 2016 until 7 July 2017, unless varied or revoked earlier.

SCHEDULE 1

- 'Carp net'—a gill net with a ply greater than 5, having a maximum length of 50 m and a minimum mesh size of 10 cm and a maximum mesh size not exceeding 18 cm.
- Two Carp Cages.

SCHEDULE 2

- (1) Subject to paragraph (2), the holder of Licence No. R27 may conduct fishing activities pursuant to this licence in all backwaters of the River Murray excluding the following areas during the corresponding period set out in the following table:

<i>Area Excluded</i>	<i>Period of Closure</i>
Lake Littra and outflow channel	Permanent—all year
Clover Lake	Permanent—all year
Coombool Swamp	Permanent—all year
Lake Limbra and outflow channel	Permanent—all year
Lake Woolpolool	Permanent—all year
Ral Ral Creek below Chaffey Pumping Station and entrance waters to Lake Merreti	Permanent—all year
Katarapko Creek and Eckert Creek, including The Splash	Permanent—all year
Bulyong Creek	Permanent—all year
Pilby Creek	Permanent—all year
Hancock Creek	Permanent—all year
Mundic Creek	Permanent—all year
Pike River	Permanent—all year
Punkah Creek	Permanent—all year
Slaney Creek	Permanent—all year
Loch Luna	Permanent—all year
Cobdogla Swamp	1 August to 30 April (inclusive)
Loveday Swamp/Mussel Lagoons	1 August to 30 April (inclusive)
Lake Merreti	1 August to 31 January (inclusive)

- (2) The holder of Licence No. R27 may conduct fishing operations within the closure areas and periods listed above if given written approval by the Director of Fisheries to undertake specified carp eradication work in a specified area for a specified period.

SCHEDULE 3

1. The exemption holder must not use more than 30 carp nets and two carp cages at any one time in permitted backwaters of the River Murray.

2. The exemption holder must not have more than 30 carp nets in his possession at any time when he is deploying carp nets in the backwaters of the River Murray and no more than two carp cages in the Blanchetown waters.

3. The exemption holder may only engage in the exempted activity when also fishing pursuant to River Fishery Licence No. R27 and may only use a boat to engage in the exempted activity if that boat is registered by endorsement on River Fishery Licence No. R27.

4. The exemption holder must not cause or permit a person to act as his agent when engaging in the exempted activity unless that person may lawfully act as an agent for the exemption holder in relation to River Fishery Licence No. R27.

5. All native fish (excluding Bony Bream and Yabbies) taken in the course of the exempted activity must be immediately returned to the water.

6. Immediately prior to commencing the exempted activity, the exemption holder must contact the PIRSA Fishwatch on 1800 065 522 and provide the following details:

- the licence number and person(s) conducting the activity;
- the exact location(s) of the fishing activities;
- the number of carp nets being used; and
- Exemption No. ME9902879

7. The exemption holder must ensure that the carp nets and cages are checked and all fish removed at least once during each 24 hour period.

8. When the exemption holder moves the carp nets and cages more than 3 km from the reported location of the nets under Condition 6, or removes the nets from the River completely, the exemption holder must again report to PIRSA Fishwatch on 1800 065 522 and either provide details as required under Condition 6 of this exemption notice, or report that fishing with carp nets and cages has ceased.

9. While engaging in the exempted activity, the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer as requested.

10. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 6 September 2016.

S. SLOAN, Director, Fisheries and Aquaculture Policy

HEALTH CARE ACT 2008

NOTICE BY THE MINISTER

Revocation of Declaration of Authorised Quality Improvement Activity Under Section 64

TAKE notice that I, John James Snelling, Minister for Health, pursuant to Section 64 (8) of the Health Care Act 2008, do hereby:

REVOKE the declaration of an authorised quality improvement activity under Part 7, Section 64 of the Health Care Act 2008, set out in the Schedule to this notice.

The revocation of this declaration takes effect on the date this notice is published in the *Gazette*.

Dated 13 September 2016.

JOHN JAMES SNELLING, Minister for Health

SCHEDULE

Revocation of Declaration of Authorised Quality Improvement Activity Under Section 64

Patient Incident Review and Analysis Phase of the SA Health Safety Learning System Incident Management Module.

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

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

Comprising an unencumbered estate in fee simple being portion of Allotment 50 in Deposited Plan No. 87801 comprised in Certificate of Title Volume 6094, Folio 481 being the whole of the land identified as Allotment 12 in D113612 lodged in the Lands Titles Office.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Carlene Russell,
G.P.O. Box 1533,
Adelaide, S.A. 5001.
Telephone: (08) 7424 7031.

Dated 13 September 2016.

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

M. ELGAZZAR, Manager,
Portfolio and Acquisition Services,
(Authorised Officer),
Department of Planning,
Transport and Infrastructure

DPTI 2015/18587/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

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

Comprising an unencumbered estate in fee simple being portion of Allotment 1 in Deposited Plan No. 24423 comprised in Certificate of Title Volume 5434, Folio 798 being the whole of the land identified as Allotment 14 in D113409 lodged in the Land Titles Office.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Carlene Russell,
G.P.O. Box 1533,
Adelaide, S.A. 5001.
Telephone: (08) 7424 7031.

Dated 13 September 2016.

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

M. ELGAZZAR, Manager,
Portfolio and Acquisition Services,
(Authorised Officer),
Department of Planning,
Transport and Infrastructure

DPTI 2015/18581/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

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

Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 51 in Deposited Plan No. 64085, comprised in Certificate of Title Volume 5930, Folio 3, and being the whole of the land identified as Allotment 28 in D113416 lodged in the Lands Titles Office.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Carlene Russell,
G.P.O. Box 1533,
Adelaide, S.A. 5001.
Telephone: (08) 7424 7031.

Dated 13 September 2016.

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

M. ELGAZZAR, Manager,
Portfolio and Acquisition Services,
(Authorised Officer),
Department of Planning,
Transport and Infrastructure

DPTI 2015/18577/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

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

Comprising an unencumbered estate in fee simple in that piece of land being portion of Allotment 101 in Deposited Plan No. 43382 comprised in Certificate of Title Volume 5298, Folio 198, and being the whole of the land identified as Allotment 10 in D113611 lodged in the Lands Titles Office.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Carlene Russell,
G.P.O. Box 1533,
Adelaide, S.A. 5001.
Telephone: (08) 7424 7031.

Dated 13 September 2016.

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

M. ELGAZZAR, Manager,
Portfolio and Acquisition Services,
(Authorised Officer),
Department of Planning,
Transport and Infrastructure

DPTI 2015/18592/01

LOCAL GOVERNMENT ACT 1999

CENTRAL LOCAL GOVERNMENT REGION OF SOUTH AUSTRALIA

Adoption of Amended Charter

NOTICE is hereby given of the adoption of an Amended Charter by the Central Local Government Region of South Australia (referred to as Legatus Group) in August 2016.

In accordance with the South Australian Local Government Act 1999, Schedule 2 (2) Clause 19 (5) (c), full details of the Amended Charter are available at www.centralregion.sa.gov.au.

D. STEVENSON, Chief Executive Officer

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Application for Grant of Special Facilities Licence—SFL 13

PURSUANT to Section 65 (6) of the Petroleum and Geothermal Energy Act 2000 ('the Act') and Delegation dated 21 March 2012, notice is hereby given that an application for the grant of a Special Facilities Licence within the area described below has been received from:

Precise Outcomes

The application will be determined on or after 6 October 2016.

Description of Application Area

All that part of the State of South Australia, bounded as follows:

27°48'50.83"S	140°44'31.14"E
27°48'53.78"S	140°45'14.57"E
27°48'55.70"S	140°45'13.72"E
27°48'55.62"S	140°45'15.48"E
27°48'55.44"S	140°45'16.23"E

27°48'55.13"S	140°45'16.18"E
27°48'54.88"S	140°45'17.78"E
27°49'17.08"S	140°45'21.15"E
27°49'18.05"S	140°45'13.76"E
27°49'01.26"S	140°45'12.04"E
27°48'59.65"S	140°45'12.56"E
27°48'56.55"S	140°44'51.68"E
27°49'39.19"S	140°44'48.22"E
27°49'36.20"S	140°44'27.32"E
27°48'53.00"S	140°44'30.85"E
27°48'50.83"S	140°44'31.14"E

All co-ordinates in GDA94.

Area: 1.04 km² approximately.

Dated 6 September 2016.

N. PANAGOPOULOS,
Acting Executive Director,
Energy Resources Division,
Department of State Development,
Delegate of the Minister for Mineral Resources and Energy

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

*Road Opening and Closing—Burfords Hill Road, Mount Torrens,
Gumeracha and Kenton Valley*

BY Road Process Order made on 3 March 2015, the Adelaide Hills Council ordered that:

1. Portion of pieces 91 and 92 in Filed Plan 213227 and portions of Allotments 1 and 2 in Deposited Plan 64000, more particularly delineated and numbered '1', '2', '3', '4', '5' and '6' on Preliminary Plan 12/0043 is to be opened. Forming realignment of Burfords Hill Road.

2. The portion of Burfords Hill Road situated west of Angas Creek Road and adjoining Allotments 1 and 2 in Deposited Plan 64000 and pieces 91 in Filed Plan 213227, more particularly delineated and lettered 'A', 'B', 'C', 'D' and 'E' on Preliminary Plan 12/0043 is to be closed.

3. The road being opened in Schedule 1 is being exchanged for the land being closed in Schedule 2 in accordance with the following orders:

- Transfer the whole of land subject to closure lettered 'A' and 'C' to Michael Leigh Green in accordance with the agreement for exchange 16 June 2013, entered into between the Adelaide Hills Council and Michael Leigh Green.
- Transfer the whole of land subject to closure lettered 'D' to Phillip Edwin Maguire in accordance with the agreement for exchange 8 June 2013, entered into between the Adelaide Hills Council and Phillip Edwin Maguire.
- Transfer the whole of land subject to closure lettered 'B' and 'E' to ADA Dulwich Pty Ltd and Dalmore Downs Pastoral Pty Ltd in accordance with the agreement for exchange 16 August 2013, entered into between the Adelaide Hills Council and ADA Dulwich Pty Ltd and Dalmore Downs Pastoral Pty Ltd.

On 1 May 2015 that order was confirmed by the Minister for Transport and Infrastructure, conditionally upon the deposit by the Registrar-General of Deposited Plan 95105 being the authority for the new boundaries.

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

Dated 15 September 2016.

M. P. BURDETT, Surveyor-General

DPTI 12/0043

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

Road Opening and Closing—Esplanade, Hove

BY Road Process Order made on 26 July 2016 by City of Holdfast Bay ordered that:

1. Portion of Allotment 1 in Deposited Plan 4357, more particularly delineated and numbered '1' on Preliminary Plan 16/0004 is to be opened. Forming realignment of the Esplanade.

2. The portion of the Esplanade situated adjoining Allotment 1 in Deposited Plan 4357, more particularly delineated and lettered 'A' on Preliminary Plan 16/0004 is to be closed.

1.1 The road being opened in Schedule 1 is being exchanged for the land being closed in Schedule 2 in accordance with the following orders:

2.1 Transfer the whole of land subject to closure lettered 'A' to Lisa Ann Dyer in accordance with the agreement for exchange 26 July 2016, entered into between the City of Holdfast Bay and Lisa Ann Dyer.

On 6 September 2016 that order was confirmed by the Minister for Transport and Infrastructure, conditionally upon the deposit by the Registrar-General of Deposited Plan 112969 being the authority for the new boundaries.

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

Dated 15 September 2016.

M. P. BURDETT, Surveyor-General

South Australia

Liquor Licensing (Dry Areas) Notice 2016

under section 131(1a) of the *Liquor Licensing Act 1997*

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2016*.

2—Commencement

This notice comes into operation on 31 December 2016.

3—Interpretation

(1) In this notice—

principal notice means the *Liquor Licensing (Dry Areas) Notice 2015* published in the Gazette on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
 - (a) a person who is genuinely passing through the area if—
 - (i) the liquor is in the original container in which it was purchased from licensed premises; and
 - (ii) the container has not been opened; or
 - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
 - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

Schedule—Smoky Bay Area A (follows onto Area B)

1—Extent of prohibition

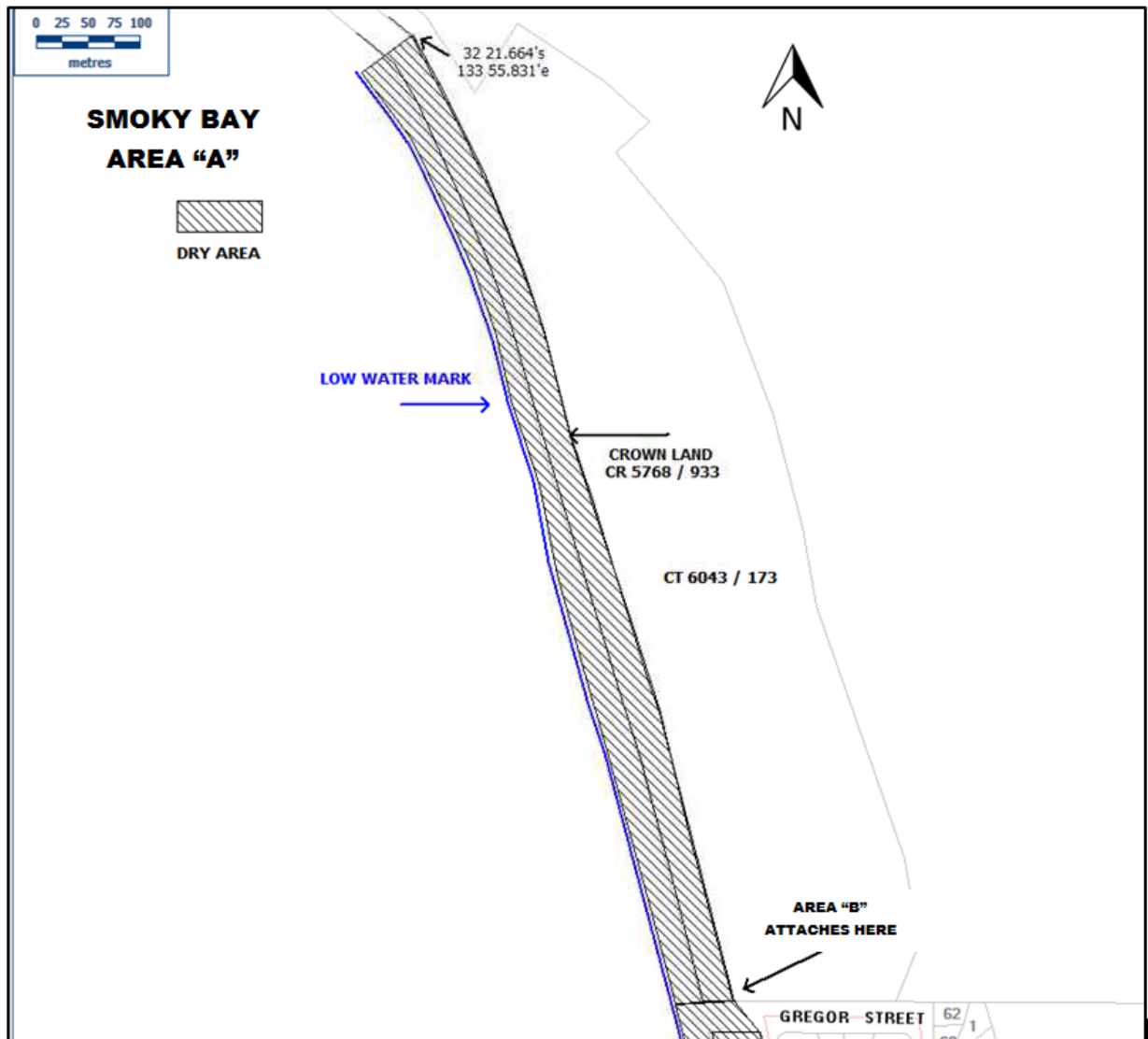
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 6pm on 31 December 2016 to 6am on 1 January 2017.

