



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 15 AUGUST 2019

CONTENTS

Appointments, Resignations, Etc.....	2966	Petroleum and Geothermal Energy Act 2000—Notices	2972
Associations Incorporation Act 1985—Notice	2966	Police Act 1998—Notice.....	2973
Casino Act 1997—Notice.....	2966	Port Augusta Circuit Court—Notice.....	2974
Corporations and District Councils—Notices.....	2985	Real Property Act 1886—Notice.....	2974
Highways Act 1926—Notice.....	2967	REGULATIONS	
Land Acquisition Act 1969—Notice	2967	Subordinate Legislation Act 1978—(No. 199 of 2019)	2977
Mining Act 1971—Notices.....	2968	Development Act 1993—	
Motor Vehicle Accidents (Lifetime Support Scheme)		(No. 200 of 2019).....	2981
Act 2013—Notice.....	2969	(No. 201 of 2019).....	2983
Motor Vehicles Act 1959—Notice	2970	Residential Tenancies Act 1995—Notice.....	2974
Notice to Mariners—Notices	2971	Road Traffic Act 1961—Notice	2975
National Electricity Law—Notice	3006	Roads (Opening and Closing) Act 1991—Notices	2976
National Gas Law—Notice.....	3006	Trustee Act 1936—Administration of Estates	3006
Outback Communities Authority—Notices.....	2972		

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

Department of the Premier and Cabinet
Adelaide, 15 August 2019

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable Robert Ivan Lucas, MLC, Treasurer to be also Acting Deputy Premier and Acting Attorney-General for the period from 22 August 2019 to 31 August 2019 inclusive, during the absence of the Honourable Vickie Ann Chapman, MP.

By command,

STEVEN SPENCE MARSHALL
Premier

AGO0034-19CS

Department of the Premier and Cabinet
Adelaide, 15 August 2019

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable Robert Ivan Lucas, MLC, Treasurer to be also Acting Minister for Education for the period from 17 August 2019 to 1 September 2019 inclusive, during the absence of the Honourable John Anthony William Gardner, MP.

By command,

STEVEN SPENCE MARSHALL
Premier

ME19/035

ASSOCIATIONS INCORPORATION ACT 1985

ORDER PURSUANT TO SECTION 42(2)

Dissolution of Association

WHEREAS the CORPORATE AFFAIRS COMMISSION (the Commission) pursuant to section 42(1) of the *Associations Incorporation Act 1985* (the Act) is of the opinion that the undertaking or operations of **THE BAY TO BIRDWOOD RUN COMMITTEE INCORPORATED** (“the Association”) being an incorporated association under the Act are being carried on, or would more appropriately be carried on by a body corporate established pursuant to s4 of the *History Trust of South Australia Act 1981* (SA) **AND WHEREAS** the Commission was on 13 May 2019 requested by the Association to transfer its undertaking to **THE HISTORY TRUST OF SOUTH AUSTRALIA**, the Commission pursuant to section 42(2) of the Act **DOES HEREBY ORDER** that on 15 August 2019, the Association will be dissolved, the property of the Association becomes the property of **THE HISTORY TRUST OF SOUTH AUSTRALIA** and the rights and liabilities of the Association become the rights and liabilities of **THE HISTORY TRUST OF SOUTH AUSTRALIA**.

Given under the seal of the Commission at Adelaide

Dated: 13 August 2019

ROSALBA ALOI
A delegate of the Corporate Affairs Commission

CASINO ACT 1997

GR NOTICE NO. 9 OF 2019

Adelaide Casino—Account Based Cashless Gaming—System Recognition Notice 2019

I, Dini Soulio, Liquor and Gambling Commissioner, publish this notice under section 40B of the *Casino Act 1997*:

1. Citation, commencement, authorising provisions

- (1) This notice may be cited as the Adelaide Casino—Account Based Cashless Gaming—System Recognition Notice 2019 (Notice).
- (2) This Notice comes into operation on 15 August 2019.
- (3) This Notice is authorised by section 40B(1)(a) of the *Casino Act 1997*.

