



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 23 AUGUST 2018

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All public Acts appearing in this gazette are to be considered official, and obeyed as such

Department of the Premier and Cabinet
Adelaide, 23 August 2018

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the TAFE SA Board of Directors, pursuant to the provisions of the TAFE SA Act 2012:

Director: from 1 October 2018 until 31 December 2018

Richard John Persse
William Timothy Mark Goodes
John Clifford Chapman
Tammie Pribanic
Lucinda Byers
Pauline Joanne Denley

Chair: from 1 October 2018 until 31 December 2018

Richard John Persse

By command,

VICKIE ANN CHAPMAN MP
Acting Premier

ME18/031

Department of the Premier and Cabinet
Adelaide, 23 August 2018

His Excellency the Governor in Executive Council has been pleased to appoint Professor Brenda Wilson as Governor's Deputy of South Australia for the period from 9:30am on Wednesday, 29 August 2018 until 11:00am on Thursday, 30 August 2018.

By command,

VICKIE ANN CHAPMAN MP
Acting Premier

ME18/031

Department of the Premier and Cabinet
Adelaide, 23 August 2018

His Excellency the Governor in Executive Council has been pleased to appoint Helen Ward as a sessional Commissioner of the South Australian Employment Tribunal for a term of two years commencing on 23 August 2018 and expiring on 22 August 2020 - pursuant to the provisions of the South Australian Employment Tribunal Act 2014.

By command,

VICKIE ANN CHAPMAN MP
Acting Premier

T&F18/058CS

Department of the Premier and Cabinet
Adelaide, 23 August 2018

His Excellency the Governor in Executive Council has been pleased to appoint Rebecca Kelly Murdoch to the position of Deputy Registrar of the South Australian Employment Tribunal for a term of three years commencing on 23 August 2018 and expiring on 22 August 2021 - pursuant to the provisions of the South Australian Employment Tribunal Act 2014.

By command,

VICKIE ANN CHAPMAN MP
Acting Premier

T&F18/057CS

Department of the Premier and Cabinet
Adelaide, 23 August 2018

His Excellency the Governor in Executive Council has been pleased to appoint Therese Elizabeth O'Leary as the Training Advocate for a term of three months commencing on 1 September 2018 and expiring on 30 November 2018 - pursuant to the Training and Skills Development Act 2008.

By command,

VICKIE ANN CHAPMAN MP
Acting Premier

18IS/013CS

ASSOCIATIONS INCORPORATION ACT 1985

SECTION 43A

Deregistration of Associations

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

Overseas Professionals Association of SA Incorporated
Tree of Life Ministries Incorporated
Munno Para Bowling & Community Club Incorporated
The Returned & Services League Lockleys Sub-Branch Incorporated
Rotary Club of Makin Edge Tea Tree Gully Incorporated
Association of Time Share Owners of Sunraysia Resort Incorporated
Borchaar Community Association in South Australia Incorporated
Wild Geese International South Australia Incorporated

Dated: 20 August 2018

ROSALBA ALOI
A Delegate of the Corporate Affairs Commission

DOG AND CAT MANAGEMENT ACT 1995
DOG AND CAT MANAGEMENT REGULATIONS 2017

Desexing a Dog or Cat – Mandatory Information

I, Dr Felicity-ann Lewis, Chairperson of the Dog and Cat Management Board (the Board), hereby give notice that the Board has exercised its powers under section 21B(3) of the Dog and Cat Management Act 1995, and Regulations 12(8) and 12(9) of the Dog and Cat Management Regulations 2017 and has decided that, from the date of this Notice, a person who desexes a dog or cat must provide the Board with the following information in the manner and form set out below within five (5) days of carrying out the procedure:

Either:

- (a) if the dog or cat is recorded in the Dogs and Cats Online database, enter and save the information about the desexing procedure marked as mandatory in the dog's or cat's record on the said database; OR
- (b) provide the following information to the Registrar for the council area within which the veterinary practice operates:
 - Whether the desexing procedure relates to a dog or cat, and
 - The name of the dog or cat, date of birth (or estimated date of birth), the primary breed, the primary colour, and the gender of the animal, and
 - The name and address of the owner, and
 - The name, address and contact details of the registered veterinary surgeon and veterinary practice undertaking the desexing procedure; OR
- (c) provide the information specified in subclause (b), above, to the owner of the dog or cat that is the subject of the desexing procedure.

Dated: 23 August 2018

DR FELICITY-ANN LEWIS
Chairperson of the Dog and Cat Management Board

DOG AND CAT MANAGEMENT ACT 1995
DOG AND CAT MANAGEMENT REGULATIONS 2017

Microchipping a Dog or Cat – Mandatory Information

I, Dr Felicity-ann Lewis, Chairperson of the Dog and Cat Management Board (the Board), hereby give notice that the Board has exercised its powers under section 21B(3) of the Dog and Cat Management Act 1995, and Regulations 10(4) and 10(5) of the Dog and Cat Management Regulations 2017 and has decided that, from the date of this Notice, a person who microchips a dog or cat must provide the Board with the following information in the manner and form set out below within five (5) days of carrying out the procedure:

Either:

- (a) if the dog or cat is recorded in the Dogs and Cats Online database, enter and save the information about the microchipping procedure marked as mandatory in the dog's or cat's record on the said database; OR
- (b) if the dog or cat is not recorded in the Dogs and Cats Online system, create a new animal profile in Dogs and Cats Online and then enter and save the information about the microchipping procedure marked as mandatory in the dog's or cat's record; OR
- (c) provide the following information to the Registrar for the council area within which the microchip implanter or veterinary practice operates:
 - Whether the microchipping procedure relates to a dog or cat, and
 - The name of the dog or cat, date of birth (or estimated date of birth), the primary breed, the primary colour, and the gender of the animal, and
 - The microchip number for the microchip inserted into the animal, and
 - The name and address of the owner, and
 - The name, address and contact details of the person or veterinary practice undertaking the microchipping procedure; OR
- (d) provide the information specified in subclause (c), above, to the owner of the dog or cat that is the subject of the microchipping procedure.

Dated: 23 August 2018

DR FELICITY-ANN LEWIS
Chairperson of the Dog and Cat Management Board

EMPLOYMENT AGENTS REGISTRATION ACT 1993

Exemption

NOTICE is hereby given that, pursuant to section 4(1) of the *Employment Agents Registration Act 1993*, I, Robert Ivan Lucas, Treasurer, exempt Elias Recruitment Pty Ltd trading as Elias Recruitment, Suite 901, Level 9, 84 Pitt Street, Sydney NSW 2000 from:

- section 11(1) of the *Employment Agents Registration Act 1993* in relation to the requirement that the business conducted in pursuance of the licence must be managed under the personal supervision of a natural person who is a resident of the State; and
- section 16(1) of the *Employment Agents Registration Act 1993* in relation to the requirement that the holder of a licence must not carry on the business of an employment agent except at premises registered under this section.

Dated: 19 August 2018

HON ROB LUCAS MLC
Treasurer

EMPLOYMENT AGENTS REGISTRATION ACT 1993

Exemption

NOTICE is hereby given that, pursuant to section 4(1) of the *Employment Agents Registration Act 1993*, I, Robert Ivan Lucas, Treasurer, hereby exempt Enabled Employment Pty Ltd trading as Enabled Employment, Suite D101, 49 Phillip Avenue, Watson ACT 2602 from:

- section 11(1) of the *Employment Agents Registration Act 1993* in relation to the requirement that the business conducted in pursuance of the licence must be managed under the personal supervision of a natural person who is a resident of the State; and

- section 16(1) of the *Employment Agents Registration Act 1993* in relation to the requirement that the holder of a licence must not carry on the business of an employment agent except at premises registered under this section.

Dated: 19 August 2018

HON ROB LUCAS MLC
Treasurer

ENVIRONMENT PROTECTION ACT 1993

Revocation of Approval of Category B Containers

I, Eliseo Palumbo, Delegate of the Environment Protection Authority ('the Authority'), pursuant to section 68 of the Environment Protection Act, 1993 (SA) ('the Act') hereby revoke the approvals of the classes of category B containers sold in South Australia as identified by reference to the following matters, which are described in the first 4 columns of Schedule 1 of this Notice.

- the product which each class of containers shall contain;
- the size of the containers;
- the type of containers;
- the name of the holders of these approvals

These approvals are revoked as the Authority is satisfied that the waste management arrangement between the approval holder and the party named in column 5 of Schedule 1 of this Notice has been cancelled.

SCHEDULE 1

Column 1 Product Name	Column 2 Container Size	Column 3 Container Type	Column 4 Approval Holder	Column 5 Collection Arrangements
Kehoes Kitchen Dandelion Sparkling Probiotic Drink	330 ml	Glass	Kehoes Kitchen Pty Ltd	Marine Stores Ltd
Kehoes Kitchen Tulsi Sparkling Probiotic Drink	330 ml	Glass	Kehoes Kitchen Pty Ltd	Marine Stores Ltd
Kehoes Kitchen Vanilla Coconut Sparkling Probiotic Drink	330 ml	Glass	Kehoes Kitchen Pty Ltd	Marine Stores Ltd
Soda Republic Organic Cola	330 ml	Glass	Kemp Road Beverages Pty Ltd	Marine Stores Ltd
Soda Republic Organic Ginger Beer	330 ml	Glass	Kemp Road Beverages Pty Ltd	Marine Stores Ltd
Soda Republic Organic Lemon Lime & Bitters	330 ml	Glass	Kemp Road Beverages Pty Ltd	Marine Stores Ltd
Soda Republic Organic Lemon Squash	330 ml	Glass	Kemp Road Beverages Pty Ltd	Marine Stores Ltd
Ten Trees Apple Carrot & Ginger Juice	350 ml	Glass	Kemp Road Beverages Pty Ltd	Marine Stores Ltd
Ten Trees Apple Juice	350 ml	Glass	Kemp Road Beverages Pty Ltd	Marine Stores Ltd
Ten Trees Kiwi Peach Smoothie	350 ml	Glass	Kemp Road Beverages Pty Ltd	Marine Stores Ltd
Ten Trees Mango & Passionfruit Smoothie	350 ml	Glass	Kemp Road Beverages Pty Ltd	Marine Stores Ltd
Ten Trees Mixed Berry Smoothie	350 ml	Glass	Kemp Road Beverages Pty Ltd	Marine Stores Ltd
Ten Trees Orange Juice	350 ml	Glass	Kemp Road Beverages Pty Ltd	Marine Stores Ltd

ELISEO PALUMBO
Delegate of the Environment Protection Authority

FISHERIES MANAGEMENT ACT 2007

SECTION 72

Permit to Possess and Control a Protected Species

For the purpose of subsection 72(2) of the *Fisheries Management Act 2007*, this permit is issued to authorise the holder of the permit or his agents to possess and/or control of the protected species specified below, subject to the conditions of this permit.

Permit Number: MP0100
Permit holder: Dr Russell Bradford
Specified species: CSIRO
GPO Box 1538
HOBART TAS 7001
White Shark (*Carcharodon carcharias*)

CONDITIONS

- The permit is valid from 18 August 2018 until 19 August 2019, unless varied or revoked earlier.
- The agents that may undertake this activity are:
 - Barry Bruce, CSIRO Marine and Atmospheric Research
 - Paul Rogers, SARDI Aquatic Sciences
- Activities undertaken pursuant to this permit must be conducted in conjunction with Ministerial exemption ME9903002.
- Fish species held pursuant to this permit must not be sold or traded.
- The permit holder must provide a report in writing detailing the outcomes when he or his agents were in possession of white sharks to PIRSA Fisheries and Aquaculture (PIRSA.MinisterialExemptionsandPermits@sa.gov.au) within 30 days of the final sampling (the exempted activity) with the following details:
 - the date, time and location of sampling;
 - the number of samples retained
 - any other information deemed relevant or of interest that is able to be volunteered.

6. While engaging in the permitted activity, the permit holder or their agents must be in possession of a copy of this permit. It must be produced to a PIRSA Fisheries Officer if requested.
7. The permit holder must not contravene or fail to comply with the *Fisheries Management Act 2007* or any regulations made under that Act, except where specifically permitted by this notice.

Dated: 17 August 2018

SEAN SLOAN
Executive Director
Fisheries and Aquaculture
Delegate of the Minister for Primary Industries and Regional Development

FISHERIES MANAGEMENT ACT 2007

SECTION 115

Ministerial Exemption ME9903002

TAKE NOTICE that pursuant to section 115 of the *Fisheries Management Act 2007*, Dr Russell Bradford of CSIRO, Castray Esplanade, Hobart, Tasmania 7000 (the 'exemption holder') or a person acting as his agent, is exempt from section 71 of the *Fisheries Management Act 2007* and regulation 24 and 121 of the *Fisheries Management (General) Regulations 2017*, but only insofar as the exemption holder may undertake the activities specified in Schedule 1, at the location specified in Schedule 2, subject to the conditions set out in Schedule 3, from 18 August 2018 until 19 August 2019 inclusive, unless varied or revoked earlier.

SCHEDULE 1

1. The tagging (which may include the capture and temporary restraint) of White Sharks (*Carcharodon carcharias*).
2. The use of berley in conjunction with the exempted activity within two (2) nautical miles of the South Australian coastline or any island or reef that forms part of the State.

SCHEDULE 2

Research done pursuant to this notice may be undertaken within all waters adjacent to South Australia between the lines of longitude 137°0'00"E to 131°0'00"E from the coast to the line of latitude 36°0'00"S excluding sanctuary and restricted access zones of marine parks (unless otherwise authorised under the *Marine Parks Act 2007*).

SCHEDULE 3

1. No shark of any species may be taken from the water.
2. Before undertaking the exempted activity, the exemption holder or a person acting as his agent must contact PIRSA Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of the exemption at the time of making the call and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exempted activity and other related questions.
3. For the purposes of this notice, only the following persons may act as an agent of the exemption holder:
 - Barry Bruce, CSIRO Marine and Atmospheric Research
 - Paul Rogers, SARDI Aquatic Sciences.
4. While engaging in the exempted activity, the exemption holder or agent must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer immediately upon request.
5. 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.
6. The exemption holder must not conduct any other fishing activity including recreational fishing whilst undertaking the exempted activity.

This exemption does not purport to override the provisions of any other Act including, but not limited to, the *Marine Parks Act 2007*. The exemption holder and his agents must comply with any relevant regulations, permits, prohibitions and restrictions, requirements and directions from the Department of Environment and Water when undertaking activities within a marine park.

Dated: 17 August 2018

SEAN SLOAN
Executive Director
Fisheries and Aquaculture
Delegate of the Minister for Primary Industries and Regional Development

JUSTICES OF THE PEACE ACT 2005

SECTION 4

Notice of Appointment of Justices of the Peace for South Australia by the Commissioner for Consumer Affairs

I, Dini Soulio, Commissioner for Consumer Affairs, delegate of the Attorney-General, pursuant to section 4 of the *Justices of the Peace Act 2005*, do hereby appoint the people listed as Justices of the Peace for South Australia as set out below:

For a period of ten years for a term commencing on 11 September 2018 and expiring on 10 September 2028:

Monica Milunika Belosevic
Trevor Rodney Bornholm
Joanne Louise Culf
Nigel John Hillier
Sonya Lesley Porter
Shiralee Ann Reardon
Geoffrey Clyde Reynolds
Carmel Mary Rosier
Michael John Schuit
Vincent Ucci

For a period of ten years for a term commencing on 18 September 2018 and expiring on 17 September 2028:

Amanda Dawn Litten
Brenton Stuart Parsons
Patricia Evelyn Roberts
Christine Ann Robertson
Margaret Mary Speechley
Carole Anne Tye
Denis Graham White

Dated: 13 August 2018

DINI SOULIO
Commissioner for Consumer Affairs
Delegate of the Attorney-General

South Australia

Liquor Licensing (Dry Areas) Notice 2018

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 2018*.

2—Commencement

This notice comes into operation on 20 December 2018.

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—Woodside Area 1

1—Extent of prohibition

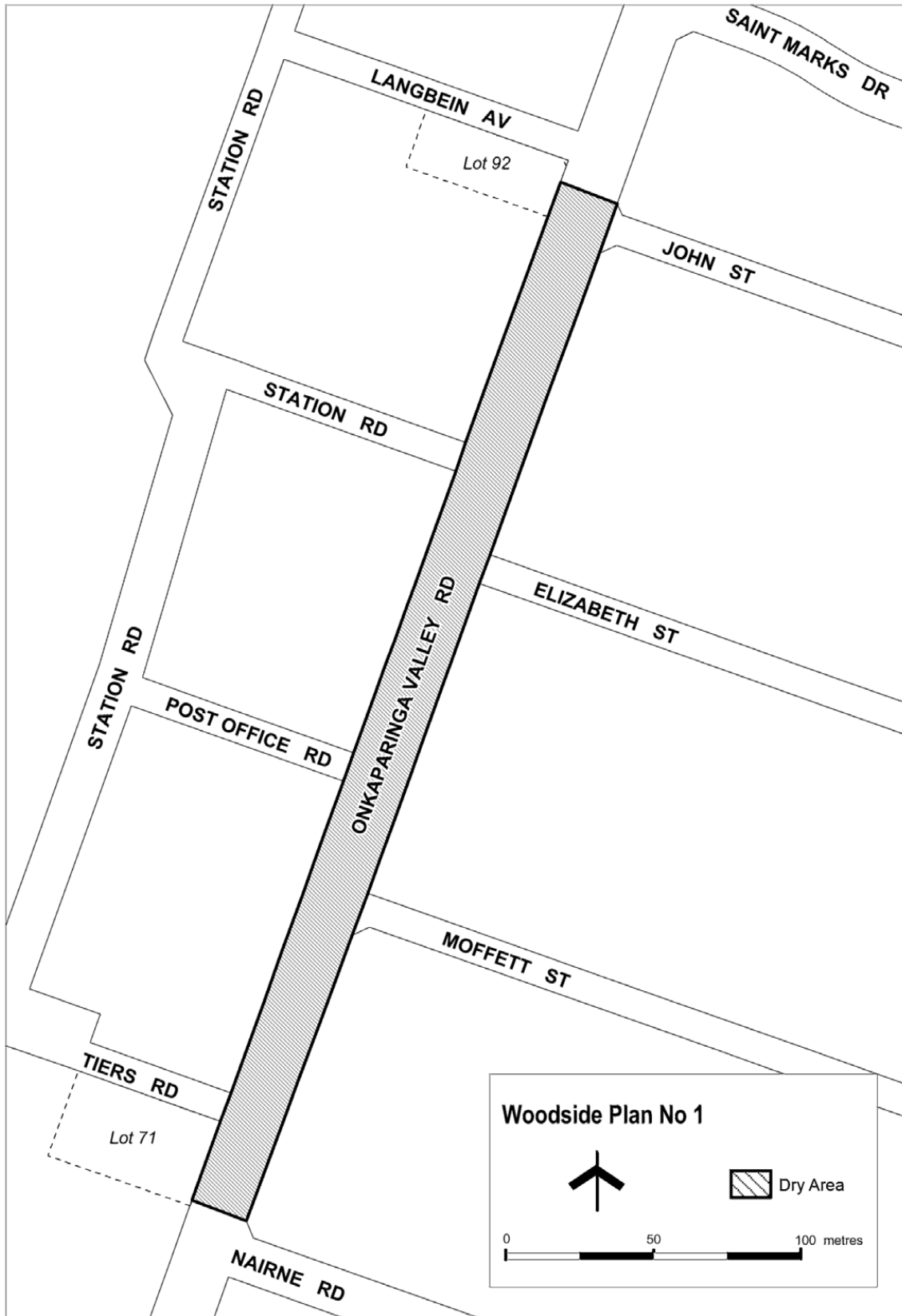
The consumption of liquor is prohibited and the possession of liquor is prohibited.

2—Period of prohibition

From 6:00pm to 10:00pm on 20 December 2018.

3—Description of area

The area in Woodside comprising Onkaparinga Valley Road between the prolongation in a straight line of the northern boundary of Nairne Road and the prolongation in a straight line of the northern boundary of John Street.



Made by the Liquor and Gambling Commissioner

on 16 August 2018

LIVESTOCK ACT 1997

NOTICE BY THE MINISTER

Notifiable Diseases

PURSUANT to section 4 of the Livestock Act 1997, I, Timothy John Whetstone, Minister for Primary Industries and Regional Development, declare to be notifiable diseases those diseases listed as exotic diseases and report only diseases plus the following diseases.

This notice revokes the notice made by the Minister for Agriculture, Food and Fisheries on 25 July 2015 and published 30 July 2015 and subsequent amendments to that notice.

Diseases of bees

American foulbrood (*Paenibacillus larvae*)

European foulbrood (*Melissococcus pluten*)

Diseases of aquatic species

Aeromonas salmonicida (atypical strains)

Epizootic haematopoietic necrosis – EHN virus

Infection with *Aphanomyces invadans* (epizootic ulcerative syndrome)

Infection with *Batrachochytrium dendrobatidis*

Infection with *Bonamia* species

Infection with *Perkinsus olseni*

Viral encephalopathy and retinopathy

Diseases of other species

Aino disease

Akabane disease

Anaplasmosis in tick free areas

Babesiosis (bovines only)

Bluetongue

Buffalo fly

Cattle tick (*Rhipicephalus microplus*)

Cysticercus bovis (*Taenia saginata*)

Enzootic bovine leucosis

Ephemeral fever

Equine herpes-virus 1 (abortigenic and neurological strains)

Equine infectious anaemia

Equine viral arteritis

Footrot (in sheep and in goats only)

Infection with *Brucella suis*

Infectious laryngotracheitis

Listeriosis

Melioidosis

Pullorum disease (*Salmonella pullorum*)

Sporadic bovine encephalomyelitis

Tuberculosis (in all species)

Verotoxigenic *Escherichia coli*

EXOTIC DISEASES

Diseases of bees

Acariasis tracheal mite (*Acarapis woodi*)

Acute bee paralysis

Africanised honey bee

Asian honey bee

Bee louse (*Braula coeca*)

Tropilaelaps mite (*Tropilaelaps clareae*)

Varroasis (*Varroa destructor*)

Varroasis (*Varroa jacobsoni*)

Diseases of aquatic species

Abalone viral ganglioneuritis

Acute hepatopancreatic necrosis disease (AHPND)

Bacterial kidney disease (*Renibacterium salmoninarum*)

Baculoviral midgut gland necrosis

Channel catfish virus disease

Crayfish plague (*Aphanomyces astaci*)

Enteric redmouth disease (*Yersinia ruckeri* – Hagerman strain)

Enteric septicaemia of catfish (*Edwardsiella ictaluri*)

Enterocytozoon hepatopenaei

European catfish virus / European sheatfish virus

Furunculosis (*Aeromonas salmonicida* subsp *salmonicida*)

Gill-associated virus

Grouper iridoviral disease

Gyrodactylosis (*Gyrodactylus salaris*)

Haplosporidiosis (*Haplosporidium costale*, *H. nelsoni*)

Infection with abalone herpes virus

Infection with *Batrachochytrium salamandrivorans*

Infection with *Boccardia knoxi*

Infection with *Bonamia exitiosa*

Infection with *Bonamia ostreae*

Infection with *Hepatobacter penaei*

Infection with HPR-deleted or HPRO infectious salmon anaemia virus

Infection with *Marteilia refringens*

Infection with *Marteilia sydneyi*
Infection with *Marteilioides chungmuensis*
Infection with *Mikrocytos mackini*
Infection with *Perkinsus marinus*
Infection with *Perkinsus* spp. (exotic)
Infection with ranavirus
Infection with salmonid alphavirus
Infection with *Xenohaliotis californiensis*
Infection with yellow head virus
Infectious haematopoietic necrosis
Infectious hypodermal and haematopoietic necrosis
Infectious myonecrosis
Infectious pancreatic necrosis
Infectious spleen and kidney necrosis virus-like (ISKNV-like) viruses
Iridoviroses
Koi herpesvirus disease
Monodon slow growth syndrome
Oncorhynchus masou virus disease
Ostreid herpesvirus type 1 microvariant (OsHV-1 microvariant)
Oyster velar disease
Piscirickettsiosis (*Piscirickettsia salmonis*)
Red sea bream iridoviral disease
Spawner-isolated mortality virus disease
Spring viraemia of carp
Taura syndrome
Tilapia Lake virus (TiLV)
Viral haemorrhagic septicaemia
Whirling disease (*Myxobolus cerebralis*)
White spot disease
White tail disease
White sturgeon iridoviral disease

Diseases of other species

African horse sickness
African swine fever
Anthrax
Aujeszky's disease
Australian bat lyssavirus
Avian influenza
Babesiosis (equine only)
Bluetongue (clinical disease)
Borna disease
Bovine virus diarrhoea Type 2
Camelpox
Chagas disease (*Trypanosoma cruzi*)
Classical swine fever
Contagious agalactia
Contagious bovine pleuropneumonia
Contagious caprine pleuropneumonia
Contagious equine metritis
Cowpox
Crimean Congo haemorrhagic fever
Devil facial tumour disease
Dourine
Duck virus enteritis (duck plague)
Duck virus hepatitis
East coast fever (*Theileria parva*)
Ehrlichiosis
Encephalitides (tick borne)
Enzootic abortion of ewes (ovine chlamydiosis)
Epizootic haemorrhagic disease (clinical disease)
Epizootic lymphangitis
Equine encephalomyelitis (eastern, western and Venezuelan)
Equine encephalosis
Equine influenza
Foot and mouth disease
Fowl typhoid
Getah virus infection
Glanders
Haemorrhagic septicaemia
Hantaan river virus
Heartwater
Hendra virus infection
Horse pox
Ibaraki disease
Infection with *Brucella abortus*
Infection with *Brucella canis*
Infection with *Brucella melitensis*
Infection with *Coenurus cerebralis*

Infection with *Fasciola gigantica*
 Infection with *Leptospira canicola*
 Infection with *Mycoplasma iowae*
 Infection with *Pseudogymnoascus destructans* in bats (White Nose Syndrome)
 Infectious bursal disease (hypervirulent and exotic antigenic variant forms)
 Infestation with cattle tick (*Rhipicephalus microplus*)
 Infestation with *Elaphostrongylus cervi*
 Japanese encephalitis
 Jembrana disease
 Leishmaniasis
 Louping ill
 Lumpy skin disease
 Lyme disease
 Maedi-visna
 Malignant catarrhal fever (wildebeest-associated)
 Mediterranean Theileriosis (*Theileria annulata*)
 Menangle virus infection
 Nairobi sheep disease
 Newcastle disease (virulent)
 Nipah virus infection
 Peste des petits ruminants
 Porcine cysticercosis (*Cysticercus cellulosae*)
 Porcine endemic diarrhoea
 Porcine enterovirus encephalomyelitis (Teschen/Talfan disease)
 Porcine epidemic diarrhoea
 Porcine myocarditis (Bungowannah virus infection)
 Porcine reproductive and respiratory syndrome
 Potomac fever
 Proventricular dilatation syndrome
 Pulmonary adenomatosis (Jaagsiekte)
 Rabies
 Rift Valley fever
Salmonella enteritidis infection in poultry
 Salmonellosis (*Salmonella abortus-equi*)
 Salmonellosis (*Salmonella abortus-ovis*)
 Screw worm fly – New World (*Cochliomyia hominivorax*)
 Screw worm fly – Old World (*Chrysomya bezziana*)
 Senecavirus A (Seneca Valley virus)
 Sheep pox and goat pox
 Sheep scab
 Shope's fibroma virus
 Surra (*Trypanosoma evansi*)
 Swine influenza
 Swine plague
 Swine vesicular disease
 Transmissible gastroenteritis
 Transmissible spongiform encephalopathies (bovine spongiform encephalopathy, feline spongiform encephalopathy, chronic wasting disease of deer, scrapie)
 Trichinellosis
 Trypanosomiasis (tsetse fly associated)
 Tuberculosis (*Mycobacterium bovis*)
 Tularaemia
 Turkey rhinotracheitis (avian metapneumovirus)
 Vesicular exanthema
 Vesicular stomatitis
 Warble-fly myiasis
 Wesselsbron disease
 West Nile virus infection - clinical