3—Description of area

The Dry Area commences at the Northern end of Smoky Bay at the direction change of the fence line between the parcel of land belonging to the Crown (CR5768/933) and the privately owned parcel of land (CT6043/173) (Coordinates 32 21.664'S & 133 55.831' E), 980 meters north of the southern boundary fence of both parcels of land identified above and the intersect of Gregor Street Smoky Bay, in a westerly align across the parcel of land identified as CR5768/933, the beach to the low water mark, turning in a southerly direction following the low water mark to the point of align being the extension of the line of the southern boundary fences of CR5768/933 and CT6043/173, turning east to the corner intersect of CR5768/933 abutting CT6043/173, then north following the fence line between both properties to the point of commencement.



Made by the Acting Liquor and Gambling Commissioner

on 7 September 2016.

Schedule— Smoky Bay Area B (follows onto Area C)

1—Extent of prohibition

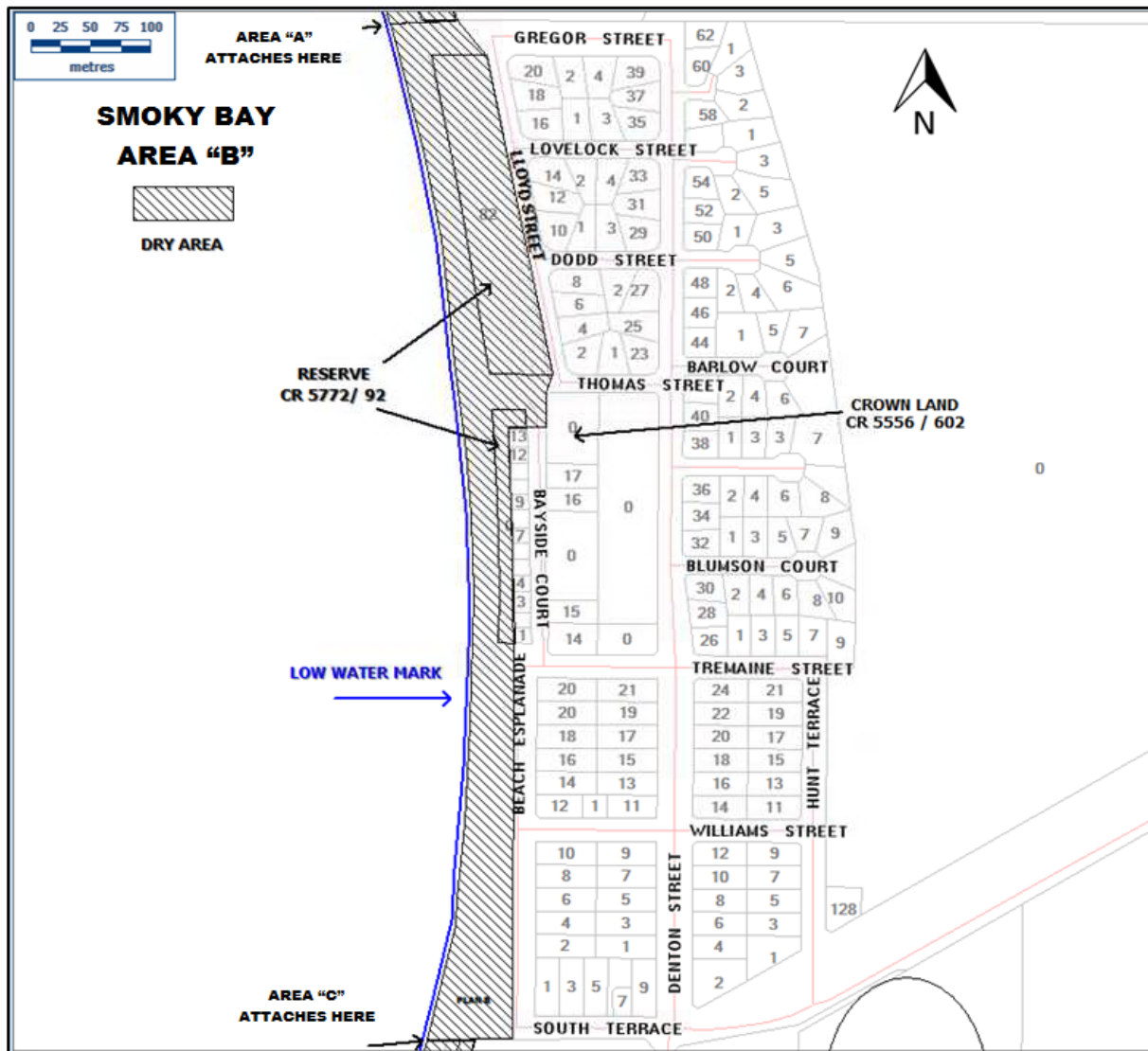
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 6pm on 31 December 2016 to 6am on 1 January 2017.

3—Description of area

Commencing at the South Western corner of CT6043/173 abutting Gregor Street following the line in a westerly direction over the beach to the low water mark, then in a southerly direction following the low water mark to the point of align of the northern boundary fence of the Smoky Bay Caravan Park, then in an easterly direction along the northern boundary of the Smoky Bay Caravan Park to the western gate post of the main entrance to the caravan park, then in a northerly direction crossing South Terrace following the align of the northern side of the medium strip parks and encompassing the car parking area on the western side of Beach Esplanade to the western front of lots 1-13 Bayside Court, abutting and including Council reserve CR5772/92, turning east at the northern boundary of Lot 13 Bayside Court, following the northern boundary of Lot 13 across Bayside Court to the point of intersect with the western boundary of Crown Land CR 5556/602, turning north following the western boundary of CR5556/602 in a straight line across Thomas Street following the align of the eastern boundary on Reserve CR5772/92 and the western Boundary of Lloyd Street through to the starting point of the south western corner of CT 6043/173 crossing over the portion of Gregor Street between the reserve CR5772/92 and Crown Land CR5768/933.



Made by the Acting Liquor and Gambling Commissioner

On 7 September 2016.

Schedule—Smoky Bay Area C

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 6pm on 31 December 2016 to 6am on 1 January 2017.

3—Description of area

1—Extent of prohibition

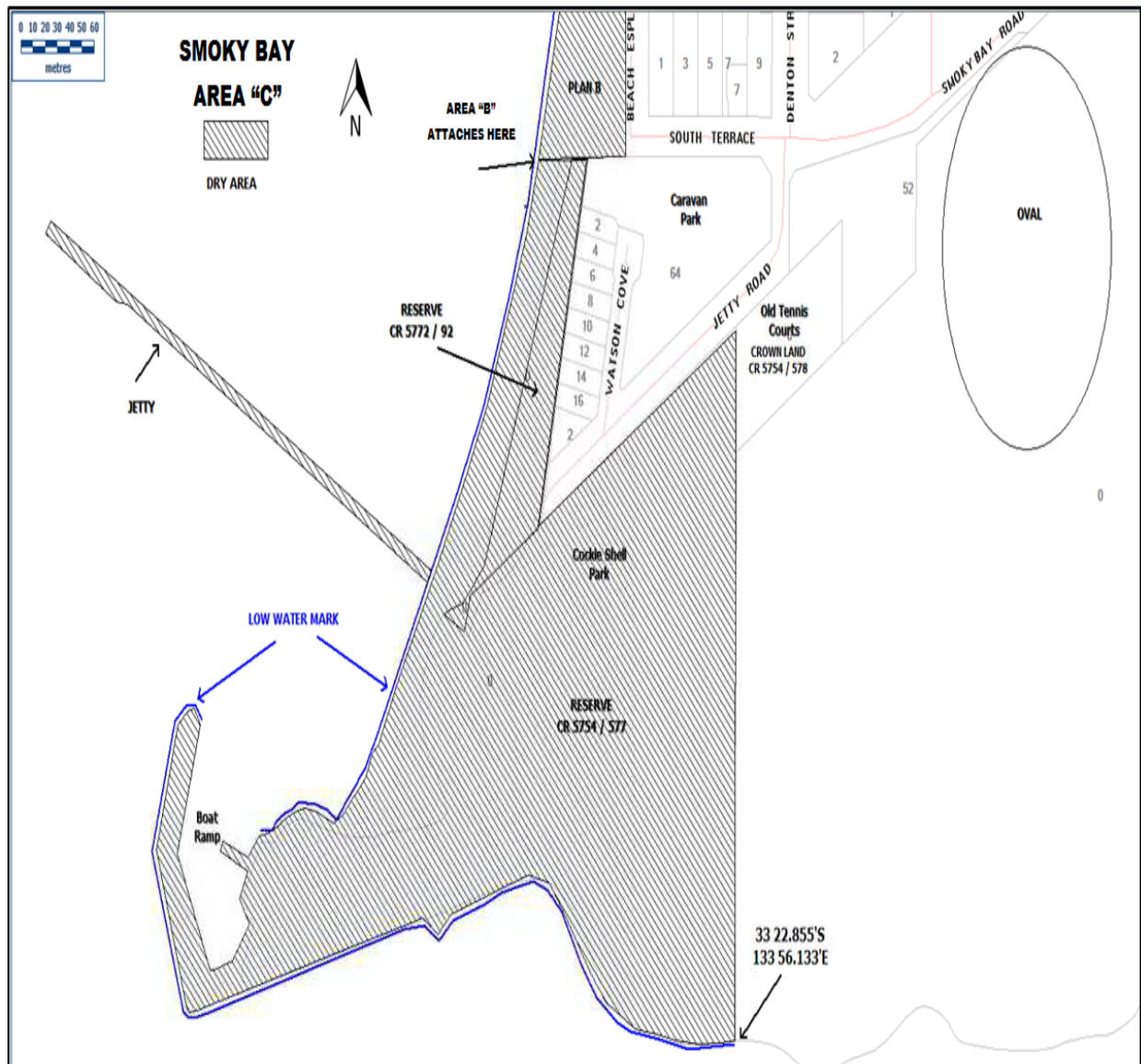
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 6pm on 31 December 2016 to 6am on 1 January 2017.

3—Description of area

Commencing at the North West corner of the Smoky Bay Caravan Park following the align of the northern boundary of the Smoky Bay Caravan Park in a Westerly direction to the low water mark, the in a southerly direction following the low water mark all the way around the coastline to the point in align with the western boundary of the old tennis courts and the southern coastline, coordinates 32 22.855'S 133 56.133'E, then north to the north western boundary corner of the old tennis courts CR 5754 / 578 being on the southern side of Jetty Road, turning west following the southern side of Jetty Road to the intersect of the western boundary line of the property located at 2 Jetty road, turning north following the western boundaries of lots 2 - 16 Watson Cove and 2 Jetty Road to the north west corner of the Caravan Park allotment. The dry area also includes the entire Smoky Bay Jetty structure and the pontoons at the Boat Ramp.



Made by the Acting Liquor and Gambling Commissioner

On 7 September 2016.

South Australia

Liquor Licensing (Dry Areas) Notice 2016

under section 131(1a) of the *Liquor Licensing Act 1997*

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2016*.

2—Commencement

This notice comes into operation on 31 December 2016.

3—Interpretation

(1) In this notice—

principal notice means the *Liquor Licensing (Dry Areas) Notice 2015* published in the Gazette on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
 - (a) a person who is genuinely passing through the area if—
 - (i) the liquor is in the original container in which it was purchased from licensed premises; and
 - (ii) the container has not been opened; or
 - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
 - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

Schedule—Cummins Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

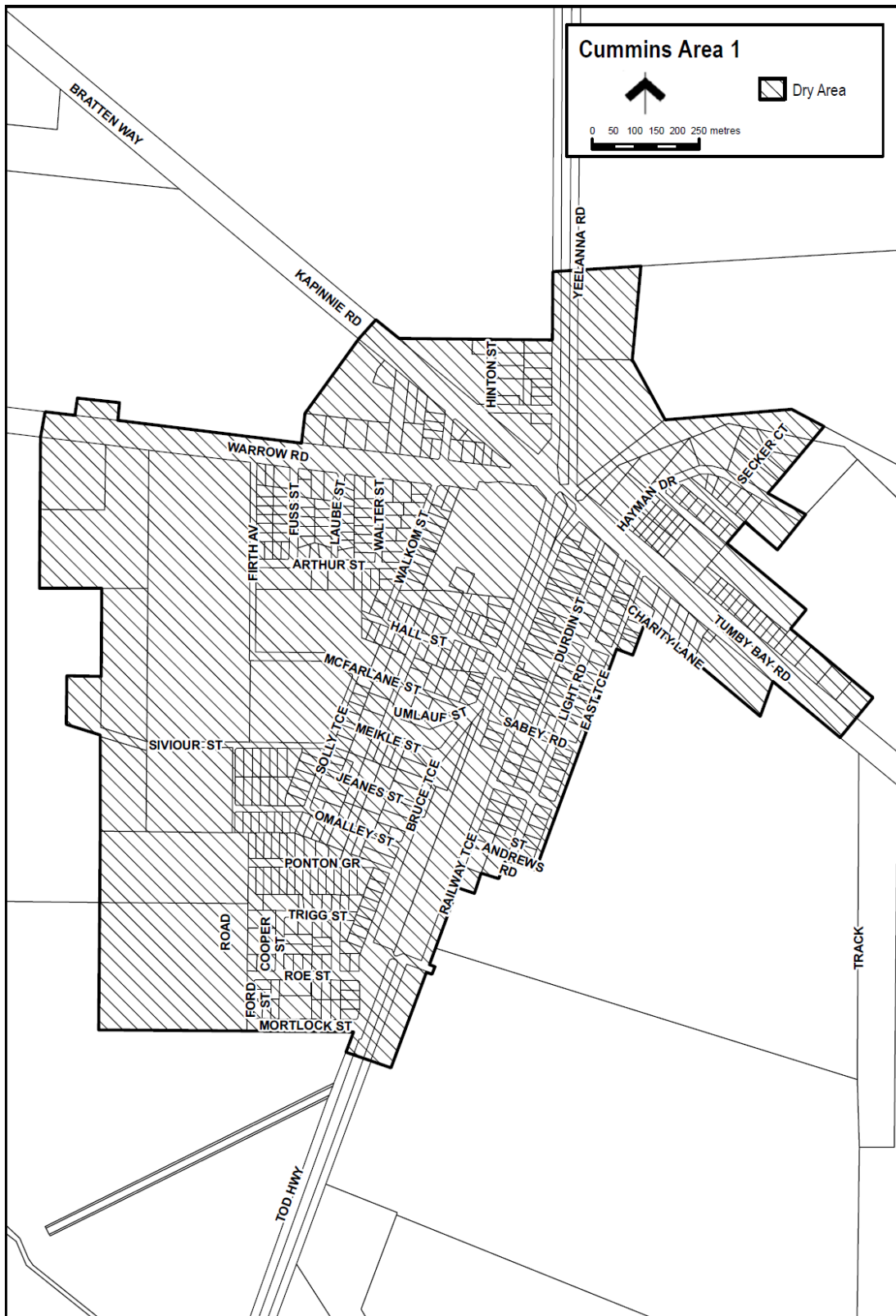
2—Period of prohibition

From 9pm on 31 December 2016 to 8am on 1 January 2017.