2. Account based cashless gaming system

- (1) The former Independent Gambling Authority (Authority) recognised an account based cashless gaming system (system) for use in the Adelaide Casino in GR Notice No. 3 of 2014 Adelaide Casino—Account Based Cashless Gaming—System Recognition Notice 2014 published in the *South Australian Government Gazette* (No. 31) on 1 May 2014 on page 1558.
- (2) The recognition referred to in sub-clause (1) was for the system described in an application made by Skycity Adelaide Pty Ltd (Skycity) dated 29 April 2014 and filed with the cover indorsement “SKC-Cashless-1.1” and marginal reference markers on File No. 14/0056.
- (3) Skycity submitted an application on 11 July 2019 to amend the system.
- (4) I have determined to recognise the new system described in sub-clause (2) and as amended by the application submitted by Skycity referred to in sub-clause (3).

3. Recognition

- (1) The new system described in clause 2(4) of this Notice is recognised for use in the Adelaide Casino, for the period ending on 31 March 2020.
- (2) As a consequence of this new recognition, the recognition of the system referred to in clause 2(1) of this Notice, is withdrawn effective from 15 August 2019.

Dated: 12 August 2019

DINI SOULIO
Liquor and Gambling Commissioner

HIGHWAYS ACT 1926

*Port River Expressway Project, Part 3a—Authorised Transport Infrastructure Projects***Revocation of Existing Approvals and Authorisations**

I, STEPHAN KARL KNOLL, Minister for Transport, Infrastructure and Local Government, hereby revoke, with effect on 1 September 2019, the approvals and authorisations under Part 3A of the Highways Act 1926 ('the Act') in favour of the Commissioner of Highways as the project authority for the Port River Expressway Project under the Highways (Port River Expressway Project) Regulations 2004, dated 7 June 2005 and published in the *Government Gazette* on 30 June 2005.

Approvals and Authorisations

I, STEPHAN KARL KNOLL, Minister for Transport, Infrastructure and Local Government, make the following approvals and authorisations under Part 3A of the Highways Act 1926 ('the Act') in favour of the Commissioner of Highways as project authority for the Port River Expressway Project under the Highways (Port River Expressway Project) Regulations 2019.

Section 39C(4)—approval for the project authority to delegate its powers

I approve the Commissioner of Highways, as project authority for the Port River Expressway Project, delegating the Commissioner's powers and functions under the Act to any party contracted to the Commissioner in relation to the Port River Expressway Project.

Section 39C(5)—approval for the project authority to allow subdelegation of its powers by a delegate

I approve the Commissioner of Highways, as project authority for the Port River Expressway Project, allowing further delegation of the Commissioner's powers under the Act by a delegate to any employee of that delegate.

Section 39G(1)—authorisation for the project authority to close roads temporarily

I authorise the Commissioner of Highways, as project authority for the Port River Expressway Project, to close a road temporarily.

Section 39G(2)—authorisation for the project authority to close or limit the use of government railway lines temporarily

I authorise the Commissioner of Highways, as project authority for the Port River Expressway Project, to close or limit the use of any one or more of the following particular government railway lines temporarily:

- (a) the rail corridor between Francis Street and Eastern Parade, Port Adelaide; and
- (b) (following their transfer from the Australian Rail Track Corporation to the Crown):
 - (i) the rail corridor between Signal 1456 (Glanville Station) and Signal 3 (Birkenhead); and
 - (ii) the rail corridor between Signal 14 (Gillman Junction) and Signal 1155 (Port Adelaide Junction).

Section 39H(1)—authorisation for the project authority to obstruct navigation temporarily

I authorise the Commissioner of Highways, as project authority for the Port River Expressway Project, to obstruct navigation temporarily over that area of the Port River designated as the *delineated area* in regulation 5(a) of the Highways (Port River Expressway Project) Regulations 2019.

These approvals and authorisations:

- (a) come into operation on 1 September 2019; and
- (b) may be revoked or varied at any time by further instrument in writing.