REPORT ONLY DISEASES

Infection with virulent avian paramyxovirus
 Paratuberculosis (Johne's disease)
 Strangles

Dated: 17 August 2018

TIMOTHY JOHN WHETSTONE
 Minister for Primary Industries and Regional Development

MINING ACT 1971

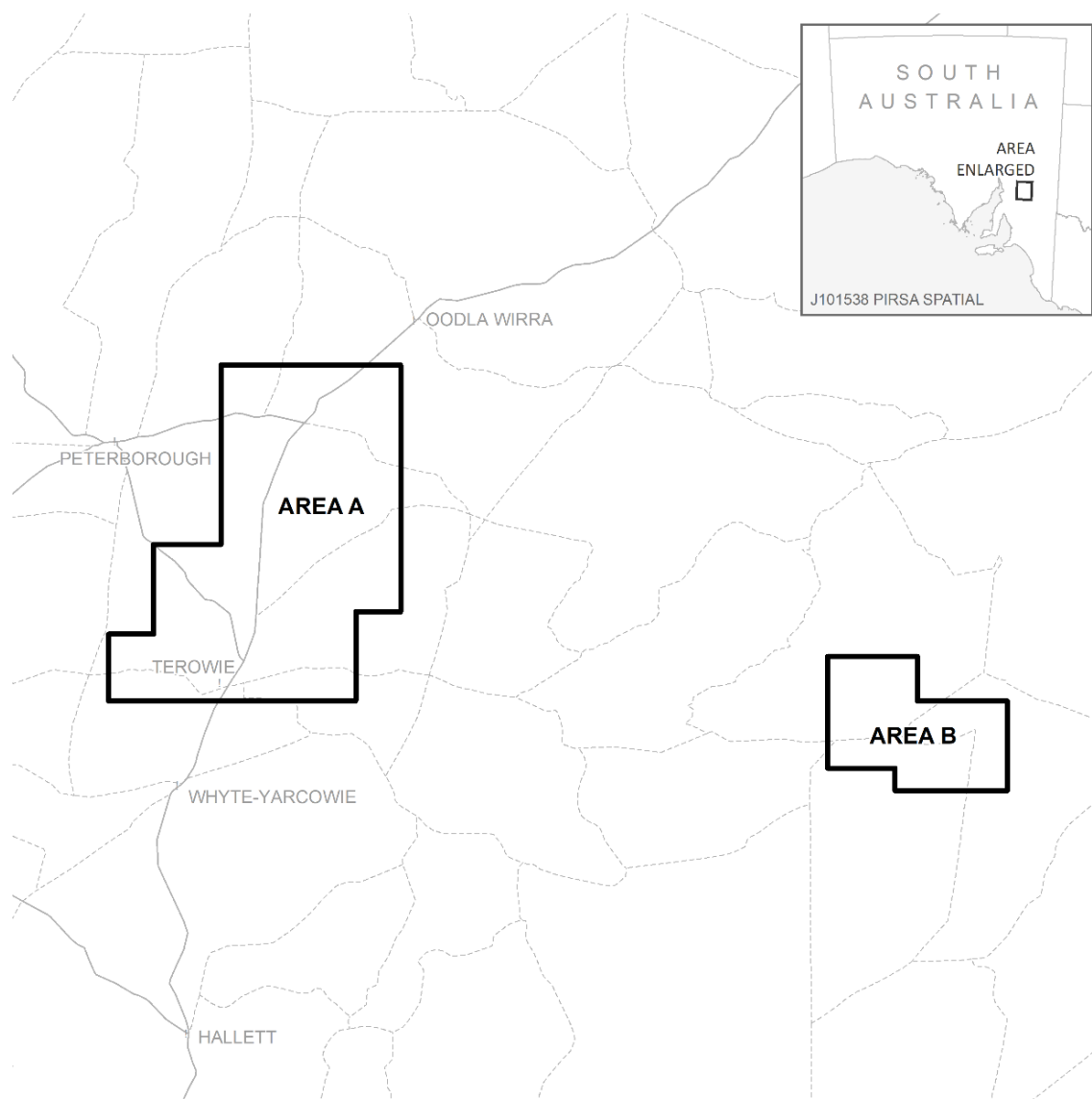
Section 15(5)

PURSUANT to Section 15(5) of the *Mining Act 1971* ('the Act'), I advise that the Mineral Resources Division of Department for Energy and Mining, will be undertaking geoscientific investigations/reviews commencing on or after 23 August 2018 and concluding on 23 August 2019.

The area of interest is in the Ucolta area - approximately 10 km east of Peterborough and covers an approximate area of 506 km².

Pursuant to Section 15(7) of the Act, the Minister may refuse to receive or consider an application for a mining tenement in respect of the land described in the notice until the completion date of 23 August 2019.

Please note that the completion date may be extended and/or the area may be altered by further notice in the gazette. Copies of the plan are available by phoning Mineral Tenements on telephone 8429 2487



DESCRIPTION OF AREA

UCOLTA AREA – Approximately 10 km east of Peterborough, bounded as follows:

AREA A

Commencing at a point being the intersection of latitude 32°55'S and longitude 138°55'E, then east to longitude 139°03'E, south to latitude 33°06'S, west to longitude 139°01'E, south to latitude 33°10'S, west to longitude 138°50'E, north to latitude 33°07'S, east to longitude 138°52'E, north to latitude 33°03'S, east to longitude 138°55'E, and north to the point of commencement.

AREA B

Commencing at a point being the intersection of latitude 33°08'S and longitude 139°22'E, then east to longitude 139°26'E, south to latitude 33°10'S, east to longitude 139°30'E, south to latitude 33°14'S, west to longitude 139°25'E, north to latitude 33°13'S, west to longitude 139°22'E, and north to the point of commencement.

All the within latitudes and longitudes are geodetic and expressed in terms of the Australian Geodetic Datum as defined on p. 4984 of Commonwealth Gazette number 84 dated October 6, 1966 (**AGD66**).

AREA: 506 square kilometres approximately.

J MARTIN
Registrar

MINING ACT 1971

Notice pursuant to Section 28(5) of the Mining Act 1971

Notice is hereby given in accordance with Section 28(5) of the *Mining Act 1971* that the delegate of the Minister for Mineral Resources and Energy intends to grant Exploration Licences over the areas described below.

Applicant:	Marmota Limited
Location:	Melton area approximately 110 km northwest of Adelaide
Term:	Two years
Area in km ² :	137
Reference number:	2017/00208

Applicant:	Panda Mining Pty Ltd
Location:	Mount Serle area approximately 40km northeast of Copley
Pastoral Leases:	Mount Serle, Burr Well, Yankaninna
Term:	Two years
Area in km ² :	118
Reference number:	2018/00063
Applicant:	Heathgate Resources Pty Ltd
Location:	Drennans Hut area approximately 140km southeast of Leigh Creek
Pastoral Leases:	Erudina, Curnamona, Martins Well
Term:	Two years
Area in km ² :	193
Reference number:	2018/00081
Applicant:	Heathgate Resources Pty Ltd
Location:	Mount Frome area approximately 100 km east-southeast of Leigh Creek
Pastoral Leases:	Wertalooona
Term:	Two years
Area in km ² :	135
Reference number:	2018/00082
Applicant:	Heathgate Resources Pty Ltd
Location:	West Lake Blanche area - approx 120 km NE of Marree
Pastoral Leases:	Murnpeowie
Term:	Two years
Area in km ² :	377
Reference number:	2018/00101
Applicant:	Heathgate Resources Pty Ltd
Location:	Yerelina Area - approx 90 km NE of Leigh Creek
Pastoral Leases:	Umberatana, Mount Freeling, Mount Lyndhurst
Term:	Two years
Area in km ² :	470
Reference number:	2018/00102
Applicant:	Murray Zircon Pty Ltd
Location:	Loxton area approximately 200km northeast of Adelaide
Term:	Two years
Area in km ² :	405
Reference number:	2018/00103
Applicant:	Murray Zircon Pty Ltd
Location:	Meribah area approximately 150km east-northeast of Murray Bridge
Term:	Two years
Area in km ² :	300
Reference number:	2018/00105
Applicant:	Heathgate Resources Pty Ltd
Location:	Lake Frome area approximately 100km east-southeast of Leigh Creek
Pastoral Lease:	Wertalooona
Term:	Two years
Area in km ² :	432
Reference number:	2018/00111
Applicant:	Yandan Gold Mines Pty Ltd
Location:	Cavenagh area approximately 30km northeast of Peterborough
Term:	Two years
Area in km ² :	58
Reference number:	2018/00120
Applicant:	Minotaur Operations Pty Ltd
Location:	Sceale Bay area approximately 15km south-southeast of Streaky Bay
Term:	Two years
Area in km ² :	148
Reference number:	2018/00131

Plans and co-ordinates can be found on the Department for Energy and Mining website:

http://www.minerals.dpc.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on 08 8429 2572.

Community information on mineral exploration licence processes and requirements under the *Mining Act 1971* is available from: http://energymining.sa.gov.au/minerals/exploration/public_notices/exploration_licence_applications or hard copy on request to Mineral Tenements.

J MARTIN
Mining Registrar
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

NOTICE TO MARINERS

NO. 26 OF 2018

South Australia – Gulf St Vincent – Glenelg Channel – Reduced Water Depths

Following the recent storms, the water depths of the entrance channel to the Holdfast Shores Marina (Glenelg) have reduced considerably. Dredging is currently in progress to rectify the problem.

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

Charts affected: Aus 125

Dated: 15 August 2018

GORDON PANTON
Manager Marine Operations

2017/02277/01
www.dpti.sa.gov.au

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Sub-delegation under Section 7(2)

I, BARRY A. GOLDSTEIN, Executive Director, Energy Resources Division, Department for Energy and Mining in the State of South Australia, do hereby sub-delegate to the person who from time to time holds, occupies or performs the position of Director, Engineering Operations within the Energy Resources Division of the Department for Energy and Mining, Ministerial powers or functions pursuant to the following Regulation, delegated to me by instrument dated 29 June 2018:

Petroleum and Geothermal Energy Regulations 2013

Regulation 46 (1) – Facility construction reports

All other sub-delegations made by way of instrument of sub-delegation dated 2 July 2018 remain unchanged.

Dated: 15 August 2018

BARRY A. GOLDSTEIN
Executive Director
Energy Resources Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

PRICES ACT 1948

SECTION 12 (2)

*Records required to be kept in Relation to Recovery, Towing, Storage and Quotation
for Repair of Motor Vehicles Damaged in Accidents within the Declared Area*

Notice of the Commissioner for Prices

PURSUANT to Section 12 (2) of the Prices Act 1948, I, Dini Soulio, Commissioner for Prices, require persons who in the course of a business supply a declared service to which Prices Order No. 1139 (S.A.) applies to keep, in respect of each service so supplied, a record setting out:

- (a) the time and date when the service was ordered;
- (b) the name of the person who ordered the service or other information sufficient to identify that person;
- (c) the number of running kilometres travelled for the purposes of supplying the service;
- (d) the time and date of arrival at the place of storage or repair of the vehicle to which the service relates and of return to the registered premises of the person supplying the service;
- (e) if the work involved in supplying the service was carried out partly during normal hours and partly outside normal hours—details of the work carried out during normal hours and outside normal hours;
- (f) if more than one tow truck was used in supplying the service or more than one person was engaged in supplying the service—the number of tow trucks used or persons engaged; and
- (g) how the total charge for supplying the service was calculated.

Words and expressions used in this notice have the same meaning as in Prices Order No. 1139 (S.A.).

This notice will take effect on the day on which Prices Order No. 1139 (S.A.) comes into operation.

Dated: 9 August 2018

D. SOULIO
Commissioner for Prices

PRICES ACT 1948

SECTION 24

*Declaration of Maximum Prices for Recovery, Towing, Storage and Quotation
for Repair of Motor Vehicles Damaged in Accidents within the Declared Area*

Order by the Minister for Consumer and Business Services

PURSUANT to Section 24 of the *Prices Act 1948*, I, Hon Vickie Chapman MP, Attorney-General, do hereby make the following order.

Citation

1. This order may be cited as *Prices Order No. 1139 (S.A.)*.

Commencement

2. This order will come into operation on the day it is published in the Government Gazette.

Order No. 1138 (S.A.) Superseded

3. This order supersedes *Prices Order No. 1138 (S.A.)* (see *Gazette* No. 60 12 September 2017 pp. 3998 - 4000).

Interpretation

4. (1) In this order:

‘**GST**’ means the tax payable under the GST law; ‘**GST law**’ means:

- (a) *A New Tax System (Goods and Services Tax) Act 1999* (Commonwealth); and
- (b) the related legislation of the Commonwealth dealing with the imposition of a tax on the supply of goods, services and other things;

‘**motor car**’ means a motor vehicle (as defined in Section 5 of the *Motor Vehicles Act 1959*):

- (a) designed for the principal purpose of carrying passengers; and
 - (b) designed to carry not more than 8 adult persons (including the driver),
- and includes a motor vehicle of the type commonly known as a utility, station sedan or panel van;

‘**normal hours**’ means the hours between 7.30 a.m. and 5.00 p.m. on any day other than a Saturday, Sunday or public holiday;

‘**prescribed motor vehicle**’ means a motor car, motor bike, caravan or trailer;

‘**running kilometres**’, in relation to the distance travelled for the purposes of supplying a service to which this order applies, means the number of kilometres travelled from the registered premises of the person supplying the service to the scene of the accident, from the scene of the accident to the place of repair or storage of the prescribed motor vehicle to which the services relate and from the place of repair or storage of the vehicle to those registered premises.

- (2) In this order the expressions ‘**accident**’, ‘**caravan**’, ‘**declared area**’, ‘**motor bike**’, ‘**quotation for repair**’, ‘**registered premises**’, ‘**tow**’, ‘**tow truck**’ and ‘**trailer**’ have the same meaning as in the *Motor Vehicles Act 1959*.

Services to Which Order Applies

5. This order applies to the following services:

- (a) the recovery and towing at or from the scene of an accident occurring within the declared area of a prescribed motor vehicle damaged in the accident;
- (b) the storage of a prescribed motor vehicle damaged in an accident occurring within the declared area;
- (c) the quotation for repair of a prescribed motor vehicle damaged in an accident occurring within the declared area.

Declaration of Maximum Prices

6. (1) Subject to this clause, I declare that the maximum price (inclusive of GST component) at which a service specified in the first column of the table in the Schedule may be supplied is -

- (a) in the case of a service provided during normal hours - the amount specified opposite in the second column of the table;
- (b) in the case of a service provided outside normal hours - the amount specified opposite in the third column of the table.

(2) If the work involved in supplying a service to which this order applies is carried out partly during normal hours and partly outside normal hours, the maximum price that may be charged for providing the service must be calculated according to the maximum price specified in the Schedule for providing the service during the time of the day at which the work is actually carried out.

(3) The maximum price that may be charged for supplying a service for which the Schedule specifies a maximum price per hour is to be calculated in accordance with the following formula:

$$A = \frac{B}{20} \times C$$

Where—

A is the maximum amount that may be charged for the service;

B is the maximum price per hour for the service specified in the Schedule;

C is the number of complete 6 minute periods spent in providing the service.

(4) If the use of more than one tow truck is necessary to supply a service to which this order applies, the maximum price specified in the Schedule may be charged in respect of each tow truck used in supplying the service.

Order Not to Apply to Supply of Services by Certain Persons

7. This order does not apply in relation to a person who supplies a service referred to in Clause 5 while there is in force an order under Section 24 of the *Prices Act 1948* fixing a maximum price for the supply of that service by that particular person.

I hereby recommend, in accordance with the *Prices Act 1948*, that the following Schedule be published in the Government Gazette to be effective as from the date of its publication.

Dated: 15 August 2018

HON VICKIE CHAPMAN MP
Attorney-General

SCHEDULE OF RECOMMENDED FEES FOR CHARGES FOR TOWING, RECOVERY, STORAGE & QUOTATION
FOR REPAIR OF MOTOR VEHICLES (ACCIDENT TOWING ROSTER SCHEME)

Service	Maximum Price (Normal Hours)	Maximum Price (Outside Normal Hours)
1. Recovery of a prescribed motor vehicle at the scene of an accident and towing the vehicle:		
<ul style="list-style-type: none"> • from the scene of the accident to a place of repair or storage; or • from a place of storage to a place of repair: <ul style="list-style-type: none"> - for a distance not exceeding 20 running kilometres \$359.00 - for each running kilometre in excess of 20 running kilometres \$3.00 		\$418.00 \$4.00
Note: The above charge includes:		
<ul style="list-style-type: none"> (a) 30 minutes of waiting time or working time at the scene of the accident; and (b) The use of a power winch, trailer and any other specialised equipment necessary to recover and tow the vehicle. 		
Waiting time or working time at the scene of the accident in excess of 30 minutes	\$52.00 per hour or part of an hour	\$79.00 per hour or part of an hour
Waiting or working time at the scene of the accident where more than one person is engaged to recover the vehicle – for each additional person so engaged	\$39.00 per hour or part of an hour	\$66.00 per hour or part of an hour
2. Storage of a prescribed motor vehicle:		
<ul style="list-style-type: none"> • in open locked storage \$15.00 per day • in covered locked storage \$26.00 per day 		\$15.00 per day \$26.00 per day
3. Quotation for repair of a prescribed motor vehicle where the estimated cost of repairs:		
<ul style="list-style-type: none"> • does not exceed \$1 000 \$3.08 per each \$100 of the estimated cost or part of \$100 • exceeds \$1 000 but does not exceed \$2 000 \$31.02 plus \$2.34 per each \$100 of the estimated cost or part of \$100 • exceeds \$2 000 \$54.64 plus \$7.83 per each \$1 000 of the estimated cost or part of \$1 000 up to an additional maximum charge of \$86.83 		\$3.08 per each \$100 of the estimated cost or part of \$100 \$31.02 plus \$2.34 per each \$100 of the estimated cost or part of \$100 \$54.64 plus \$7.83 per each \$1 000 of the estimated cost or part of \$1 000 up to an additional maximum charge of \$86.83

PROFESSIONAL STANDARDS ACT 2004

The Law Society of New South Wales Professional Standards Scheme

PURSUANT to section 14 of *Professional Standards Act 2004*, I authorise the publication in the *Gazette* of the Law Society of New South Wales Professional Standards Scheme.

Pursuant to section 15 (1) (a) of the *Professional Standards Act 2004*, I specify 22 November 2018 as the date of commencement of the Professional Standards Scheme.

Dated: 17 August 2018

VICKIE CHAPMAN
Attorney-General

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order
Road Closure – Karrayarta Drive (Portion), Glenside*

BY Road Process Order made on 2 July 2018, the City of Burnside ordered that:

1. Portion of Karrayarta Drive situated adjoining the north-eastern boundary of Allotment 4004 in Deposited Plan 82174, more particularly delineated and lettered 'A' in Preliminary Plan 18/0009 be closed.
2. Transfer the whole of the land subject to closure lettered 'A' to Zamia Property Pty Ltd in accordance with the Agreement for Transfer dated 7 June 2018 entered into between the City of Burnside and Zamia Property Pty Ltd.

On 21 August 2018 that order was confirmed by the Minister for Transport, Infrastructure and Local Government conditionally upon the deposit by the Registrar-General of Deposited Plan 119123 being the authority for the new boundaries.

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

Dated: 23 August 2018

M. P. BURDETT
Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order
Road Closure – Portion Mattiske Street, Freeling*

BY Road Process Order made on 22 May 2018, the Light Regional Council ordered that:

1. Portion of Public Road situated adjoining Allotment 165 in File Plan 253837, Allotments 5 and 6 in File Plan 27518 and Allotment 129 in File Plan 174030 and more particularly delineated and marked 'A' in Preliminary Plan 17/0007 be closed.
2. The whole of land subject to closure marked 'A' will to be transferred from the Light Regional Council to the Minister for Education in accordance with the Agreement for Transfer dated 8 May 2018 and made between the Light Regional Council and the Minister for Education.
3. The following easements are to be granted over the whole of the land subject to that closure:
 - i. Grant to the Council for the area an easement for Drainage Purposes over the land marked 'C' in Deposited Plan 118895.

On 21 August 2018 that order was confirmed by the Minister for Transport, Infrastructure and Local Government conditionally upon the deposit by the Registrar-General of Deposited Plan 119186 being the authority for the new boundaries.

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

Dated: 23 August 2018

M. P. BURDETT
Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order
Portion of Sinkinson Road – Mount Torrens*

BY Road Process Order made on 24 May 2016, the Adelaide Hills Council ordered that:

1. Portion of Sinkinson Road, Mount Torrens situated adjoining the western and southern boundary of Allotment 53 in Filed Plan 155968, more particularly delineated and lettered 'A' in Preliminary Plan 15/0040 be closed.
2. Transfer the whole of the land subject to closure lettered 'A' to Warwick James Hort and Julie Teresa Hort in accordance with the Agreement for Transfer dated 27 December 2017 entered into between the Adelaide Hills Council and Warwick James Hort and Julie Teresa Hort.

On 13 August 2018 that order was confirmed by the Minister for Transport, Infrastructure and Local Government conditionally upon the deposit by the Registrar-General of Deposited Plan 118460 being the authority for the new boundaries.

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

Dated: 23 August 2018

M. P. BURDETT
Surveyor-General

DPTI: 2015/19690/01

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order
Road Closure – Portion of Walkway & Portion of Highview Court, Hackham*

BY Road Process Order made on 5 July 2018, the City of Onkaparinga ordered that:

1. Portion of public walkway situated adjoining Allotment 1 in Deposited Plan 20434 and portion of Highview Court situated adjoining Allotment 3 in Deposited Plan 20434, more particularly delineated and lettered 'A' and 'C' in Preliminary Plan 18/0002 be closed.
2. Transfer the whole of the land subject to closure lettered 'A' and 'C' to Hepenstal Park Development Pty Ltd in accordance with the Agreement for Transfer dated 28 June 2018 entered into between the City of Onkaparinga and Hepenstal Park Development Pty Ltd.

On 21 August 2018 that order was confirmed by the Minister for Transport, Infrastructure and Local Government conditionally upon the deposit by the Registrar-General of Deposited Plan 119039 being the authority for the new boundaries.

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

Dated: 23 August 2018

M. P. BURDETT
Surveyor-General

SERVICE SA

16 AUGUST 2018–30 JUNE 2019 PRICE LIST

Legislation, Government Publications and South Australian Government Gazette Rates

LEGISLATION					
Annual Subscriptions	\$ Excl. GST	\$ Incl. GST	Bound Legislation	\$ Excl. GST	\$ Incl. GST
Acts	258.27	284.10	Statutes—each volume	287.09	315.80
Bills as laid	621.55	683.70	Statutes Index—each volume	144.00	158.40
Regulations and Rules	621.55	683.70			
Parliamentary Papers	621.55	683.70			
Legislation Standing Orders	\$ Excl. GST	\$ Incl. GST	Legislation on Disc	\$ Excl. GST	\$ Incl. GST
1–50 pages	5.18	5.70	Complete database	3989.50	4388.45
51–100 pages	9.36	10.30	Annual subscription issued fortnightly	1226.41	1349.05
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301+ pages	31.36	34.50			
GOVERNMENT PUBLICATIONS					
Compendium	\$ Excl. GST	\$ Incl. GST	Hansard	\$ Excl. GST	\$ Incl. GST
Complete archive	2598.32	2858.15	Each copy	18.86	20.75
Annual subscription issued fortnightly	917.50	1009.25	Annual subscription issued weekly	537.00	590.70
			Annual subscription issued daily	537.00	590.70
Government Gazette	\$ Excl. GST	\$ Incl. GST	Bound Sittings—each volume	231.32	254.45
Each copy	6.82	7.50			
Annual subscription issued weekly	343.77	378.15			
Email subscription issued weekly	30.00	33.00			
POSTAGE RATES					
Domestic Oceania Zone	\$ Excl. GST	\$ Incl. GST	International	\$ GST Exempt	
1–125 grams	1.95	2.15	1–125 grams	2.15	
126–500 grams	2.91	3.20	126–500 grams	3.25	
501–750 grams	4.86	5.35	501–750 grams	5.35	
751–1000 grams	9.77	10.75	751–1000 grams	10.70	
1001+ grams	14.59	16.05	1001+ grams	16.10	
SOUTH AUSTRALIAN GOVERNMENT GAZETTE NOTICES					
Estates	\$ Excl. GST	\$ Incl. GST	Businesses	\$ Excl. GST	\$ Incl. GST
Assigned	36.68	40.35	Dissolution of partnership	36.68	40.35
Deceased persons—single creditor	62.27	68.50	Unclaimed moneys—single name	36.68	40.35
each subsequent creditor	12.64	13.90	each subsequent name	12.64	13.90
Deceased persons—single estate	36.68	40.35	Sale of land by public auction	62.73	69.00
each subsequent estate	1.68	1.85			
Public Trustee—each estate	12.64	13.90	Page Rates	\$ Excl. GST	\$ Incl. GST
Selling of probate	49.73	54.70	Each line	3.50	3.85
			¼ page notice	146.82	161.50
			½ page notice	293.59	322.95
			Full page notice	575.09	632.60

Dated: 15 August 2018

TANYA LANCASTER
Government Printer

THE DISTRICT COURT OF SOUTH AUSTRALIA

PORT AUGUSTA CIRCUIT COURT

Sheriff's Office, Adelaide, 3 September 2018

IN pursuance of a precept from the District Court to me directed, I do hereby give notice that the said Court will sit as a Court of Oyer and Terminer and General Gaol Delivery at the Courthouse at Port Augusta on the day and time undermentioned and all parties bound to prosecute and give evidence and all jurors summoned and all others having business at the said Court are required to attend the sittings thereof and the order of such business will be unless a Judge otherwise orders as follows:

Monday 3 September 2018 at 10 a.m. on the first day of the sittings the only business taken will be the arraignment of prisoners in gaol and the passing of sentences on prisoners in gaol committed for sentence; the surrender of prisoners on bail committed for sentence; the surrender of persons in response to *ex officio informations* or of persons on bail and committed for trial who have signified their intentions to plead guilty and the passing of sentences for all matters listed for disposition by the District Court.

Juries will be summoned for 3 September 2018 and persons will be tried on this and subsequent days of the sittings.