3—Description of area

The public area in Cummins bounded as follows:

All in the Hundred of Cummins and within an area as defined as commencing at northwest corner of Allotment 99 in FP 180131 and extending northwards in line with the western boundary of this allotment to a point on the northern boundary of Warrow Road, then heading eastwards and following the boundary of Allotment 550 in DP 66791 until the north corner of Allotment 22 in DP 79231, then heading eastwards across Kapinnie Road to follow the southern boundary, then the eastern boundary of Allotment 189 in FP 180221 to a point in line with the northern boundary of Section 80, then heading eastwards across the Tod Highway to follow northern and then eastern boundary of Section 80, then heading roughly southeast to the nearest corner of Section 30, then heading eastwards along the northern boundary of Section 30 until reaching the closest corner to the northeast corner of Allotment 17 in DP 18745, then heading southwest and following the boundary of Allotment 500 in DP 65688 until the southern corner of Allotment 24 in DP 50626, then heading to a point on the southern boundary of Tumby Bay Road in line with the southeast boundary of Allotment 24 in DP 50626, then heading northwest and following the boundary of Allotment 143 in FP 180175 until and then following, in a southerly direction the boundary of Allotment 52 in DP 53199 until the southwest corner of Allotment 802 in FP 209177, then heading westwards along and in line with the southern boundary of Allotment 802 in FP 209177 until the western boundary of the Tod Highway, then heading north and following the boundary of Allotment 111 in DP 67442 until, and then following the eastern boundary of Allotment 106 in FP 214840 until the commencement point being the northwest corner of Allotment 99 in FP 180131.



Made by the Liquor and Gambling Commissioner
on 8 September 2016.

South Australia

Liquor Licensing (Dry Areas) Notice 2016

under section 131(1a) of the *Liquor Licensing Act 1997*

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2016*.

2—Commencement

This notice comes into operation on 31 December 2016.

3—Interpretation

(1) In this notice—

principal notice means the *Liquor Licensing (Dry Areas) Notice 2015* published in the Gazette on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
 - (a) a person who is genuinely passing through the area if—
 - (i) the liquor is in the original container in which it was purchased from licensed premises; and
 - (ii) the container has not been opened; or
 - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
 - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

Schedule—Coffin Bay Area 1

1—Extent of prohibition

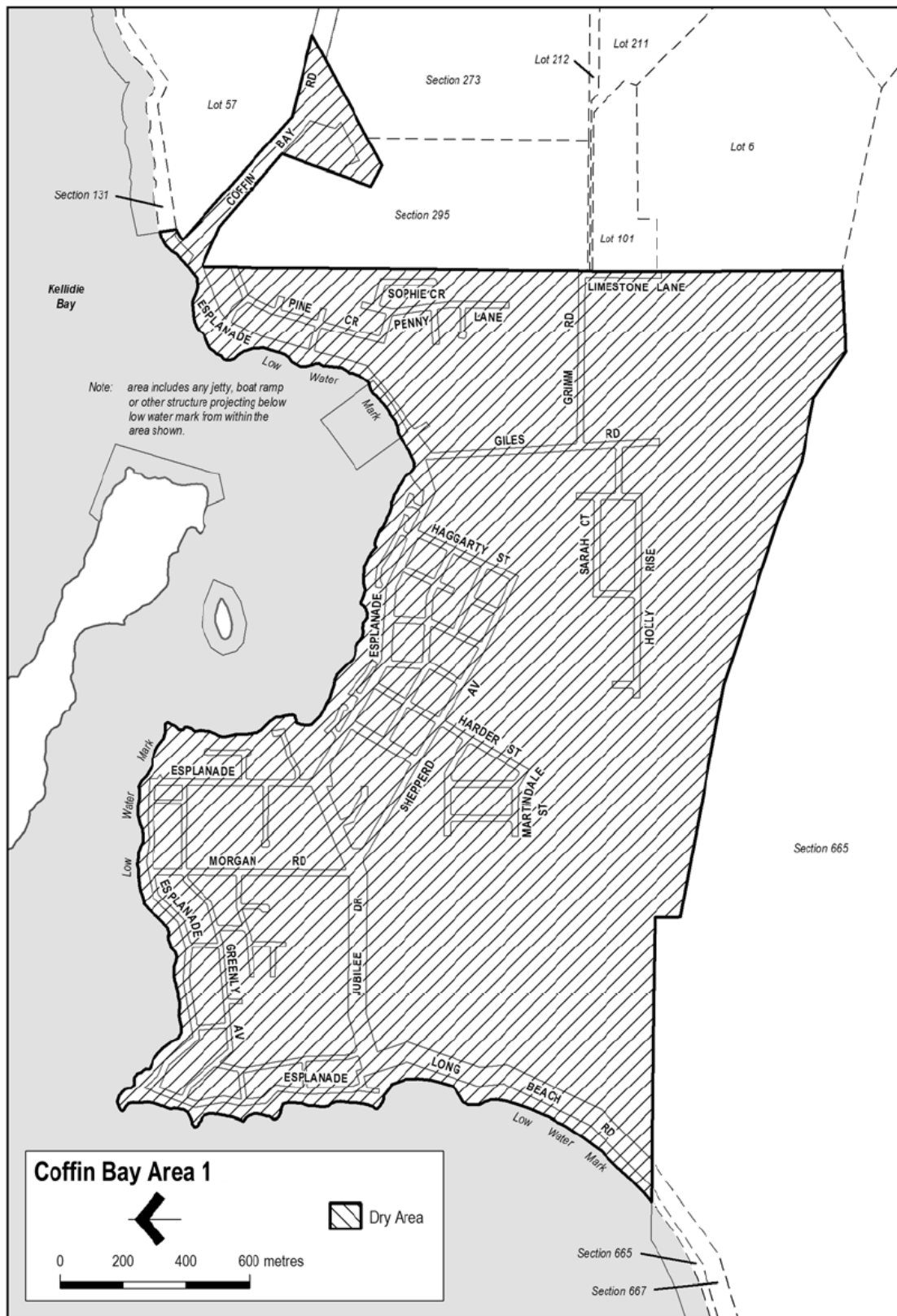
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 9pm on 31 December 2016 to 8am on 1 January 2017.

3—Description of area

The public area in and adjacent to the town of Coffin Bay bounded as follows: commencing at the point at which the prolongation in a straight line of the northern boundary of Section 665 Hd of Lake Wangary intersects the low water mark of Coffin Bay, then generally northerly, easterly, southerly, south-easterly and north-easterly along the low water mark to the point at which it is intersected by the prolongation in a straight line of the western boundary of Section 131 Hd of Lake Wangary, then southerly along that prolongation and boundary of Section 131 to the northern boundary of Lot 57 DP 54186, then generally south-westerly and south-easterly along the northern and south-western boundaries of Lot 57 to the point at which the south-western boundary is intersected by the prolongation in a straight line of the north-western boundary of Section 273 Hd of Lake Wangary, then south-westerly along that prolongation and boundary of Section 237 to the point at which it meets the eastern boundary of Section 295 Hd of Lake Wangary, then south-westerly, north-westerly, north-easterly and north-westerly along the north-eastern and northern boundaries of Section 295 to the western boundary of the Section, then southerly along the western boundaries of Section 295, Lots 212 and 211 of DP 71703, Lot 101 of DP 56785 and Lot 6 DP 25759 to the northern boundary of Section 665 Hd of Lake Wangary, then generally westerly, north-westerly, northerly and westerly along the northern boundary of that Section to the point at which it meets the eastern boundary of Section 667 Hd of Lake Wangary, then westerly along the northern boundary of Section 667, the northern boundary of Section 665 Hd of Lake Wangary and the prolongation in a straight line of the northern boundary of Section 665 to the point of commencement. The area includes the whole of any jetty, boat ramp or other structure that projects below the low water mark from within the area described above (as well as any area beneath such a structure).



Made by the Liquor and Gambling Commissioner
on 8 September 2016.

South Australia

Correctional Services (Appointment of Visiting Tribunals) Variation Proclamation 2016

under section 17 of the *Correctional Services Act 1982*

Part 1—Preliminary

1—Short title

This proclamation may be cited as the *Correctional Services (Appointment of Visiting Tribunals) Variation Proclamation 2016*.

2—Commencement

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

3—Variation provisions

In this proclamation, a provision under a heading referring to the variation of a specified proclamation varies the proclamation so specified.

Part 2—Variation of proclamation under *Correctional Services Act 1982* appointing Visiting Tribunals (*Gazette 30.11.2000 p3356*) as varied

4—Variation of clause 2

Clause 2, list—delete "Michael Timothy McRae"

Made by the Governor

with the advice and consent of the Executive Council
on 15 September 2016

MCS16/12CS

South Australia

Oaths (Appointment) Proclamation 2016

under section 33 of the *Oaths Act 1936*

1—Short title

This proclamation may be cited as the *Oaths (Appointment) Proclamation 2016*.

2—Commencement

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

3—Appointment of police officer to take declarations and attest instrument

The following police officer is appointed to take declarations and attest the execution of instruments:

Siok Ting Tan

Made by the Governor

with the advice and consent of the Executive Council
on 15 September 2016

JP16/006CS

South Australia

Youth Court (Designation and Classification of Special Justices) Proclamation 2016

under section 9 of the *Youth Court Act 1993*

1—Short title

This proclamation may be cited as the *Youth Court (Designation and Classification of Special Justices) Proclamation 2016*.

2—Commencement

This proclamation will come into operation on 12 October 2016.

3—Designation and classification of special justices

The special justices named in Schedule 1 are—

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

Schedule 1—Special justices of Court

David Martin

Annette Louise Tsouris

Suzanne Kaye Wendland

Made by the Governor

with the advice and consent of the Executive Council
on 15 September 2016

JP16/021CS

South Australia

Births, Deaths and Marriages Registration Variation Regulations 2016

under the *Births, Deaths and Marriages Registration Act 1996*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Births, Deaths and Marriages Registration Regulations 2011*

- 4 Variation of regulation 3—Interpretation
 - 5 Variation of regulation 5—Information to be included in birth registration statement
 - 6 Variation of regulation 6—Particulars of birth to be included in the Register
 - 7 Variation of regulation 10—Particulars of death to be included in the Register
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Births, Deaths and Marriages Registration Variation Regulations 2016*.

2—Commencement

- (1) Subject to subregulation (2), these regulations will come into operation on 17 September 2016.
- (2) Regulations 5 and 6 will come into operation on 23 September 2016.

3—Variation provisions

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

Part 2—Variation of *Births, Deaths and Marriages Registration Regulations 2011*

4—Variation of regulation 3—Interpretation

Regulation 3—after the definition of *Act* insert:

court appointed guardian has the same meaning as in section 38A of the Act;

fertilisation procedure has the same meaning as in section 10A(1) of the *Family Relationships Act 1975*;

5—Variation of regulation 5—Information to be included in birth registration statement

Regulation 5—after paragraph (e) insert:

- (ea) if the child was conceived as a result of a fertilisation procedure—
 - (a) the name (if known) of the biological parent who donated the semen or ovum resulting in the child's birth (the *donor*); and
 - (b) the sex (if known) of the donor; and
 - (c) the donor's date of birth and place of birth (if known);

6—Variation of regulation 6—Particulars of birth to be included in the Register

Regulation 6—after paragraph (d) insert:

- (da) if the child was conceived as a result of a fertilisation procedure—
 - (a) the name (if known) of the biological parent who donated the semen or ovum resulting in the child's birth (the *donor*); and
 - (b) the sex (if known) of the donor; and
 - (c) the donor's date of birth and place of birth (if known);

7—Variation of regulation 10—Particulars of death to be included in the Register

Regulation 10(1)—after paragraph (q) insert:

- (r) if a court appointed guardian has given the Registrar a notice under section 38A of the Act—the name and address of the court appointed guardian.

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 15 September 2016

No 225 of 2016

CBS0015-16CS

South Australia

Family Relationships Variation Regulations 2016

under the *Family Relationships Act 1975*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Family Relationships Regulations 2010*

- 4 Insertion of regulation 3A
 - 3A Requirements for Section 10C declarations
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Family Relationships Variation Regulations 2016*.

2—Commencement

These regulations will come into operation on 23 September 2016.

3—Variation provisions

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

Part 2—Variation of *Family Relationships Regulations 2010*

4—Insertion of regulation 3A

After regulation 3 insert:

3A—Requirements for Section 10C declarations

- (1) A woman and her partner may make a declaration that they have elected to have the parentage of a child birthed by the woman as a result of a fertilisation procedure determined in accordance with section 10C(3a) of the Act (a *Section 10C declaration*).
- (2) For the purposes of section 10C(3a)(c) of the Act, the following requirements are prescribed in relation to a Section 10C declaration:
 - (a) the declaration must be made in writing;

- (b) the woman and her partner must each declare that, for the purposes of the law of the State, they have elected that—
 - (i) the partner will be conclusively presumed to have caused the pregnancy; and
 - (ii) the partner will be taken to be the father or co-parent (as the case may be) of the child;
- (c) the declaration must be signed by each party to the declaration;
- (d) the signatures must be made in the presence of a justice of the peace or another person authorised under the *Oaths Act 1936* to take declarations or attest the execution of instruments.