Dated: 11 August 2019

HON STEPHAN KARL KNOLL MP
Minister for Transport, Infrastructure and Local Government

LAND ACQUISITION ACT 1969

SECTION 16

*Form 5—Notice of Acquisition***1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 50 Flinders Street, Adelaide SA 5000, acquires the following interests in the following land:

- Firstly: Comprising an unencumbered estate in fee simple in that piece of land being a portion of Allotment 53 in Deposited Plan 57121 comprised in Certificate of Title Volume 6042 Folio 684 and being the whole of the land identified as Allotment 204 in D121317 lodged in the Land Titles Office, expressly excluding:
- The easement(s) created over the land marked 'A' on Filed Plan 45322 (TG9837529)
 - The easement(s) created over the land marked 'G' for drainage purposes (RTC9207694); and
 - The easement(s) created over the land marked 'Z', 'Y' and 'X' (TG11130412, TG11130413 and TG11130414 respectively)
- Secondly: Comprising an unencumbered estate in fee simple in that piece of land being a portion of Allotment 2 in Deposited Plan 51355 comprised in Certificate of Title Volume 5660 Folio 657, and being the whole of the land identified as Allotment 202 in D121317 lodged in the Land Titles Office.
- Thirdly: Comprising an estate in fee simple in that piece of land being a portion of Allotment 54 in Deposited Plan 57121 comprised in Certificate of Title Volume 6091 Folio 690 and being the whole of the land identified as Allotment 200 in D121317 lodged in the Land Titles Office, subject to:
- Easement(s) over the land marked 'F' for water supply purposes to the South Australian Water Corporation (TG8552529)
 - Easement(s) over the land marked 'E' to South Australian Water Corporation (RLG8272953)
 - Easement(s) over the land marked 'D' to Distribution Lessor Corporation (subject to Lease 8890000) (RLG 8272952)
 - Service easement(s) over the land marked 'H' for sewerage purposes to South Australian Water Corporation (223LG RPA)

And expressly excluding:

- The easement(s) created over the land marked 'B' on Filed Plan 42408 (RLG10273075); and
- The right(s) of way created over the land marked 'A' on Filed Plan 42408 (RLG10273074)

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

2. Compensation

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

3. Inquiries

Inquiries should be directed to:

Ric Lohmeyer
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2554

Dated: 13 August 2019

The Common Seal of the COMMISSIONER OF HIGHWAYS was hereto affixed by authority of the Commissioner in the presence of:

MOHAMMED ELGAZZAR
Manager
Property Portfolio & Strategy
(Authorised Officer)

Department of Planning, Transport and Infrastructure

DPTI 2016/16150/01

MINING ACT 1971

Extractive Minerals Lease

Notice is hereby given in accordance with Section 35A(1) of the *Mining Act 1971*, that an application for an Extractive Minerals Lease over the undermentioned mineral claim has been received:

Applicant: S.C. Heinrich & Co Pty Ltd
Claim Number: 4478
Location: Section 245, Hundred of Baldina (Worlds End area, approx. 18 km southeast of Burra)
Area: 18.09 hectares approximately
Purpose: Construction Materials (Limestone)
Reference: 2019/1135

To arrange an inspection of the proposal at the Department for Energy and Mining, please call the Department on 08 8463 3103.

A copy of the proposal has been provided to the Regional Council of Goyder and an electronic copy of the proposal can be found on the Department for Energy and Mining website: http://energymining.sa.gov.au/minerals/mining/public_notices_mining

Written submissions in relation to this application are invited to be received at the Department for Energy and Mining, Mining Regulation, Attn: Business Support Officer, GPO Box 320 ADELAIDE SA 5001 or dem.miningregrehab@sa.gov.au by no later than **11 September 2019**.

The delegate of the Minister for Energy and Mining is required to have regard to these submissions in determining whether to grant or refuse the application and, if granted, the terms and conditions of the Extractive Minerals Lease.

When you make a written submission, that submission becomes a public record. Your submission will be provided to the applicant and may be made available for public inspection.