*Prisoners in H.M. Gaol and on Bail for Sentence and for Trial at the Sittings
of the Port Augusta Courthouse, commencing 3 September 2018*

Albanis, Kelly	Traffic in a controlled drug (2)	On bail
Schiller, Michael		
Burgoyne, Jason Byron	Aggravated serious criminal trespass in a place of residence	In gaol
Chamberlain, Leigh	Possess prescribed firearm without licence/contravene term of Intervention Order	In gaol
Gill, Alicia	Aggravated assault/attempting to dissuade a witness	In gaol
Godbolt, Donna Marie	Aggravated unlawful; stalking	On bail
Grillett, Tyron Sydney	Aggravated detain person to commit indictable offence/aggravated assault causing	On bail
Anderson, Robert Joseph		In gaol
Geddes, Matthew John		In gaol
Hales Kenneth John	Traffic in commercial quantity of controlled drug	On bail
Hirschhausen, Dwayne Andrew	Cultivate a commercial quantity of controlled plant	On bail
Ireland, Ricky Bruce	Traffic in large commercial quantity of controlled drug; possess a prescribed firearm	In gaol
Ward, Charles Graham	without identifying mark (2); acquire, own or possess ammunition without licence or permit; unlawful possession; possess controlled drug; aggravated possessing a firearm without a licence (3); trafficking in a large commercial quantity of a controlled drug	On bail
McMahon, Tara Louise	Drive motor vehicle with methamphetamine in fluid or blood	On bail
McMahon, Tara Louise	Drive under disqualification or suspension	On bail
McMahon, Tara Louise	Drive motor vehicle with methamphetamine in fluid or blood	On bail
McMahon, Tara Louise	Drive motor vehicle with methamphetamine in fluid or blood	On bail
McMahon, Tara Louise	Drive under disqualification or suspension	On bail
Schulz, Denham	Traffic in a controlled drug; unlawful possession	On bail
Stephenson, Lachlan	Aggravated causing harm with intent to cause harm	On bail
Stewart, Neville	Aggravated serious criminal trespass in a place of residence; theft	On bail
Swan, Deanna	Aggravated cause harm	On bail
Walden, Kerry David	Aggravated causing harm with intent to cause harm (3)	On bail
Buckley, James Robert		On bail
Warren, Caleb Angus	Misuse motor vehicle; endanger life; damage property; assault	On bail
Watson, Donald Alexander	Aggravated indecent assault (2); unlawful sexual intercourse with a person under 14 years	On bail

Prisoners on bail must surrender at 10 a.m. of the day appointed for their respective trials. If they do not appear when called upon their recognizances and those of their bail will be estreated and a bench warrant will be issued forthwith.

By order of the Court,

S. FERGUSON
Sheriff

South Australia

Administrative Arrangements (Committal of Acts) Proclamation 2018

under section 5 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Committal of Acts) Proclamation 2018*.

2—Commencement

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

3—Committal of Acts

The administration of an Act referred to in Schedule 1 is committed to the Minister for Transport, Infrastructure and Local Government.

Schedule 1—Acts committed to Minister for Transport, Infrastructure and Local Government

Bills of Sale Act 1886

Community Titles Act 1996

Electronic Conveyancing National Law (South Australia) Act 2013

Law of Property Act 1936

Liens on Fruit Act 1923

Real Property Act 1886

Real Property (Registration of Titles) Act 1945

Registration of Deeds Act 1935

Stock Mortgages and Wool Liens Act 1924

Strata Titles Act 1988

Worker's Liens Act 1893

Made by the Governor

with the advice and consent of the Executive Council
on 23 August 2018

DPC18/048CS

South Australia

Spent Convictions (Prescribed Screening Unit) Variation Regulations 2018

under the *Spent Convictions Act 2009*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Spent Convictions Regulations 2011*

- 4 Variation of regulation 5B—Prescribed exclusions (Schedule 1 clause 9A of Act)
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Spent Convictions (Prescribed Screening Unit) Variation Regulations 2018*.

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 *Spent Convictions Regulations 2011*

4—Variation of regulation 5B—Prescribed exclusions (Schedule 1 clause 9A of Act)

(1) Regulation 5B(1)—after paragraph (b) insert:

- (c) in relation to the assessment of a person's criminal record check conducted by the Teachers Registration Board under Part 5 of the *Teachers Registration and Standards Act 2004* for the purpose of determining whether the person is eligible for registration as a teacher under that Part;
- (d) in relation to the assessment of a person's criminal record check conducted by the Teachers Registration Board under Part 6 of the *Teachers Registration and Standards Act 2004* for the purpose of determining whether the person is to be granted a special authority under that Part;

- (e) in relation to investigations or inquiries conducted by the Teachers Registration Board under Part 7 of the *Teachers Registration and Standards Act 2004* into a teacher's conduct or capacity to teach for the purpose of determining whether action should be taken in relation to the teacher under that Part.
- (2) Regulation 5B(3)—after paragraph (b) insert:
- (c) the Teachers Registration Board established under the *Teachers Registration and Standards Act 2004*.

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 23 August 2018

No 204 of 2018

AGO0093-18CS

CORPORATION OF THE CITY OF ADELAIDE
BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999
Permits and Penalties By-law 2018
By-law No. 1 – of 2018

To provide for a permit system, set penalties for breaches of by-laws, provide for certain matters pertaining to liability and evidence, set regulatory requirements, clarify the construction of Council's by-laws and for related purposes.

Part 1 – Preliminary

1. **Short Title**

This by-law may be cited as the *Permits and Penalties By-law 2018*.

2. **Commencement**

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

3. **Definitions**

3.1 In any by-law of the Council, unless the contrary intention is clearly indicated:

3.1.1 **person** includes a natural person, a body corporate, an incorporated association and an unincorporated association;

3.1.2 **the Council** means the Corporation of the City of Adelaide;

3.1.3 **permission** means the permission of the Council, or such other person as the Council may by resolution authorise for that purpose, given in writing prior to the act, event or activity to which it relates.

3.2 In this by-law:

3.2.1 **Approved Form** means the form approved from time to time by the Chief Executive Officer of the Council;

3.2.2 **Authorised Person** has the same meaning as in the *Local Government Act 1999*;

3.2.3 **Drive** and **Driver** have the same meaning as in the *Road Traffic Act 1961*;

3.2.4 **Food Business** has the same meaning as in the *Food Act 2001*;

3.2.5 **Local Government Land** has the same meaning as in the Council's *By-law No. 3 – Local Government Land*;

3.2.6 **Owner** has the same meaning as in the *Road Traffic Act 1961*;

3.2.7 **Premises** has the same meaning as in the *Food Act 2001*;

3.2.8 **Prescribed Offence** means an offence against a by-law of the Council relating to the Driving, parking or standing of vehicles;

3.2.9 **Proprietor** has the same meaning as in the *Food Act 2001*;

3.2.10 **Road** has the same meaning as in the *Local Government Act 1999*;

3.2.11 **Vehicle** has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules*.

Part 2 – Permits

4. **Council May Grant Permits**

If any by-law of the Council states that a person needs a 'permit' or 'permission' to do a specified thing, then the following provisions apply:

4.1 The permit must be in writing.

4.2 The Council may:

4.2.1 attach conditions to the permit;

4.2.2 change or revoke a condition, by notice in writing; or

4.2.3 add new conditions, by notice in writing.

4.3 A person who holds a permit must comply with every condition attached to it. Failure to do so constitutes a breach of this by-law.

4.4 The Council may revoke a permit, by notice in writing, if:

4.4.1 the holder of the permit fails to comply with a condition attached to it; or

4.4.2 the permit is of a continuing nature, and the Council has reasonable grounds for revoking it.

4.5 The Council may, by resolution, fix, vary or revoke fees or charges for the granting of a permit to do a specified thing.

Part 3 – Enforcement

5. **Offences and Penalties**

5.1 A person who contravenes, or fails to comply with any by-law of the Council is guilty of an offence and is liable to a maximum penalty being the maximum penalty referred to in the *Local Government Act 1999*, which may be fixed for offences against a by-law.

5.2 A person who is found guilty of an offence against any by-law of the Council in respect of a continuing act or omission is liable, in addition to the penalty otherwise applicable, to a further penalty being the maximum amount referred to in the *Local Government Act 1999* which may be fixed for offences of a continuing nature against a by-law.

6. **Liability of Vehicles Owners and Expiation of Certain Offences**

6.1 Without derogating from the liability of any other person, but subject to this clause, if a Vehicle is involved in a Prescribed Offence, the Owner of the Vehicle is guilty of an offence and liable to the same penalty as is prescribed for the principal offence and the expiation fee that is fixed for the principal offence applies in relation to an offence against this clause.

- 6.2 The Owner and Driver of a Vehicle are not both liable through the operation of this clause to be convicted of an offence arising out of the same circumstances, and consequently conviction of the Owner exonerates the Driver and conversely conviction of the Driver exonerates the Owner.
- 6.3 An expiation notice or expiation reminder notice given under the *Expiation of Offences Act 1996* to the Owner of a Vehicle for an alleged Prescribed Offence involving the Vehicle must be accompanied by a notice inviting the Owner, if he or she was not the Driver at the time of the alleged Prescribed Offence, to provide the Council or officer specified in the notice, within the period specified in the notice, with a statutory declaration:
- 6.3.1 setting out the name and address of the Driver; or
- 6.3.2 if he or she had transferred Ownership of the Vehicle to another prior to the time of the alleged offence and has complied with the *Motor Vehicles Act 1959* in respect of the transfer - setting out details of the transfer (including the name and address of the transferee).
- 6.4 Before proceedings are commenced against the Owner of a Vehicle for an offence against this section involving the Vehicle, the complainant must send the Owner a notice:
- 6.4.1 setting out particulars of the alleged Prescribed Offence; and
- 6.4.2 inviting the Owner, if he or she was not the Driver at the time of the alleged Prescribed Offence, to provide the complainant, within 21 days of the date of the notice, with a statutory declaration setting out the matters referred to in clause 6.3.
- 6.5 Clause 6.4 does not apply to:
- 6.5.1 proceedings commenced where an Owner has elected under the *Expiation of Offences Act 1996* to be prosecuted for the offence; or
- 6.5.2 proceedings commenced against an Owner of a Vehicle who has been named in a statutory declaration under this section as the Driver of the Vehicle.
- 6.6 Subject to clause 6.7, in proceedings against the Owner of a Vehicle for an offence against this clause, it is a defence to prove:
- 6.6.1 that, in consequence of some unlawful act, the Vehicle was not in the possession or control of the Owner at the time of the alleged Prescribed Offence; or
- 6.6.2 that the Owner provided the complainant with a statutory declaration in accordance with an invitation under this clause.
- 6.7 The defence in clause 6.6.2 does not apply if it is proved that the Owner made the declaration knowing it to be false in a material particular.
- 6.8 If:
- 6.8.1 an expiation notice is given to a person named as the alleged Driver in a statutory declaration under this clause; or
- 6.8.2 proceedings are commenced against a person named as the alleged Driver in such a statutory declaration, the notice or summons, as the case may be, must be accompanied by a notice setting out particulars of the statutory declaration that named the person as the alleged Driver.
- 6.9 The particulars of the statutory declaration provided to the person named as the alleged Driver must not include the address of the person who provided the statutory declaration.

Part 4 – Food Business Notification

7. Food Business Notification Confirmation

- 7.1 Upon receipt and processing of a written notice received from the Proprietor of a Food Business in accordance with Section 86 of the *Food Act 2001* the Council will issue the Proprietor with a food business notification confirmation, in the Approved Form, evidencing that the Proprietor has complied with their obligations pursuant to Section 86 of the *Food Act 2001*.
- 7.2 The Proprietor of a Food Business must, at all times, keep a copy of the food business notification confirmation issued to them by the Council displayed in a prominent position on the Premises of the Food Business that is clearly visible from the outside of the Premises to potential customers, members of the public and passers-by.

Part 5 – Miscellaneous

8. Evidence

In proceedings for a Prescribed Offence, an allegation in an information that:

- 8.1 a specified place was a Road or Local Government Land; or
- 8.2 a specified Vehicle was driven, parked or left standing in a specified place; or
- 8.3 a specified Vehicle was parked or left standing for the purposes of soliciting business from a person or offering or exposing goods for sale; or
- 8.4 a specified place was not set aside by the Council for the purposes of the Driving, parking or standing of vehicles; or
- 8.5 a specified person was an Authorised Person; or
- 8.6 a specified provision was a condition of a specified permit granted under paragraph 4 of this by-law; or
- 8.7 a specified person was the Owner or Driver of a specified vehicle; or
- 8.8 a person named in a statutory declaration under paragraph 6 of this by-law for the Prescribed Offence to which the declaration relates was the Driver of the Vehicle at the time at which the alleged offence was committed; or
- 8.9 an Owner or Driver of a Vehicle for a Prescribed Offence was given notice under paragraph 6 of this by-law on a specified day,

is proof of the matters so alleged in the absence of proof to the contrary.

9. Construction

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

10. Revocation

Council's *By-law No. 1 – Permits and Penalties*, published in the *Gazette* on 9 June 2011, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Corporation of the City of Adelaide held on 14 August 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

BETH DAVIDSON-PARK
Acting Chief Executive Officer

CORPORATION OF THE CITY OF ADELAIDE
BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999
Moveable Signs By-law 2018
By-law No. 2 of 2018

To protect visual amenity and public safety on roads by setting standards for moveable signs and providing conditions for the design, construction and placement of such signs in a manner which recognises the advertising needs of businesses to maximise economic viability.

Part 1 – Preliminary**1. Short Title**

This by-law may be cited as the *Moveable Signs By-law 2018*.

2. Commencement

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

3. Definitions

In this by-law:

- 3.1 **Authorised Person** has the same meaning as in the *Local Government Act 1999*;
- 3.2 **Boundary** means that line between private property and the Road or Road Related Area;
- 3.3 **Business** means the business or organisation to which a Moveable Sign relates;
- 3.4 **Business Premises** means the premises from which a business, trade or calling is conducted;
- 3.5 **Ceremonial Street** means any Road declared as such by the Council;
- 3.6 **Footpath Area** means:
 - 3.6.1 that part of the Road between the boundary of the Road and the edge of the carriageway of the Road on the same side as that boundary; or
 - 3.6.2 a footway, laneway or other place made or constructed for the use of pedestrians and not for the use of Vehicles;
- 3.7 **Local Government Land** means land owned by the Council or under the Council's care, control and management;
- 3.8 **Moveable Sign** has the same meaning as in the *Local Government Act 1999*;
- 3.9 **Road** has the same meaning as in the *Local Government Act 1999* and includes a footpath;
- 3.10 **Road Related Area** has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules*;
- 3.11 **Vehicle** has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules*.

Part 2 – Provisions Applicable to Moveable Signs**4. Design and Construction**

A Moveable Sign must:

- 4.1 be of a kind known as an 'A' frame sign, a Sandwich Board sign, an inverted 'T' sign or, with the permission of the Council, a sign of some other kind;
- 4.2 be designed, constructed and maintained in good quality and condition so as not to present a hazard to any member of the public;
- 4.3 be of strong construction so as to be stable when in position and be able to keep its position in adverse weather conditions;
- 4.4 not contain sharp or jagged edges or corners;
- 4.5 not be unsightly or offensive in appearance or content;
- 4.6 not rotate or contain moving parts;
- 4.7 not contain flashing lights or be illuminated internally;
- 4.8 be constructed of timber, cloth, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 4.9 not have balloons, flags, streamers or other material attached to it;
- 4.10 not exceed 900 mm in perpendicular height, or have a base with any side exceeding 600 mm in length;
- 4.11 in the case of an 'A' Frame or Sandwich Board sign:
 - 4.11.1 be hinged or joined at the top; and
 - 4.11.2 be of such construction that its sides shall be securely fixed or locked in position when erected; and
- 4.12 in the case of an inverted 'T' sign, contain no struts or supports that run between the display area and the base of the sign.

5. Appearance

A Moveable Sign must, in the opinion of an Authorised Person:

- 5.1 be painted or otherwise detailed in a competent and professional manner;

- 5.2 be aesthetically appealing, legible and simply worded to convey a precise message;
- 5.3 be of such design and contain such colours as are compatible with the architectural design of the premises adjacent to the moveable sign, and which relate well to the townscape and overall amenity of the locality in which it is situated;
- 5.4 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; and
- 5.5 not detract from or conflict with traffic, safety or direction signs or signals.

6. Placement

A Moveable Sign must:

- 6.1 only be placed on the Footpath Area of a Road;
- 6.2 be adjacent to the Business Premises to which it relates;
- 6.3 be placed no closer than 600 mm from the edge of the carriageway of a Road;
- 6.4 not be placed on a Footpath Area less than 1.8 m from any structure, object, tree, bush or plant (including another Moveable Sign);
- 6.5 not be fixed, tied, chained to or leaned against any other structure, object, tree, bush or plant (including another Moveable Sign);
- 6.6 not be placed on the sealed part of any Footpath Area, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare for pedestrians of a width of at least 1.8 m;
- 6.7 not be placed on a Footpath Area unless the Footpath Area is at least 3 m wide;
- 6.8 not be placed within 1.8 m of the corner of a Road;
- 6.9 not be placed on a landscaped area;
- 6.10 not be placed on a designated parking area or within 1.8 m of an entrance to or exit from premises;
- 6.11 not be placed within 1.8 m of an intersection;
- 6.12 not unreasonably restrict the use of the Footpath Area or endanger the safety of members of the public;
- 6.13 not be placed so as to interfere with the reasonable movement of persons using the Footpath Area in the vicinity of or adjacent to where the moveable sign is positioned or endanger the safety of members of the public;
- 6.14 not be placed on any Footpath Area adjacent to a Road which contains a designated bus, taxi, disabled or loading zone;
- 6.15 not be placed within 1.8 m of a construction site;
- 6.16 not be placed on a Ceremonial Street; and
- 6.17 not be placed so as to obstruct or impede a Vehicle door when opened, provided that the Vehicle is parked lawfully on the carriageway.

7. Restrictions

7.1 A Moveable Sign must:

- 7.1.1 only display material which advertises a Business being conducted on premises which is immediately adjacent to the Moveable Sign, or the products available from that Business;
- 7.1.2 be limited to one Moveable Sign per Business Premises;
- 7.1.3 only be displayed when the Business to which the Moveable Sign relates is open to the public;
- 7.1.4 be securely fixed in position such that it cannot be blown over or swept away in adverse weather conditions;
- 7.1.5 not be in such a position or in such circumstances that the safety of any person or user of the Road is at risk;
- 7.1.6 not be displayed during the hours of darkness unless it is in a clearly lit area and clearly visible; and
- 7.1.7 not be displayed on a median strip, traffic island or on the carriageway of a Road.

7.2 If in the opinion of the Council a Footpath Area or other area forming the boundary of any Road is unsafe for any Moveable Sign to be displayed or placed the Council may by resolution prohibit or restrict the display or placement of a Moveable Sign or the times at which a Moveable Sign may be displayed or placed in that area.

8. Signs on Local Government Land

A person must not, without permission, display or cause to be displayed a Moveable Sign on any Local Government Land or rest on or attach to any Vehicle on any Local Government Land any Moveable Sign, except a Moveable Sign:

- 8.1 attached to a licensed taxi or bus;
- 8.2 on or attached to a Vehicle belonging to any council and which has been placed on or attached to the Vehicle with the consent of the council to which the Vehicle belongs;
- 8.3 on or attached to a Vehicle which only has a sign or signs painted on or glued to it, the main purpose of which is to identify it as belonging to a Business; or
- 8.4 comprising a sunscreen on a Vehicle, where any message or trade name or mark on the sunscreen does not advertise a Business being carried on in the vicinity of the place the Vehicle is parked, or the products available from that Business.

9. Exemptions

- 9.1 Subparagraphs 7.1 and 7.2 of this by-law do not apply to a Moveable Sign which is displayed and used to advertise a garage sale taking place from residential premises provided that no more than four Moveable Signs per residential premises may be displayed at any one time in relation to a garage sale taking place at that residential premises.
- 9.2 A requirement of this by-law will not apply where permission has been granted for the Moveable Sign to be displayed contrary to the requirement.
- 9.3 This by-law will not apply to a Moveable Sign which is:
 - 9.3.1 placed on a Road pursuant to an authorisation under the *Local Government Act 1999*, or another Act; or

- 9.3.2 designed to direct people to the open inspection of any land or building that is available for purchase or lease; or
- 9.3.3 related to a State or Commonwealth election and is displayed during the period commencing at 5.00pm on the day before the issue of writ or writs for the election and ending at the close of polls on polling day; or
- 9.3.4 related to an election held under the *Local Government Act 1999*, or the *Local Government (Elections) Act 1999* and is displayed 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;
- 9.3.5 related to a referendum and is displayed during the course and for the purpose of that referendum.

Part 3 – Enforcement

10. Removal of Non-complying Moveable Signs

- 10.1 If:
 - 10.1.1 the design or construction of a Moveable Sign that has been placed on a Road does not comply with a requirement of this by-law; or
 - 10.1.2 the positioning of a Moveable Sign does not comply with a requirement of this by-law; or
 - 10.1.3 any other relevant requirement of this by-law is not complied with; or
 - 10.1.4 the sign unreasonably:
 - 10.1.4.1 restricts the use of the Road; or
 - 10.1.4.2 endangers the safety of members of the public, an Authorised Person may order the owner of the Moveable Sign to remove it from the Road.

an Authorised Person may order the owner of the Moveable Sign to remove it from the Road.
- 10.2 A person must comply with an Order of an Authorised Person made pursuant to subparagraph 10.1 of this bylaw.
- 10.3 If the Authorised Person cannot find the owner, or the owner fails to comply immediately with the Order made pursuant to subparagraph 10.1 of this by-law, the Authorised Person may remove the Moveable Sign.
- 10.4 If a Moveable Sign that is removed pursuant to subparagraph 10.3 of this by-law, is not claimed within thirty days of such removal, the Authorised Person may sell, destroy or otherwise dispose of the Moveable Sign as the Authorised Person thinks fit.
- 10.5 The owner or other person entitled to recover a Moveable Sign removed pursuant to subparagraph 10.3 of this by-law must pay to the Council any reasonable costs incurred by the Council in removing, storing and attempting to dispose of the Moveable Sign before being entitled to recover the Moveable Sign.

11. Removal of Complying Moveable Signs

- 11.1 The owner of, or other person responsible for, a Moveable Sign must remove or relocate the Moveable Sign at the request of an Authorised Person if, in the reasonable opinion of that Authorised Person, and notwithstanding 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 Sign.
- 11.2 The owner of, or other person responsible for, a Moveable Sign must remove or relocate the Moveable Sign at the request of an Authorised Person for the purpose of special events, parades, roadworks or in any other circumstances which, in the reasonable opinion of the Authorised Person, requires relocation or removal of the Moveable Sign to protect public safety or to protect or enhance the amenity of a particular locality.

Part 4 – Miscellaneous

12. Revocation

Council's *By-law No. 2 – Moveable Signs*, published in the *Gazette* on 9 June 2011, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Corporation of the City of Adelaide held on 14 August 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

BETH DAVIDSON-PARK
Acting Chief Executive Officer

CORPORATION OF THE CITY OF ADELAIDE
BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999
Local Government Land By-law 2018
By-law No. 3 of 2018

For the management of all land vested in or under the care, control and management of the Council.

Part 1 – Preliminary

- 1. **Short Title**
This by-law may be cited as the *Local Government Land By-law 2018*.
- 2. **Commencement**
This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.
- 3. **Definitions**
In this by-law:
 - 3.1 **Authorised Person** has the same meaning as in the *Local Government Act 1999*;
 - 3.2 **Boat** means any boat, craft, raft or other vessel designed or constructed for the purpose of carrying persons on water;
 - 3.3 **Building** includes any structure and or fixture of any kind whether for human habitation or not;

- 3.4 **Central Market** means portion of allotment 11 in Filed Plan 26448, being portion of the land comprised in Certificate of Title Volume 6118 Folio 750, and being that portion that was previously comprised as Town Acres 333 and 380 in the Council's area, but excludes that area above ground level car park known as UPark on Central Market;
- 3.5 **E-Cigarette** means:
- 3.5.1 a device that is designed to generate or release an aerosol or vapour for inhalation by its user in a manner similar to the inhalation of smoke from an ignited tobacco product; or
- 3.5.2 a device of a kind resolved by the Council and notified by notice in the *Gazette* to be an E-Cigarette;
- 3.6 **Electoral Matter** has the same meaning as in the *Electoral Act 1985*;
- 3.7 **Emergency Vehicle** has the same meaning as in the *Australian Road Rules* and the *Road Traffic (Road Rules) Ancillary and Miscellaneous Provisions Regulations 2014*;
- 3.8 **Horse Riding Track** means the area set aside primarily for the purpose of riding horses in Nanto Womma (Park 6) located in the North Park Lands between Robe Terrace, Medindie Road, LeFevre Terrace and Kingston Terrace or any other area that the Council may by resolution designate for that purpose;
- 3.9 **Liquor** has the same meaning as in the *Liquor Licensing Act 1997*;
- 3.10 **Livestock** has the same meaning as in the *Livestock Act 1997*, but does not include dogs and cats;
- 3.11 **Local Government Land** means all land vested in or under the care, control and management of the Council (except streets and roads);
- 3.12 **Model Aircraft** includes a drone;
- 3.13 **National Soldiers Memorial** means the land described in Section 2(1) of the *National Soldiers Memorial Act 1949*;
- 3.14 **Offensive** includes threatening, abusive, insulting or annoying behaviour and 'offend' has a complementary meaning;
- 3.15 **Playground** means:
- 3.15.1 any fenced area on or in which there is equipment or other installed devices for the purpose of children's play; or
- 3.15.2 any unfenced area within 15 m of equipment or other installed devices for the purposes of children's play;
- 3.16 **Public Place** has the same meaning as in the *Local Government Act 1999*;
- 3.17 **River Torrens** means any part of the River Torrens situated within the area of the Council, including, but not limited to:
- 3.17.1 the waters known as Torrens Lake;
- 3.17.2 the waters impounded by the dam referred to in Section 25 of the *Adelaide Park Lands Act 2005*; and
- 3.17.3 any watercourse or drain leading to the River Torrens;
- 3.18 **Road** has the same meaning as in the *Local Government Act 1999* and includes a footpath;
- 3.19 **Smoke** means:
- 3.19.1 in relation to a Tobacco Product, smoke, hold, or otherwise have control over, an ignited Tobacco Product; or
- 3.19.2 in relation to an E-Cigarette, to inhale from, hold or otherwise have control over, an E-Cigarette that is in use;
- 3.20 **Tobacco Product** has the same meaning as in the *Tobacco Products Regulation Act 1997*;
- 3.21 **Vehicle** has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules*;
- 3.22 **Waters** includes any body of water, including a pond, lake, river, creek or wetland under the care, control and management of the Council;
- 3.23 **Wheeled Recreational Device** has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules*.