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 15 September 2016

No 226 of 2016

CBS0015-16CS

South Australia

Development (Diplomatic Missions) Variation Regulations 2016

under the *Development Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Development Regulations 2008*

- 4 Variation of regulation 3—Interpretation
 - 5 Variation of regulation 6A—Regulated and significant trees
 - 6 Variation of regulation 15—Application to relevant authority
 - 7 Variation of regulation 24—Referrals
 - 8 Variation of regulation 38—Determination of Commission as relevant authority
 - 9 Variation of regulation 92—Provision of information
 - 10 Variation of Schedule 1A—Development that does not require development plan consent
 - 14 Diplomatic mission development
 - 11 Variation of Schedule 10—Decisions by Development Assessment Commission
 - 21 Diplomatic mission development
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Development (Diplomatic Missions) Variation Regulations 2016*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Development Regulations 2008*

4—Variation of regulation 3—Interpretation

Regulation 3(6)—before the definition of *outbuilding* insert:

diplomatic mission development means development undertaken under the authority of a diplomatic mission of an overseas country associated with the provision of premises for the diplomatic mission (such as an embassy or consulate);

5—Variation of regulation 6A—Regulated and significant trees

Regulation 6A(5)—after paragraph (e) insert:

or

- (f) a tree if the tree is located at a site where it is proposed to undertake development that has been approved by the State Coordinator-General for the purposes of a diplomatic mission development, other than where the site is a site where a State heritage place is situated.

6—Variation of regulation 15—Application to relevant authority

Regulation 15(3)(b)(iv)—after "Renewing our Streets and Suburbs Stimulus Program" insert:

or a diplomatic mission development

7—Variation of regulation 24—Referrals

Regulation 24(5)—after "Renewing our Streets and Suburbs Stimulus Program" insert:

or a diplomatic mission development

8—Variation of regulation 38—Determination of Commission as relevant authority

Regulation 38(5)—"Renewing our Streets and Suburbs Stimulus Program" insert:

or a diplomatic mission development

9—Variation of regulation 92—Provision of information

Regulation 92(2b)—after "ROSASSP development" insert:

or diplomatic mission development

10—Variation of Schedule 1A—Development that does not require development plan consent

Schedule 1A—after clause 13 insert:

14—Diplomatic mission development

- (1) Diplomatic mission development approved by the State Coordinator-General.
- (2) Subclause (1) does not apply if the diplomatic mission development is in relation to a site where a State heritage place is situated.

11—Variation of Schedule 10—Decisions by Development Assessment Commission

Schedule 10—after clause 20 insert:

21—Diplomatic mission development

- (1) Diplomatic mission development approved by the State Coordinator-General.
- (2) Subclause (1) does not apply to diplomatic mission development if the diplomatic mission development is in relation to a site where a State heritage place is situated.

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 15 September 2016

No 227 of 2016

PLN0020/16CS

SENDING COPY?

NOTICES for inclusion in the *South Australian Government Gazette* should be emailed to:

GovernmentGazetteSA@sa.gov.au

Please include the following information in the covering email:

- The date the notice is to be published.
- Whether a proof, quote or return email confirmation is required.
- Contact details.
- To whom the notice is charged if applicable.
- A purchase order if required (chargeable notices).
- Any other details that may impact on the publication of the notice.

Attach:

- Notices in Word format.
- Maps and diagrams in pdf.
- Notices that require sighting an official date and signature before publication in a pdf. If a pdf is not possible then fax the official file(s) to the Government Publishing Fax number listed below.

Fax Transmission: (08) 8207 1040

Phone Enquiries: (08) 8207 1045

NOTE:

Closing time for lodging new copy is 4 p.m. on Tuesday preceding the regular Thursday *Gazette*.

CITY OF ADELAIDE

Declaration of Rundle Mall Separate Rate—Erratum

NOTICE is hereby given that the Council of the Corporation of the City of Adelaide at its meeting held on 23 August 2016, and for the year ending 30 June 2017:

Amended the previously declared Rundle Mall Differential Separate Rate of 0.03611 cents in the dollar to a rate of 0.0359 cents in the dollar on all rateable land except that with a residential land use within the 'Rundle Mall Precinct' (as defined) to fund marketing and management of the precinct, including actions and initiatives to promote Rundle Mall as a destination for shopping and to enhance the vibrancy of the precinct.

Dated 15 September 2016.

M. GOLDSTONE, Chief Executive Officer

ADELAIDE CITY COUNCIL

*Road Closure Order—Laneway east off of
Burnett Street, Adelaide*

NOTICE is hereby given that Council at its meeting of 26 July 2016, resolved to:

Close a portion of road, known as an unnamed public laneway that runs east off of Burnett Street, Adelaide ('the laneway'), commencing from 5 metres east of the laneway's intersection with Burnett Street until the dead end of the laneway to all vehicles between the hours of 8 a.m. and 1 a.m. the following day on all days of the week from 1 August 2016, until further resolution of Council for the purposes of rationalising the flow and impact of traffic within the laneway and on nearby roads during the period of the closure ('the closure').

If you require further information please phone Adelaide City Council Customer Service Centre on 8203 7203.

Dated 14 September 2016.

M. GOLDSTONE, Chief Executive Officer

CAMPBELLTOWN CITY COUNCIL

DEVELOPMENT ACT 1993

*Employment Growth Development Plan Amendment
Public Consultation*

NOTICE is hereby given that the Campbelltown City Council, pursuant to Sections 24 and 25 of the Development Act 1993, has prepared a Development Plan Amendment Report (DPA) to amend its Development Plan. The Amendment will change the Development Plan in the following areas:

- Magill Road;
- Newton Light Industry Zone;
- Areas adjacent the Newton District Centre;
- Glynburn Road; and
- Hamilton Terrace Commercial Zone.

To view the Development Plan Amendment and to find out how you can have your say visit Council's website www.campbelltown.sa.gov.au, the Council Office, 172 Montacute Road, Rostrevor or Campbelltown Library, 171 Montacute Road, Newton during business hours.

The consultation period commences on 12 September 2016 and closes 5 p.m. on 4 November 2016. Have your say by sending a submission to Chief Executive Officer, Campbelltown City Council, P.O. Box 1, Campbelltown, S.A. 5074; alternatively submissions may be provided electronically to mail@campbelltown.sa.gov.au.

All submissions should clearly indicate whether the respondent wishes to be heard in support of their submission at a public hearing to be held at 6 p.m. 29 November 2016 at the Council Office. The public hearing will not be held if no submissions are received or if no respondent makes a request to be heard. Please note; submissions are public documents and will be available for inspection at the Council Office from 7 November 2016 until the conclusion of the public hearing.

For further information contact Jodie Terp, Team Leader Urban Policy and Economic Development, (08) 8366 9287 or jterp@campbelltown.sa.gov.au.

P. DI IULIO, Chief Executive Officer

CITY OF MARION

Adoption of Valuations and Declaration of Rates 2016-2017

NOTICE is hereby given that on 28 June 2016, the Council of the City of Marion, pursuant to the provisions of the Local Government Act 1999, for the year ending 30 June 2017:

Adoption of Valuations

1. Adopted the capital valuations to apply in its area for rating purposes for the 2016-2017 financial year as supplied by the Valuer-General totalling \$18 774 353 580;

Declaration of Rates

2. declared differential general rates in the dollar based on capital value as follows:

- (a) 0.358121 cents in the dollar on rateable land of Category 1—Residential, Category 7—Primary Production and Category 9—Other;
- (b) 0.662524 cents in the dollar on rateable land of Category 2—Commercial Shop, Category 3—Commercial Office, Category 4—Commercial Other;
- (c) 0.608805 cents in the dollar on rateable land of Category 5—Industrial Light, Category 6—Industrial Other; and
- (d) 0.716242 cents in the dollar on rateable land of Category 8—Vacant Land;

3. resolved that the minimum amount payable by way of general rates in respect of rateable land within the area for the year ending 30 June 2017, be \$1 000; and

4. declared a Separate Rate of 0.009493 cents in the dollar on all rateable land within the Adelaide and Mount Lofty Ranges Natural Resources Management Board Area within the area.

The Council resolved that rates will be payable in four equal or approximately equal instalments, and that the due dates for those instalments will be 1 September 2016, 1 December 2016, 1 March 2017 and 1 June 2017.

A. SKULL, Chief Executive

CITY OF TEA TREE GULLY

CLOSE OF NOMINATIONS

Supplementary Election for Councillor for Water Gully Ward

AT the close of nominations at 12 noon on Thursday, 8 September 2016, the following people were accepted as candidates and are listed in the order in which they will appear on the ballot paper.

Nominations Received

Councillor for Water Gully Ward—(1 Vacancy)

Dave, Hemant
Powell, David James John
Disney, Rosalie
Field, Peter

Postal Voting

The election will be conducted by post. Ballot papers and pre-paid envelopes for each voting entitlement will be posted between Tuesday, 20 September 2016 and Monday, 26 September 2016, to every person, or designated person of a body corporate or group listed on the voters roll at roll close on Friday, 29 July 2016. Voting is voluntary.

A person who has not received voting material by Monday, 26 September 2016 and believes they are entitled to vote should contact the Deputy Returning Officer on 7424 7415.

Completed voting material must be returned to reach the Returning Officer no later than 12 noon on Monday, 10 October 2016.

A ballot box will be provided at the Council office, 571 Montague Road, Modbury, for electors wishing to hand deliver their completed voting material during office hours.

Vote Counting Location

The scrutiny and counting of votes will take place at the Council Chambers, 571 Montague Road, Modbury, as soon as practicable after 12 noon on Monday, 10 October 2016. A provisional declaration will be made at the conclusion of the election count.

Campaign Donations Return

All candidates must forward a Campaign Donations Return to the Council Chief Executive Officer within 30 days after the conclusion of the election.

D. GULLY, Returning Officer

ALEXANDRINA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1—Permits and Penalties

A by-law to create a permit system for Council by-laws, to fix maximum and continuing penalties for offences, and for the construction of Council by-laws.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Permits and Penalties By-law 2016 and is By-law No. 1 of the Alexandrina Council.

2. *Authorising law*

This by-law is made under Section 246 of the Act.

3. *Purpose*

The objects of this by-law are to provide for the good rule and government of the Council area, and for the convenience, comfort and safety of its inhabitants by:

- 3.1 creating a permit system for Council by-laws;
- 3.2 providing for the enforcement of breaches of Council by-laws and fixing penalties; and
- 3.3 clarifying the construction of Council by-laws.

4. *Commencement, revocation and expiry*

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation:¹

4.1.1 By-law No. 1—Permits and Penalties 2010.²

4.2 This by-law will expire on 1 January 2024.³

Note:

¹ Generally a by-law comes into operation 4 months after the day on which it is gazetted: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

5. *Application*

5.1 This by-law applies throughout the Council's area.

6. *Interpretation*

In this by-law, unless the contrary intention appears;

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *Council* means Alexandrina Council; and
- 6.3 *person* includes a body corporate.

Note:

Section 14 of the Acts Interpretation Act 1915, provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Act.

7. *Construction of by-laws generally*

7.1. Every by-law of the Council is subject to any Act of Parliament and Regulations made thereunder.

7.2. In any by-law of the Council, unless the contrary intention appears permission means permission of the Council, or such other person authorised by Council, granted in writing prior to the act, event or activity to which it relates.

PART 2—PERMITS AND PENALTIES

8. *Permits*

8.1 Where a by-law requires that permission be obtained, any person seeking the grant of permission must submit a written application to the Council in the form (if any) and accompanied by the fee (if any) prescribed by the Council.

8.2 The Council, or such other person authorised by the Council, may attach such conditions as it thinks fit to a grant of permission, and may vary or revoke such conditions or impose new conditions by notice in writing to the person granted permission.

8.3 A person granted permission must comply with every such condition. Failure to do so is an offence (to the extent it gives rise to a contravention of a by-law).

8.4 The Council, or such other person authorised by the Council, may suspend or revoke a grant of permission at any time by notice in writing to the person granted permission.

9. *Offences and Penalties*

9.1 A person who acts in contravention of any by-law of the Council is guilty of an offence and may be liable to pay:

9.1.1 the maximum penalty, being the maximum penalty referred to in the Act that may be fixed by a by-law for any breach of a by-law; or

9.1.2 subject to any resolution of the Council to the contrary, the expiation fee fixed by the Act for alleged offences against by-laws, being a fee equivalent to 25 per cent of the maximum penalty fixed for any breach of a by-law.

9.2 A person who commits a breach of a by-law of the Council of a continuing nature is guilty of an offence and, in addition to any other penalty that may be imposed, is liable to a further penalty for every day on which the offence continues, such penalty being the maximum amount referred to in the Act that may be fixed by a by-law for a breach of a by-law of a continuing nature.

Note:

The maximum penalty for a breach of a by-law is currently \$750 and the maximum penalty for every day in which a breach of a continuing nature continues is currently \$50—see Section 246 (3) (g) of the Act.

Pursuant to Section 246 (5) of the Act, expiation fees may be fixed for alleged offences against by-laws either by a by-law or by resolution of the Council. However, an expiation fee fixed by the Council cannot exceed 25 per cent of the maximum penalty for the offence to which it relates.

This by-law was duly made and passed at a meeting of the Council of the Alexandrina Council held on 1 August 2016 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. DINNING, Chief Executive

ALEXANDRINA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2—Local Government Land

A by-law to regulate the access to and use of Local Government land (other than roads), and certain public places.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Local Government Land By-law 2016 and is By-law No. 2 of the Alexandrina Council.

2. Authorising law

This by-law is made under Sections 238 and 246 of the Act and Section 18A of the Harbours and Navigation Act 1993.

3. Purpose

The objectives of this by-law are to regulate the access to and use of Local Government land (other than roads), and certain public places:

- 3.1 to prevent and mitigate nuisances;
- 3.2 to prevent damage to Local Government land;
- 3.3 to protect the convenience, comfort and safety of members of the public;
- 3.4 to enhance the amenity of the Council area; and
- 3.5 for the good rule and government of the area.