Dated: 15 August 2019

J MARTIN
Mining Registrar as delegate for the Minister for Energy and Mining
Department for Energy and Mining

MINING ACT 1971

Notice pursuant to Section 28(5)

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

Applicant:	Menninnie Metals Pty Ltd
Location:	Mount Ive area – approximately 110 km northwest of Kimba
Pastoral Leases:	Kolendo, Mount Ive, Nonning, Yardea
Term:	Two years
Area in km ² :	394
Reference number:	2019/00029
Applicant:	Menninnie Metals Pty Ltd
Location:	Kolendo area – approximately 70 km north-northwest of Kimba
Pastoral Leases:	Kolendo, Mount Ive, Nonning
Term:	Two years
Area in km ² :	208
Reference number:	2019/00032
Applicant:	Menninnie Metals Pty Ltd
Location:	Tanner area – approximately 120 km north-northwest of Kimba
Pastoral Leases:	Yardea
Term:	Two years
Area in km ² :	354
Reference number:	2019/00039

Applicant:	Resource Holdings Pty Ltd
Location:	Mabel Creek area – approximately 105 km west-northwest of Coober Pedy
Pastoral Leases:	Mabel Creek
Term:	One year
Area in km ² :	60
Reference number:	2019/00057
Applicant:	Tasman Resources Ltd
Location:	Andamooka North area - approximately 140 km northwest of Leigh Creek
Pastoral Leases:	Andamooka, Billa Kalina, Mulgaria, Roxby Down, Stuart Creek
Term:	Three years
Area in km ² :	1079
Reference number:	2019/00084
Applicant:	PNX Metals Limited
Location:	Washpool area – approximately 140 km southeast of Port Augusta
Term:	Two years
Area in km ² :	135
Reference number:	2019/00085

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

http://energymining.sa.gov.au/minerals/exploration/public_notices/exploration_licence_applications 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.

Dated: 15 August 2019

J MARTIN
Mining Registrar as delegate for the Minister for Energy and Mining
Department for Energy and Mining

MINING ACT 1971

Notice pursuant to Section 29(1a) and 29(5)(b)(ii)

NOTICE is hereby given that the Notice under the *Mining Act 1971* ("the Act") published on 29 November 2018 in the *South Australian Government Gazette* ("the Gazette") at page 4048, is revoked in respect of land identified in the Schedule.

This notice becomes effective 15 August 2019.

THE SCHEDULE

EL No	Locality	Area (km ²)
5810	Yunta area approximately 60km southwest of Olary	38

Dated: 15 August 2019

J MARTIN
Mining Registrar as delegate for the Minister for Energy and Mining
Department for Energy and Mining

MOTOR VEHICLE ACCIDENTS (LIFETIME SUPPORT SCHEME) ACT 2013

Notice of the 2019-20 Lifetime Support Scheme Fund Levy Schedule

PURSUANT to section 44 of the *Motor Vehicle Accidents (Lifetime Support Scheme) Act 2013*, I, Stephen Wade, Minister for Health and Wellbeing, having determined, after consultation with the Lifetime Support Authority and the Treasurer, the scheme for the LSS Fund levy, hereby give notice that the amounts in the schedule below are payable by all persons who apply for any of the following under the *Motor Vehicles Act 1959* from 1 July 2019 to 30 June 2020:

- (a) the registration of a motor vehicle;
- (b) an exemption from registration in respect of a motor vehicle;
- (c) a permit in respect of a motor vehicle