Part 2 – Management of Local Government Land

4. Activities Requiring Permission

A person must not without permission on any Local Government Land:

- 4.1 **Alteration of Local Government Land**
make an alteration to the land, including:
- 4.1.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property; or
- 4.1.2 erecting or installing a structure (including pipes, wires, cables, fixtures, fittings and other objects) in, on, across, under or over the land; or
- 4.1.3 changing or interfering with the construction, arrangement or materials of the land; or
- 4.1.4 changing, interfering with or removing a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the land; or
- 4.1.5 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land;
- 4.2 **Amplification**
use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound;
- 4.3 **Athletic and Ball Sports and Games**
- 4.3.1 promote, organise or take part in any organised athletic sport in any area to which this subparagraph applies;
- 4.3.2 play or practice the game of golf in any area to which this subparagraph applies;
- 4.3.3 play any organised competition sport, as distinct from organised social play, in any area to which this subparagraph applies;

- 4.4 **Boats**
subject to the provisions of the *Harbors and Navigation Act 1993* and the *Marine Safety (Domestic Commercial Vessel) National Law*:
- 4.4.1 hire or offer for hire a boat, raft, pontoon or other watercraft or use same for commercial purposes;
- 4.4.2 launch, propel, float or otherwise use any boat, raft, pontoon or other watercraft on any Waters;
- 4.5 **Boat Ramps**
- 4.5.1 launch or retrieve a boat other than from a boat ramp constructed for that purpose;
- 4.5.2 allow any vehicle to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat;
- 4.6 **Bridge Jumping**
jump or dive into any Waters from any bridge or any other structure;
- 4.7 **Burials and Memorials**
- 4.7.1 bury, inter or spread the ashes of any human or animal remains;
- 4.7.2 erect any memorial;
- 4.8 **Business Use**
conduct, provide or offer to provide services for monetary consideration, including but not limited to personal training services;
- 4.9 **Camping and Tents**
- 4.9.1 camp or remain overnight whether in the open, a building, a vehicle or otherwise;
- 4.9.2 erect any tent or other structure;
- 4.10 **Canvassing**
convey any advertising, religious or other message to any bystander, passer by or other person except for any message or material:
- 4.10.1 that is related to a Commonwealth or State election and is conveyed during the period commencing at 5.00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 4.10.2 that is related to an election under the *Local Government Act 1999*, or the *Local Government (Elections) Act 1999* and is conveyed 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
- 4.10.3 that is related to, and conveyed, during the course of and for the purpose of a Referendum;
- 4.11 **Closed Lands**
enter or remain on any part of Local Government Land including any Waters:
- 4.11.1 at any time during which the Council has declared that the part shall be closed to the public, and which is indicated by a sign adjacent to the entrance to that part of the land;
- 4.11.2 where the land is enclosed with fences and/or walls, and gates have been closed and locked; or
- 4.11.3 where admission charges are payable, without paying those charges;
- 4.12 **Collections and Donations**
collect anything from any passer-by or ask for or receive or indicate that he or she desires a donation of money or any other thing;
- 4.13 **Depositing Rubbish etc**
deposit any structure, goods, materials, earth, soil, clay, gravel, sand, timber, stones, pebbles or any other matter or substance (including any liquid substance);
- 4.14 **Distribution**
give out or distribute any hand bill, book, notice, leaflet, or other printed matter to any bystander, passer-by or other person except any hand bill, book, notice, leaflet or other printed matter:
- 4.14.1 that is related to a Commonwealth or State election and is placed, given out or distributed during the period commencing at 5.00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 4.14.2 that is related to an election under the *Local Government Act 1999*, or the *Local Government (Elections) Act 1999* and is placed, given out or distributed 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
- 4.14.3 that is related to and placed, given out or distributed during the course of and for the purpose of a Referendum;
- 4.15 **Entertainment and Busking**
- 4.15.1 sing, busk, perform, chant, recite, mime or play any recording or upon any musical instrument so as to appear to be for the purpose of entertaining other persons;
- 4.15.2 conduct or hold any concert, festival, show, public gathering, circus, meeting, performance or any other similar activity;
- 4.16 **Erection of Structures**
- 4.16.1 erect a fence or hoarding, if:
- 4.16.1.1 the fence or hoarding is made of or contains barbed or razor wire; or
- 4.16.1.2 the fence is not easily visible at night and thereby creates a danger to users of the land;

- 4.16.2 erect, place, use or allow to remain:
- 4.16.2.1 a ladder or trestle;
- 4.16.2.2 any other equipment, appliance, object or material likely to cause an obstruction or danger to any person;
- 4.16.3 park, place, use or allow to remain a mobile crane, scissor lift, elevated platform vehicle or cherry picker;
- 4.17 **Fires**
subject to the *Fire and Emergency Services Act 2005*, light any fire except:
- 4.17.1 in a place provided by the Council for that purpose; or
- 4.17.2 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 m;
- 4.18 **Fireworks**
use, discharge or explode any fireworks;
- 4.19 **Flora and Fauna**
subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:
- 4.19.1 damage, pick, disturb, interfere with or remove any plant or flower thereon;
- 4.19.2 lead or drive any animal or stand or walk on any flower bed or garden plot;
- 4.19.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;
- 4.19.4 take, interfere with, tease, harm or disturb any animal, bird, marine creature or insect or the eggs or young of any animal, bird, marine creature or insect;
- 4.19.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;
- 4.19.6 disturb, interfere with or damage any burrow, nest or habitat of any animal bird;
- 4.19.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or marine creature;
- 4.19.8 burn any timber or dead wood;
- 4.20 **Liquor**
consume, carry or be in possession or in charge of any Liquor on any Local Government Land comprising Parks or Reserves to which the Council has resolved this subparagraph shall apply;
- 4.21 **Livestock**
- 4.21.1 cause or allow any Livestock to stray onto, move over, graze or be left unattended;
- 4.21.2 cause or allow any Livestock to enter, swim, bathe or remain in any Waters located on Local Government Land to which the Council has resolved this subparagraph shall apply;
- 4.21.3 lead or drive any Livestock, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind;
- 4.21.4 allow any Livestock to damage and flower bed, garden plot, tree, lawn or other item or place;
- 4.21.5 train any Livestock;
- 4.22 **Model Aircraft, Boats and Cars**
- 4.22.1 fly or operate a Model Aircraft, boat or model/remote control car which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of Local Government Land or detract from or be likely to detract from another person's lawful use and enjoyment of the land;
- 4.22.2 fly or operate a Model Aircraft, boat or model/remote control car on land to which the Council has resolved this subparagraph shall apply;
- 4.23 **Obstructions**
- 4.23.1 obstruct any path, footpath, track, gateway or other area;
- 4.23.2 erect, place, use or allow to remain over any path, footpath, track, gateway or other area any object including, but not limited to, any planter box, hoarding, crane, cherry picker, elevated platform vehicle, scaffolding, stage, ladder, trestle, appliance, or other equipment.
- 4.24 **Organised Ceremonies and Events etc**
hold, conduct or participate in a funeral, marriage ceremony, game, picnic, other event or entertainment on any Local Government Land except where the number of persons attending the event or entertainment does not exceed 20;
- 4.25 **Overhanging Articles**
suspend or hang any article or thing from any building, verandah, pergola, post or other structure where it might present a nuisance or danger to any person using Local Government Land;
- 4.26 **Playing Area**
use or occupy any playing area:
- 4.26.1 in such a manner as to damage or be likely to damage the surface of the playing area and/or infrastructure (above and under ground level);
- 4.26.2 in any manner contrary to the purpose for which the playing area was intended to be used or occupied;
- 4.26.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area;
- 4.27 **Preaching and Canvassing**
preach, canvass, harangue, tout for business or conduct any survey or opinion poll except:

- 4.27.1 in any area where the Council has, by resolution, determined this restriction shall not apply; or
- 4.27.2 any opinion poll that is related to a Commonwealth or State election and is conducted during the period commencing at 5.00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 4.27.3 any opinion poll that is related to an election under the *Local Government Act 1999*, or the *Local Government (Elections) Act 1999* and is conducted 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
- 4.27.4 any opinion poll that is related to and is conducted during the course of and for the purpose of a Referendum;
- 4.28 **Public Exhibitions and Displays**
- 4.28.1 allow or cause any public exhibition or display;
- 4.28.2 allow or cause to be displayed any bills, advertisements or other papers or items or mark with any substance or apply any stickers or stencils to a building or structure on Local Government Land or other public place except any bills, advertisements or other papers or items:
- 4.28.2.1 that are related to a Commonwealth or State election and are displayed during the period commencing at 5.00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 4.28.2.2 that are related to an election under the *Local Government Act 1999*, or the *Local Government (Elections) Act 1999* and are displayed 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
- 4.28.2.3 that are related to and displayed during the course of and for the purpose of a Referendum;
- 4.29 **Riverbank**
- drive or propel a Vehicle onto or from a riverbank other than by a ramp or thoroughfare constructed on the riverbank or provided by the Council for that purpose;
- 4.30 **Rubbish and Rubbish Dumps**
- 4.30.1 interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on Local Government Land;
- 4.30.2 remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging etc) that has been discarded in a Council bin on Local Government Land;
- 4.31 **Swimming**
- swim, bathe or wash in any Waters to which this subparagraph applies;
- 4.32 **Trading**
- 4.32.1 carry on the business of buying or selling, or offering or exposing for sale, or hiring or leasing any goods or services including, but not limited to any Vehicle, watercraft or aircraft; or
- 4.32.2 set up a Vehicle, stall, stand, table, tray, carpet or other structure for the apparent purpose of buying or selling, or offering or exposing for sale, or hiring or leasing any goods or services including, but not limited to any Vehicle, watercraft or aircraft;
- 4.33 **Vehicles**
- drive or propel any vehicle on local government land unless on an area or road that is constructed or set aside by the Council for that purpose.
5. **Prohibited Activities**
- A person must not on any Local Government Land:
- 5.1 **Birds**
- feed any bird;
- 5.2 **Climbing**
- climb on or over any fixture, fitting, plant, object or building other than in a Playground or other similar area that the Council has indicated by signage set aside for that purpose;
- 5.3 **Damaging or Defacing Property**
- attach any object, including an animal on a leash or a bike to any tree, gate, fence or other fixture other than a designated bicycle rack;
- 5.4 **Fishing**
- 5.4.1 fish in any Waters on Local Government Land to which the Council has resolved this subparagraph shall apply;
- 5.4.2 fish from any bridge or other structure on Local Government Land to which the Council has resolved this subparagraph shall apply;
- 5.5 **Interference with Permitted Use**
- interrupt, disrupt or interfere with any other person's use of Local Government Land which is permitted or for which permission has been granted;
- 5.6 **Playing Games**
- play or practice a game:
- 5.6.1 which is likely to cause damage to the land or anything in or on it;
- 5.6.2 which endangers the safety or interferes with the comfort of any person;
- 5.6.3 in any area where a sign indicates that the game is prohibited;

- 5.7 **Repairs to Vehicles**
perform the work of repairing, washing, painting, panelbeating or other work of any nature on or to any Vehicle, provided that this subparagraph shall not extend to running repairs in the case of breakdown;
- 5.8 **Smoking**
5.8.1 Smoke in any building on Local Government Land;
5.8.2 Smoke on any Local Government Land or part thereof to which the Council has resolved this subparagraph shall apply;
- 5.9 **Solicitation**
tout or solicit customers for the parking of Vehicles or for any other commercial purpose whatsoever;
- 5.10 **Toilets**
in any public convenience:
5.10.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
5.10.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
5.10.3 use it for a purpose for which it was not designed or constructed;
5.10.4 obstruct any cubicle, walkway or public area;
5.10.5 enter any toilet that is set aside for use of the opposite sex except:
5.10.5.1 where a child under the age of eight years is accompanied by an adult parent or guardian of that sex; or
5.10.5.2 to provide assistance to a disabled person; or
5.10.5.3 in the case of a genuine emergency;
- 5.11 **Use of Council Rubbish Bins**
deposit any commercial waste or other rubbish emanating from commercial premises in any Council rubbish bin;
- 5.12 **Use of Equipment**
use any form of equipment or property belonging to the Council other than in the manner and for the purpose for which it was designed;
- 5.13 **Waste**
deposit in any receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs;
- 5.14 **Waters**
wash clothes in, and/or add any substance to any Waters;
- 5.15 **Wheeled Recreational Devices**
use a Wheeled Recreational Device on any part of Local Government Land to which this subparagraph applies.

Part 3 – Restrictions Applying in Specific Areas

6. Central Market

In addition to the prohibitions generally applying to Local Government Land, a person must not do any of the following in the Adelaide Central Market without the permission of the Council:

- 6.1 **Animals**
bring into or allow any animal to remain (except an Assistance Dog as defined in the *Dog and Cat Management Act 1995*);
- 6.2 **Forklifts**
6.2.1 drive or use a forklift;
6.2.2 fail to carry proof of being qualified to drive a forklift;
6.2.3 fail to equip any forklift with an amber flashing warning device and an audible reversing warning device.

7. Horse Riding Track

In addition to the prohibitions generally applying to Local Government Land, a person must not do any of the following on a Horse Riding Track:

- 7.1 ride a horse at a gallop;
7.2 train a racehorse, trotting horse or quarter horse; or
7.3 ride or drive a horse with or attached to any cart or Vehicle.

8. National Soldiers Memorial

In addition to the prohibitions generally applying to Local Government Land, a person must not do any of the following in or on the National Soldiers Memorial or in or on the forecourt and gardens surrounding the National Soldiers Memorial:

- 8.1 affix any object or erect any fixture;
8.2 sit or lie upon any part of the building;
8.3 lie or stand on any seat; or
8.4 drive any vehicle, bicycle, small wheeled recreational vehicle including roller blades.

Part 4 – Miscellaneous

9. Directions

A person must comply with any reasonable direction or request from an Authorised Person relating to:

- 9.1 that person's use of the land;

- 9.2 that person's conduct and behaviour on the land;
- 9.3 that person's safety on the land;
- 9.4 the safety and enjoyment of the land by other persons.
10. **Removal of Animals and Exclusion of Persons**
- 10.1 If any animal is found on Local Government Land in breach of a by-law:
- 10.1.1 any person in charge of the animal shall forthwith remove it from that land on the request of an Authorised Person; and
- 10.1.2 any Authorised Person may remove any animal from the land if the person fails to comply with the request, or if no person is in charge of the animal.
- 10.2 An Authorised Person may direct any person who is considered to be committing, or has committed, a breach of a by-law to leave Local Government Land.
11. **Removal of Obstructions**
- If an object is obstructing any part of Local Government Land then the Council may remove the object provided that this paragraph shall not apply to any object that has been placed on Local Government Land with the permission of the Council or the object has been placed on the Local Government Land by some other lawful authority.
12. **Exemptions**
- The restrictions in this by-law do not apply to any Police Officer, 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, or an emergency worker when driving an Emergency Vehicle in an emergency situation.
13. **Application of Paragraphs**
- Any of subparagraphs 4.3, 4.20, 4.21.2, 4.22.2, 4.31, 5.4, 5.8.2 and 5.15 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with Section 246(3)(e) of the *Local Government Act 1999*.
14. **Revocation**
- Council's *By-law No. 3 – Local Government Land*, published in the *Gazette* on 9 June 2011, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Corporation of the City of Adelaide held on 14 August 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

BETH DAVIDSON-PARK
Acting Chief Executive Officer

CORPORATION OF THE CITY OF ADELAIDE
BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999
Roads By-law 2018
By-law No. 4 of 2018

For the management of roads vested in or under the control of the Council.

Part 1 – Preliminary

1. **Short Title**
- This by-law may be cited as the *Roads By-law 2018*.
2. **Commencement**
- This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.
3. **Definitions**
- In this by-law:
- 3.1 **Authorised Person** has the same meaning as in the *Local Government Act 1999*;
- 3.2 **Electoral Matter** has the same meaning as in the *Electoral Act 1985*;
- 3.3 **Emergency Vehicle** has the same meaning as in the *Australian Road Rules* and the *Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 3.4 **Livestock** has the same meaning as in the *Livestock Act 1997*;
- 3.5 **Model Aircraft** includes a drone;
- 3.6 **Road** has the same meaning as in the *Local Government Act 1999*;
- 3.7 **Vehicle** has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules*;
- 3.8 **Wheeled Recreational Device** has the same meaning as in the *Road Traffic Act 1961*.

Part 2 – Management of Roads

4. **Activities Requiring Permission**
- A person must not without permission on any Road:
- 4.1 **Advertising**
- 4.1.1 display any sign other than a Moveable Sign which is displayed on a Road in accordance with the Council's *Moveable Signs By-law 2018*;
- 4.1.2 place or maintain any goods on the Road or park or stand a Vehicle on the Road for the purpose of:

- 4.1.2.1 soliciting any business from any person; or
- 4.1.2.2 offering or exposing goods or services for sale
- provided that this subparagraph 4.1.2 shall not apply to a person who is simply travelling along a Road.
- 4.2 **Amplification**
use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound;
- 4.3 **Bicycles**
chain, lock or affix a bicycle to any pole, fence or other structure on a Road where the bicycle may cause an obstruction or damage the structure, other than on a structure specifically designed and set aside by the Council for that purpose;
- 4.4 **Bridge Jumping**
jump or dive from any bridge or other structure;
- 4.5 **Distribute**
give out or distribute any hand bill, book, notice, leaflet, or other printed matter to any bystander, passer-by or other person except any hand bill, book, notice, leaflet or other printed matter:
- 4.5.1 that is related to a Commonwealth or State election and is placed, given out or distributed during the period commencing at 5.00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 4.5.2 that is related to an election under the *Local Government Act 1999*, or the *Local Government (Elections) Act 1999* and is placed, given out or distributed 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
- 4.5.3 that is related to and placed, given out or distributed during the course of and for the purpose of a Referendum;
- 4.6 **Donations**
ask for or receive or indicate that he or she desires a donation of money or any other thing, or otherwise solicit for religious or charitable purposes;
- 4.7 **Fires and Fireworks**
- 4.7.1 subject to the *Fire and Emergency Services Act 2005*, light any fire except in a place provided by the Council for that purpose;
- 4.7.2 use, discharge or explode any fireworks;
- 4.8 **Hatches**
leave any hatch connected with adjacent premises unattended when open;
- 4.9 **Livestock**
lead or drive any Livestock on any Road except in those areas that the Council has by resolution designated for that purpose;
- 4.10 **Model Aircraft and Cars**
fly or operate a Model Aircraft or model/remote control car on any Road to which the Council has resolved this subparagraph applies;
- 4.11 **Preaching and Canvassing**
preach, canvass, harangue or otherwise solicit for religious purposes except on any Road or part thereof where the Council has, by resolution, determined this restriction shall not apply;
- 4.12 **Public Exhibitions and Displays**
- 4.12.1 sing, busk or play any recording or use any musical instrument;
- 4.12.2 conduct or hold any concert, festival, show, public gathering, circus, meeting, performance or any other similar activity;
- 4.12.3 cause any public exhibitions or displays, except on any Road or part thereof where the Council has, by resolution, determined this restriction shall not apply;
- 4.13 **Repairs to Vehicles**
perform the work of repairing, washing, painting, panelbeating or other work of any nature on or to any Vehicle, provided that this paragraph shall not extend to running repairs in the case of breakdown;
- 4.14 **Rubbish**
remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging etc) that has been discarded in a Council bin;
- 4.15 **Tents and Camping**
- 4.15.1 camp or remain overnight whether in the open, a building, a vehicle or otherwise;
- 4.15.2 erect any tent or other structure;
- 4.16 **Touting for Business**
tout for business;
- 4.17 **Use of Council Rubbish Bins**
deposit any commercial waste or other rubbish emanating from commercial premises in any Council rubbish bin;
- 4.18 **Venue Management**
allow patrons or potential patrons of a venue under their management or control to queue outside the venue;

- 4.19 **Wheeled Recreational Devices**
use a Wheeled Recreational Device on a footpath.
5. **Prohibited Activities**
A person must not on a Road;
- 5.1 **Birds**
feed any bird;
- 5.2 **Climbing**
climb on or over any fixture, fitting, plant, object or building;
- 5.3 **Damaging or Defacing Property**
attach any object to any tree, gate, fence or other fixture;
- 5.4 **Glass**
wilfully break any glass, china or other brittle material;
- 5.5 **Interference with Permitted Use**
interrupt, disrupt or interfere with any other person's use of the Road which is permitted or for which Permission has been granted;
- 5.6 **Toilets**
in any public convenience:
- 5.6.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
- 5.6.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 5.6.3 use it for a purpose for which it was not designed or constructed;
- 5.6.4 obstruct any cubicle, walkway or public area;
- 5.6.5 enter any toilet that is set aside for use of the opposite gender except:
- 5.6.5.1 if the person is under the age of eight years accompanying an adult; or
- 5.6.5.2 to provide assistance to a disabled person; or
- 5.6.5.3 in the case of a genuine emergency.
- Part 3 – Miscellaneous**
6. **Directions**
A person must comply with any reasonable direction or request from an Authorised Person relating to:
- 6.1 that person's use of the Road;
- 6.2 that person's conduct and behaviour on the Road;
- 6.3 that person's safety on the Road;
- 6.4 the safety and enjoyment of the Road by other persons.
7. **Removal of Animals and Persons**
- 7.1 If any animal is found on any part of a Road in breach of a by-law:
- 7.1.1 any person in charge of the animal must immediately remove it from that part of the Road on the request of an Authorised Person; and
- 7.1.2 an Authorised Person of the Council may remove the animal if a person fails to comply with the request, or if no person is in charge of the animal.
- 7.2 A person who 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.
- 7.3 Any Authorised Person may remove any person from a Road who is found committing a breach of a by-law, but must not use force in doing so.
8. **Removal of Objects**
If any goods, materials, object or substance has been left on a Road in breach of this by-law an authorised person or her or his agent may remove the item and dispose of it in a manner that authorised person thinks fit and may recover the costs of so doing from the person responsible as a debt.
9. **Exemptions**
The restrictions in this by-law do not apply to any Police Officer, 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, or an Emergency Worker when driving an Emergency Vehicle in an emergency situation.
10. **Application of Paragraph**
Subparagraph 4.10 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with Section 246(3)(e) of the *Local Government Act 1999*.
11. **Revocation**
Council's *By-law No. 4 – Roads*, published in the *Gazette* on 9 June 2011, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Corporation of the City of Adelaide held on 14 August 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

BETH DAVIDSON-PARK
Acting Chief Executive Officer

CORPORATION OF THE CITY OF ADELAIDE
BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999
Waste Management By-law 2018
By-law No. 5 of 2018

For the prevention and suppression of nuisances, obstructions and risks to public health by regulating and controlling the management of public places, kerbside removal of domestic, recyclable and green organic waste from premises, for regulating the management of Council property and otherwise for the good rule and government of the area and for the comfort, convenience and safety of its inhabitants.

Part 1 – Preliminary

1. **Short Title**

This by-law may be cited as the *Waste Management By-law 2018*.

2. **Commencement**

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the Act.

3. **Definitions**

In this by-law:

- 3.1 **Commercial and Industrial Waste (General)** has the same meaning as in the Environment Protection Authority Waste Guidelines;
- 3.2 **Commercial Cardboard** means non-contaminated cardboard generated by commercial premises but excludes Recyclables, contaminants such as wax boxes, milk cartons, boxes soiled by food, paints or oils, plastic or polystyrene;
- 3.3 **Container** includes without limitation any Domestic Waste Container, Green Organics Container or Recyclables Container provided by the Council or some other Container provided for the purposes of a private or commercial waste collection;
- 3.4 **Domestic Waste** means any kind of domestic waste including putrescibles generated from residences, but excludes liquids, metals (other than food containers), building materials, stones, bricks, soil, lead acid batteries, any dangerous or toxic waste, Commercial and industrial Waste (General), Listed Waste, Hazardous Waste or Radioactive Waste;
- 3.5 **Domestic Waste Container** means a Container provided or designated by the Council for the reception of Domestic Waste (maximum weight 60 kg);
- 3.6 **Footpath Area** means:
- 3.6.1 that part of the Road between the boundary of the Road and the edge of the carriageway of the Road on the same side as that boundary; or
- 3.6.2 a footway, laneway or other place made or constructed for the use of pedestrians and not for the use of Vehicles;
- 3.7 **Green Organics** means any clean organic matter consisting of lawn clippings, plants, vegetables, leaves, prunings, horse manure or other materials for which permission has been given by the Council but excludes any item larger than 15 cm in diameter, Domestic Waste, Commercial and Industrial Waste (General), Listed Waste, Hazardous Waste or Radioactive Waste;
- 3.8 **Green Organics Container** means a Container provided or designated by the Council for the reception of Green Organics (maximum weight 70 kg);
- 3.9 **Hard Waste** means solid waste arising from domestic premises which is not suitable for collection using a kerbside bin system and includes any internal and external household items, but excludes any Domestic Waste, Commercial and Industrial Waste (General), Listed Waste, Hazardous Waste, Radioactive Waste or waste that is not deemed suitable for collection by the Council;
- 3.10 **Hazardous Waste** has the same meaning as in the Environment Protection Authority Waste Guidelines;
- 3.11 **Listed Waste** has the same meaning as in the Environment Protection Authority Waste Guidelines;
- 3.12 **Private Thoroughfare** means a private street, road, lane, footway, alley, court or thoroughfare that the public is allowed to use and have access to;
- 3.13 **Radioactive Waste** has the same meaning as in the Environment Protection Authority Waste Guidelines;
- 3.14 **Recyclables** means newspapers, magazines, clean paper and cardboard, clean plastic containers of a type specified by the Council, clean tins and cans, clean glass and clean milk and juice containers and other materials for which permission has been given by the Council;
- 3.15 **Recyclables Container** means a Container provided or designated by the Council for the reception of Recyclables (maximum weight 60 kg);
- 3.16 **Road** has the same meaning as in the *Local Government Act 1999*.

Part 2 – Management of Waste System

4. **Provide Containers**

- 4.1 Every occupier of domestic premises, and every occupier of any other premises designated by the Council for that purpose, must keep on his or her premises the Domestic Waste Container, the Recyclables Container and the Green Waste Container provided to that premises by the Council.
- 4.2 No occupier of domestic premises, and every occupier of any other premises designated by the Council for that purpose, shall remove any or all of those Containers from his or her premises other than for the purpose of facilitating the relevant kerbside collection service.

5. **Management of Kerbside Collection Services**

5.1 **Domestic Waste**

- 5.1.1 The Council's Domestic Waste kerbside collection service will be provided only to premises outside of which a Domestic Waste Container is placed in accordance with this by-law.

- 5.1.2 An occupier of premises must ensure that the Domestic Waste Container only contains Domestic Waste.
- 5.2 **Recyclables**
- 5.2.1 The Council's Recyclables kerbside collection service will be provided only to premises outside of which a Recyclables Container is placed in accordance with this by-law.
- 5.2.2 An occupier of premises must ensure that the Recyclables Container only contains Recyclables.
- 5.3 **Green Organics**
- 5.3.1 The Council's Green Organics kerbside collection service will be provided only to premises outside of which a Green Organics Container is placed in accordance with this by-law.
- 5.3.2 An occupier of premises must ensure that the Green Organics Container only contains Green Organics.
- 5.4 **Keep Container Clean**
- 5.4.1 An occupier of premises must ensure that each Container is kept in a clean and sanitary condition, maintained in good order and repair and kept watertight at all times.
- 5.4.2 If a Container provided by the Council presented for collection is, in the opinion of the Council or the operator of the relevant kerbside collection service, in poor condition so as to make removal of the contents impracticable, the kerbside collection service will not be provided unless and until that condition is rectified.
- 5.5 **Keep Container Closed**
- 5.5.1 An occupier of premises must ensure that the lid of each Container is at all times able to be closed and kept closed except when waste is being deposited in or removed from the Container.
- 5.5.2 If a Container provided by the Council presented for collection is not closed, the kerbside collection service will not be provided unless and until that Container is presented for collection with the lid closed.
- 5.6 **Damage**
- 5.6.1 An occupier of premises must ensure that each Container is maintained so that it is not damaged or worn to the extent that:
- 5.6.1.1 it is not robust or watertight;
- 5.6.1.2 it is unable to be moved on its wheels (if any) efficiently;
- 5.6.1.3 the lid does not seal on the container when closed; or
- 5.6.1.4 its efficiency or use is otherwise impaired.
- 5.6.2 If a Container provided by the Council presented for collection is, in the opinion of the Council or the operator of the relevant kerbside collection service, damaged or worn so as to make removal of the contents impracticable, the kerbside collection service will not be provided unless and until the damage or wear is rectified.
- 5.7 **Collection Services**
- 5.7.1 An occupier of premises must facilitate the collection and removal of household waste, commercial waste, Recyclables and Green Organics from his or her premises by placing the relevant Container in accordance with subparagraph 5.7.2 of this by-law on the day of or the night before (and not before these times) the scheduled collection day.
- 5.7.2 An occupier of premises must ensure that the Container containing the relevant kind of material is placed out for collection:
- 5.7.2.1 on the Footpath Area in front of and on the same side as the premises, abutting the edge of (but not on) the carriageway and positioned so that the side of the Container on which the hinges of the lid are situated faces the premises; or
- 5.7.2.2 in another position as approved or directed by the Council; and
- 5.7.2.3 not under the overhanging branches of street trees; and
- 5.7.2.4 not so as to impede the passage of pedestrian or other traffic.
- 5.7.3 An occupier of:
- 5.7.3.1 commercial premises must remove the Container from the Footpath Area and Road:
- (a) within one hour of the collection, if the collection has occurred during business hours; or
- (b) by 9:00am on the day of collection, if the collection has occurred outside of business hours;
- 5.7.3.2 premises other than commercial premises must remove the Container from the Footpath Area and Road on the same day that the collection has taken place.
- 5.7.4 An occupier of premises must facilitate the collection and removal of Hard Waste from his or her premises by placing the Hard Waste out for collection:
- 5.7.4.1 on the day of or the night before (and not before these times) the scheduled collection day;
- 5.7.4.2 on the Footpath Area in front of and on the same side as the premises, abutting the edge of (but not on) the carriageway, or in another position as approved or permitted by the Council; and
- 5.7.4.3 not so as to impede the passage of pedestrian traffic.
- 5.8 **Commercial Cardboard**
- Where the Council makes available a Commercial Cardboard kerbside collection service an occupier of commercial premises:
- 5.8.1 must ensure that any Commercial Cardboard presented for collection is flattened, bundled and stacked;
- 5.8.2 who presents Commercial Cardboard for collection must ensure that:

- 5.8.2.1 any Commercial Cardboard which is bundled is tied with string or nylon and not with wire, cable or similar materials; or
- 5.8.2.2 any Commercial Cardboard which is not bundled is placed in another cardboard box; and
- 5.8.2.3 is placed on the Footpath Area or the Road at the collection point designated by the Council no earlier than 3 p.m. and no later than 6 p.m. on the collection day; and
- 5.8.3 must ensure that any Commercial Cardboard presented for collection is not placed on a Footpath Area or the Road so as to impede the passage of pedestrian or other traffic.