4. Commencement, revocation and expiry

4.1 The following by-law previously made by the Council is revoked from the day on which this by-law comes into operation:¹

4.1.1 By-law No. 3—Local Government Land 2010;²

4.2 This by-law will expire on 1 January 2024.³

Note:

¹ Generally a by-law comes into operation 4 months after the day on which it is gazetted: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

5. Application

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2016.
- 5.2 Subject to Clauses 5.3 and 5.4, this by-law applies throughout the Council's area.
- 5.3 Clauses 9.3, 9.8.1, 9.8.3, 9.8.5, 9.9.1, 9.24.1, 9.24.2, 9.24.4, 9.27.2, 9.33, and 10.4 of this by-law only apply in such part or parts of the Council area as the Council may, by resolution direct in accordance with Section 246 (3) (e) of the Act.
- 5.4 Clauses 9.5.3, 9.8.3, 9.13.2 (b) and 9.34 of this by-law only apply throughout the Council area except in such part or parts of the Council area as the Council may by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. Interpretation

In this by-law, unless the contrary intention appears:

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *animal or animals* includes birds and insects but does not include a dog;
- 6.3 *authorised person* has the same meaning as in the Act;
- 6.4 *boat* includes a raft, pontoon or personal watercraft or other similar device;
- 6.5 *camp* includes setting up a camp, or causing a tent, caravan or motor home to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 6.6 *Council* means Alexandrina Council;
- 6.7 *electoral matter* has the same meaning as in the Electoral Act 1985, provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 6.8 *effective control* means a person exercising effective control of an animal either:
 - 6.8.1 by means of a physical restraint; or
 - 6.8.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;

6.9 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014;

6.10 *funeral ceremony* means a ceremony only (i.e. a memorial service) and does not include a burial;

6.11 *liquor* has the same meaning as in the Liquor Licensing Act 1997;

6.12 *Local Government land* means all land owned by the Council or under the Council's care, control and management (except roads);

6.13 *offensive* includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;

6.14 *open container* means a container which:

6.14.1 after the contents of the container have been sealed at the time of manufacture:

- (a) being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
- (b) being a can, it has been opened or punctured;
- (c) being a cask, it has had its tap placed in a position to allow it to be used;
- (d) being any other form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to its contents; or
- (e) is a flask, glass, mug or other container able to contain liquid;

6.15 *personal watercraft* means a device that:

- 6.15.1 is propelled by a motor;
- 6.15.2 has a fully enclosed hull;
- 6.15.3 is designed not to retain water if capsized; and
- 6.15.4 is designed to be operated by a person who sits astride, stands, or kneels on the device; and includes the device commonly referred to as a jet ski;

6.16 *recreation ground* means Local Government land commonly used for playing sports or games, or accommodating the spectators at any sport or game;

6.17 *tobacco product* has the same meaning as in the Tobacco Products Regulation Act 1997;

6.18 *vehicle* has the same meaning as in the Road Traffic Act 1961;

6.19 *waters* includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council; and

6.20 *wheeled recreational device* has the same meaning as in the Road Traffic Act 1961.

Note:

Section 14 of the Acts Interpretation Act 1915, provides that an expression used in a by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-law was made.

PART 2—ACCESS TO LOCAL GOVERNMENT LAND

7. Access

Note:

Pursuant to Section 238 (3) of the Act, if a Council makes a by-law about access to or use of a particular piece of Local Government land (under Section 238), the Council should erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the by-law applies.

The Council, or a person authorised by the Council, may:

- 7.1 close, or regulate or restrict access to, any part of Local Government land to the public for specified times and days; and
- 7.2 fix charges or fees payable for entry onto any part of Local Government land.

8. Closed lands

A person must not without permission, enter or remain on any Local Government land:

- 8.1 which has been closed, or in respect of which access by the public is regulated or restricted in accordance with Clause 7.1;
- 8.2 where entry fees or charges are payable, without paying those fees or charges; or
- 8.3 where the land has been enclosed by fences and/or walls and gates that have been closed and locked.

PART 3—USE OF LOCAL GOVERNMENT LAND**9. Activities requiring permission**

Note:

Pursuant to Section 238 (3) of the Act, if a Council makes a by-law about access to or use of a particular piece of Local Government land (under Section 238), the Council should erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the by-law applies.

A person must not without the permission of the Council, do any of the following on Local Government land:

9.1 Advertising

Subject to Clause 14.2, display, paint or erect any sign or hoarding for the purpose of commercial advertising or any other purpose;

9.2 Aircraft

Subject to the Civil Aviation Act 1988, land any aircraft on, or take off any aircraft from the land;

9.3 Alcohol

Consume, carry or be in possession or in charge of any liquor on Local Government land comprising parks or reserves to which the Council has determined this paragraph applies;

9.4 Amplification

Use an amplifier or other mechanical or electrical device for the purpose of amplifying sound;

9.5 Animals

- 9.5.1 cause or allow an animal to stray onto, move over, graze or be left unattended on Local Government land;
- 9.5.2 cause or allow an animal to enter, swim, bathe or remain in any waters located on Local Government land; or
- 9.5.3 lead, herd or exercise an animal, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind, and provided that the animal or animals are under effective control;

9.6 Attachments

Attach or cause to be attached anything to a tree, plant, equipment, fence, building, post, structure or fixture on Local Government land;

9.7 Bees

Place a hive of bees on Local Government land, or allow it to remain thereon;

9.8 Boats

Subject to the provisions of the Harbors and Navigation Act 1993, and the Marine Safety (Domestic Commercial Vessel) National Law:

- 9.8.1 launch or retrieve a boat to or from any waters where the Council has determined that this subclause applies;
- 9.8.2 launch or retrieve a boat to or from any waters other than from a boat ramp constructed for that purpose;

9.8.3 propel, float or otherwise use a boat on or in any waters except any waters to which the Council has determined this subclause does not apply;

9.8.4 hire out a boat or otherwise use a boat for commercial purposes; or

9.8.5 moor a boat on any waters or to a pontoon attached to Local Government land where the Council has determined this subclause applies and other than in accordance with any conditions determined by the Council;

9.9 Boat Ramps

9.9.1 Launch or retrieve a boat from or to any boat ramp on Local Government land to which the Council has determined this clause applies:

- (a) without having purchased a short term ticket or been granted a launch permit; and
- (b) other than in accordance with the conditions attaching to a short term ticket or a launch permit (as the case may be); or
- (c) in accordance with any conditions determined by the Council and displayed in the vicinity of the boat ramp;

9.9.2 For the purposes of this Clause 9.9, the following definitions apply:

- (a) launch permit means a permit issued by the Council and/or its agent upon application and which authorises the launch and/or retrieval of a nominated boat from a boat ramp in accordance with the conditions determined by the Council;
- (b) nominated boat means the boat specified in an application for a launch permit, in respect of which a launch permit is granted; and
- (c) short term ticket means a ticket purchased from a vending machine located at or in the vicinity of a boat ramp that authorises a single launch or retrieval of a boat from the boat ramp in accordance with the conditions determined by the Council and, which is valid until midnight of the date of purchase;

9.10 Bridge Jumping

Jump or dive from a bridge, jetty or structure on Local Government land;

9.11 Buildings

Use a building, or structure on Local Government land for a purpose other than its intended purpose;

9.12 Burials and Memorials

9.12.1 Bury or inter any human or animal remains; or

9.12.2 Erect any memorial;

9.13 Camping and Tents

9.13.1 Erect a tent or other structure of calico, canvas, plastic or similar material as a place of habitation;

9.13.2 Camp or sleep overnight:

- (a) unless in a caravan park on Local Government land, the proprietor of which has been given permission to operate the caravan park on that land; or
- (b) other than in an area to which the Council has, by resolution, designated for camping and in accordance with such time limits and other conditions determined by resolution of the Council (if any);

9.13.3 For the purposes of this Clause 9.13, a tent or other structure is taken to have been erected as a place of habitation if it has been on the land for 24 consecutive hours or more;

- 9.14 *Canvassing*
- 9.14.1 Subject to Clause 14.2, convey any advertising, religious or other message to any bystander, passer-by or other;
- 9.14.2 Convey to any bystander or person a message or any material that may jeopardise public order because it is offensive, insulting or that might otherwise encourage a breach of the peace;
- 9.15 *Defacing Property*
- Deface, paint, spray, write, cut names, letters or make marks on any tree, rock, gate, fence, building, sign, bridge or property of the Council;
- 9.16 *Depasturing*
- Cause, suffer or allow any horse, cattle, sheep, goat or other animal under his or her control to depasture thereon;
- 9.17 *Distribution*
- Subject to Clause 14.2 and the Local Nuisance and Litter Control Act 2016, place on a vehicle (without the consent of the owner of the vehicle), or give out or distribute any book or other printed matter to any bystander, passer-by or other person;
- 9.18 *Donations*
- Ask for or receive or indicate that he or she desires a donation of money or any other thing;
- 9.19 *Entertainment and Busking*
- 9.19.1 Sing, busk or play a recording or use a musical instrument for the apparent purpose of either entertaining others or receiving money; or
- 9.19.2 Conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity;
- 9.20 *Equipment*
- Use an item of equipment, facilities or property belonging to the Council if that person is of or over the age indicated by a sign or notice as the age limit for using such equipment, facility or property;
- 9.21 *Fires*
- Subject to the Fire and Emergency Services Act 2005, light a fire except:
- 9.21.1 in a place provided by the Council for that purpose; or
- 9.21.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least 4 metres;
- 9.22 *Fireworks*
- Ignite or discharge any fireworks;
- 9.23 *Flora and Fauna*
- Subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:
- 9.23.1 damage, pick, disturb, interfere with or remove any plant or flower thereon;
- 9.23.2 cause or allow an animal to stand or walk on any flower bed or garden plot;
- 9.23.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;
- 9.23.4 take, interfere with, tease, harm or disturb any animal, bird or marine creature or the eggs or young of any animal, bird or marine creature;
- 9.23.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;
- 9.23.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;
- 9.23.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or marine creature; or
- 9.23.8 burn any timber or dead wood;
- 9.24 *Games*
- 9.24.1 participate in, promote or organise any organised competition or sport, as distinct from organised social play on Local Government land to which the Council has resolved this subclause applies;
- 9.24.2 play or practice any game which involves kicking, hitting or throwing a ball or other object on Local Government land to which the Council has resolved this subclause applies;
- 9.24.3 play or practice the game of golf on Local Government land to which the Council has resolved this subclause applies; or
- 9.24.4 engage or participate in or conduct any organised group fitness activity or training on Local Government land to which the Council has resolved this subclause applies;
- 9.25 *Interference with Land*
- Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:
- 9.25.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
- 9.25.2 erecting or installing a structure in, on, across, under or over the land;
- 9.25.3 changing or interfering with the construction, arrangement or materials of the land;
- 9.25.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
- 9.25.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used;
- 9.26 *Marine Life*
- Introduce any marine life to any waters;
- 9.27 *Model Aircraft, Boats and Cars*
- Subject to the Civil Aviation Safety Regulations 1998:
- 9.27.1 fly or operate a model or drone aircraft, boat or model or remote control vehicle in a manner which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of the land or detract from or be likely to detract from another person's lawful use of and enjoyment of the land; or
- 9.27.2 fly or operate a model or drone aircraft, boat or model or remote control car on any Local Government land to which the Council has resolved this subclause applies;
- 9.28 *Overhanging Articles or Displaying Personal Items*
- Suspend or hang an article or object from a building, verandah, pergola, post or other structure on Local Government land where it might present a nuisance or danger to a person using the land or be of an unsightly nature;
- 9.29 *Pontoons*
- Install or maintain a pontoon or jetty in any waters;
- 9.30 *Preaching*
- Preach, harangue or solicit for religious purposes;
- 9.31 *Recreation Ground*
- Use or occupy a Recreation Ground:
- 9.31.1 in such a manner as to damage or be likely to damage the surface of the Recreation Ground or infrastructure (above and under ground level);

- 9.31.2 in a manner contrary to the purpose for which the Recreation Ground was intended to be used or occupied; or
- 9.31.3 contrary to any directions of the Council made by resolution and indicated on a sign displayed adjacent to the Recreation Ground;
- 9.32 *Ropes*
Place a buoy, cable, chain, hawser, rope or net in or across any Local Government land or waters;
- 9.33 *Skateboards, Wheeled Recreational Devices*
Subject to the Road Traffic Act 1961; ride on a skateboard or use roller skates or blades, or similar devices on Local Government land to which the Council has resolved this paragraph applies;
- 9.34 *Swimming*
Subject to the provisions of the Harbors and Navigation Act 1993, swim in, bathe or enter any waters except:
- 9.34.1 in an area which the Council has determined may be used for such purposes; and
- 9.34.2 in accordance with any conditions that the Council may have determined by resolution apply to such use;
- 9.35 *Trading*
Sell, buy, offer or display anything for sale, including on a vehicle parked or standing on Local Government land;
- 9.36 *Vehicles*
- 9.36.1 Drive or propel a vehicle except on an area or road constructed and set aside by the Council for that purpose;
- 9.36.2 Promote, organise or take part in a race, test or trial of any kind in which vehicles take part, except on an area properly constructed for that purpose;
- 9.36.3 Repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown;
- 9.37 *Weddings and other Functions*
- 9.37.1 Hold, conduct or participate in a marriage ceremony or funeral;
- 9.37.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral or other event; or
- 9.37.3 Hold or conduct any filming where the filming is for a commercial purpose.
10. *Prohibited activities*
A person must not do any of the following on Local Government land:
- 10.1 *Animals*
- 10.1.1 Cause or allow any animal to enter, swim, bathe or remain in any waters in such manner as to cause a nuisance or endanger the safety of a person bathing or swimming;
- 10.1.2 Cause or allow an animal to damage a flowerbed, garden plot, tree, lawn or like thing or place; or
- 10.1.3 Lead, herd or exercise a horse in such manner as to cause a nuisance or endanger the safety of a person;
- 10.2 *Annoyance*
Do anything likely to offend or unreasonably interfere with any other person:
- 10.2.1 using that land; or
- 10.2.2 occupying nearby premises, by making a noise or creating a disturbance;
- 10.3 *Equipment*
Use any item of equipment, facilities or property belonging to the Council other than in the manner and for the purpose for which it was designed, constructed or intended to be used or in such manner as is likely to damage or destroy it;
- 10.4 *Fishing*
Fish in any waters to which the Council has determined this subclause applies;
- 10.5 *Glass*
Wilfully break any glass, china or other brittle material;
- 10.6 *Interference with Permitted Use*
Interrupt or interfere with any other person's use of Local Government land for which permission has been granted by the Council;
- 10.7 *Nuisance*
Behave unreasonably in a manner that causes discomfort, inconvenience, annoyance or offence to any other person;
- 10.8 *Playing games*
Play or practice a game or sport:
- 10.8.1 which is likely to cause damage to the land or anything on it; or
- 10.8.2 which endangers the safety or interferes with the comfort of any person; or
- 10.8.3 in any area where a sign indicates that the game or sport is prohibited;
- 10.9 *Rubbish and Rubbish Dumps*
- 10.9.1 Interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on Local Government land; or
- 10.9.2 Remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a Council rubbish bin on Local Government land;
- 10.10 *Solicitation*
Tout or solicit customers for the parking of vehicles or for any other purpose whatsoever;
- 10.11 *Throwing objects*
Throw, roll, project or discharge a stone, substance or other missile, excluding sport and recreational equipment designed to be used in that way;
- 10.12 *Toilets*
In any public convenience on Local Government land (including showers, toilets and hand washing facilities):
- 10.12.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
- 10.12.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage or damage to the facility or any drain, pipe or property associated with the facility;
- 10.12.3 use the facilities for a purpose for which it was not designed or constructed;
- 10.12.4 enter any facilities that are set aside for use of the opposite sex except:
- (a) where a child under the age of eight years is accompanied by an adult parent or guardian of that sex; or
- (b) to provide assistance to a disabled person; or
- (c) in the case of a genuine emergency;
- 10.13 *Waste*
- 10.13.1 Deposit or leave thereon anything obnoxious or offensive; or

10.13.2 Deposit in a receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.

PART 4—ENFORCEMENT

11. *Directions*

11.1 A person on Local Government land must comply with a reasonable direction from an authorised person relating to:

- 11.1.1 that person's use of the land;
- 11.1.2 that person's conduct and behaviour on the land;
- 11.1.3 that person's safety on the land; or
- 11.1.4 the safety and enjoyment of other persons on the land.