Dated: 14 May 2019

STEPHEN WADE
Minister for Health and Wellbeing

NOTICE OF THE 2019-20 LIFETIME SUPPORT SCHEME FUND LEVY SCHEDULE

Levy class	Vehicle description	District	1 month	3 months	6 months	9 months	Annual
			\$	\$	\$	\$	\$
A	Private or business passenger vehicles	1	9.61	28.83	57.65	86.47	115.29
B	Private or business passenger vehicles	2	7.62	22.84	45.68	68.52	91.36
C	Goods carrying vehicles - light	1	11.33	33.99	67.98	101.96	135.95
D	Goods carrying vehicles - light	2	6.80	20.40	40.79	61.18	81.57
E	Taxis	1	38.51	115.52	231.04	346.55	462.07
F	Taxis	2	17.77	53.30	106.60	159.89	213.19
G	Hire and drive yourself vehicles	1&2	16.32	48.95	97.89	146.83	195.77
H	Public passenger vehicles - no fare	1&2	9.52	28.55	57.10	85.65	114.20
I	Public passenger vehicles - small	1&2	13.60	40.79	81.57	122.36	163.14
J	Public passenger vehicles - medium	1	22.66	67.98	135.95	203.92	271.89
K	Public passenger vehicles - large	1	38.07	114.20	228.39	342.59	456.78
L	Public municipal omnibuses	1&2	117.82	353.46	706.92	1,060.37	1,413.83
M	Goods carrying vehicles- medium	1	15.41	46.23	92.45	138.67	184.89
N	Goods carrying vehicles - heavy	1&2	36.26	108.76	217.52	326.27	435.03
O	Goods carrying vehicles - primary	1	6.80	20.40	40.79	61.18	81.57
P	Small motorcycles (not exceeding 250cc)	1&2	2.27	6.80	13.60	20.40	27.19
Q	Large motorcycles (exceeding 250cc)	1&2	5.90	17.68	35.35	53.02	70.70
R	Tractors & other farm vehicles	1&2	1.00	3.00	5.99	8.98	11.97
S	Historic left hand drive vehicles	1&2	2.27	6.80	13.60	20.40	27.19
T	Special purpose vehicles	1	4.54	13.60	27.19	40.79	54.38
U	Car carrier extension	1&2	6.80	20.40	40.79	61.18	81.57
V	Goods carrying vehicles - primary	2	4.99	14.96	29.91	44.87	59.82
W	Public passenger vehicles - medium	2	11.79	35.35	70.70	106.04	141.39
X	Public passenger vehicles - large	2	17.22	51.66	103.32	154.98	206.64
Y	Goods carrying vehicles - medium	2	10.43	31.27	62.54	93.81	125.07
Z	Special purpose vehicles	2	3.63	10.88	21.76	32.63	43.51
AA	Rideshare vehicles	1&2	13.60	40.79	81.57	122.36	163.14
Permit	Unregistered vehicle permits		0.67	2.00	2.00	2.00	2.00
Trailers	Trailers	1&2	0.00	0.00	0.00	0.00	0.00

South Australia

Motor Vehicles (Conditional Registration—Withdrawal of Recognition of Motor Vehicle Clubs) Notice 2019 - Fiat 500 Club of South Australia Inc.

under the *Motor Vehicles Act 1959*

Preamble

1. By notice made by the Registrar the motor vehicle clubs specified in Schedule 1 were recognised for the purposes of section 16 of the *Motor Vehicles Regulations 2010*.
2. The Registrar has decided to withdraw that recognition.

1—Short title

This notice may be cited as the *Motor Vehicles (Conditional Registration—Withdrawal of Recognition of Motor Vehicle Clubs) Notice 2019 – Fiat 500 Club of South Australia Inc.*

2—Commencement

This notice takes effect from the date it is published in the Gazette.

3—Withdrawal of recognition of motor vehicles clubs

The recognition of the motor vehicle clubs specified in Schedule 1 for the purposes of section 16 of the *Motor Vehicles Regulations 2010* is withdrawn.

Schedule 1-Motor vehicle clubs recognition withdrawn

Historic, left-hand drive and street rod motor vehicle clubs

Fiat 500 Club of South Australia Inc.

Made by the Deputy Registrar of Motor Vehicles

Dated: 6 August 2019

NOTICE TO MARINERS

NO. 27 OF 2019 (TEMPORARY)

South Australia – River Murray – Raised Pool Levels

Mariners are advised that the pool level of the River Murray will be raised today at Lock 2 (downstream of Waikerie) and Lock 6 (near Murtho, upstream of Renmark). Lock 2 will be raised to a maximum of 0.52m above normal pool level up to 6.62m AHD and Lock 6 to a maximum of 0.42m above normal pool level up to 19.67m AHD.

The water levels will stay at the planned maximum heights for approximately 30 days after which they will slowly return to normal pool level. Both Locks 2 and 6 should return to normal level by the end of November 2019.