Part 3 – Enforcement

6. Interference with Waste Containers

A person must not remove, disburse or interfere with any Domestic Waste, Recyclables, Green Organics, Commercial Cardboard or Hard Waste contained within a Container (including bottles, newspapers, cans, containers or packaging) that has been placed on a Footpath Area, a Road or any other place for collection by the Council, its agents or contractors.

7. Private Thoroughfare

The owner or occupier of a Private Thoroughfare shall keep the thoroughfare clean and free of refuse, rubbish and waste material.

Part 4 - Miscellaneous

8. Revocation

Council's *By-law No. 5 – Waste Management*, published in the *Gazette* on 20 March 2014, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Corporation of the City of Adelaide held on 14 August 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

BETH DAVIDSON-PARK
Acting Chief Executive Officer

CORPORATION OF THE CITY OF ADELAIDE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999 AND THE CITY OF ADELAIDE ACT 1998

Rundle Mall By-law 2018

By-law No. 6 of 2018

For the management of Rundle Mall.

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Rundle Mall By-law 2018*.

2. Commencement

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

3. Definitions

In this by-law:

- 3.1 **Authorised Person** has the same meaning as in the *Local Government Act 1999*;
- 3.2 **Building** includes any structure and/or fixture of any kind whether for human habitation or not;
- 3.3 **E-Cigarette** means:
- 3.3.1 a device that is designed to generate or release an aerosol or vapour for inhalation by its user in a manner similar to the inhalation of smoke from an ignited tobacco product; or
- 3.3.2 a device of a kind resolved by the Council and notified by notice in the *Gazette* to be an E-Cigarette;
- 3.4 **Emergency Worker** has the same meaning as in the *Australian Road Rules* and the *Road Traffic (Road Rules) Ancillary and Miscellaneous Provisions Regulations 2014*;
- 3.5 **Model Aircraft** includes a drone;
- 3.6 **Permission** means the permission of the Council, or such other person as the Council may by resolution authorise for that purpose, given in writing prior to the act, event or activity to which it relates;
- 3.7 **Smoke** means:
- 3.7.1 in relation to a Tobacco Product, smoke, hold, or otherwise have control over, an ignited Tobacco Product; or
- 3.7.2 in relation to an E-Cigarette, to inhale from, hold or otherwise have control over, an E-Cigarette that is in use;
- 3.8 **Tobacco Product** has the same meaning as in the *Tobacco Products Regulation Act 1997*;
- 3.9 **Wheeled Recreational Device** has the same meaning as in the *Road Traffic Act 1961*.

Part 2 – Management of Rundle Mall

4. Activities Requiring Permission

A person must not without Permission in Rundle Mall or in the vicinity of Rundle Mall:

4.1 Amplification

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

4.2 Athletic and Ball Sports and Games

4.2.1 promote, organise or take part in any athletic sport, ball sport or game;

4.2.2 play or practice any game which is likely to cause damage to Rundle Mall or any fixtures or fittings thereon;

- 4.3 **Burials and Memorials**
- 4.3.1 spread the ashes of any human or animal remains;
- 4.3.2 erect any memorial;
- 4.4 **Erection of Structures**
- 4.4.1 erect a fence or hoarding;
- 4.4.2 erect, place, use or allow to remain:
- 4.4.2.1 a ladder, step-ladder, trestle, stage, scaffolding, planter box, crate or any item used as a platform; or
- 4.4.2.2 any other equipment, appliance, object or material likely to cause an obstruction or danger to any person;
- 4.4.3 park, place, use or allow to remain a mobile crane, scissor lift, elevated platform vehicle or cherry picker;
- 4.5 **Firearms and Fireworks**
- use, discharge or explode any firearms or fireworks;
- 4.6 **Model Aircraft and Cars**
- fly or operate a Model Aircraft or model/remote control car which by the use thereof may cause or be likely to cause injury or discomfort to any person being in Rundle Mall or detract from or be likely to detract from another person's lawful use of and enjoyment of Rundle Mall;
- 4.7 **Organised Ceremonies and Events etc**
- hold, conduct or participate in a funeral, marriage ceremony, picnic, or other like event or entertainment;
- 4.8 **Overhanging Articles**
- suspend or hang any article or thing from any Building, verandah, pergola, post or other structure;
- 4.9 **Rubbish and Rubbish Dumps**
- remove, disperse or interfere with any rubbish (including bottles, newspapers, cans containers or packaging etc) that has been discarded in a Council bin;
- 4.10 **Touting for Business**
- tout for business.
5. **Prohibited Activities**
- A person must not in Rundle Mall or in the vicinity of Rundle Mall:
- 5.1 **Birds**
- feed any bird;
- 5.2 **Climbing**
- climb on or over any fixture, fitting, plant, object or building;
- 5.3 **Damaging or Defacing Property**
- 5.3.1 deface, damage, paint, write, cut names or make marks on any tree, rock gate, fence, building, sign or other property of the Council;
- 5.3.2 attach any object, including an animal on a leash or a bike to any tree, gate, fence or other fixture other than a designated bicycle rack;
- 5.4 **Glass**
- wilfully break any glass, china or other brittle material;
- 5.5 **Interference with Permitted Use**
- interrupt, disrupt or interfere with any other person's use of the Rundle Mall which is permitted or for which Permission has been granted;
- 5.6 **Missiles**
- throw, roll or discharge any stone, substance or missile to the danger of any person, property or animal;
- 5.7 **Playing Games**
- play or practice any game:
- 5.7.1 which is likely to cause damage to Rundle Mall or anything in it or in the vicinity of Rundle Mall; or
- 5.7.2 which endangers the safety or interferes with the comfort of any person; or
- 5.7.3 in any area where a sign indicates that the game is prohibited;
- 5.8 **Public Conveniences**
- in any public convenience:
- 5.8.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
- 5.8.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 5.8.3 use it for a purpose for which it was not designed or constructed;
- 5.8.4 obstruct any cubicle, walkway or public area;
- 5.8.5 enter any toilet that is set aside for use of the opposite gender except:
- 5.8.5.1 if the person is under the age of eight years accompanying an adult; or
- 5.8.5.2 to provide assistance to a disabled person; or
- 5.8.5.3 in the case of a genuine emergency;

- 5.9 **Smoking**
Smoke in any area to which the Council has resolved this subparagraph shall apply;
- 5.10 **Wheeled Recreational Devices**
use a Wheeled Recreational Device.
6. **Removal of Obstructions**
If an object is obstructing any part of a Rundle Mall then the Council may remove the object provided that this paragraph does not apply to any object that has been placed in the Rundle Mall with the Permission of the Council or by some other lawful authority.
- Part 3 – Miscellaneous**
7. **Permits**
Despite the Council's *Permits and Penalties By-law 2018*, where this by-law states that a person needs a 'permit' or 'Permission' to do a specified thing, then the following provisions apply:
- 7.1 The permit must be in writing.
- 7.2 The Council may:
- 7.2.1 attach conditions to the permit;
- 7.2.2 change or revoke a condition, by notice in writing; or
- 7.2.3 add new conditions, by notice in writing.
- 7.3 A person who holds a permit must comply with every condition attached to it. Failure to do so constitutes a breach of this by-law.
- 7.4 The Council may revoke a permit, by notice in writing, if:
- 7.4.1 the holder of the permit fails to comply with a condition attached to it; or
- 7.4.2 the permit is of a continuing nature, and the Council has reasonable grounds for revoking it.
- 7.5 The Council may, by resolution, fix, vary or revoke fees or charges for the granting of a permit to do a specified thing.
- 7.6 For the avoidance of doubt, where Permission is required under this by-law, that Permission is granted under this paragraph 7 and the Council's *Permits and Penalties By-law 2018* shall not apply for the purposes of that Permission.
8. **Offences and Penalties**
- 8.1 Despite the Council's *Permits and Penalties By-law 2018*:
- 8.1.1 A person who contravenes, or fails to comply with any by-law of the Council is guilty of an offence and is liable to a maximum penalty being the maximum penalty referred to in the *City of Adelaide Act 1998*, which may be fixed for offences against a by-law;
- 8.1.2 A person who is found guilty of an offence against any by-law of the Council in respect of a continuing act or omission is liable, in addition to the penalty otherwise applicable, to a further penalty being the maximum amount referred to in the *Local Government Act 1999* which may be fixed for offences of a continuing nature against a by-law.
- 8.2 For the avoidance of doubt, where a penalty is imposed for an offence against this by-law, that penalty is imposed under this paragraph 8 and the Council's *Permits and Penalties By-law 2018* shall not apply for the purposes of that penalty.
9. **Application of Paragraphs**
Paragraph 5.9 of this by-law shall apply only in such part or parts of the area of the Council as the Council may by resolution determine in accordance with Section 246(3)(e) of the *Local Government Act 1999*.
10. **Exemptions**
The restrictions in this by-law do not apply to any police officer, emergency worker, Council Officer or employee of the Council acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council.
11. **Revocation**
Council's adoption of the *Model by-law for the management of pedestrian malls* published in the *Gazette* on 1 December 2011, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Corporation of the City of Adelaide held on 14 August 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

BETH DAVIDSON-PARK
Acting Chief Executive Officer

CORPORATION OF THE CITY OF ADELAIDE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999 AND THE DOG AND CAT MANAGEMENT ACT 1995

Dogs By-law 2018

By-law No. 7 of 2018

To limit the number of dogs that can be kept on premises and to provide for the control and management of dogs in the Councils area.

Part 1 – Preliminary

1. **Short Title**
This by-law may be cited as the *Dogs By-law 2018*.
2. **Commencement**
This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

3. Definitions

In this by-law:

- 3.1 **Approved Kennel Establishment** means a building, structure, premises or area approved by the relevant authority pursuant to the *Development Act 1993* or otherwise lawfully established for the keeping of Dogs on a temporary or permanent basis;
- 3.2 **Assistance Dog** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.3 **Children's Playground** means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play, or within 5 metres of such devices if there is no enclosed area;
- 3.4 **Control**, in relation to a Dog, includes the person having ownership, possession or charge of, or authority over, the Dog;
- 3.5 **Dangerous Dog** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.6 **Dog** means an animal of the species *canis familiaris* that is over three months of age or has lost its juvenile canines, but does not include a dingo or cross of a dingo;
- 3.7 **Effective Control** means a person exercising effective control of a Dog either:
- 3.7.1 by means of a physical restraint;
- 3.7.2 by command, the Dog being in close proximity to the person, and the person being able to see the Dog at all times;
- 3.8 **Local Government Land** has the same meaning as in the *Local Government Act 1999*;
- 3.9 **Park** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.10 **Premises** includes land and a part of any premises or land whether used or occupied for domestic or nondomestic purposes except an Approved Kennel Establishment;
- 3.11 **Prescribed Breed** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.12 **Public Place** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.13 **Small Dwelling** means a self-contained dwelling commonly known as an apartment, flat, service flat, home unit or the like.

Part 2 – Dog Management and Control

4. Limit on Dog Numbers

A person must not, without the Council's permission, keep:

- 4.1 more than one Dog in a Small Dwelling;
- 4.2 more than two Dogs on any Premises other than a Small Dwelling.

5. Exemptions

The limits set out in paragraph 4 of this by-law do not apply:

- 5.1 to an Approved Kennel Establishment operating in accordance with all required approvals and consents; or
- 5.2 to any business involving Dogs which is registered in accordance with the *Dog and Cat Management Act 1995*; or
- 5.3 if the Council has exempted any Premises from compliance with paragraph 4 of this by law by the granting of an exemption.

6. Dog Free Areas

6.1 A person must not allow a Dog in that person's Control to be in, or remain in a Dog Free Area.

6.2 For the purposes of this paragraph, a **Dog Free Area** is any:

- 6.2.1 Local Government Land; or
- 6.2.2 Public Place,

to which the Council has resolved this paragraph applies.

6.3 The restrictions in subparagraph 6.1 do not apply to any Assistance Dog.

7. Dogs on Leashes

7.1 A person must not allow a Dog under that person's Control to be in, or remain in, a Dog on Leash Area unless the Dog is secured by a strong leash not exceeding two metres in length which is either:

- 7.1.1 tethered securely to a fixed object capable of securing the Dog; or
- 7.1.2 held by a person capable of controlling the Dog and preventing it from being a nuisance or a danger to other persons.

7.2 For the purposes of this paragraph, a **Dog on Leash Area** is any:

- 7.2.1 Local Government Land or Public Place to which the Council has resolved that this paragraph applies;
- 7.2.2 Park when organised sport is being played; or
- 7.2.3 enclosed Children's Playground or if a Children's playground is not enclosed land within five metres of children's playground equipment.

8. Dog Exercise Areas

8.1 Subject to paragraphs 6, 7 and 8.4, a person may enter any Dog Exercise Area for the purpose of exercising a Dog under his or her control.

- 8.2 For the purposes of this paragraph, a **Dog Exercise Area** is any:
- 8.2.1 Park; or
- 8.2.2 Local Government Land that the Council has resolved is a Dog Exercise Area.
- 8.3 A person must ensure that any Dog under their control remains under Effective Control while the Dog is in a Dog Exercise Area.
- 8.4 A person must not cause, suffer or permit any Dog of a Prescribed Breed or a Dangerous Dog under that persons control, charge or authority to be or remain in a Dog Exercise Area.

Part 3 – Miscellaneous

9. Application of Paragraphs

- 9.1 The Council may from time to time, by resolution, identify Local Government Land as a Dog Exercise Area in accordance with subparagraph 8.2.2 of this by-law.
- 9.2 Paragraphs 6 and 7.2.1 of this by-law shall apply only in such portion or portions of the Councils area as the Council may by resolution direct from time to time in accordance with Section 246 (3) (e) of the *Local Government Act 1999*.
- 9.3 Where the Council makes a resolution under either of subparagraphs 9.1 or 9.2, the Council’s Chief Executive Officer must ensure that:
- 9.3.1 the area is denoted by signs erected by the Council; and
- 9.3.2 information is provided to the public on the Council’s website and in any other manner determined by the Council’s Chief Executive Officer.

10. Revocation

Council’s *By-law No. 7 – Dogs*, published in the *Gazette* on 9 June 2011, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Corporation of the City of Adelaide held on 14 August 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

BETH DAVIDSON-PARK
Acting Chief Executive Officer

CORPORATION OF THE CITY OF ADELAIDE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999 AND THE DOG AND CAT MANAGEMENT ACT 1995

Cats By-law 2018

By-law No. 8 of 2018

To provide for the control and management of cats in the Council’s area.

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Cats By-law 2018*.

2. Commencement

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

3. Definitions

In this by-law:

- 3.1 **Approved Kennel Establishment** means a building, structure, premises or area approved by the relevant authority pursuant to the *Development Act 1993*, or otherwise lawfully established for the keeping of cats on a temporary or permanent basis;
- 3.2 **Cat** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.3 **Keep** includes the provision of food or shelter;
- 3.4 **Premises** includes land and a part of any premises or land whether used or occupied for domestic or nondomestic purposes except an Approved Kennel Establishment.

Part 2 – Cat Management and Control

4. Limit on Cat Numbers

- 4.1 A person must not on any Premises, without the Council’s permission, keep more than two Cats over three months in age.
- 4.2 The limit in subparagraph 4.1 of this by-law does not apply:
- 4.2.1 to an Approved Kennel Establishment; or
- 4.2.2 to pet shops approved by the relevant authority pursuant to the *Development Act 1993* or otherwise lawfully established; or
- 4.2.3 to a veterinary practice approved by the relevant authority pursuant to the *Development Act 1993*, or otherwise lawfully established; or
- 4.2.4 to premises of a person who carries on a business as a cat breeder provided that the person is lawfully operating such business in accordance with all relevant approvals and any conditions reasonably imposed by the Council; or

- 4.2.5 where:
- 4.2.5.1 the Council is satisfied that no insanitary condition is being caused by Cats being kept on the Premises; and
- 4.2.5.2 the Council is satisfied that no nuisance is being caused to any neighbour by reason of odour from cat urine or by reason of any of the Cats wandering from the Premises; and
- 4.2.5.3 all the Cats over the age of three months (or such later age as is considered appropriate and advised in writing by a veterinary surgeon) kept on the Premises are desexed.

5. Notices

- 5.1 The Council may serve a notice on the occupier of Premises or the owner of a cat requiring specific action to be taken to ensure compliance with this by-law.
- 5.2 The person to whom a notice is given pursuant to this by-law must comply with the requirements of the notice.
- 5.3 If the person to whom a notice is given fails to comply with the requirements of the notice, the Council may then carry out the requirements of the notice and recover its costs from that person.

Part 3 – Miscellaneous

6. Revocation

Council's *By-law No. 8 – Cats*, published in the *Gazette* on 9 June 2011, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Corporation of the City of Adelaide held on 14 August 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

BETH DAVIDSON-PARK
Acting Chief Executive Officer

CORPORATION OF THE CITY OF ADELAIDE
BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

Lodging Houses By-law 2018

By-law No. 9 of 2018

For the controlling, licensing, inspecting and regulating of lodging houses.

Part 1 - Preliminary

1. Short title

This by-law may be cited as the *Lodging Houses By-law 2018*.

2. Commencement

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

3. Definitions

- 3.1 **Authorised Person** means a person appointed by Council as an authorised person or officer under the *Local Government Act 1999*, the *Development Act 1993* or the *South Australian Public Health Act 2011*;
- 3.2 **Building** has the same meaning as in the *Development Act 1993*;
- 3.3 **Flat** includes any self-contained suite of rooms designed, intended or adopted, for separate occupation including bathroom and sanitary conveniences provided for that occupation;
- 3.4 **Licence** means a licence issued under this by-law;
- 3.5 **Lodging House** includes any building or part thereof of a building providing accommodation where the occupants share facilities (toilets, ablutions and kitchens) for individual use, but shall not include any building which comes within the definition of flat nor any motel, hotel, health care facility or any premises licenced under the *Supported Residential Facilities Act 1992*;
- 3.6 **Long Term Accommodation** means where lodgings are provided for ten or more consecutive days;
- 3.7 **Short Term Accommodation** means where lodgings are provided for less than ten consecutive days;
- 3.8 **Proprietor** in relation to a Lodging House means the owner of the undertaking carried on at the Lodging House.

4. Licences

- 4.1 A person must not let any building for lodgings or for the purpose of board or lodging without a Licence.
- 4.2 A Licence may be issued at the discretion of the Council, or such other person authorised by resolution of the Council for that purpose, and entitles the holder to conduct the business of a Lodging House at the Building specified in the Licence and on the conditions set out in the Licence.

5. Licence Application Requirements

- 5.1 Any person who wishes to operate a Lodging House, or renew the Licence of an existing Lodging House, must make application to the Council.
- 5.2 A fire safety survey of the Lodging House shall be undertaken:
- 5.2.1 prior to the issuing of a Licence pursuant to this by-law; and
- 5.2.2 each year that the Lodging House is Licenced under this by-law, in order to determine the current fire safety standard of the Lodging House.

- 5.3 Subject to subparagraph 5.5, every application for renewal of a Licence of a Lodging House must, subject to any determination to the contrary by the Council, or such other person as the Council may authorise by resolution for that purpose, be deposited in the office of the Council on or before 30 September in each year.
- 5.4 Subject to subparagraph 5.5, a Lodging House Licence expires on 31 October in each year.
- 5.5 The Council, or such other person as the Council may authorise by resolution for that purpose, may, if in its discretion it sees fit, renew a Licence for a period not exceeding two years.
6. **Fees**
A person licensed under this by-law must pay to the Council an annual Licence fee fixed by the Council, payable upon the granting of an application for Licence or renewal of existing Licence.
7. **Licence Conditions, Revocation and Suspension**
- 7.1 A Lodging House Licence is subject to the conditions set out in the Licence and as the Council, or such other person authorised by resolution of the Council for that purpose, deems appropriate.
- 7.2 Conditions may be imposed, varied or deleted from such Licence by the Council, or such other person authorised by resolution of the Council for that purpose, at any time by notice in writing to the Licence holder.
- 7.3 A Licence holder must at all times comply with Licence conditions.
- 7.4 The Council, or such other person authorised by resolution of the Council for that purpose, may at any time, by notice in writing, revoke or suspend a Licence:
- 7.4.1 if the Council considers that the building in respect of which the Licence holder is licensed is, by reason of its condition, unsuitable to continue to be used as a Lodging House including, but not limited to the fire safety of the premises;
- 7.4.2 if the Council has reasonable cause to believe that the Licence holder has committed an offence against this by-law, the *Local Government Act 1999*, the *South Australian Public Health Act 2011*, the *Food Act 2001*, the *Development Act 1993*, the *Planning, Development and Infrastructure Act 2016* or the *Supported Residential Facilities Act 1992*;
- 7.4.3 if the Council considers that the Licence holder is unsuitable to continue as the proprietor of the Lodging House;
- 7.4.4 if the Licence holder breaches a condition of the Licence; or
- 7.4.5 for any other reason the Council may deem necessary.
8. **Alterations**
A person must not, without the permission of the Council or an Authorised Person:
- 8.1 add to or alter any Lodging House; or
- 8.2 use any part of a Lodging House in any other manner contrary to its permitted use or the terms of the Licence.
9. **Inspections**
- 9.1 An Authorised Person may at any reasonable time enter and inspect a Lodging House for the purposes of undertaking an inspection of the Lodging House.
- 9.2 The proprietor of a Lodging House or any person in a Lodging House must not hinder or obstruct any Authorised Person either alone or in the company of another person for the purposes of making an inspection of a Lodging House.
- 9.3 Every lodger must allow access to his or her room to any Authorised Person of the Council for the purposes of inspecting the room.

Part 2 – Miscellaneous

10. **Revocation**

Council's *By-law No. 9 – Lodging Houses By-law*, published in the *Gazette* on 9 June 2011, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Corporation of the City of Adelaide held on 14 August 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

BETH DAVIDSON-PARK
Acting Chief Executive Officer

CAMPBELLTOWN CITY COUNCIL

NAMING OF ROADS—ROSTREVOR

Council Approves a Road Naming Request from the Property Owners of a Parcel of Land at Rostrevor

NOTICE is hereby given pursuant to Section 219 (1) of the Local Government Act 1999, to assign the following name to the parcel of land formerly known as a portion of land in the sub-division at 101-111 Morialta Road, Rostrevor.

The new name is Chapel Way, Rostrevor.

P. DI IULIO
Chief Executive Officer

**CITY OF NORWOOD PAYNEHAM & ST PETERS
PERMITS AND PENALTIES BY-LAW 2018
By-law No. 1 of 2018**

*This By-law is to create a permit system for Council By-laws, to fix maximum and continuing penalties for offences,
and to clarify the construction of Council By-laws.*

PART 1 -PRELIMINARY

1. **Title**
This By-law may be cited as the *Permits and Penalties By-law 2018* and is By-law No. 1 of the City of Norwood Payneham & St Peters.
 2. **Authorising law**
This By-law is made under section 246 of the Act.
 3. **Purpose**
The objectives 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 & Expiry**
This By-law will commence in accordance with section 249(5) of the Act and will expire on 1 January 2026.
 5. **Application**
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 the City of Norwood Payneham & St Peters;
 - 6.3 **person** includes a natural person, a body corporate, an incorporated association or an unincorporated association.
- 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 that the Council may authorise), granted in writing (including by way of the Council adopting a policy, for this purpose) 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 that the Council may authorise) 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 that 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 a maximum penalty being the maximum penalty referred to in the Act that may be fixed 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 \$750.00, and the maximum penalty for every day in which a breach of a continuing nature continues is currently \$50.00 – 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 City of Norwood Payneham & St Peters held on **6 August 2018** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

Mario Barone
Chief Executive Office

**CITY OF NORWOOD PAYNEHAM & ST PETERS
MOVEABLE SIGNS BY-LAW 2018
By-law No. 2 of 2018**

A By-law to set standards for moveable signs on roads and to provide conditions for the placement of such signs for the purpose of protecting visual amenity and public safety.

PART 1 – PRELIMINARY

- 1. Title**
This By-law may be cited as the *Moveable Signs By-law 2018* and is By-law No. 2 of the City of Norwood Payneham & St Peters.
- 2. Authorising law**
This By-law is made under sections 226, 238, 239 and 246 of the Act.
- 3. Purpose**
The objectives of this By-law are to set standards for moveable signs on roads:
 - 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 and Expiry**
This By-law will commence in accordance with section 249(5) of the Act and will expire on 1 January 2026.
- 5. Application**
 - 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2018*.
 - 5.2 This By-law applies throughout the Council's area and is subject to the exemptions set out in clause 12.
- 6. Interpretation**
In this By-law, unless the contrary intention appears:
 - 6.1 **Act** means the *Local Government Act 1999*;
 - 6.2 **authorised person** means a person appointed as an authorised person pursuant to section 260 of the Act;
 - 6.3 **banner** means a slip of cloth, plastic or other material hung up or carried on a pole, fence or other structure;
 - 6.4 **business premises** means premises from which a business is being conducted excluding any place where a home activity (as defined in the *Development Regulations 2008*) is being conducted;
 - 6.5 **Council** means the City of Norwood Payneham & St Peters;
 - 6.6 **footpath area** means:
 - 6.6.1 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; or
 - 6.6.2 a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles.
 - 6.7 **Local Government land** has the same meaning as in the Act;
 - 6.8 **moveable sign** has the same meaning as in the Act;
 - 6.9 **road** has the same meaning as in the Act; and
 - 6.10 **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 must:

- 7.1 be of kind known as:
 - 7.1.1 an 'A' frame or sandwich board sign;
 - 7.1.2 an inverted 'T' sign;
 - 7.1.3 a 'tear drop' sign;
 - 7.1.4 a flat sign; or
 - 7.1.5 with the permission of the Council (including as may be set out in a Council policy from time to time) 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 in position so as to keep its position, including in any weather conditions;
- 7.4 have no sharp or jagged edges or corners;
- 7.5 not, in the opinion of an authorised officer, be unsightly or offensive in appearance or content;
- 7.6 be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 7.7 not exceed 1 metre in height or 0.6 metres in depth and width;
- 7.8 in the case of a 'tear drop' sign, not exceed 2.4 metres in height or 0.6 metres in depth and width;
- 7.9 in the case of an 'A' frame or sandwich board sign:
 - 7.9.1 be hinged or joined at the top;
 - 7.9.2 be of such construction that its sides are securely fixed or locked in position when erected; and
 - 7.9.3 not have a base area in excess of 0.6 square metres; and
- 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.