11.2 A person who, in the opinion of an authorised person, is likely to commit or has committed, a breach of this by-law must immediately comply with a direction of an authorised person to leave that part of Local Government land.

12. *Orders*

If a person fails to comply with an order of an authorised person made pursuant to Section 262 of the Act in respect of a breach of this by-law, the Council may seek to recover its costs of any action taken under Section 262 (3) of the Act from the person to whom the order was directed.

Note:

Section 262 (1) of the Act states:

(1) If a person (the offender) engages in conduct that is a contravention of this Act or a by-law under this Act, an authorised person may order the offender:

- (a) if the conduct is still continuing—to stop the conduct; and
- (b) whether or not the conduct is still continuing—to take specified action to remedy the contravention.

Subsections (2) and (3) of Section 262 also provide that it is an offence to fail to comply with an order and that if a person does not comply, the authorised person may take action reasonably required to have the order carried out. For example, an authorised person may order a person to:

- cease smoking on Local Government land;
- remove an object or structure encroaching on Local Government land; or
- dismantle and remove a structure erected on Local Government land without permission.

13. *Removal of animals and objects*

An authorised person may remove an animal or object that is on Local Government land in breach of a by-law if no person is in charge of, or apparently in charge of, the animal or object.

PART 5—MISCELLANEOUS

14. *Exemptions*

14.1 The restrictions in this by-law do not apply to a police officer, emergency worker, Council officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council officer.

14.2 The restrictions in Clauses 9.1, 9.14.1 and 9.17 of this by-law do not apply to electoral matter authorised by a candidate and which is:

- 14.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 14.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or

14.2.3 related to, and occurs during the course of and for the purpose of a referendum.

15. *Liability of Vehicle Owners*

15.1 For the purposes of this Clause 15, owner in relation to a vehicle has the same meaning as contained in Section 4 of the Act.

15.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this by-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This by-law was duly made and passed at a meeting of the Council of the Alexandrina Council held on 1 August 2016 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. DINNING, Chief Executive

ALEXANDRINA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3—Roads

A by-law to regulate certain activities on roads in the Council area.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Roads By-law 2016 and is By-law No. 3 of the Alexandrina Council.

2. *Authorising Law*

This by-law is made under Sections 239 and 246 of the Act and Regulation 28A of the Local Government (General) Regulations 2013.

3. *Purpose*

The objectives of this by-law are to manage and regulate the use of roads in the Council area:

- 3.1 to protect the convenience, comfort and safety of road users and members of the public;
- 3.2 to prevent damage to buildings and structures on roads;
- 3.3 to prevent certain nuisances occurring on roads; and
- 3.4 for the good rule and government of the Council area.

4. *Commencement, revocation and expiry*

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation:¹

4.1.1 By-law No. 4—Roads 2010.²

4.2 This by-law will expire on 1 January 2024.³

Note:

¹ Generally a by-law comes into operation 4 months after the day on which it is gazetted: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazetting of the by-law.

5. *Application*

5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2016.

5.2 Subject to Clause 5.3, this by-law applies throughout the Council's area.

5.3 Clauses 7.3.1 of this by-law only applies in such part or parts of the Council area as the Council may, by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. *Interpretation*

In this by-law, unless the contrary intention appears:

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

- 6.2 *animal* includes birds, insects and poultry but does not include a dog;
- 6.3 *camp* includes setting up a camp, or causing a tent or, subject to the Road Traffic Act 1961, a caravan or motor home, to remain on a road for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the road;
- 6.4 *Council* means Alexandrina Council;
- 6.5 *effective control* means a person exercising effective control of an animal either:
- 6.5.1 by means of a physical restraint; or
- 6.5.2 by command, the animal being in close proximity to the person, and the person being able to see the animal at all times;
- 6.6 *electoral matter* has the same meaning as in the Electoral Act 1995, provided that such electoral matter is not capable of causing physical damage or injury to a person within its immediate vicinity;
- 6.7 *emergency vehicle* has the same meaning as in the Australian Road Rules;
- 6.8 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014; and
- 6.9 *vehicle* has the same meaning as in the Road Traffic Act 1961.

Note:

Section 14 of the Acts Interpretation Act 1915, provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-law was made.

PART 2—USE OF ROADS

7. *Activities requiring permission*

A person must not do any of the following activities on a road without the permission of the Council:

7.1 *Advertising*

Display or cause to be displayed any sign on a road or on a structure on a road, other than a moveable sign which is displayed on a road in accordance with the Council's Moveable Signs By-law;

7.2 *Amplification*

Use an amplifier or other device whether mechanical or electrical for the purpose of broadcasting announcements or advertisements;

7.3 *Animals*

7.3.1 Cause or allow an animal to stray onto, move over or graze on any road to which the Council has determined this clause applies;

7.3.2 Cause or allow an animal to stray onto, move over or graze on a road except where the animal is under the effective control; or

7.3.3 Lead, herd or exercise an animal in such a manner as to cause a nuisance or endanger the safety of a person;

7.4 *Camping and Tents*

7.4.1 Erect a tent or other structure of calico, canvas, plastic or other similar material as a place of habitation;

7.4.2 Camp or sleep overnight;

7.5 *Donations*

Ask for or receive or indicate a desire for a donation of money or any other thing;

7.6 *Obstructions*

Erect, install or place or cause to be erected, installed or placed any structure, object or material of any kind so as to obstruct a road, footway, water-channel, or watercourse in a road;

7.7 *Preaching*

Preach, harangue, solicit or canvass for religious or charitable purposes;

7.8 *Public Exhibitions and Displays*

7.8.1 Sing, busk, play a recording or use a musical instrument, or perform similar activities;

7.8.2 Conduct or hold a concert, festival, show, circus, performance or a similar activity;

7.8.3 Erect a stage or structure for the purpose of conducting or holding a concert, festival, show, circus, performance or a similar activity; or

7.8.4 Cause any public exhibitions or displays;

7.9 *Vehicles*

Repair, wash, paint, panel beat or perform other work of a similar nature to a vehicle, except for running repairs in the case of a vehicle breakdown.

Note:

Moveable signs on roads are regulated by Sections 226 and 227 of the Act and the Council's Moveable Signs By-law (if any).

PART 3—ENFORCEMENT

8. *Directions*

A person who, in the opinion of an authorised person is committing or has committed a breach of this by-law, must immediately comply with a direction of an authorised person to leave that part of the road.

9. *Orders*

If a person does not comply with an order of an authorised person made pursuant to Section 262 of the Act in respect of a breach of this by-law, the Council may seek to recover its costs of any action taken under Section 262 (3) of the Act from the person to whom the order was directed.

Note:

Section 262 (1) of the Act states:

(1) If a person (the offender) engages in conduct that is a contravention of this Act or a by-law under this Act, an authorised person may order the offender:

- (a) if the conduct is still continuing—to stop the conduct; and
- (b) whether or not the conduct is still continuing—to take specified action to remedy the contravention.

Subsections (2) and (3) of Section 262 also provide that it is an offence to fail to comply with an order and that if a person does not comply, the authorised person may take action reasonably required to have the order carried out. For example, an authorised person may order a person to:

- cease busking on a road;
- remove an object or structure blocking a footpath;
- remove bills posted on a structure on a road; and
- dismantle and remove a tent from a road.

10. *Removal of Animals and Objects*

An authorised person may remove an animal or object that is on a road in breach of a by-law if no person is in charge, or apparently in charge, of the animal or object.

PART 4—MISCELLANEOUS

11. *Exemptions*

The restrictions in this by-law do not apply to a Police Officer, Council Officer or employee acting in the course and within the scope of that person's normal duties, a contractor while performing work for the Council and while acting under the supervision of a Council officer, or an emergency worker when driving an emergency vehicle for the purpose of responding to an emergency.

12. *Liability of vehicle owners*

12.1 For the purposes of this Clause 12, owner in relation to a vehicle has the same meaning as contained in Section 4 of the Act; and

- 12.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this by-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This by-law was duly made and passed at a meeting of the Council of the Alexandrina Council held on 1 August 2016 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. DINNING, Chief Executive

ALEXANDRINA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4—Moveable Signs

A by-law to set standards for moveable signs on roads and to provide conditions for the placement of such signs.

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Moveable Signs By-law 2016 and is By-law No. 4 of the Alexandrina Council.

2. Authorising law

This by-law is made under Sections 226, 227, 238, 239 and 246 of the Act.

3. Purpose

The object of this by-law is to set standards for moveable signs on roads and local government land:

- 3.1 to protect the comfort and safety of road users and members of the public;
- 3.2 to enhance the amenity of roads and surrounding parts of the Council area;
- 3.3 to prevent nuisances occurring on roads;
- 3.4 to prevent unreasonable interference with the use of a road; and
- 3.5 for the good rule and government of the Council area.

4. Commencement, revocation and expiry

- 4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation:¹

4.1.1 By-law No. 4—Moveable Signs By-Law 2010.²

- 4.2 This by-law will expire on 1 January 2024.³

Note:

¹ Generally a by-law comes into operation 4 months after the day on which it is gazetted: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

5. Application

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2016.
- 5.2 This by-law applies throughout the Council's area.

6. Interpretation

In this by-law, unless the contrary intention appears:

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *business premises* means premises from which a business is being conducted;
- 6.3 *Council* means Alexandrina Council;
- 6.4 *Local Government Land* means land, excluding roads, owned by the Council or that is under the Council's care, control and management;

6.5 *footpath area* means:

- 6.5.1 that part of a road between the property boundary of the road and the edge of the carriageway on the same side as that boundary;
 - 6.5.2 a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles (other than bicycles);
- 6.6 *road* has the same meaning as in the Local Government Act 1999; and
- 6.7 *vehicle* has the same meaning as in the Road Traffic Act 1961.

Note:

Section 14 of the Acts Interpretation Act 1915, provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-law was made.

PART 2—MOVEABLE SIGNS

7. Construction and design

A moveable sign placed on a footpath area must:

- 7.1 be of a kind known as an 'A' frame or sandwich board sign, an inverted 'T' sign, a flat sign or, with the permission of the Council (which permission may, but is not required to be, in the form of guidelines published by the Council), a sign of some other kind;
- 7.2 be designed, constructed and maintained in good quality and condition;
- 7.3 be of strong construction and sufficiently stable or securely fixed when in position so as to keep its position in adverse weather conditions;
- 7.4 not have sharp or jagged edges or corners;
- 7.5 not, in the opinion of an authorised person, be unsightly or offensive in appearance or content;
- 7.6 not move when in a position or contain an animated display;
- 7.7 be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 7.8 not exceed 900 mm in height, 600 mm in width and 600 mm in depth;
- 7.9 in the case of an 'A' frame or sandwich board sign:
 - 7.9.1 be hinged or joined at the top; and
 - 7.9.2 be of such construction that its sides are securely fixed or locked in position when erected;
- 7.10 in the case of an inverted 'T' sign, not contain struts or members that run between the display area and the base of the sign; or
- 7.11 not rotate, contain flashing parts or lights, or have balloons, flags, streamers or other things attached to it.

8. Placement

A moveable sign must not be:

- 8.1 placed on any part of a road apart from the footpath area;
- 8.2 placed on a footpath that is less than 2.5 metres wide;
- 8.3 placed within 1 metre of an entrance to any business premises;
- 8.4 placed on the sealed part of a footpath area unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare of at least 1.2 metres;
- 8.5 placed so as to:
 - 8.5.1 obstruct a vehicle door when opened, provided that the vehicle is parked lawfully on the road; or
 - 8.5.2 otherwise interfere with the reasonable movement of persons or vehicles using the footpath or road in the vicinity of where the moveable sign is placed;
- 8.6 placed any further than a distance of 5 metres from any boundary of the business premises which the sign advertises, placed on a landscaped area, other than landscaping that comprises only lawn;

- 8.7 placed within 5 metres of an intersection of two or more roads;
- 8.8 placed on any part of a footpath area, if there is an unsealed part of the footpath area on which the sign can be placed in accordance with this by-law;
- 8.9 placed on a designated parking area;
- 8.10 displayed during the hours of darkness unless it is clearly lit and the business to which it relates is open; or
- 8.11 placed in such a position or in such circumstances that, in the opinion of an authorised person, the safety of a user of the footpath area or road is at risk.

9. Appearance

A moveable sign placed on the footpath area of a road must, in the opinion of an authorised person:

- 9.1 be of such design and contain such colours and lettering styles which are compatible with the architectural design of the premises adjacent to the sign, and overall amenity of the locality in which it is situated; and
- 9.2 contain combinations of colour and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated.

10. Banners

A person must not erect or display a banner on a building or structure on a road without the Council's permission.

11. Moveable Signs on or attached to Vehicles

- 11.1 A person must not display a moveable sign on, or attached to, or adjacent to a vehicle that is parked on Local Government Land or on a prescribed road primarily for the purpose of advertising or offering for sale a product (including the vehicle) or business to which the sign relates.
- 11.2 For the purposes of Clause 11.1, a prescribed road is a road to which the Council has resolved that Clause 11.1 applies.