Mariners are advised to navigate with caution in the area as some existing snags may become submerged. Mariners may also need to adjust moorings.

Please direct any queries to the Water Delivery Team, Department for Environment and Water, telephone 0438 539 271.

Dated: 8 August 2019

GORDON PANTON
Manager Maritime Safety
Department of Planning, Transport and Infrastructure

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

NOTICE TO MARINERS

NO. 28 OF 2019 (TEMPORARY)

South Australia – Gulf St Vincent – Port Stanvac – Damaged Beacon

Mariners are advised that the lit west cardinal navigation beacon off Port Stanvac in position 35° 06' 25.71" S, 138° 27' 53.80" E has been damaged during recent storms and is not operational. The light, daymark and platform are missing from the beacon but the fixed pile remains in place. The beacon will be repaired as soon as possible.

Mariners are advised to navigate with caution in the area.

Charts affected: Aus 125 and 781

Dated: 9 August 2019

GORDON PANTON
Manager Maritime Safety
Department of Planning, Transport and Infrastructure

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

NOTICE TO MARINERS

NO. 29 OF 2019 (TEMPORARY)

South Australia – Thevenard Jetty – Maintenance and Construction Operations

Mariners are advised that Maritime Constructions will be carrying out maintenance and construction operations on the Thevenard jetty from 14 August 2019 to approximately end of October 2020. The operations will be carried out intermittently during daylight hours.

A jack-up barge, associated support vessels and a crane located on the jetty will be used during the operations. An exclusion zone around the barge and floating plant will be marked with yellow 'Exclusion Zone' buoys and red 'No Boats' buoys. Whilst in position the barge will exhibit the appropriate lights and shapes as required by the International Regulations for the Prevention of Collisions at Sea.

Mariners are advised to proceed with caution in the vicinity of the barge and floating plant.

Charts affected: Aus 120 and 122

Publication affected: Australian Pilot Volume 1 (Fifth Edition 2017) pages 352 and 353

Dated: 13 August 2019

GORDON PANTON
Manager Maritime Safety
Department of Planning, Transport and Infrastructure

2017/02277/01
FP/2012/0105
www.dpti.sa.gov.au
www.flindersports.com.au

OUTBACK COMMUNITIES AUTHORITY

Declaration of Community Contribution (Andamooka) for 2019-2020

NOTICE is hereby given that at its meeting in 13 June 2019, the Outback Communities Authority, for the financial year ending 30 June 2020 and in exercise of the powers contained in Division 2, Part 3 of the *Outback Communities (Administration and Management) Act 2009*, resolved as follows:

Declaration of the Community Contribution

To declare a community contribution for the rateable land over:

- the township of Andamooka;
- those sites immediately adjacent the town of Andamooka not within the Andamooka Precious Stones Field or excluded from the operation of the Opal Mining Act 1995 held in Fee Simple, occupied under Crown Lease or Licence, and
- those portions of Section 1500, Out of Hundreds (Andamooka), occupied under Crown Licence (known as White Dam).

Purpose of Community Contribution

Declare a fixed charge of \$400 per property unit on rateable land for the purposes of raising revenue for the provision of services and support to the community of Andamooka.

Payment of Community Contribution

Pursuant to Section 181 (2) of the Local Government Act 1999, that the community contribution is payable in four equal or approximately equal instalments as follows:

- first instalment, payable on 15 September 2019;
- second instalment, payable on 15 December 2019;
- third instalment, payable on 15 March 2020; and
- fourth instalment, payable on 15 June 2020.

Dated: 13 June 2019

M. R. SUTTON
Director

(A4126473)

OUTBACK COMMUNITIES AUTHORITY

Declaration of Community Contribution (Iron Knob) for 2019-2020

NOTICE is hereby given that at a meeting in 13 June 2019, the Outback Communities Authority, for the financial year ending 30 June 2020 and in exercise of the powers contained in Division 2, Part 3 of the *Outback Communities (Administration and Management) Act 2009*, resolved as follows:

Declaration of the Community Contribution

To declare a community contribution for the rateable land in:

- the township of Iron Knob.