8. Placement

A moveable sign must not be:

- 8.1 placed on any part of a road other than the footpath area;
- 8.2 placed on a footpath that is less than 2.5 metres wide;
- 8.3 placed on the sealed part of a footpath unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare (of sealed footpath area) of:
 - 8.3.1 in the case of moveable signs placed on The Parade, Norwood, at least 2 metres between the sign and the building line or, where there is no building, the adjoining property boundary; and
 - 8.3.2 in all other cases, at least 1.5 metres between the sign and the building line or, where there is no building, the adjoining property boundary;
- 8.4 placed other than on the kerb side of the footpath area (or, if there is no kerb, on the side closest to the carriageway) but must not be placed closer than 0.5 metres to the kerb;
- 8.5 tied, fixed, leaned against or attached to, or placed closer than 1 metre from another structure, object (including another moveable sign, bus shelter, or business merchandise display), tree, bush or plant;
- 8.6 placed on the sealed part of a footpath if there is an unsealed part on which the sign can be placed in accordance with this By-law;
- 8.7 placed on a footpath adjacent a loading zone, bus stop or taxi rank;
- 8.8 placed on a landscaped area, other than landscaping that comprises only lawn;
- 8.9 placed within 10 metres of an intersection of two or more roads;
- 8.10 placed on a designated parking area;
- 8.11 displayed during the hours of darkness unless it is clearly lit;
- 8.12 placed on a median strip, traffic island, roundabout or any other traffic control device on a road;
- 8.13 be placed in such a position or in such circumstances that:
 - 8.13.1 it compromises the safety of any person or places a person at risk of harm; or
 - 8.13.2 it obstructs or impedes (or would be likely to obstruct or impede) a vehicle door when opened, provided that the vehicle is parked lawfully on a road; or
 - 8.13.3 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.

9. Appearance

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

- 9.1 be painted or otherwise detailed at a competent and professional manner;
- 9.2 be of such design and contain such colours which are compatible with the architectural design of the premises adjacent to the sign, and which relate well to the town scope and overall amenity of the locality in which it is situated;
- 9.3 not have balloons, flags, streamers or other things attached to it; and
- 9.4 not rotate or contain flashing parts.

10. Banners

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

Note-

A person must not erect or display a banner on a public road for a business purpose without a permit from the Council issued under section 222 of the Local Government Act 1999.

11. Restrictions

- 11.1 A person must not, without the Council's permission:
- 11.1.1 cause or allow more than one moveable sign for each business premises to be displayed on the footpath area of a road at any time;
 - 11.1.2 display a moveable sign on or attached to or adjacent to a vehicle that is parked on Local Government land on a road primarily for the purpose of advertising or offering for sale a product (including the vehicle) or business to which the sign relates; or
 - 11.1.3 cause or allow a moveable sign to be placed on a footpath area unless:
 - (a) 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
 - (b) the business premises to which it relates is open to the public.
- 11.2 If in the opinion of the Council a footpath area is unsafe for a moveable sign to be displayed, the Council may by resolution prohibit or restrict the display of a moveable sign on that footpath area on such conditions as the Council thinks fit.

12. Exemptions

- 12.1 Subclauses 7.6, 8.4, 9.1, 9.2, 9.3 and 11.1 of this By-law do not apply to a moveable sign which:
- 12.1.1 advertises a garage sale taking place from residential premises, provided that no more than six (6) moveable signs are displayed at any one time in relation to the garage sale taking place at that residential premises; or
 - 12.1.2 is a directional sign to an event run by a community organisation or charitable body.
- 12.2 Subclause 11.1 of this By-law does not apply to a flat sign which only contains a newspaper headline and the name of a newspaper or magazine.
- 12.3 A requirement of this By-law will not apply where the Council has granted permission (which may include by way of adopting a policy for this purpose) for a moveable sign (or class of 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 four (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**13. Removal of moveable signs**

- 13.1 A person must immediately comply with the order of an authorised person to remove 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.
- 13.2 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.
- 13.3 The owner, or other person responsible for a moveable sign must remove or relocate the moveable sign at the request of an authorised person:
- 13.3.1 if, in the opinion of an authorised person, and notwithstanding 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 sign; or
 - 13.3.2 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.

14. Liability of vehicle owners

- 14.1 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.
- 14.2 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 City of Norwood Payneham & St Peters held on **6 August 2018** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

Mario Barone
Chief Executive Officer

**CITY OF NORWOOD PAYNEHAM & ST PETERS
ROADS BY-LAW 2018
By-law No. 3 of 2018**

A By-law to manage, control and regulate certain activities on roads in the Council's area.

PART 1 – PRELIMINARY**1. Title**

This By-law may be cited as the *Roads By-law 2018* and is By-law No. 3 of the City of Norwood Payneham & St Peters.

2. Authorising law

This By-law is made under sections 239 and 246 of the Act and regulation 28 of the *Local Government (General) Regulations 2013*.

3. Purpose

The objectives of this By-law are to manage, control and regulate the prescribed uses of roads in the Council's 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's area.

4. Commencement and Expiry

This By-law will commence in accordance with section 249(5) of the Act and will expire on 1 January 2026.

5. Application

- 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2018*.
- 5.2 Subject to subclauses 5.3, this By-law applies throughout the Council's area.
- 5.3 Subclause 7.3.1 and 7.4.2 of this By-law applies throughout the Council's 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** includes birds, insects, poultry, horses, cattle, sheep, goats and other livestock, but does not include a dog;
- 6.3 **authorised person** is a person appointed by the Council as an authorised person under section 260 of the Act;
- 6.4 **camp** includes setting up a camp, or causing:
- 6.4.1 a tent or other structure of calico, canvas, plastic or other similar material; or
- 6.4.2 a swag or similar bedding; or
- 6.4.3 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;
- 6.5 **Council** means the City of Norwood Payneham & St Peters;
- 6.6 **effective control** means a person exercising effective control of an animal either:
- 6.6.1 by means of physical restraint; or
- 6.6.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
- 6.7 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 6.8 **moveable sign** has the same meaning as in the Act;

- 6.9 **road** has the same meaning as in the Act; and
 6.10 **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 on a road or on a structure or object on a road, any poster, advertising or sign, other than a moveable sign that is displayed 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 amplifying sound including for the broadcasting of announcements or advertisements.
- 7.3 **Animals**
 7.3.1 Cause or allow an animal to stray onto, move over, or graze on a road except for on a road to which the Council has determined this subclause applies (if any).
 7.3.2 Subject to clause 7.3.1:
 7.3.2.1 lead, herd, exercise or cause or allow an animal to stray onto or move over any road unless the animal is under effective control; or
 7.3.2.2 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 Subject to this subclause 7.4, erect a tent or other structure of calico, canvas, plastic or other similar material as a place of habitation (including on a temporary basis).
 7.4.2 Camp or sleep overnight except:
 7.4.2.1 on a road to which the Council has resolved this subclause applies (if any); and
 7.4.2.2 in accordance with any conditions determined by the Council and displayed on any signage on or near the road.
- 7.5 **Donations**
 Ask for or receive or do anything to 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.
 7.8.4 Cause any public exhibitions or displays.
- 7.9 **Share Bikes**
 7.9.1 Operate a share bike scheme.
 7.9.2 Leave a share bike on a road other than in accordance with conditions determined by the Council (including as set out in a policy from time to time) that are published on the Council's website.
 7.9.3 For the purposes of this subclause 7.9:
 7.9.3.1 **share bike** means a bike operating in the Council's area that is available for hire (for fee or otherwise) in connection with a share bike scheme, including through the use of a special purpose electronic application; and
 7.9.3.2 **share bike scheme** means a scheme operated in the Council's area which involves bikes (dockless or otherwise) being made available for hire by any person for a fee or otherwise.
- 7.10 **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.

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:

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;
- dismantle and remove a tent from a road.

10. Removal of animals and objects

10.1 The Council (or its delegate) may, pursuant to section 234 of the Act, 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.

10.2 The Council may recover from the owner or apparent owner of an animal or object removed under subclause 10.1 the costs it incurs in removing that object.

PART 4 - MISCELLANEOUS**11. Exemptions**

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 or in accordance with a direction from a Council officer.

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.

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 City of Norwood Payneham & St Peters held on **6 August 2018** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

Mario Barone
Chief Executive Officer

**CITY OF NORWOOD PAYNEHAM & ST PETERS
LOCAL GOVERNMENT LAND BY-LAW 2018
BY-LAW NO. 4 OF 2018**

A By-law to manage and regulate 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 2018* and is By-law No. 4 of the City of Norwood Payneham & St Peters.

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 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 Council's area.

4. Commencement and Expiry

This By-law will commence in accordance with section 249(5) of the Act and will expire on 1 January 2026.

5. Application

- 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2018*.
- 5.2 Subject to subclauses 5.3 and 5.4, this By-law applies throughout the Council area.
- 5.3 Subclauses 9.3, 9.9.1, 9.9.4, 9.25.1 – 9.25.3, 9.35, 10.3 and 10.9 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 Subclauses 9.5.1, 9.9.2, 9.15.2.2 and 9.31 of this By-law apply throughout the Council's 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** includes birds, insects, poultry, horses, cattle, sheep, goats and other livestock, but does not include a dog;
- 6.3 **authorised person** is a person appointed by the Council as an authorised person under section 260 of the Act;
- 6.4 **boat** includes a raft, pontoon, houseboat, personal watercraft or other similar device;
- 6.5 **camp** includes setting up a camp, or causing a tent, swag and/or similar bedding, a 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 the City of Norwood Payneham & St Peters;
- 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 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 **liquor** has the same meaning as in the *Liquor Licensing Act 1997*;
- 6.11 **Local Government land** means all land owned by the Council or under the Council's care, control and management (except roads);
- 6.12 **offensive** includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;
- 6.13 **open container** means a container which, after the contents of the container have been sealed at the time of manufacture:
 - 6.13.1 being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
 - 6.13.2 being a can, it has been opened or punctured;
 - 6.13.3 being a cask, it has had its tap placed in a position to allow it to be used;
 - 6.13.4 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
 - 6.13.5 is a flask, glass, mug or other container able to contain liquid;
- 6.14 **personal watercraft** means a device that –
 - 6.14.1 is propelled by a motor; and
 - 6.14.2 has a fully enclosed hull; and
 - 6.14.3 is designed not to retain water if capsized; and
 - 6.14.4 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;
- 6.15 **recreation ground** means Local Government land commonly used for playing sports or games, or accommodating the spectators at any sport or game, and any area of land contiguous thereto and used in connection with it.
- 6.16 **tobacco product** has the same meaning as in the *Tobacco Products Regulation Act 1997*;
- 6.17 **vehicle** has the same meaning as in the *Road Traffic Act 1961*;
- 6.18 **waters** include a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council; and
- 6.19 **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 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 subclause 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

Display, paint or erect or cause to be displayed, painted or erected, on Local Government Land any sign, advertising 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 (including a helicopter) 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 or broadcasting announcements or advertisements.

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 except for on Local Government land to which the Council has resolved this subclause applies and provided that the animal or animals are under effective control.
- 9.5.2 Cause or allow an animal to enter, swim, bathe or remain in any waters located on Local Government land.

9.6 Annoyance

Do anything likely to offend or unreasonably interfere with any other person:

- 9.6.1 using that land; or
- 9.6.2 occupying nearby premises, by making excessive noise or creating a disturbance.

9.7 Attachments

Subject to subclause 9.1, attach or cause to be attached, hang or fix anything to a tree, plant, equipment, fence, post, structure or fixture on Local Government land.

9.8 Bees

Place a hive of bees on such land or allow it to remain thereon.

9.9 Boats

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

- 9.9.1 launch or retrieve a boat to or from any waters adjacent to or on any Local Government land to which the Council has determined this subclause applies;
- 9.9.2 propel, float or otherwise use a boat on or in any waters except:

- 9.9.2.1 on Local Government land to which the Council has determined this subclause does not apply; and
- 9.9.2.2 in accordance with any conditions that the Council may have determined by resolution apply to that use.
- 9.9.3 hire out a boat or otherwise use a boat for commercial purposes; or
- 9.9.4 moor any boat on or to Local Government land to which the Council has determined this subclause applies.
- 9.10 **Bridge Jumping**
Jump or dive from a bridge 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, inter or spread the ashes of any human or animal remains.
- 9.12.2 Erect any memorial.
- 9.13 **Camping and Tents**
- 9.13.1 Subject to subclause 9.13, erect a tent or other structure of calico, canvas, plastic or similar material.
- 9.13.2 Camp or sleep overnight on Local Government land except:
- 9.13.2.1 where a person is 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
- 9.13.2.2 on Local Government land that has been designated by resolution of the Council for that purpose and only then, in accordance with such time limits and other conditions determined by resolution of the Council and contained in any signage erected thereon.
- 9.14 **Canvassing**
Subject to subclause 14.2, convey any advertising, religious or other message to any bystander, passer-by or other.
- 9.15 **Defacing Property**
Deface, damage, paint, spray, write upon, cut names, letters or make marks on any tree, rock, gate, fence, object, monument, building, sign, bridge or property of the Council.
- 9.16 **Distribution**
Subject to subclause 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, leaflet or other printed matter to any bystander, passer-by or other person.
- 9.17 **Donations**
Ask for or receive or indicate that he or she desires a donation of money or any other thing.
- 9.18 **Entertainment and Busking**
- 9.18.1 Sing, busk or play a recording or use a musical instrument for the apparent purpose of either entertaining others or receiving money.
- 9.18.2 Conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.
- 9.19 **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.
- 9.20 **Fires**
Subject to the *Fire and Emergency Services Act 2005* light a fire except:
- 9.20.1 in a place provided by the Council for that purpose; or
- 9.20.2 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 four (4) metres.
- 9.21 **Fireworks**
Use, ignite or discharge any fireworks.
- 9.22 **Flora and Fauna**
Subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:
- 9.22.1 plant, damage, pick, cut, disturb, interfere with or remove any plant, tree or flower thereon;
- 9.22.2 cause or allow an animal to stand or walk on or drive a vehicle over any flower bed or garden plot;
- 9.22.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;
- 9.22.4 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;
- 9.22.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;
- 9.22.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;
- 9.22.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or marine creature; or

- 9.22.8 burn any timber or dead wood –
with the exception that subclauses 9.22.4 and 9.22.7 do not apply to lawful fishing activities.
- 9.23 **Games & Sport**
- 9.23.1 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.
- 9.23.2 Play or practise 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;
- 9.23.3 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.
- 9.23.4 Play or practice the game of golf on Local Government Land other than on a properly constructed golf course or practice fairway and in accordance with any conditions determined by the Council (or its agent) that apply to such play or practice.
- 9.24 **Interference with Land**
Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:
- 9.24.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
- 9.24.2 erecting or installing a structure (including pipes, wires, cables, fixtures, fittings and other objects) in, on, across, under or over the land;
- 9.24.3 changing or interfering with the construction or arrangement of materials on the land;
- 9.24.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
- 9.24.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.
- 9.25 **Model Aircraft, Boats and Cars**
Subject to the *Civil Aviation Safety Regulations 1998*:
- 9.25.1 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
- 9.25.2 fly or operate a model or drone aircraft, boat or model or remote control vehicle on any Local Government land to which the Council has resolved this subclause applies.
- 9.26 **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.
- 9.27 **Playing Area**
Use or occupy a recreation ground:
- 9.27.1 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);
- 9.27.2 in a manner contrary to the purpose for which the recreation ground was intended to be used or occupied; or
- 9.27.3 contrary to any directions of the Council made by resolution and indicated on a sign displayed adjacent to the recreation ground.
- 9.28 **Preaching**
Preach, harangue or solicit for religious or charitable purposes.
- 9.29 **Rubbish**
Remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a bin on any Local Government Land, or placed on Local Government Land for collection by the Council (or its agent).
- 9.30 **Share Bikes**
- 9.30.1 Operate a share bike scheme.
- 9.30.2 Leave a share bike on Local Government land other than in accordance with conditions determined by the Council (including as set out in a policy from time to time) that are published on the Council's website.
- 9.30.3 For the purposes of this subclause 9.30:
- 9.30.3.1 **share bike** means a bike operating in the Council's area that is available for hire (for fee or otherwise) in connection with a share bike scheme, including through the use of a special purpose electronic application; and
- 9.30.3.2 **share bike scheme** means a scheme operated in the Council's area which involves bikes (dockless or otherwise) being made available for hire by any person for a fee or otherwise.

- 9.31 **Swimming**
Subject to the provisions of the *Harbors and Navigation Act 1993* swim in, bathe or enter any waters on Local Government land except:
- 9.31.1 in an area which the Council has designated and set aside for such purposes; and
9.31.2 in accordance with any conditions that the Council may have determined (by resolution) apply to such use and which are exhibited on any signage in the vicinity.
- 9.32 **Trading**
- 9.32.1 Sell, buy, offer or display anything for sale or hire or lease any goods, merchandise, commodity, article or thing.
9.32.2 Carry on any business or promote or advertise the same.
9.32.3 Set up a van or other vehicle, stall, stand, table or other structure, tray, carpet or device for the apparent purpose of buying, selling, offering, displaying or exposing for sale or the hiring or leasing of any goods, merchandise, commodity, article, service or thing.
- 9.33 **Vehicles**
- 9.33.1 Drive or propel a vehicle except on an area or road constructed and set aside by the Council for that purpose.
9.33.2 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.
9.33.3 Repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown.
- 9.34 **Weddings, Functions and Special events**
- 9.34.1 Hold, conduct or participate in a marriage ceremony, funeral service or other special event as determined by the Council.
9.34.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral service or other special event as determined by the Council.
9.34.3 Hold or conduct any filming where the filming is for a commercial purpose.
- 9.35 **Wheeled Recreational Devices**
Subject to the *Road Traffic Act 1961*, use a wheeled recreational device on Local Government land to which the Council has determined this subclause applies.

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 an animal to damage a flowerbed, garden plot, tree, lawn or like thing or place.
10.1.2 Subject to subclause 9.4, lead, herd or exercise any animal in such a manner as to cause a nuisance or endanger the safety of any person.
- 10.2 **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.
- 10.3 **Fishing**
Fish in any waters to which the Council has determined this subclause applies.
- 10.4 **Glass**
Willfully break any glass, china or other brittle material.
- 10.5 **Interference with Permitted Use**
Interrupt or unreasonably interfere with any other person's use of Local Government land where the person is using the land in a manner permitted by the Council or in accordance with any permission that has been granted by the Council.
- 10.6 **Nuisance**
Behave in such an unreasonable manner as to cause discomfort, inconvenience, annoyance or offence to any other person including by using profane, indecent or obscene language.
- 10.7 **Playing games**
Play or practise a game or sport or participate in any form of recreation or amusement:
- 10.7.1 which is likely to cause damage to the land or anything on it;
10.7.2 which endangers the safety or interferes with the comfort of (any person); and
10.7.3 in any area where a sign indicates that the game, sport or amusement is prohibited.
- 10.8 **Rubbish and Rubbish Dumps**
- 10.8.1 Interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on Local Government land.
10.8.2 Deposit in a receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.

- 10.9 **Smoking**
Subject to the *Tobacco Products Regulation Act 1997*, smoke, hold or otherwise have control over an ignited tobacco product on any land to which the Council has determined to be a smoke-free area.
- 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:
- 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;
- 10.12.3 use it for a purpose for which it was not designed or constructed;
- 10.12.4 enter a toilet that is set aside for use of the opposite gender except:
- 10.12.4.1 where a child under the age of eight years is accompanied by a parent or adult guardian of that gender; or
- 10.12.4.2 to provide assistance to a person with a disability; or
- 10.12.4.3 in the case of a genuine emergency.
- 10.13 **Waste**
Deposit or leave thereon anything obnoxious or offensive.

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;
- 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 or in accordance with a direction from a Council officer.
- 14.2 The restrictions in subclauses 9.14 and 9.16 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 City of Norwood Payneham & St Peters held on **6 August 2018** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

Mario Barone
Chief Executive Officer

CITY OF NORWOOD PAYNEHAM & ST PETERS
DOGS BY-LAW 2018
By-law No. 5 OF 2018

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

PART 1 – PRELIMINARY

- 1. Title**
This By-law may be cited as the *Dogs By-law 2018* and is By-law No. 5 of the City of Norwood Payneham & St Peters.
- 2. Authorising law**
This By-law is made under section 90(5) of the *Dog and Cat Management Act 1995*, 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 control and manage dogs in the Council area:
- 3.1 to reduce the incidence of environmental nuisance caused by dogs; and
- 3.2 to promote responsible dog ownership; and
- 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's area.
- 4. Commencement & Expiry**
This By-law will commence in accordance with section 249(5) of the Act and will expire on 1 January 2026.
- 5. Application**
- 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2018*.
- 5.2 Subject to subclause 5.3, this By-law applies throughout the Council's area.
- 5.3 Subclauses 9 and 10.3, 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 **assistance dog** means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled;
- 6.4 **children's playground** means an enclosed area in which there is equipment or other installed devices for the purpose of children's play (or within 15 metres of such devices if there is no enclosed area);
- 6.5 **Council** means the City of Norwood Payneham & St Peters;
- 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 **public picnic or barbeque area** means an area in which fixed cooking facilities and/or dining equipment (including chairs and tables) are located.
- 6.12 **small dwelling** means a self-contained residence that is:
- 6.12.1 a residential flat building;
- 6.12.2 contained in a separate strata unit or community title;
- 6.12.3 on an allotment less than 400 square metres in area; or
- 6.12.4 without a secure yard of at least 100 square metres in area;
- 6.13 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, chain or cord that does not exceed 2 metres in length and:
- 6.13.1 the leash, chain or cord is either tethered securely to a fixed object; or
- 6.13.2 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 *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 subclauses 7.3 and 7.5, a person must not, without the Council's permission keep or cause, suffer or permit to be kept:
- 7.1.1 more than one dog in a small dwelling; or
- 7.1.2 more than two dogs on any premises other than a small dwelling.
- 7.2 For the purposes of subclause 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 Subclause 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 other 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's area for the purpose of exercising a dog under his or her effective control.

Note –

If a person is exercising a dog in a park as permitted under this clause and the dog is not under effective control as that term is defined by the *Dog and Cat Management Act 1995*, 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 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 on Local Government land or in a public place (including a park) to which the Council has determined this clause applies 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:

- 10.1 on any children's playground on Local Government land; or
- 10.2 within 15 metres of a public picnic or barbeque area; or
- 10.3 on any other 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 under section 45A(6) of the *Dog and Cat Management Act 1995*).

12. Dog obedience classes

No person will, without prior permission of the Council, conduct dog obedience training classes on Local Government land.

13. Exemptions

Clause 9 of this By-law does not apply to a person participating in a dog obedience training class, the holding of which has been approved by the Council, provided that person ensures the dog (or dogs) under his/her control, charge or authority remain under effective control by means of voice command with the dog being in close proximity to the person and, the person being able to see the dog or dogs at all times.

PART 4 – EXEMPTIONS**14. Council may grant exemptions**

- 14.1 The Council may, by notice in writing, on application or on its own initiative, exempt a person (or a class of persons) from the operation of a specified provision of this By-law.
- 14.2 An exemption—
- 14.2.1 may be granted or refused at the discretion of the Council; and
- 14.2.2 may operate indefinitely or for a period specified in the instrument of exemption; and
- 14.2.3 is subject to any conditions specified in the instrument of exemption.
- 14.3 The Council may, by notice in writing, vary, revoke or add a condition of an exemption.
- 14.4 The Council may, in its discretion, revoke an exemption for a contravention of a condition of the exemption, or for any other reason it thinks fit.

PART 5 – ENFORCEMENT**15. Orders**

- 15.1 If a person engages in conduct that is in contravention of this By-law, an authorised person may order that person:
- 15.1.1 if the conduct is still continuing – to stop the conduct; and
- 15.1.2 whether or not the conduct is still continuing – to take specified action to remedy the contravention.
- 15.2 A person must comply with an order under this clause.
- 15.3 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.
- 15.4 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 City of Norwood Payneham & St Peters held on **6 August 2018** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

Mario Barone
Chief Executive Officer

**CITY OF NORWOOD PAYNEHAM & ST PETERS
WASTE MANAGEMENT BY-LAW 2018
By-law No. 6 of 2018**

A By-law to regulate the removal of domestic waste, recyclables and green organic waste from premises in the Council's area.

PART 1 – PRELIMINARY**1. Title**

This By-law may be cited as the *Waste Management By-law 2018* and is By-law No. 6 of the City of Norwood Payneham & St Peters.

2. Authorising law

This By-law is made under sections 238, 239 and 246 of the *Local Government Act 1999* and regulation 28 of the *Local Government (General) Regulations 2013*.

3. Purpose

The objectives of this By-law are:

- 3.1 to prevent and suppress nuisances associated with the storage and collection of domestic waste;
- 3.2 to prevent damage to Council property and land;
- 3.3 to define the requirements for the use of Council's domestic kerbside waste collection service;
- 3.4 to protect the convenience, comfort and safety of members of the public;
- 3.5 to enhance the amenity of the Council area; and
- 3.6 for the good rule and government of the area.