12. Restrictions

- 12.1 The owner or operator of a business must not cause or allow more than one moveable sign per street frontage of that business premises to be displayed on the footpath area of a road at any time.
- 12.2 A person must not cause or allow a moveable sign to be placed on a footpath area unless:
 - 12.2.1 it only displays material which advertises a business being conducted on premises adjacent to the moveable sign or the goods and services available from that business; and
 - 12.2.2 during the ordinary business hours that the business premises to which it relates is open.
- 12.3 If in the opinion of the Council a footpath area is unsafe for a moveable sign to be displayed, the Council may prohibit or restrict the display of a moveable sign on such conditions as the Council thinks fit.

13. Exemptions

- 13.1 Subclauses 12.1, and 12.2 of this by-law do not apply to a moveable sign which:
 - 13.1.1 advertises a garage sale taking place from residential premises; or
 - 13.1.2 is a directional sign to an event run by a community organisation or charitable body.
- 13.2 Subclauses 12.1 and 12.2 of this by-law do not apply to a flat sign which only contains a newspaper headline and the name of a newspaper or magazine.
- 13.3 A requirement of this by-law will not apply where the Council has granted permission for the moveable sign to be displayed contrary to that requirement.

Note:

This by-law does not apply to moveable signs placed and maintained on a road in accordance with Section 226 (3) of the Act, which includes any sign:

- placed there pursuant to an authorisation under another Act;
- designed to direct people to the open inspection of any land or building that is available for purchase or lease;
- related to a State or Commonwealth election and is displayed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day;
- related to an election held under this Act or the Local Government (Elections) Act 1999 and is displayed during the period commencing 4 weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
- the sign is of a prescribed class.

PART 3—ENFORCEMENT

14. Removal of moveable signs

- 14.1 A person must immediately comply with the order of an authorised person to remove or relocate a moveable sign made pursuant to Section 227 (1) of the Act.

Note:

Pursuant to Section 227 (1) of the Act, an authorised person may order the owner of a moveable sign to remove the sign from the road if:

- the design, construction or positioning of a moveable sign does not comply with a requirement of this by-law; or
- any other requirement of this by-law is not complied with; or
- the moveable sign unreasonably restricts the use of the Road, or endangers the safety of other persons.

- 14.2 The owner of or other person entitled to recover a moveable sign removed by an authorised person pursuant to Section 227 (2) of the Act, may be required to pay to the Council any reasonable costs incurred by the Council in removing, storing, and/or disposing of the moveable sign before being entitled to recover the moveable sign.

- 14.3 The owner, or other person responsible for a moveable sign, must remove or relocate the moveable sign at the request of an authorised person:

14.3.1 if, in the opinion of an authorised person, and not withstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable; or

14.3.2 for the purpose of special events, parades, roadworks or in any other circumstances which, in the opinion of the authorised person, require relocation or removal of the moveable sign to protect public safety or to protect or enhance the amenity of a particular locality.

15. Liability of vehicle owners

- 15.1 For the purposes of this Clause 15, owner in relation to a vehicle has the same meaning as contained in Section 4 of the Act.

- 15.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this by-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This by-law was duly made and passed at a meeting of the Alexandrina Council held on 1 August 2016 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. DINNING, Chief Executive

ALEXANDRINA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 5—Dogs

A by-law to limit the number of dogs kept on premises and for the management and control of dogs in the Council area.

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Dog By-law 2016 and is By-law No. 5 of the Alexandrina Council.

2. Authorising law

This by-law is made under Section 90 (5) of the Dog and Cat Management Act 1995, and Sections 238 and 246 of the Act.

3. Purpose

The objects of this by-law are to control and manage dogs in the Council area:

- 3.1 to reduce the incidence of environmental nuisance caused by dogs and to protect and conserve the environment;
- 3.2 to promote responsible dog ownership;
- 3.3 to protect the convenience, comfort and safety of members of the public; and
- 3.4 for the good rule and government of the Council area.

4. Commencement, revocation and expiry

- 4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation:¹
 - 4.1.1 By-law No. 5—Dogs 2010.²
- 4.2 This by-law will expire on 1 January 2024.³

Note:

¹ Generally a by-law comes into operation 4 months after the day on which it is gazetted: Section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

5. Application

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2016.
- 5.2 Subject to subclause 5.3, this by-law applies throughout the Council's area.
- 5.3 Clauses 9.1 and 10, of this by-law only apply in such part or parts of the Council area as the Council may, by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. Interpretation

In this by-law, unless the contrary intention appears:

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *approved kennel establishment* means a building, structure or area approved by a relevant authority, pursuant to the Development Act 1993, for the keeping of dogs on a temporary or permanent basis;
- 6.3 *authorised person* has the same meaning as in the Act;
- 6.4 *Council* means Alexandrina Council;
- 6.5 *assistance dog* means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled;
- 6.6 *dog* (except for in Clause 7.1) has the same meaning as in the Dog and Cat Management Act 1995;
- 6.7 *effective control* means a person exercising effective control of a dog either:
 - 6.7.1 by means of a physical restraint (as defined under the Dog and Cat Management Act 1995); or
 - 6.7.2 by command, the dog being in close proximity to the person and the person being able to see the dog at all times;
- 6.8 *keep* includes the provision of food or shelter;
- 6.9 *park* has the same meaning as in the Dog and Cat Management Act 1995;
- 6.10 *premises* includes land, whether used or occupied for domestic or non-domestic purposes;
- 6.11 *working dog* means a dog used principally for droving or tending livestock;

- 6.12 for the purposes of Clause 9 of the by-law, a dog is under *effective control by means of a leash* if the dog is secured to a leash that does not exceed 2 metres in length; and

- 6.12.1 the leash is either tethered securely to a fixed object; or

- 6.12.2 held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

Note:

Section 14 of the Acts Interpretation Act 1915, provides that an expression used in this by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-laws was made.

PART 2—LIMITS ON DOG NUMBERS

7. Limits on dog numbers in private premises

- 7.1 Subject to Clauses 7.2 and 7.4, a person must not (either alone or together with another person), without the Council's permission, keep or cause, suffer or permit to be kept:

- 7.1.1 in a township, more than two dogs on any premises; or

- 7.1.2 outside of a township, more than two dogs (other than a working dog) on any premises.

- 7.2 For the purposes of Clause 7.1, 'dog' means a dog that is three (3) months of age or older or, a dog that has lost its juvenile teeth.

- 7.3 Clause 7.1 does not apply to:

- 7.3.1 approved kennel establishments operating in accordance with all required approvals and consents; or

- 7.3.2 any business involving the keeping of dogs provided that the business is registered in accordance with the Dog and Cat Management Act 1995 and operating in accordance with all required approvals and consents.

- 7.4 The Council may require that premises which are the subject of an application for permission to keep additional dogs must be inspected by an authorised person for the purpose of assessing the suitability of the premises for housing dogs.

- 7.5 No dog is to be kept on any premises where, in the opinion of an authorised person, there is no secure or appropriate area where a dog may be effectively confined.

PART 3—DOG CONTROLS

8. Dog exercise areas

Subject to Clauses 9 and 10 of this by-law, a person may enter a park in the Council area for the purpose of exercising a dog under his or her effective control.

Note:

Clause 8 is not an offence provision. If a person is exercising a dog in a park as permitted under this clause and the dog is not under effective control, this gives rise to a dog wandering at large offence under Section 43 (1) of the Dog and Cat Management Act 1995, for which the owner of or person responsible for the dog may be liable.

9. Dog on leash areas

A person must not, without the Council's permission, allow a dog under that person's control, charge or authority (except an assistance dog that is required to remain off-lead in order to fulfil its functions) to be or remain:

- 9.1 on Local Government land or a public place to which the Council has resolved this subclause applies; and

- 9.2 on any park or reserve during times when organised sport is being played unless the dog is under effective control by means of a leash.

10. Dog prohibited areas

A person must not allow a dog under that person's control, charge or authority (except an assistance dog) to enter or remain on any Local Government land or public place to which the Council has determined that this subclause applies.

11. *Dog faeces*

No person is to allow a dog under that person's control, charge or authority to be in a public place or on Local Government land unless that person has in their possession a bag or other suitable container for the collection and lawful disposal of any faeces that the dog may deposit (for the purpose of complying with their obligation to dispose of dog faeces deposited in a public place under Section 45A (6) of the Dog and Cat Management Act 1995).

PART 4—ENFORCEMENT

12. *Orders*

- 12.1 If a person engages in conduct that is in contravention of this by-law, an authorised person may order that person:
- 12.1.1 if the conduct is still continuing—to stop the conduct; and
- 12.1.2 whether or not the conduct is still continuing—to take specified action to remedy the contravention.
- 12.2 A person must comply with an order under this Clause.
- 12.3 If a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may seek to recover its costs of any action so taken from the person to whom the order was directed.
- 12.4 However, an authorised person may not use force against a person under this section.

Note:

For example, an authorised person may order a person to:

- cease keeping more than the permitted number of dogs on that person's premises; or
- remove a dog from a dog prohibited area.

This by-law was duly made and passed at a meeting of the Council of the Alexandrina Council held on 1 August 2016 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. DINNING, Chief Executive

ALEXANDRINA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 6—Foreshore

A by-law for the management of foreshore areas.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Foreshore By-law 2016 and is By-law No. 6 of the Alexandrina Council.

2. *Authorising law*

This by-law is made under Sections 238 and 246 of the Act and Section 18A of the Harbors and Navigation Act 1993.

3. *Purpose*

The objectives of this by-law are to regulate the access to and use of the foreshore:

- 3.1 to prevent and mitigate nuisances on the foreshore;
- 3.2 to prevent damage to and promote conservation of the foreshore;
- 3.3 to protect the convenience, comfort and safety of members of the public;
- 3.4 to enhance the amenity of the Council area; and
- 3.5 for the good rule and government of the area.

4. *Expiry*

This by-law will expire on 1 January 2024.

Note:

Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the gazettal of the by-law.

5. *Application*

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2016.
- 5.2 Subject to Clauses 5.3 and 5.4, this by-law applies throughout the Council area.
- 5.3 Clauses 7.6.1, 7.12 and 8.6.4 of this by-law only applies in such part or parts of the Council area as the Council may, by resolution direct in accordance with Section 246 (3) (e) of the Act.
- 5.4 Clauses 7.3, 7.6.2, 8.2 and 8.6.1 of this by-law apply throughout the Council area except in such part or parts of the Council area as the Council may by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. *Interpretation*

In this by-law:

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *adjacent land* has the same meaning as in the Harbors and Navigation Act 1993;
- 6.3 *animal or animals* includes birds and insects but does not include a dog;
- 6.4 *authorised person* has the same meaning as in the Act;
- 6.5 *boat* includes a raft, pontoon or personal watercraft or other similar device;
- 6.6 *camp* includes setting up a camp, or causing a tent, caravan or motor home to remain on the foreshore overnight, whether or not any person is in attendance or sleeps on the land;
- 6.7 *Council* means the Alexandrina Council;
- 6.8 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014;
- 6.9 *foreshore* means land extending from the low water mark on the seashore in the Council's area to the nearest road or section boundary, or for a distance of 50 metres from the high water mark (whichever is the lesser) and for the avoidance of doubt, includes adjacent land within the Victor Harbor;
- 6.10 *low water mark* means the lowest meteorological tide;
- 6.11 *personal watercraft* means a device that:
- 6.11.1 is propelled by a motor;
 - 6.11.2 has a fully enclosed hull;
 - 6.11.3 is designed not to retain water if capsized; and
 - 6.11.4 is designed to be operated by a person who sits astride, stands, or kneels on the device,
- and includes the device commonly referred to as a jet ski;
- 6.12 *Vehicle* has the same meaning as in the Road Traffic Act 1961; and
- 6.13 *Victor Harbor* means the area defined as 'Victor Harbor' in Schedule 3 of the Harbors and Navigation Regulations 2009.

Note:

Section 14 of the Acts Interpretation Act 1915, provides that an expression used in a by-law has, unless the contrary intention appears, the same meaning as in the Acts under which the by-law was made.

PART 2—

REGULATION OF ACTIVITIES ON THE FORESHORE

7. *Activities Requiring Permission*

No person shall without permission on the foreshore:

7.1 *Access*

Enter or remain on any part of the foreshore that has been closed to the public (including by way of the erection of barriers) for reasons of public safety and/or conservation of the foreshore;

7.2 *Advertising*

Subject to Clause 12.2, display, paint or erect any advertisement (including on any building or structure on the foreshore);

7.3 *Animals*

7.3.1 Allow, ride or take any animal onto or allow it to remain on the foreshore or in any adjacent waters except on any part or parts of the foreshore to which the Council has resolved this clause applies;

7.3.2 Allow any animal to enter or leave the foreshore other than by the access ramps constructed or provided by the Council for that purpose;

7.4 *Bathing*

Swim or bathe at a time when swimming or bathing in that place has been prohibited by resolution of the Council (for the reasons of public safety) as indicated by a sign or signs displayed on the land;

7.5 *Boat*

Hire out a boat on or from the foreshore;

7.6 *Boat Ramps*

7.6.1 Use a boat ramp on the foreshore to which the Council has determined this clause applies to launch or retrieve a boat from or onto the foreshore:

(a) without having first paid the fee determined by the Council (if any); and

(b) other than in accordance with any conditions determined by resolution of the Council (if any);

7.6.2 Except for on any portion on the foreshore to which the Council has resolved this clause applies, launch or retrieve a boat from or onto the foreshore without using a boat ramp constructed or provided by the Council for that purpose;

7.6.3 Allow a vehicle or boat to remain stationary on a boat ramp for longer than is necessary to launch or retrieve a boat;

7.7 *Camping and Tents*

7.7.1 Erect a tent or other structure of calico, canvas, plastic or similar material as a place of habitation;

7.7.2 Camp or sleep overnight other than in an area that the Council has, by resolution, designated for camping and in accordance with such time limits and other conditions determined by resolution of the Council (if any);

7.7.3 For the purpose of this Clause 7.6, a tent or other structure is taken to have been erected as a place of habitation if it has been on the foreshore for 24 consecutive hours or more;

7.8 *Entertainment and Busking*

7.8.1 Sing, busk or play a recording or use a musical instrument for the apparent purpose of either entertaining others or receiving money;

7.8.2 Conduct or hold any event, concert, festival, show, public gathering, circus, meeting, performance or any other similar activity;

7.9 *Fires*

Subject to the Fire and Emergency Services Act 2005, light any fire except:

7.9.1 in a place provided by the Council for that purpose; or

7.9.2 in a portable barbeque as long as the barbeque is used in an area that is clear of flammable material for a distance of four metres;