Purpose of Community Contribution

Declare a fixed charge of \$240 per property unit on rateable land for the purposes of raising revenue for the provision of services and support to the community of Iron Knob.

Payment of Community Contribution

Pursuant to Section 181 (2) of the *Local Government Act 1999*, that the community contribution is payable in four equal or approximately equal instalments as follows:

- first instalment, payable on 15 September 2019;
- second instalment, payable on 15 December 2019;
- third instalment, payable on 15 March 2020; and
- fourth instalment, payable on 15 June 2020.

Dated: 13 June 2019

M. R. SUTTON
Director

(A4126473)

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Application for the Renewal of Associated Activities Licence AAL 256

Pursuant to section 65(6) of the *Petroleum and Geothermal Energy Act 2000* (the Act) and Delegation dated 29 June 2018, notice is hereby given that an application for the renewal of Associated Activities Licence AAL 256 within the area described below has been received from:

Victoria Oil Exploration (1977) Pty Ltd
Impress (Cooper Basin) Pty Ltd
Permian Oil Pty Ltd
Springfield Oil and Gas Pty Ltd

The renewal application will be determined on or after 12 September 2019.

Description of Renewal Area

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

Commencing at a point being the intersection of latitude 27°26'20" S GDA94 and longitude 139°42'44" E GDA94, thence east to longitude 139°42'57" E GDA94, south to latitude 27°26'51" S GDA94, west to longitude 139°42'40" E AGD66, north to latitude 27°26'30" S GDA94, west to longitude 139°42'44" E GDA94, and north to the point of commencement.

AREA: **0.33** square kilometres approximately

Dated: 12 August 2019

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

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Application for the Renewal of Associated Activities Licence AAL 257

Pursuant to section 65(6) of the *Petroleum and Geothermal Energy Act 2000* (the Act) and Delegation dated 29 June 2018, notice is hereby given that an application for the renewal of Associated Activities Licence AAL 257 within the area described below has been received from:

Victoria Oil Exploration (1977) Pty Ltd
Impress (Cooper Basin) Pty Ltd
Permian Oil Pty Ltd
Springfield Oil and Gas Pty Ltd

The renewal application will be determined on or after 12 September 2019.

Description of Renewal Area

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

Commencing at a point being the intersection of latitude 27°25'50" S AGD66 and longitude 139°43'50" E AGD66, thence east to longitude 139°44'04" E GDA94, south to latitude 27°26'16" S GDA94, west to longitude 139°43'54" E GDA94, north to latitude 27°26'00" S AGD66, east to longitude 139°43'50" E AGD66, and north to the point of commencement.

AREA: **0.26** square kilometres approximately

Dated: 12 August 2019

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

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 persons who hold, occupy or perform the positions indicated below within the Energy Resources Division, Ministerial powers or functions pursuant to the following Sections and Regulations, delegated to me by instrument dated 29 June 2018:

1. To the **Director, Engineering Operations Branch**, Energy Resources Division, Department for Energy and Mining, Section 134 of the *Petroleum and Geothermal Energy Act 2000* expressly and only for the purpose of exercising powers under the following Regulation of the *Petroleum and Geothermal Energy Act 2000* – Regulation: 41(2)(c).
2. To the **Director, Engineering Operations Branch**, Energy Resources Division, Department for Energy and Mining, Regulations under the *Petroleum and Geothermal Energy Act 2000* – Regulations: 18(1), 19(1), 19(3), 19(4), 20(3) and 20(4).
3. To the **Director, Geoscience and Exploration Branch**, Energy Resources Division, Department for Energy and Mining, Section 134 of the *Petroleum and Geothermal Energy Act 2000* expressly and only for the purpose of exercising powers under the following Regulations of the *Petroleum and Geothermal Energy Act 2000* – Regulations: 35(1) and 36(1).
4. To the **Director, Geoscience and Exploration Branch**, Energy Resources Division, Department for Energy and Mining, Regulations under the *Petroleum and Geothermal Energy Act 2000* – Regulations: 34(1) and 37(1).

All other sub-delegations made by me by way of instrument of sub-delegation dated 2 July 2018 and published in the South Australian Government Gazette on 12 July 2018 remain unchanged.