4. **Commencement and Expiry**
This By-law will commence in accordance with section 249(5) of the Act and will expire on 1 January 2026.
5. **Application**
 - 5.1. This By-law operates subject to the Council's *Permits and Penalties By-law 2018*.
 - 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. **authorised person** is a person appointed by the Council as an authorised person under section 260 of the Act;
 - 6.3. **Council** means the City of Norwood Payneham & St Peters;
 - 6.4. **crossover** means the portion of a road (usually connected to a driveway on private property) that provides vehicular access to adjoining land;
 - 6.5. **Green Organics** means any clean organic matter consisting of lawn clippings, plants, vegetables, leaves, prunings, food scraps or other materials for which permission has been given by the Council;
 - 6.6. **Green Organics Container** means a container for the disposal of Green Organics that is approved by the Council;
 - 6.7. **Hard Waste** means any internal and/or external domestic items such as (but not limited to) fridges, and mattresses but excludes any Domestic Waste or other items as may be specified by the Council and noted on its website;
 - 6.8. **Domestic Waste** means any kind of domestic and kitchen waste generated from residences including, but not limited to, broken crockery, clothing, material, broken and cooking glass items, hoses, polystyrene, ropes, and soft plastics, but excludes building materials, effluent, liquids, metal, rocks, soil, lead acid batteries, wood and any toxic waste;
 - 6.9. **Domestic Waste Container** means a container for the disposal of Domestic Waste that is approved by the Council;
 - 6.10. **premises** means premises, excluding vacant land, to which the Council's waste collection services is made available;
 - 6.11. **Recyclables** means newspapers, magazines, clean paper and cardboard, clean plastic containers of a type specified by the Council, clean tins and cans, clean glass and clean milk and juice containers and other materials for which permission has been given by the Council;
 - 6.12. **Recyclables Container** means a container for the disposal of Recyclables that is approved by the Council;
 - 6.13. **Road** has the same meaning as in the *Local Government Act 1999*;
 - 6.14. **Waste** means Domestic Waste, Recyclables and Green Organics; and
 - 6.15. **Waste Containers** means Domestic Waste Containers, Recyclables Containers and Green Organics Containers.
7. **Provide Containers**
 - 7.1. An occupier of premises must keep on his or her premises a Domestic Waste Container and a Recyclables Container.
 - 7.2. An occupier of premises may keep on his or her premises a Green Organics Container.
8. **Management of Waste Collection Services**
An occupier of premises must:
 - 8.1. **Domestic Waste**
 - 8.1.1 ensure that the Domestic Waste Container kept on the premises is approved by the Council; and
 - 8.1.2 not place, cause, suffer or permit any waste other than Domestic Waste to be in a Domestic Waste Container; and
 - 8.2. **Recyclables**
 - 8.2.1 ensure that the Recyclables Container kept on his or her premises is approved by the Council; and
 - 8.2.2 not place, cause, suffer or permit waste other than Recyclables to be in a Recyclables Container; and
 - 8.3. **Green Organics**
 - 8.3.1 ensure that any Green Organics Container kept on his or her premises is approved by the Council;
 - 8.3.2 not place, cause, suffer or permit waste other than Green Organics to be in a Green Organics Container; and
 - 8.4. **Keep Container Clean**
cause each Waste Container kept on the premises to be kept in a clean and sanitary condition, maintained in good order and repair and kept watertight at all times; and
 - 8.5. **Sealing of Container**
cause each Waste Container to be continuously and securely covered or sealed except when waste is being deposited in or removed from the container; and

- 8.6. **Damage**
ensure that each Waste Container thereon is maintained, repaired or replaced (as necessary) so that it is not damaged or worn to the extent that:
- 8.6.1 it is not robust or watertight;
 - 8.6.2 it is unable to be moved on its wheels (if any) efficiently;
 - 8.6.3 the lid does not seal on the container when closed; or
 - 8.6.4 its efficiency or use is otherwise impaired; and
- 8.7. **Collection Services**
- 8.7.1 facilitate the collection and removal of waste from the premises by ensuring all Waste Containers thereon that contain waste for collection are placed on the road for collection by the Council its agents or contractors:
- 8.7.1.1 on the day appointed by the Council for the collection of Waste from those premises or the night before (and not before these times); and
 - 8.7.1.2 in a position:
 - (i) adjacent to the kerb (not on the carriageway) so that the front of the bin faces the road; and
 - (ii) not under the overhanging branches of any trees; and
 - (iii) if placed on a crossover, only on the part of a crossover (where it abuts the carriageway) that is closest to the edge of the crossover and not in the centre of the crossover or in any other place or manner that may reasonably be considered (in the opinion of an authorised person) to create a restriction or a danger for other pedestrians or vehicular access to the crossover; and
 - (iv) as may otherwise be approved or directed by the Council and, wherever practicable, notified to the occupier in writing; and
- 8.7.2 remove all Waste Containers from the road on the same day as the collection of Waste has occurred; and
- 8.8. **Waste**
not place any Waste Container on the road for collection by the Council its agents or contractors unless the Waste Container contains only the type of Waste that is permitted to be disposed of in that Waste Container; and
- 8.9. **Hard Waste**
not place any Hard Waste on the road for collection by the Council its agents or contractors other than in accordance with any directions issued by the Council and notified to the occupier in writing or on the Council's website.
9. **Interference with Waste/Hard Waste**
A person must not, without the Council's permission, remove, disburse or interfere with any Waste, or Hard Waste that has been placed on a road or in a Waste Container on a road for the apparent purpose of collection by the Council, its agents or contractors.

PART 2 – ENFORCEMENT

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. **Exemptions**
The restrictions in this By-law do not apply to a police officer, emergency worker, Council officer or employee acting in the course of 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.

This By-law was duly made and passed at a meeting of the City of Norwood Payneham & St Peters held on **6 August 2018** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

Mario Barone
Chief Executive Officer

CITY OF PORT ADELAIDE ENFIELD

Resignation of Councillor

NOTICE is hereby given in accordance with Section 54(6) of the Local Government Act 1999, that a vacancy has occurred in the office of Councillor for the Northfield Ward, due to the resignation of Councillor Anne-Marie Hubycz, to take effect from 1 August 2018.

In accordance with Section 6(2) of the Local Government (Elections) Act 1999, a supplementary election will not be held to fill the casual vacancy as it arose after 1 January of a year in which a periodic election is due.

M. WITHERS
Chief Executive Officer

**DISTRICT COUNCIL OF CLEVE
PERMITS AND PENALTIES BY-LAW 2018
By-law No. 1 of 2018**

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

PART 1 – PRELIMINARY

1. **Title**
This By-law may be cited as the *Permits and Penalties By-law 2018* and is By-law No. 1 of the District Council of Cleve.
 2. **Authorising law**
This By-law is made under section 246 of the Act.
 3. **Purpose**
The objectives 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 operation¹:
 - 4.1.1 By-Law No.1 – Permits and Penalties 2010².
 - 4.2 This By-law will expire on 1 January 2026.³
- 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**
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 the District Council of Cleve; and
 - 6.3 **person** includes a natural person, a body corporate, an incorporated association or an unincorporated association.
- 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 (including any person that the Council may authorise) granted in writing (including, by way of the Council adopting a policy for this purpose) 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 (including any person that the Council may authorise) 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 that it gives rise to a contravention of a By-law).
 - 8.4 The Council (including any person that the Council may authorise) 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 commits a breach of any By-law of the Council is guilty of an offence and may be liable to pay:
 - 9.1.1 a 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 \$750.00, and the maximum penalty for every day in which a breach of continuing nature continues is currently \$50.00 – 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 District Council of Cleve held on 7 August 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

**DISTRICT COUNCIL OF CLEVE
MOVEABLE SIGNS BY-LAW 2018
By-law No. 2 of 2018**

A By-law to set standards for moveable signs on roads and on Local Government land, and to provide conditions for the placement of such signs for the purpose of protecting visual amenity and public safety.

PART 1 – PRELIMINARY

1. **Title**
This By-law may be cited as the *Moveable Signs By-law 2018* and is By-law No. 4 of the District Council of Cleve.
 2. **Authorising law**
This By-law is made under sections 226, 238, 239 and 246 of the Act.
 3. **Purpose**
The objectives of this By-law are to set standards for moveable signs on roads:
 - 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's 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's 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 operation¹:
 - 4.1.1 By-Law No.2 - 4- Moveable Signs 2010.²
 - 4.2 This By-law will expire on 1 January 2026.³
- 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's 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 2018*.
 - 5.2 This By-law applies throughout the Council's area and is subject to the exemptions set out in clause 11.
 6. **Interpretation**
In this By-law, unless the contrary intention appears:
 - 6.1 **Act** means the *Local Government Act 1999*;
 - 6.2 **authorised person** means a person appointed as an authorised person pursuant to section 260 of the Act;
 - 6.3 **banner** means a slip of cloth, plastic or other material hung up or carried on a pole, fence or other structure;
 - 6.4 **business premises** means premises from which a business is being conducted;
 - 6.5 **Council** means the District Council of Cleve;
 - 6.6 **footpath area** means:
 - 6.6.1 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;
 - 6.6.2 a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;
 - 6.7 **Local Government land** has the same meaning as in the Act;
 - 6.8 **moveable sign** has the same meaning as in the Act;
 - 6.9 **road** has the same meaning as in the Act; and
 - 6.10 **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 must:
 - 7.1 be of kind known as an 'A' frame or sandwich board sign, an inverted 'T' sign, a flat sign or, with the permission of the Council (including as may be set out in a Council policy from time to time), 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 so as to keep its position in any weather conditions;
 - 7.4 have no sharp or jagged edges or corners;
 - 7.5 not be unsightly or offensive in appearance or content;
 - 7.6 be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;
 - 7.7 not rotate or contain flashing parts;
 - 7.8 not exceed 1.2 metre in height, 800mm in width and 800mm 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.
8. **Placement**
A moveable sign must not be:
 - 8.1 placed on any part of a road other than the footpath area;

- 8.2 placed less than 1 metre from the edge of the kerb (or, if there is no kerb, to the edge of the carriageway of a road or the shoulder of a road, whichever is the greater);
- 8.3 placed on a footpath that is less than 2.5 metres wide;
- 8.4 tied, fixed or attached to, or placed closer than 2 metres from another structure, object (including another moveable sign), tree, bush or plant;
- 8.5 placed on a designated parking area or within 1 metre of an entrance to any premises;
- 8.6 placed on the sealed part of a footpath, if there is an unsealed part on which the sign can be placed in accordance with this By-law;
- 8.7 placed so as to interfere with the reasonable movement of persons or vehicles using the footpath or road in the vicinity of where the moveable sign is placed;
- 8.8 placed within 10 metres of an intersection of two or more roads;
- 8.9 placed on a footpath area with a minimum height clearance from a structure above it of less than 2 metres;
- 8.10 displayed during the hours of darkness unless it is clearly lit; or
- 8.11 be placed in such a position or in such circumstances that:
- 8.11.1 it compromises the safety of any person or places a person at risk of harm; or
- 8.11.2 it obstructs or impedes (or would be likely to obstruct or impede) a vehicle door when opened, provided that the vehicle is parked lawfully on a road.

9. Banners

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

Note

A person must not erect or display a banner on a public road for a business purpose without a permit from the Council issued under section 222 of the Local Government Act 1999.

10. Restrictions

- 10.1 The owner or operator of a business must not, without the permission of the Council, cause or allow more than one moveable sign for each business premises to be displayed on the footpath area of a road at any time.
- 10.2 A person must not, without the Council's permission, display a moveable sign on or attached to or adjacent to a vehicle that is parked on Local Government land or on a road primarily for the purpose of advertising or offering for sale a product (including the vehicle) or business to which the sign relates.
- 10.3 A person must not cause or allow a moveable sign to be placed on a footpath area unless:
- 10.3.1 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
- 10.3.2 the business premises to which it relates is open to the public.
- 10.4 If in the opinion of the Council a footpath area is unsafe for a moveable sign to be displayed, the Council may by resolution prohibit or restrict the display of a moveable sign on such conditions as the Council thinks fit.

11. Exemptions

- 11.1 Subclauses 10.1 and 10.3 of this By-law do not apply to a moveable sign which:
- 11.1.1 advertises a garage sale taking place from residential premises;
- 11.1.2 is a directional sign to an event run by a community organisation or charitable body;
- 11.2 Subclauses 10.1 and 10.3 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.
- 11.3 A requirement of this By-law will not apply where the Council has granted permission (which may include by way of adopting a policy for this purpose) for a moveable sign (or class of 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 four (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

12. Removal of moveable signs

- 12.1 A person must immediately comply with the order of an authorised person to remove 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.

- 12.2 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.
- 12.3 The owner, or other person responsible for a moveable sign must remove or relocate the moveable sign at the request of an authorised person:
- 12.3.1 if, in the opinion of an authorised person, and notwithstanding 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 sign; or

- 12.3.2 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.
13. **Liability of vehicle owners**
- 13.1 For the purposes of this clause 13, *owner* in relation to a vehicle has the same meaning as contained in section 4 of the Act.
- 13.2 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 District Council of Cleve held on the **7 August 2018** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

**DISTRICT COUNCIL OF CLEVE
ROADS BY-LAW 2018
By-law No. 3 of 2018**

A By-law to manage, control and regulate certain activities on roads in the Council's area.

PART 1 – PRELIMINARY

1. **Title**
This By-law may be cited as the *Roads By-law 2018* and is By-law No. 3 of the District Council of Cleve.
2. **Authorising law**
This By-law is made under sections 239 and 246 of the Act and regulation 28 of the *Local Government (General) Regulations 2013*.
3. **Purpose**
The objectives of this By-law are to manage, control and regulate the prescribed uses of roads in the Council's 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's 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 operation¹:
- 4.1.1 By-Law No.3- Roads 2010.²
- 4.2 This By-law will expire on 1 January 2026.³
- 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 2018*.
- 5.2 Subject to subclauses 5.3 and 5.4, this By-law applies throughout the Council's area.
- 5.3 Subclause 7.3.3 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 Subclause 7.4.2 of this By-law applies throughout the Council's 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** includes birds, insects and poultry but does not include a dog;
- 6.3 **authorised person** is a person appointed by the Council as an authorised person under section 260 of the Act;
- 6.4 **camp** includes setting up a camp, or causing:
- 6.4.1 a tent or other structure of calico, canvas, plastic or other similar material; or
- 6.4.2 a swag or similar bedding; or
- 6.4.3 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;
- 6.5 **Council** means the District Council of Cleve;
- 6.6 **effective control** means a person exercising effective control of an animal either:
- 6.6.1 by means of a physical restraint; or
- 6.6.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
- 6.7 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 6.8 **moveable sign** has the same meaning as in the Act;
- 6.9 **road** has the same meaning as in the Act; and
- 6.10 **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 on a road or on a structure on a road, any poster, advertising or sign for the purpose of advertising goods or services, other than a moveable sign that is displayed 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 amplifying sound including the broadcasting of announcements or advertisements.
- 7.3 **Animals**
- 7.3.1 Cause or allow an animal to stray onto, move over, or graze on a road 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 the animal or animals are under effective control.
- 7.3.2 Lead, herd or exercise an animal in such a manner as to cause a nuisance or endanger the safety of a person.
- 7.3.3 Lead, herd or drive any animal on any road to which the Council has determined this clause applies.
- 7.4 **Camping and Tents**
- 7.4.1 Subject to this subclause 7.4, erect a tent or other structure of calico, canvas, plastic or other similar material as a place of habitation.
- 7.4.2 Camp or remain overnight except:
- 7.4.2.1 on any road which the Council has resolved this subclause applies (if any); and
- 7.4.2.2 in accordance with any conditions determined by the Council and displayed on any signage on or near the road.
- 7.5 **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.
- 7.6 **Preaching**
Preach, harangue, or canvass for religious or charitable purposes.
- 7.7 **Public Exhibitions and Displays**
- 7.7.1 Sing, busk, play a recording or use a music instrument, or perform similar activities.
- 7.7.2 Conduct or hold a concert, festival, show, circus, performance or a similar activity.
- 7.7.3 Erect a stage or structure for the purpose of conducting or holding a concert, festival, show, circus, performance or a similar activity.
- 7.7.4 Cause any public exhibitions or displays.
- 7.8 **Soliciting**
- 7.8.1 Ask for or receive or do anything to indicate a desire for a donation of money or any other thing.
- 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

Movable signs on roads are regulated by sections 226 and 227 of the Act and the Council's Moveable Signs By law.

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;
- dismantle and remove a tent from a road.

10. Removal of animals and objects

10.1 The Council (or its delegate) may, pursuant to section 234 of the Act, 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.

10.2 The Council may recover from the owner or apparent owner of an object removed under subclause 10.1 the costs it incurs in removing that object.

PART 4- MISCELLANEOUS**11. Exemptions**

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 or in accordance with a direction from a Council officer.

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.

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 District Council of Cleve held on **7 August 2018** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

**DISTRICT COUNCIL OF CLEVE
LOCAL GOVERNMENT LAND BY-LAW 2018
By-law No. 4 of 2018**

A By-law to manage and 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 2018* and is By-law No. 4 of the District Council of Cleve.
 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 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's area; and
 - 3.5 for the good rule and government of the Council's 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 operation¹:
 - 4.1.1 By-law No. 4 – Local Government Land 2010.²
 - 4.2 This By-law will expire on 1 January 2026.³
- 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 2018*.
 - 5.2 Subject to subclauses 5.3 and 5.4, this By-law applies throughout the Council's area.
 - 5.3 Subclauses 9.3, 9.8.1, 9.8.5, 9.10.2, 9.14.1, 9.25.1, 9.25.3, 9.25.4, 9.27.2, 9.38, 10.3 and 10.9 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 Subclauses 9.5.4.2, 9.8.3, 9.14.2 and 9.34 of this By-law apply throughout the Council area except in such 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 **ablutionary facility** means washing and toilet facilities provided for public use;
 - 6.2 **Act** means the *Local Government Act 1999*;
 - 6.3 **animal** includes birds and insects but does not include a dog;
 - 6.4 **authorised person** is a person appointed by the Council as an authorised person under section 260 of the Act;
 - 6.5 **boat** includes a raft, pontoon, houseboat, personal watercraft or other similar device;
 - 6.6 **boat harbour** means a facility constructed, maintained and operated by the Council for the launching, mooring or landing of boats;
 - 6.7 **boat ramp** means a facility constructed, maintained and operated for the launching and retrieval of a boat;
 - 6.8 **camp** includes setting up a camp, or causing a tent, swag and/or similar bedding, a 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;
 - 6.9 **Council** means the District Council of Cleve;
 - 6.10 **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;
 - 6.11 **effective control** means a person exercising effective control of an animal either:
 - 6.11.1 by means of a physical restraint; or
 - 6.11.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
 - 6.12 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules- Ancillary and Miscellaneous Provisions) Regulations 2014*;
 - 6.13 **foreshore** means land (regardless of whether or not it is Local Government land) extending from the low water mark on the seashore to the nearest road or section boundary, or to a distance of 50 metres from high water mark (whichever is the lesser distance);
 - 6.14 **funeral ceremony** means a ceremony only (i.e. a memorial service) and does not include a burial;
 - 6.15 **liquor** has the same meaning as in the *Liquor Licensing Act 1997*;

- 6.16 **Local Government land** means all land owned by the Council or under the Council's care, control and management (except roads);
- 6.17 **low water mark** means the lowest meteorological tide;
- 6.18 **motor home** means a recreational self-contained vehicle which is not a caravan but includes electrical and plumbing facilities;
- 6.19 **offensive** includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;
- 6.20 **open container** means a container which, after the contents of the container have been sealed at the time of manufacture:
- 6.20.1 being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
- 6.20.2 being a can, it has been opened or punctured;
- 6.20.3 being a cask, it has had its tap placed in a position to allow it to be used;
- 6.20.4 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
- 6.20.5 is a flask, glass, mug or other container able to contain liquid.
- 6.21 **personal watercraft** means a device that –
- 6.21.1 is propelled by a motor; and
- 6.21.2 has a fully enclosed hull; and
- 6.21.3 is designed not to retain water if capsized; and
- 6.21.4 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;
- 6.22 **tobacco product** has the same meaning as in the Tobacco Products Regulation Act 1997;
- 6.23 **vehicle** has the same meaning as in the Road Traffic Act 1961;
- 6.24 **waters** includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council but does not include ocean waters; and
- 6.25 **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 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 subclause 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 or, where stated, the foreshore.

- 9.1 **Advertising**
Display, paint or erect or cause to be displayed, painted or erected, on Local Government Land or a structure, building or fixture on Local Government Land any sign, advertising 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 or broadcasting announcements or advertisements.
- 9.5 **Animals**
On Local Government land other than the foreshore:
- 9.5.1 Subject to this subclause 9.5, cause or allow an animal to stray onto, move over, graze or be left unattended.
- 9.5.2 Cause or allow an animal to enter, swim, bathe or remain in any waters.
- 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.
- 9.5.4 On the foreshore:

- 9.5.4.1 cause or allow an animal to enter, swim, bathe or remain in any waters; or
 9.5.4.2 lead, herd or exercise an animal, except in an area to which the Council has resolved this subclause applies (if any).
- 9.6 **Annoyance**
 Do anything likely to offend or unreasonably interfere with any other person:
 9.6.1 using that land; or
 9.6.2 occupying nearby premises,
 by making noise or creating a disturbance.
- 9.7 **Attachments**
 Subject to subclause 9.1, attach or cause to be attached, hang or fix anything to a tree, plant, equipment, fence, post, structure or fixture on Local Government land.
- 9.8 **Boats & Mooring**
 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 adjacent to or on any Local Government land or foreshore to which the Council has determined this subclause applies;
 9.8.2 launch or retrieve a boat from or to the foreshore without using a boat ramp constructed and set aside by the Council for that purpose;
 9.8.3 propel, float or otherwise use a boat on or in any waters except:
 (a) in an area to which the Council has determined this subclause applies; and
 (b) in accordance with any conditions that the Council may have determined by resolution apply to that use.
 9.8.4 hire out a boat or otherwise use a boat for commercial purposes;
 9.8.5 moor a boat on any waters or to Local Government land to which the Council has determined this subclause applies without having first made payment of the prescribed mooring fee determined by the Council;
 9.8.6 moor any boat on or to Local Government land other than in accordance with such time limits and other conditions (if any) determined by resolution of the Council and contained in any signage erected in the vicinity.
- 9.9 **Boat Harbour**
 Subject to the provisions of the *Harbors and Navigation Act 1993*:
 9.9.1 interfere with any of the moorings in a boat harbour;
 9.9.2 anchor or moor a boat in a boat harbour in a manner that causes the boat to obstruct the entrance to the harbour;
 9.9.3 remain or sleep overnight on any boat in a boat harbour for more than three consecutive nights;
 9.9.4 throw, discharge or place any marine offal or waste, sewerage, food waste or other rubbish of any kind, into waters or surrounds of a boat harbour;
 9.9.5 fish, swim, dive, scuba dive or snorkel in a boat harbour or conduct or participate in any water sport in a boat harbour;
 9.9.6 handle any fuel or dangerous or flammable substance in such a manner that may expose a person or property to damage.
- 9.10 **Boat Ramps**
 9.10.1 Allow a boat to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat.
 9.10.2 Launch or retrieve a boat (or boat of a specified class) from or on to any boat ramp on the foreshore or on Local Government land to which the Council has determined this subclause applies.
 9.10.3 Launch or retrieve a boat (or boat of a specified class) from or on to any boat ramp on the foreshore or on Local Government land as determined by the Council under subclause 9.10.2, other than in accordance with the conditions determined by the Council, including any conditions specified on a sign displayed on or in the vicinity of the boat ramp.
- 9.11 **Bridge Jumping**
 Jump or dive from a bridge on Local Government land.
- 9.12 **Buildings**
 Use a building, or structure on Local Government land for a purpose other than its intended purpose.
- 9.13 **Burials and Memorials**
 9.13.1 Bury, inter or spread the ashes of any human or animal remains.
 9.13.2 Erect any memorial.
- 9.14 **Camping and Tents**
 9.14.1 Erect a tent or other structure of calico, canvas, plastic or similar material as a place of habitation on Local Government land to which the Council has determined this subclause applies.
 9.14.2 Camp or sleep overnight on Local Government land except:
 9.14.2.1 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
 9.14.2.2 in an area which has been designated by resolution of the Council for that purpose and only then in accordance with such time limits and other conditions determined by the Council and contained in any signage erected thereon
 9.14.3 Use ablutionary facilities provided on Local Government land for a purpose other than for which they were designed or constructed.
- 9.15 **Canvassing**
 Subject to subclause 14.2, convey any advertising, religious or other message to any bystander, passer-by or other
- 9.16 **Defacing Property**
 Deface, remove, paint, spray, write upon, cut names, letters or make marks on any tree, rock, gate, fence, object, monument, building, sign, bridge or property of the Council.

- 9.17 **Distribution**
Subject to subclause 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, leaflet 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.
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 four (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 plant, damage, pick, cut, disturb, interfere with or remove any plant, tree 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 (except a fishing rod) for the purpose of killing or capturing any animal, bird or marine creature; or
9.23.8 burn any timber or dead wood with the exception that subclauses 9.23.4 and 9.23.7 do not apply to lawful fishing activities.
- 9.24 **Foreshore**
9.24.1 Drive or propel a vehicle onto or from the foreshore other than by a ramp or thoroughfare constructed or set aside by the Council for that purpose.
9.24.2 Drive or propel a vehicle on the foreshore except on an area or road that is constructed or set aside by the Council for that purpose.
9.24.3 Hire out a boat on or from the foreshore.
9.24.4 Use any change rooms other than for the purposes of changing into or from bathing garments, or remain there for longer than is necessary for that purpose.
- 9.25 **Games & Sport**
9.25.1 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.
9.25.2 Play or practise any game which involves kicking, hitting or throwing a ball or other object on Local Government land which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land.
9.25.3 Engage, play or practise the game of golf on Local Government land to which the Council has resolved this sub-clause applies.
9.25.4 Play or practice any game or sport on Local Government land to which the Council has resolved this subclause applies except at the times determined by the Council and indicated on a sign on or in the vicinity of the land.
- 9.26 **Interference with Land**
Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:
9.26.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
9.26.2 erecting or installing a structure in, on, across, under or over the land;
9.26.3 changing or interfering with the construction, arrangement or materials of the land;
9.26.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
9.26.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.
- 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 vehicle 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 **Playing Area**
Use or occupy a playing area:
- 9.29.1 in such a manner as to damage or be likely to damage the surface of the playing area or infrastructure (above and under ground level);
- 9.29.2 in a manner contrary to the purpose for which the playing area was intended to be used or occupied; or
- 9.29.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area.
- 9.30 **Pontoons**
Install or maintain a pontoon or jetty or similar structure in any waters.
- 9.31 **Preaching**
Preach, harangue or solicit for religious purposes.
- 9.32 **Ropes**
Place a buoy, cable, chain, hawser, rope or net in or across any waters.
- 9.33 **Rubbish and Rubbish Dumps**
- 9.33.1 Interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on Local Government Land.
- 9.33.2 Remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a bin on any Local Government Land, or placed on Local Government Land for collection by the Council (or its agent).
- 9.34 **Swimming**
Subject to the provisions of the *Harbors and Navigation Act 1993*, enter, swim or bathe in any waters on Local Government land except:
- 9.34.1 in an area which the Council has designated 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, which are exhibited on any signage in the vicinity.
- 9.35 **Trading**
- 9.35.1 Sell, buy, offer or display anything for sale or hire or lease any goods, merchandise, commodity, article or thing.
- 9.35.2 Carry on any business or promote or advertise the same.
- 9.35.3 Set up a van or other vehicle, stall, stand, table or other structure, tray, carpet or device for the apparent purpose of buying, selling, offering, displaying or exposing for sale or the hiring or leasing of any goods, merchandise, commodity, article, service or thing.
- 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, Functions and Special events**
- 9.37.1 Hold, conduct or participate in a marriage ceremony, funeral service or special event.
- 9.37.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral service or special event.
- 9.37.3 Hold or conduct any filming where the filming is for a commercial purpose.
- 9.38 **Wheeled Recreational Devices**
Subject to the *Road Traffic Act 1961*, ride a wheeled recreational device on Local Government land to which the Council has determined this subclause applies.
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 to the inconvenience, annoyance or danger of any other 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.
- 10.1.3 Lead, herd or exercise an animal in such manner as to cause a nuisance or endanger the safety of a person.
- 10.2 **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.
- 10.3 **Fishing**
Fish in any waters to which the Council has determined this subclause applies.
- 10.4 **Glass**
Willfully break any glass, china or other brittle material.
- 10.5 **Interference with Permitted Use**
Interrupt or unreasonably interfere with any other person's use of Local Government land where the person is using the land in a manner permitted by the Council or in accordance with any permission that has been granted by the Council.