7.10 *Fishing*

Cast a fishing line or keep a fishing line in waters adjacent the foreshore while there are other persons in the waters in the vicinity of the fishing line;

7.11 *Jetties*

7.11.1 Jump or dive from a jetty or other structure onto the foreshore or into any adjacent waters;

7.11.2 Throw or propel any object from any structure or jetty onto the foreshore or into any adjacent waters;

7.12 *Sandboarding*

Use a sandboard or other item except in an area the Council has resolved this Clause applies;

7.13 *Skydiving*

Skydive so as to land on the foreshore;

7.14 *Trading*

Sell, buy, offer or display for sale or hire any goods or services (including from a vehicle standing on the foreshore);

7.15 *Weddings, Functions and Events*

7.15.1 Hold, conduct or participate in a marriage ceremony, funeral or other organised event or competition;

7.15.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral or other event;

7.15.3 Hold or conduct any filming where the filming is for a commercial purpose.

8. *Prohibited Activities*

No person shall on the Foreshore:

8.1 *Annoyances*

8.1.1 Unless authorised by the Council, conduct himself or herself:

(a) in such a manner that may annoy or endanger others; or

(b) unreasonably interfere with the lawful activities of others that are taking place on the foreshore;

8.2 *Unclad bathing*

If aged 5 years or over and except for on any foreshore to which the Council has resolved this clause applies, remain thereon or in any adjacent waters unless properly clad in a bathing costume or other garment necessary to ensure the observance of public decency;

8.3 *Interference with Permitted Use*

Interrupt or interfere with any other person's use of the foreshore that is permitted by the Council;

8.4 *Sand dunes, coastal slope, cliffs etc.*

8.4.1 Carry out any activity that may damage or threaten the integrity of sand dunes, coastal slopes or cliff;

8.4.2 Introduce non-indigenous flora or fauna or dump any material in a sand dune;

8.4.3 Destroy, remove or cause interference to any nest, flora or fauna, whether living or dead, on or within a sand dune, coastal slope or coastal cliff or otherwise on the foreshore;

8.4.4 Remove or clear any sand, seaweed, soil, rocks or other flora and fauna; or

8.4.5 Make or excavate any dug-out, cave, cliff or other opening, or camp in or otherwise occupy any dug out, cave or cliff overhang opening;

8.5 *Toilets*

In any public convenience (including showers, toilets and hand washing facilities):

8.5.1 urinate other than in a urinal or pan or defecate other than in a pan set a part for that purpose;

8.5.2 deposit anything in a pan, urinal or drain that is likely to cause a blockage or damage to the facility or any drain, pipe or property associated with the facility;

8.5.3 use the facilities for a purpose for which it was not designed or constructed;

- 8.5.4 enter any facilities that are set aside for the use of the opposite gender except:
- where a child under the age of eight years is accompanied by an adult parent or guardian of that sex; or
 - to provide assistance to a disabled person; or
 - in the case of a genuine emergency;

8.6 Use of equipment, buildings and property

- 8.6.1 Use or occupy any equipment, structure, building or property thereon that belongs to the Council other than for the purpose and in the manner for which it was designed, constructed and intended to be used; or
- 8.6.2 Damage, destroy or remove any building or structure, notice board or sign;

8.7 Vehicles

- 8.7.1 Drive or propel a vehicle except on any portion of the foreshore to which the Council has resolved this clause applies (as indicated by the erection of flags, signs or other means);
- 8.7.2 Drive or propel a vehicle on the foreshore except on an area or road that is constructed or set aside for that purpose;
- 8.7.3 Drive or propel a vehicle onto or from the foreshore other than by a ramp or thoroughfare constructed or provided by the Council for that purpose;
- 8.7.4 Use any ramp or thoroughfare to which the Council has resolved this clause applies to drive or propel a vehicle onto or from the foreshore without having paid the applicable fee (if any) in the manner determined by the Council; or
- 8.7.5 Drive or propel a vehicle over or on any sand dunes.

PART 3—ENFORCEMENT

9. Directions

- 9.1 A person on the foreshore must comply with a reasonable direction from an authorised person relating to:
- that person's use of the foreshore;
 - that person's conduct and behaviour on the foreshore; or
 - the safety and enjoyment of other persons on the foreshore;
- 9.2 A person who, in the opinion of an authorised person, is likely to commit or has committed, a breach of this by-law must immediately comply with a direction of an authorised person to leave that part of the foreshore.

10. Orders

If a person fails to comply with an order of an authorised person made pursuant to Section 262 of the Act in respect of a breach of this by-law, the Council may seek to recover its costs of any action taken under Section 262 (3) of the Act from the person to whom the order was directed.

11. Removal of animals and objects

An authorised person may remove an animal or object that is on the foreshore in breach of a by-law if no person is in charge of, or apparently in charge of, the animal or object.

PART 4—MISCELLANEOUS

12. Exemptions

- 12.1 The restrictions in this by-law do not apply to a Police Officer, emergency worker, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor or volunteer while performing work for the Council and while acting under the supervision of a Council officer.

- 12.2 The restrictions in Clause 7.2 of this by-law do not apply to electoral matter authorised by a candidate and which is:

12.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or

12.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or

12.2.3 related to, and occurs during the course of and for the purpose of a referendum.

13. Liability of vehicle owners

- 13.1 For the purposes of this Clause 14, owner in relation to a vehicle has the same meaning as contained in Section 4 of the Act.

- 13.2 Pursuant to Section 264 (3) (h) (iii) of the Act, the owner and the driver of a vehicle driven, parked or standing in contravention of this by-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This foregoing by-law was duly made and passed at a meeting of the Alexandrina Council held on 1 August 2016, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. DINNING, Chief Executive

DISTRICT COUNCIL OF KIMBA

Temporary Road Closure

NOTICE is hereby given that at a Council meeting held on 10 August 2016, Council resolved the following:

That the District Council of Kimba exercise the power subject to Section 33 of the Road Traffic Act 1961, and Clause F of the instrument of general approval of the Minister dated 22 August 2013, to make an order that parts of the following roads be closed between 11.30 a.m. and 3.30 p.m. on 17 September 2016, for pedal prix activities to take place:

- Schaefer Avenue—Southern lane closed between Cross Street and South Terrace;
- South Terrace—Portion of Eastern lane closure from Schaefer Avenue to Park Terrace;
- Park Terrace—Portion of Western lane closure from South Terrace to Cross Street; and
- Cross Street—Portion of Southern lane closure from Park Terrace to Schaefer Avenue.

D. A. CEARNS, Chief Executive Officer

DISTRICT COUNCIL OF MALLALA

CLOSE OF NOMINATIONS

Supplementary Election for Councillor for Lewiston Ward—Nominations Received

AT the close of nominations at 12 noon on Thursday, 8 September 2016, the following people were accepted as candidates and are listed in the order in which they will appear on the ballot paper;

Councillor for Lewiston Ward—One Vacancy
 Wasley, Mark
 Panella, Margherita
 Maiolo, Frank
 Di Troia, Carmine.

Postal Voting

The election will be conducted by post. Ballot papers and pre-paid envelopes for each voting entitlement will be posted between Tuesday, 20 September and Monday, 26 September 2016 to every person, or designated person of a body corporate or group listed on the voters roll at roll close on Friday, 29 July 2016. Voting is voluntary.

A person who has not received voting material by Monday, 26 September 2016 and believes they are entitled to vote should contact the Deputy Returning Officer on 7424 7422.

Completed voting material must be returned to reach the Returning Officer no later than 12 noon on Monday, 10 October 2016.

Ballot boxes will be provided at the Council office, 2A Wasleys Road, Mallala and Two Wells Service Centre, 69 Old Port Wakefield Road, Two Wells for electors wishing to hand deliver their completed voting material during office hours.

Vote Counting Location

The scrutiny and counting of votes will take place at the Council Chambers, Redbanks Road, Mallala as soon as practicable after 12 noon on Monday, 10 October 2016. A provisional declaration will be made at the conclusion of the election count.

Campaign Donations Return

All candidates must forward a Campaign Donations Return to the Council Chief Executive Officer within 30 days after the conclusion of the election.

D. GULLY, Returning Officer

NARACOOORTE LUCINDALE COUNCIL

New Road Names

NOTICE is hereby given that pursuant to the provisions of Section 219 of the Local Government Act 1999, the Naracoorte Lucindale Council resolved to assign road names in Naracoorte as follows:

That the section of road heading west of Cedar Avenue, and meeting up with Rotary Avenue, be named Springs Drive;

That the section of road heading south on the Lucindale Road, approximately 500 metres from the Smith Street and Riddoch Highway intersection, adjacent to the roundabout, be named Cooper Drive; and

In the subdivision known as Nunyara Gardens the section of road heading east of Grieve Avenue be named Lloyd Place, the section of road heading south of Aitchison Avenue and meeting up with Grieve Avenue be named Thomas Drive and the cul-de-sac heading west of Cedar Avenue be named Boston Lane.

H. MACDONALD, Chief Executive Officer

MUNICIPAL COUNCIL OF ROXBY DOWNS

Adoption of Valuations and Declaration of Rates 2016-2017

NOTICE is hereby given that the Municipal Council of Roxby Downs, for the financial year ending 30 June 2017 and in exercise of the powers contained in Chapter 10 of the Local Government Act 1999 and the Roxby Downs (Indenture Ratification) Act 1982, adopted the following resolutions:

1. *Adoption of Valuation*

- 1.1 The rates assessed on rateable land in the area of the Council will be based on the capital value of land for all rateable land.
- 1.2 Pursuant to Section 167 (2) (a) of the Local Government Act the most recent valuations of the Valuer-General available to the Council of the capital value of land within the Council's area be adopted, totalling \$604 370 000.

2. *Fixed Charge*

Pursuant to Section 152 of the Local Government Act 1999, fixed charge of \$680 is imposed in respect of each separate piece of rateable land in the Council area.

3. *Declaration of Differential General Rates*

Pursuant to Sections 152 (1) (c), 153 (1) (a) and 156 (1) (a) of the Local Government Act 1999, Differential General Rates are declared in accordance with the use of the land in accordance with the differentiating factors specified at Regulation 10 of the Local Government (General) Regulations 1999 as follows:

- 3.1 Residential Land—a differential rate of 0.4960 cents in the dollar on the capital value of such land;
- 3.2 Commercial Shops, Commercial Office, Commercial Other—a differential rate of 1.5566 cents in the dollar on the capital value of such land;
- 3.3 Industrial Light, Industrial Other, Primary Production and Other—a differential rate of 1.2386 cents in the dollar on the capital value of such land; and
- 3.4 Vacant Land—a differential rate of 1.0984 cents in the dollar on the capital value of such land.

4. *Service Charges*

Pursuant to Section 155 of the Local Government Act 1999 a service charge of \$467 is imposed upon each separate piece of rateable land to which the Council makes available a service for the collection, treatment, recycling and disposal of domestic waste (excluding organics).

5. *Declaration of Separate Rate—Natural Resources Management Levy*

Pursuant to Section 95 of the Natural Resources Management Act 2004 and Section 154 of the Local Government Act 1999, a separate rate (fixed charge) of \$60 is declared on all rateable land in the Council area to raise the amount of \$112 200 on behalf of the SA Arid Lands Natural Resources Management Board.

6. *Rate Capping Rebate*

A rebate of differential general rates for the 2016/2017 financial year may be granted to the Principal Ratepayer of an assessment under Section 166 (1) (L) of the Local Government Act 1999, on application to the Council, conditions apply. The amount of the rebate will be the difference between the amount of differential general rates raised for the 2016/2017 financial year and the amount of differential general rates raised for the 2015/2016 financial year plus 10% of that amount.

The following criteria apply:

The land use of the property is Residential; there has been no improvements on the land over \$20 000 since 1 July 2015; the zoning of the land has not changed since 1 July 2015; and the Land Use has not changed since 1 July 2015.

7. *Method of Payment*

That in accordance with Section 181 of the Local Government Act 1999, the 2016/2017 General Rates (Fixed Charge and Differential Rate), Service Charge and Separate Rate shall be due in four instalments payable on 17 October 2016, 19 December 2016, 20 March 2017 and 19 June 2017.

Dated 6 September 2016.

G. WHITBREAD, Acting Administrator

IN the matter of the estates of the undermentioned deceased persons:

Byrne, Melda Adele, late of 90 Hill Street, West Peterborough, retired cook, who died on 29 December 2009.

Duffield, Gary Charles, late of 78 Lurline Avenue, Gilles Plains, of no occupation, who died on 5 January 2016.

Kreminski, Dorothea Ann, late of 87 Alexandra Street, Prospect, home duties, who died on 30 April 2016.

Porter, Wendy Jean, late of 102 Rose Terrace, Wayville, of no occupation, who died on 9 May 2016.

Schmelzkoff, Kathleen Helena, late of 470 Churchill Road, Kilburn, retired registered nurse, who died on 9 May 2016.

Stow, Charles Gillespie, late of 2 Kalyra Road, Belair, retired brewer, who died on 5 May 2016.

Thomas, Joyce Doreen, late of 2 Cardigan Street, Angle Park, of no occupation, who died on 6 June 2016.

Thompson, Valerie, late of 112 Hampstead Road, Broadview, retired librarian, who died on 1 February 2016.

Turner, Ivy Maureen, late of 52 Dunrobin Road, Hove, of no occupation, who died on 30 June 2016.

Notice is hereby given pursuant to the Trustee Act 1936, the Inheritance (Family Provision) Act 1972 and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the office of Public Trustee at G.P.O. Box 1338, Adelaide, S.A. 5001, full particulars and proof of such claims, on or before the 14 October 2016, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver same to the Public Trustee.

Dated 15 September 2016.

D. A. CONTALA, Public Trustee

IN the matter of the estate of the undermentioned deceased person:

Sirmonas, Meinardas, late of 14 Frew Street, Fullarton, pensioner, who died on 25 August 2015.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972 and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estate are required to send, in writing, to Gregory Lawyers, of P.O. Box 82, Stirling, S.A. 5152, full particulars and proof of such claims, on or before 15 November 2016, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons indebted to the said estate are required to pay the amount of their debts to Gregory Lawyers or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estate are forthwith to deliver same to Gregory Lawyers.

ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform **Government Publishing SA** of any subsequent corrections.

For any corrections to your notice please phone 8207 1045 or Email **before** 4 p.m. on Wednesday.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

Remember—the onus is on you to inform us of any corrections necessary to your notice.

NOTE: Closing time for lodging new copy (electronically, fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication.

Phone: 8207 1045

Fax: 8207 1040

Email: GovernmentGazetteSA@sa.gov.au