- 10.6 **Nuisance**
Behave in such an unreasonable manner as to cause discomfort, inconvenience, annoyance or offence to any other person including by using profane, indecent or obscene language.
- 10.7 **Playing games**
Play or practise a game:
10.7.1 which is likely to cause damage to the land or anything on it; or
10.7.2 in any area where a sign indicates that the game is prohibited.
- 10.8 **Sand Dunes, Coastal Slopes and Cliffs**
No person shall:
10.8.1 destabilise sand on a sand dune, by any means so as to cause it to unnecessarily mass waste down slope;
10.8.2 destroy, remove or cause interference to live or dead vegetation within a sand dune, coastal slope or coastal cliff;
10.8.3 introduce non-indigenous flora or fauna or dump any material in a sand dune;
10.8.4 carry out any other activity that may damage or threaten the integrity of sand dunes, coastal slopes or cliffs.
- 10.9 **Smoking**
Subject to the *Tobacco Products Regulation Act 1997*, smoke, hold or otherwise have control over an ignited tobacco product on any land to which the Council has determined this subclause applies.
- 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:
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;
10.12.3 use it for a purpose for which it was not designed or constructed;
10.12.4 enter a toilet that is set aside for use of the opposite gender except:
(a) where a child under the age of eight years is accompanied by a parent or adult guardian of that gender; or
(b) to provide assistance to a person with a disability; or
(c) in the case of a genuine emergency.
- 10.13 **Waste**
10.13.1 Deposit or leave thereon anything obnoxious or offensive.
10.13.2 Deposit any rubbish other than in receptacles provided by the Council for that purpose.
10.13.3 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
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;
- 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 or in accordance with a direction from a Council officer.

- 14.2 The restrictions in subclauses 9.15 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 District Council of Cleve held on the **7 August 2018** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

**DISTRICT COUNCIL OF CLEVE
DOGS BY-LAW 2018
By-law No. 5 OF 2018**

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

PART 1 – PRELIMINARY

1. **Title**
This By-law may be cited as the *Dog By-law 2018* and is By-law No. 5 of the District Council of Cleve.
2. **Authorising law**
This By-law is made under section 90(5) of the *Dog and Cat Management Act 1995*, 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 control and manage dogs in the Council's area:
- 3.1 to reduce the incidence of environmental nuisance caused by dogs; and
- 3.2 to promote responsible dog ownership; and
- 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's 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 operation¹:
- 4.1.1 By-Law No. 5 – Dogs 2010.²
- 4.2 This By-law will expire on 1 January 2026.³
- 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 2018*.
- 5.2 Subject to subclause 5.3, this By-law applies throughout the Council's area.
- 5.3 Subclauses 9.1 and 10.2, 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 **assistance dog** means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled;
- 6.4 **children's playground** means an enclosed area in which there is equipment or other installed devices for the purpose of children's play (or within 3 metres of such devices if there is no enclosed area);
- 6.5 **Council** means the District Council of Cleve;
- 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:
- 6.11.1 usually kept, proposed to be kept or worked on rural land by a person who is:
- (a) a primary producer; or
- (b) engaged or employed by a primary producer; and
- 6.11.2 used principally for the purpose of herding, droving, protecting, tending or working stock, or training for herding, droving, protecting, tending or working stock;
- 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, chain or cord that does not exceed 2 metres in length and:

- 6.12.1 the leash, chain or cord 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 *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 subclauses 7.3 and 7.5, a person must not, without the Council's permission, keep or cause, suffer or permit to be kept, more than two dogs on any premises (other than working dogs).
 7.2 For the purposes of subclause 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 Subclause 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

If a person is exercising a dog in a park as permitted under this clause and the dog is not under effective control as that term is defined by the *Dog and Cat Management Act 1995*, 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 (including a park) to which the Council has resolved that 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:

- 10.1 on any children's playground on Local Government land;
 10.2 on any other 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 under section 45A(6) of the *Dog and Cat Management Act 1995*).

PART 4 – EXEMPTION**12. Council may grant exemptions**

- 12.1 The Council may, by notice in writing, on application or on its own initiative, exempt a person (or a class of persons) from the operation of a specified provision of this By-law.
 12.2 An exemption—
 12.2.1 may be granted or refused at the discretion of the Council; and
 12.2.2 may operate indefinitely or for a period specified in the instrument of exemption; and
 12.2.3 is subject to any conditions specified in the instrument of exemption.
 12.3 The Council may, by notice in writing, vary, revoke or add a condition of an exemption.
 12.4 The Council may, in its discretion, revoke an exemption for a contravention of a condition of the exemption, or for any other reason it thinks fit.

PART 5 – ENFORCEMENT**13. Orders**

- 13.1 If a person engages in conduct that is in contravention of this By-law, an authorised person may order that person:
 13.1.1 if the conduct is still continuing – to stop the conduct; and
 13.1.2 whether or not the conduct is still continuing – to take specified action to remedy the contravention.
 13.2 A person must comply with an order under this clause.
 13.3 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.
 13.4 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 District Council of Cleve held on **7 August 2018** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

**DISTRICT COUNCIL OF CLEVE
CATS BY-LAW 2018
By-law No. 6 of 2018**

A By-law to limit the number of cats kept on premises and for the management and control of cats in the Council's area.

PART 1 – PRELIMINARY

1. **Title**
This By-law may be cited as the *Cats By-law 2018* and is By-law No. 6 of the District Council of Cleve.
 2. **Authorising law**
This By-law is made under section 90(5) of the *Dog and Cat Management Act 1995* and section 246 of the Act.
 3. **Purpose**
The objectives of this By-law are to control and manage cats in the Council's area:
 - 3.1 to promote responsible cat ownership;
 - 3.2 to reduce the incidence of the public and environmental nuisance caused by cats;
 - 3.3 to protect the comfort and safety of members of the public; and
 - 3.4 for the good rule and government of the Council's 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 operation¹:
 - 4.1.1 By-law No 6 – Cats 2010.²
 - 4.2 This By-law will expire on 1 January 2026.³
- 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 2018*.
 - 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 except for in clause 8, **cat** means an animal of the species *felis catus* which is three months of age or older or has lost its juvenile canine teeth;
 - 6.3 **Council** means the District Council of Cleve;
 - 6.4 **keep** includes the provision of food or shelter;
 - 6.5 **nuisance** means:
 - 6.5.1 unreasonably interfering with the peace, comfort or convenience of a person, including but not limited to a cat acting aggressively or creating unpleasant noise or odour;
 - 6.5.2 acting in a manner that is injurious to a person's real or personal property or offensive or hazardous to health; or
 - 6.5.3 wandering onto land without the consent of the owner or occupier of the land; or
 - 6.5.4 defecating onto land without the consent of the owner or occupier of the land
 - 6.6 **premises** includes land whether used or occupied for domestic or non-domestic purposes and any part thereof.

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 is made.

PART 2 – LIMITS ON CAT NUMBERS

7. **Limits on cat numbers**
 - 7.1 Subject to this clause 7, a person must not, without the Council's permission, keep or cause suffer or permit to be kept more than 2 cats on any premises.
 - 7.2 Subclause 7.1 does not apply to premises comprising a business involving the keeping of cats provided that the business is operating in accordance with all required approvals and consents.
 - 7.3 Council may require that premises which are the subject of an application for permission to keep additional cats, must be inspected by an authorised person for the purpose of assessing the suitability of the premises for housing cats.
 - 7.4 Permission under subclause 7.3 may be given if the Council is satisfied that:
 - 7.4.1 no insanitary condition exists or is likely to arise on the premises as a result of the keeping of cats; and
 - 7.4.2 a nuisance is not or is not likely to be caused to any neighbour as a result of the keeping of cats on the premises.

PART 3 – CAT CONTROLS

8. **Cats not to be a nuisance**
 - 8.1 An owner or occupier of premises is guilty of an offence if a cat (or cats) kept or allowed to remain on the premises causes a nuisance.
 - 8.2 The owner or person responsible for a cat is guilty of an offence if the cat causes a nuisance.
 - 8.3 For the purposes of this clause 8, *cat* means an animal of the species *felis catus*.
9. **Registration of cats**
 - 9.1 If the Council resolves to adopt a registration scheme for cats, a person must not keep a cat in the Council's area for more than 14 days unless the cat is registered in accordance with this By-law.

- 9.2 An application for registration of a cat must:
- 9.2.1 be made to the Council in the manner and form prescribed by Council (if any); and
 - 9.2.2 be accompanied by the fee (if any) prescribed by the Council; and
 - 9.2.3 nominate a person of or over sixteen (16) years of age who consents to the cat being registered in his or her name; and
 - 9.2.4 identify with reference to an address the premises at which the cat is kept; and
 - 9.2.1 otherwise comply with any other requirements determined by the Council.
- 9.3 Registration under this By-law remains in force until 30 June next following the grant of registration and may be renewed from time to time for further periods of up to twelve (12) months.
- 9.4 Subclause 9.1 does not apply to premises comprising a business involving the keeping of cats provided that the business is operating in accordance with all required approvals and consents.

PART 4 – EXEMPTION**10. Council may grant exemptions**

- 10.1 The Council may by notice in writing, on application or on its own initiative, exempt a person (or a class of persons) from the operation of a specified provision of this By-law.
- 10.2 An exemption—
- 10.2.1 may be granted or refused at the discretion of the Council; and
 - 10.2.2 may operate indefinitely or for a period specified in the instrument of exemption; and
 - 10.2.3 is subject to any conditions specified in the instrument of exemption.
- 10.3 The Council may, by notice in writing, vary, revoke or add a condition of an exemption.
- 10.4 The Council may, in its discretion, revoke an exemption for a contravention of a condition of the exemption, or for any other reason it thinks fit.

PART 5 – ENFORCEMENT**11. Orders**

- 11.1 If a person engages in conduct that is a contravention of this By-law, an authorised person may order that person:
- 11.1.1 if the conduct is still continuing – to stop the conduct; and
 - 11.1.2 whether or not the conduct is still continuing - to take specified action to remedy the contravention.
- 11.2 A person must comply with an order under this clause.
- 11.3 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.
- 11.4 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 cats on that person's premises; or take the necessary steps to mitigate a nuisance caused by howling cats.

This By-law was duly made and passed at a meeting of the District Council of Cleve held on **7 August 2018** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ESSENTIAL SERVICES COMMISSION ACT 2002*Electricity Transmission Code*

NOTICE is hereby given that:

1. Pursuant to section 28(2) of the Essential Services Commission Act 2002, the Essential Services Commission has varied the Electricity Transmission Code (designated as TC/09.1) to apply to the electricity industry, a regulated industry under the Electricity Act 1996.
2. The Electricity Transmission Code as varied takes effect on and from the date this notice is published in the Gazette.
3. The variations clarify the operation of the service standards set out in the Electricity Transmission Code.
4. A copy of the Electricity Transmission Code may be inspected or obtained from the Essential Services Commission, Level 1, 151 Pirie Street, Adelaide and is also available at www.escosa.sa.gov.au.
5. Queries in relation to the variation to the Electricity Transmission Code may be directed to the Essential Services Commission, Level 1, 151 Pirie Street, Adelaide. Telephone (08) 8463 4444, Freecall 1800 633 592 or email escosa@escosa.sa.gov.au.

The seal of the Essential Services Commission was affixed to the varied Electricity Transmission Code with due authority by a Commissioner of the Essential Services Commission.

Dated: 17 August 2018

J ROACHE
Commissioner
Essential Services Commission

NATIONAL ELECTRICITY LAW

The Australian Energy Market Commission (AEMC) gives notice under the National Electricity Law as follows:

Under s 99, the making of a draft determination and related draft rule on the *Participant compensation following market suspension* proposal (Ref. ERC0225). Written requests for a pre-determination hearing must be received by **30 August 2018**. Submissions must be received by **4 October 2018**.

Submissions can be made via the AEMC's website. Before making a submission, please review the AEMC's privacy statement on its website. Submissions should be made in accordance with the AEMC's *Guidelines for making written submissions on Rule change proposals*. The AEMC publishes all submissions on its website, subject to confidentiality.

Written requests should be sent to submissions@aemc.gov.au and cite the reference in the title. Before sending a request, please review the AEMC's privacy statement on its website.

Documents referred to above are available on the AEMC's website and are available for inspection at the AEMC's office.

Australian Energy Market Commission

Level 6, 201 Elizabeth Street
Sydney NSW 2000

Telephone: (02) 8296 7800

www.aemc.gov.au

Dated: 23 August 2018

SURVEY ACT 1992

SOUTH AUSTRALIA

Register of Surveyors

It is hereby notified for general information that the names of the undermentioned persons are duly registered or licensed under the above Act.

LIST OF LICENSED SURVEYORS

NP/Register	Surveyors Name	Surveyors Address	Date of Licence
	Abbott, Richard Poole	366 Halifax Street, Adelaide SA 5000	30/03/1978
	Afnan, Ruhi	19 Dunn Street, Bridgewater SA 5155	9/04/1992
NP	Allen, Scott Lewis	GPO Box 2471 Adelaide SA 5000	8/05/1986
	Anderson, Ralph Ian	26 Evans Street Renmark 5341	10/05/1990
	Andrew, Robert Lindsay	29 Fowler Street, Seaview Downs SA 5049	23/10/1974
	Andrews, Richard George	22 Levering Street Kingscote SA 5223	28/07/1980
	Arnold, Timothy	9 Balmoral Avenue, North Brighton SA 5048	9/12/2010
	Aslanidis, Nicholas Peter	20a Henry Street Hectorville SA 5073	20/09/2012
	Bacchus, Scott John	PO Box 1435 Nairne SA 5252	6/08/2003
	Baker, Trevor John	11 White Avenue Crafers SA 5152	18/05/2017
	Barnes, Lyall Bruce	7 Boronia Court, Paradise SA 5075	14/04/1994
	Barwick, Craig	PO Box 1000, Kent Town SA 5071	15/11/2001
	Barry, Leigh Michael	PO Box 1000 Kent Town SA 5071	21/06/2018
	Barrington, Mettina	PO Box 1000 Kent Town SA 5071	15/05/2008
	Bennett, Mark Nicholas	15 Military Road Tennyson SA 5022	18/11/2004
	Bested, Antony John	362 Magill Road, Kensington Park SA 5068	1/01/1992
	Bevan, Matthew John	PO Box 80 Oaklands Park SA 5046	21/02/2013
	Bleeze, Denis Robert	18 Range Road South, Houghton SA 5131	30/08/1981
	Blok, Timothy	5 Seventh Avenue Hove SA 5048	13/09/1990
	Blundell, Marc John Pole	8 Belmont Close, Clovelly Park SA 5042	17/07/2003
	Brinkley, Peter James	23 Sydenham Road Norwood SA 5067	19/08/2010
	Brogden, Damian John	176 Prospect Road, Prospect SA 5082	13/07/1989
	Bryant, Warwick Kelvin	4 Osborn Road Malak NT 0812	28/10/2005
	Burdett, Michael Paul	2/101 Grenfell Street Adelaide 5000	12/08/1982
	Burgess, Gregory Stephen	18A Cameron Road, Mount Barker SA 5251	6/07/1995
	Burgess, Kevin Trevor	46 Second Avenue, St Peters SA 5069	8/07/1982
	Cameron, Michael Leigh	45 Helen Street, Mount Gambier SA 5290	20/04/2006
	Carn, Brenton Allen	16 Chester Street, Henley Beach SA 5022	19/09/1996
	Castelanelli, Carmelo	25 Hardys Road, Underdale SA 5032	11/03/1993
	Cavallo, Rocco	77 East Avenue, Clarence Park SA 5034	19/09/1990
	Christie, Brenton Andrew	23 Sydenham Road, Norwood SA 5067	21/07/2005
	Ciccarello, Mark Alexander	1 Vines Court, Oakden SA 5086	16/11/2015
	Clarke, Matthew James	69 Heather Road Heathfield SA 5153	19/11/2009
	Cooper, Daniel Charles	19 Belmont Crescent, Mount Barker SA 5251	20/06/2013
	Crowe, Simon John	PO Box 1000, Kent Town SA 5071	17/03/2012
	Curnow, James	PO Box 1000, Kent Town SA 5071	10/12/1976
	D'Aloia, Giuseppe	9 Cassia Crescent, Kidman Park SA 5025	20/06/2002
	Dansie, Phillip Alan	3 Angas Street, Port Lincoln SA 5606	11/05/1977
	Dellatorre, Wade Christopher	19 Willard Street, Moonta Bay SA 5558	16/05/2002
	Donaghey, Shaun Bernard	1 Leak Avenue, Glenelg North SA 5045	17/10/2002
	Driver, Malcolm John	PO Box 1000, Kent Town SA 5071	9/08/1984
	Ednie, Mark David	11 Shackell Street Coburg SA 3058	18/06/2009
	Eiternick, Paul	5 Gulfview Road, Blackwood SA 5051	17/10/2013
	Falkenberg, Andrew John	17 Dame Pattie Circuit, West Lakes SA 5021	6/12/1990
NP	Filmer, Michael Shaun	3/45-47 Somerset St, East Victoria Park WA 6101	3/08/2006
	Filmer, Scott John	1 Railway Place, Mount Barker SA 5251	16/08/2007
	Forster, Geoffrey	29 Greengable Court, Croyden Hills Victoria 3136	5/09/2014
	Frankiw, Jaroslaw	73 Northumberland Street, Tasmore SA 5065	4/06/1975

NP/Register	Surveyors Name	Surveyors Address	Date of Licence
	Fryar, Rockland Neil	26 Ottawa Avenue Panorama SA 5041	8/09/1994
	Fudge, Jeffrey Charles	55 Lewistone Street, Seaton SA 5023	11/08/1978
	Gathercole, Dylan Luke	31 Harriet Street, West Croyden SA 5008	16/02/2012
	Gehren, Noel Ralfe	19 Branch Road, Aldgate SA 5154	13/12/2007
	Gibson, Gregory Ireton	31 Dolling Street, Flynn ACT 2615	21/11/2013
	Gilbert, Peter Mark	2 Cremorne Street, Fullarton SA 5063	8/09/1994
	Georgiou, Kristian Michael	2 Elm Grove, Lobethal SA 5241	19/06/2016
	Gluis, Joel Mark	PO Box 182 Aldinga Beach SA 5173	17/03/2011
	Grear, Michael Stuart	24B Willunga Street, Eden Hills SA 5050	1/01/1992
	Harmer, Michael William	8 Apalka Place, Rostrevor SA 5073	18/11/2010
	Heinrich, Chad Anthony	311 Angus Street Adelaide SA 5000	16/08/2018
	Henley, John Edward	6 McLaughlan Avenue, North Brighton	12/10/1989
NP	Hennig, Bryan Ronald	14 Allendale Avenue, Novar Gardens SA 5040	1/07/1968
	Hennig, Shayne Bryan	275 Marion Road North Plympton SA 5037	14/06/1990
	Hillyard, Tyson Hillyard	108 Turners Avenue Hawthorndene SA 5051	15/11/2012
	Holland, Damian John	2 Porter Terrace Rostrevor SA 5073	01/12/2016
	Hopkins, Michael Jessop	3 Glenrowan Avenue, Myrtle Bank SA 5064	17/04/1984
	Hordacre, Glenn Ian	PO Box 1000, Kent Town SA 5071	12/11/1992
	Hynes, Matthew David	43 Edward Street, Norwood SA 5067	20/05/2004
	Jeanes, Peter Ian	PO Box 215, Lonsdale SA 5160	3/02/1982
	Jeffrey, Thomas Samuel	PO Box 160 Hindmarsh SA 5007	18/06/2013
	Jericho, David Allan	48 Lawrence Street, Kadina, SA 5554	11/03/1993
	Kennedy, Ross Alexander	20 Sizer Street, Lower Mitcham SA 5062	14/05/1992
	Klau, Timothy David	50A Normandy Place, Port Lincoln SA 5606	18/05/2006
	Klitscher, Simon Martin	PO Box 226, Brooklyn Park SA 5032	15/06/2000
NP	Kruimel, Daniel Nigel	301 Jln Bukit Ho Swee 10-06 Singapore 169568	22/04/2010
	Lambis, Haralambos Michael	PO Box 358 Prospect 5082	21/04/2005
	Lane, Gregory Charles	4 Light Road, Coromandel Valley SA 5051	15/06/2006
	Lange, Robert Harry	PO Box 422, Port Adelaide SA 5015	13/09/1984
	Langman James Stephen	72 Rapid Avenue Northgate SA 5085	18/03/2010
	Leaker, Martin John	24 Richardson Avenue, Glenelg North SA 5045	11/10/1994
	Leith, Grantley David	30 College Road, Somerton Park SA 5044	10/05/1990
	Liebelt, Michael John	6 Graves Street, Kadina SA 5554	11/06/1992
	Linsell, John Thomas	23 Sydenham Road, Norwood SA 5067	20/08/2009
	Lock, Craig James	5 Sturt Street, Glenelg North SA 5043	8/03/1984
	Lock, Michael Grant	87 Springbank Road, Clapham SA 5062	13/02/1986
	Loechel, Robin Everard	16 St. Andrews Terrace, Willunga SA 5172	12/03/1979
	Lohmeyer, Michael John	82 Fletcher Road, Birkenhead SA 5015	9/03/1989
	Mann Grant Glenn	11 Island View Crescent Victor Harbor SA 5211	11/03/1993
	Mattsson, Jeffrey Ian	10 Braeside Ave, Seacombe Heights SA 5047	10/11/1985
	McCarthy, Alan John	196 Research Road Tanunda SA 5352	17/04/1984
	Millett, Christopher John	Level 1/124 South Terrace Adelaide SA 5000	1/01/1992
	Neale, Graeme Edward	27 Dover Street, Malvern SA 5061	15/05/1980
	Nietschke, Michael Dean	13 Michael Street, Lockleys SA 5032	16/10/1997
	Nisbet, Kim Alan	228 Stock Road, Mylor SA 5153	1/08/1980
	North, Ashley Linton	178 Main Road McLaren Vale SA 5171	20/08/2009
	O'Callaghan, Michael Patrick	L/ 5 Riverside Cntr Nth Terrace Adelaide 5000	14/03/1985
	Oldfield, Mark Howard	2 Quandong Avenue, Athelstone SA 5076	11/09/1986
	Paull, Gregory John	65 Alfred Road West Croydon SA 5008	21/03/2013
	Pennino, Damiano	1/23 Park Terrace, Salisbury SA 5108	20/06/2013
	Petrilli, Kevin John	64 Gladstone Road, Nth Brighton SA 5048	19/07/1990
	Phillips, David Graham	PO Box 1818, Renmark SA 5341	24/05/1972
	Phillips, Perry Mark	7 Blossom Terrace Hallett Cove SA 5158	13/12/1984
	Pittman, Mark Roger	6 Moore Street, Somerton Park SA 5044	21/08/1997
	Pohl, Henry Michael	23 Sydenham Road, Norwood SA 5067	31/03/1983
	Pyper, David Edward	65 Goodwood Rod, Wayville SA 5034	1/01/1991
	Rea, Franco	PO Box 1000 Kent Town SA 5071	15/06/2000
	Retallack, Richard Alan	25 Narinna Avenue, Cumberland Park SA 5041	9/04/1992
	Richardson, Brett John	67 Francis Forde Boulevard, Forde ACT 2914	17/03/2011
	Rigon, Dario	26 Woodcroft Drive Morphett Vale SA 5162	10/03/1998
	Rosko, Sime	7/30 Frederick Road, West Lakes SA 5021	9/07/1987
	Ryan, Kane Benjamin	PO Box 1000, Kent Town SA 5071	18/03/2010
	Sayer, Max Alfred Michael	176 Prospect Road, Prospect SA 5082	12/10/1989
	Seskis, Samuel Thomas	362 Magill Road Kensington Park SA 5068	16/06/2015
	Shepherd, Ben	18 Leslie Crescent, Crafers SA 5152	21/04/2016

NP/Register	Surveyors Name	Surveyors Address	Date of Licence
	Slape, Bradley James	GPO Box 1354, Adelaide SA 5001	20/04/2006
	Smith, Trevor John Gee	11 Mitchell Street, Seaview Downs SA 5049	14/06/1984
	Sommerville, Peter Thomas	PO Box 655, McLaren Vale SA 5171	13/11/1979
	Stolz, Peter Georg Hermann	13 Atlanta Avenue, Ingle Farm SA 5098	1/01/1991
	Struthers, David Barrie	176 Prospect Road Prospect SA 5082	16/04/2015
	Summers, Clayton Myles	9 St Georges Street, Willunga SA 5172	12/06/1986
	Teakle, Mark Ronald Bray	PO Box 981 Mount Gambier SA 5290	8/11/1984
	Tennant, Alistair Charles	8 Sexton Road, Brighton SA 5048	13/10/1983
	Thorley Beau	PO Box 1000 Kent Town SA 5071	17/11/2011
	Townsend, Steven James	8 Beaver Court, Port Lincoln SA 5606	18/08/2005
	Tripodi, Alfredo	10 Paula Street, Athelstone SA 5076	15/03/2007
	Turnbull, Shaun William	176 Prospect Road, Prospect SA 5082	15/02/2007
	Tucker, Paul	PO Box 884 Barmera SA 5345	31/05/1973
	Turner, George Joseph	82 Sheoak Road, Crafers West SA 5152	19/05/2011
	van Senden, Geoffrey Clifton	11 Chapel Street, Strathalbyn SA 5255	11/10/1990
	Waye, Rowan Samuel	33 Maughan Avenue, Redwood Park SA 5097	19/06/2016
	Weber, John Leslie	PO Box 536 Mannum SA 5253	12/03/1979
	Weston, David Arthur Giles	78 Castle Street, Parkside SA 5063	12/03/1992
	Whitford, Mark Kenneth	4 Waycliff Street, Fullarton SA 5063	21/11/2013
	Wiggins, Adam Michael	33 The Boulevard, Parafield Gardens SA 5107	16/06/2015
	Williams, Mark Antony Peter	PO Box 1000 Kent Town SA 5071	17/06/2004
	Window, Ashley Greg	9 Dorene Street, St Marys SA 5042	13/03/2008
	Wood, Adam Browning	24 Hakea Avenue, Athelstone SA 5076	17/08/2006

LIST OF REGISTERED SURVEYORS

NP/Registered	Surveyors Name	Surveyors Address	Date of Licence
R	Grose, Michelle Elaine	Gateway South Darlington Upgrade	19/07/2018
R	Latham, James Stephen	GPO Box 1354 Adelaide SA 5000	1/01/1998
R	McFarlane, John Alexander	7 Prince Street Alberton SA 5014	19/07/2007
R	Pickett, Richard Bruce	3A Fuller Street Parkside SA 5063	1/01/2000

S. MEDLOW SMITH
Registrar

TRUSTEE ACT 1936

PUBLIC TRUSTEE

Estates of Deceased Persons

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

DAVIS Linda Jane late of 10 Delray Street Fulham Student Support Officer who died 7 May 2017

HOLDEN Florence late of 8 Elmgrove Road Salisbury North of no occupation who died 19 November 2017

JONES Sheila May late of 10 Ivy Street Huntfield Heights of no occupation who died 4 April 2018

LISTON Doreen Bice late of 9 Luhrs Road Payneham South Retired Social Worker who died 2 February 2018

SANDERCOCK Donald Barry late of 32 Gadd Avenue Crystal Brook Retired Carpenter who died 18 September 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 GPO Box 1338, Adelaide, 5001, full particulars and proof of such claims, on or before the 21 September 2018 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: 23 August 2018

N S RANTANEN
Acting Public Trustee

NOTICE SUBMISSION

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