Dated: 13 August 2019

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

POLICE ACT 1998

Appointment of Auditor of the South Australia Police Security Intelligence Unit

For the purposes of Directions dated 14 October 2015, made to the Commissioner of Police pursuant to Section 6 of the *Police Act 1998*, I appoint the Honourable Michael David QC, as Auditor of the South Australia Police Security Intelligence Unit, for a term of three years commencing on 1 July 2019.

Dated: 7 August 2019

HON COREY WINGARD MP
Minister for Police
Emergency Services and Correctional Services

THE DISTRICT COURT OF SOUTH AUSTRALIA

PORT AUGUSTA CIRCUIT COURT

Sheriff's Office, Adelaide, 3 September 2019

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:

Tuesday 3 September 2019 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 2019 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 2019*

Allen, Brenton	Possess prescribed firearm without licence (8); possess unregistered prescribed firearm (6);	On bail
Ottens, Haidee	contravene a provision of the code of practice – category F (8); acquire, own or possess ammunition without licence or permit; use or have possession of a prohibited weapon	On bail
Bull, Gregory	Aggravated possess firearm without licence; possess an unregistered firearm; contravene a condition of the code of practice (2); possess ammunition in contravention of regulation	In gaol
Dolphin, William George	Indecent assault (3); unlawful sexual intercourse (3)	On bail
Douglas, Alan John	Rape (4)	On bail
Drechsler, Zoie Skye	Trafficking in a controlled drug (5); unlawful possession	On bail
Freer, Andrew	Application to fix a non-parole period	In gaol
Godbolt, Donna Marie	Aggravated unlawful stalking	On bail
Goldsmith, Devlin	Application for enforcement of a breached bond	In gaol
Insch, Joel Scobie	Trafficking in a controlled drug	On bail
Lawrie, Kenneth James	Serious criminal trespass in a place of residence; theft; aggravated robbery	In gaol
Jackamara, Rhys David		In gaol
Goldsmith		In gaol
Martin, Lisa Anne-Marie	Trafficking in a controlled drug; money laundering (2)	On bail
McRae, Matthew John	Trafficking in a controlled drug; money laundering	In gaol
McRae, Matthew John	Application for enforcement of a breached bond	In gaol
McRae, Matthew John	Application for enforcement of a breached bond	In gaol
Miller, Gordon Cedric	Aggravated robbery	In gaol
Mitakiki, Kamaran Noel	Aggravated serious criminal trespass in a non-residential building; damaging property; theft	On bail
Nelson, Vincent Roy	Application for enforcement of a breached bond	On bail
Nyangu, Inawinytji	Aggravated recklessly causing serious harm	In gaol
Richards, Nathan Noel	Trafficking in a controlled drug (2)	On bail
Warner, Gregory Arthur	Trafficking in a controlled drug	On bail
White, Peter John	Trafficking in a controlled drug	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

REAL PROPERTY ACT 1886

Pursuant to Section 17

WHEREAS the persons named at the foot hereof have each respectively for himself made application to have the land set forth and described before his name at the foot hereof brought under the operation of the Real Property Act: Notice is hereby given that unless caveat be lodged with the Registrar General by some person having estate or interest in the said lands on or before the expiration of the period herein below for each case specified, the said several pieces of land will be brought under the operation of the said Act as by law directed. Diagrams delineating these parcels of land may be inspected at the Land Titles Registration Office, Adelaide and in the offices of the several corporations or district councils in which the lands are situated.

THE SCHEDULE

No. of Application	Description of Property	Name	Residence	Date up to and inclusive of which caveat may be lodged
32026	Portion of Section 1153 Hundred of Onkaparinga being portion of Allotment 20 marked A in Filed Plan No. 252474.	Peter Andrew Corones and Nanette Therese Corones	10 Radbone Road Bridgewater S.A. 5155	14 th October 2019

Dated: 12 August 2019

B. PIKE
Chief Executive Officer
Land Services SA
Acting under delegation of the Registrar-General

RESIDENTIAL TENANCIES ACT 1995

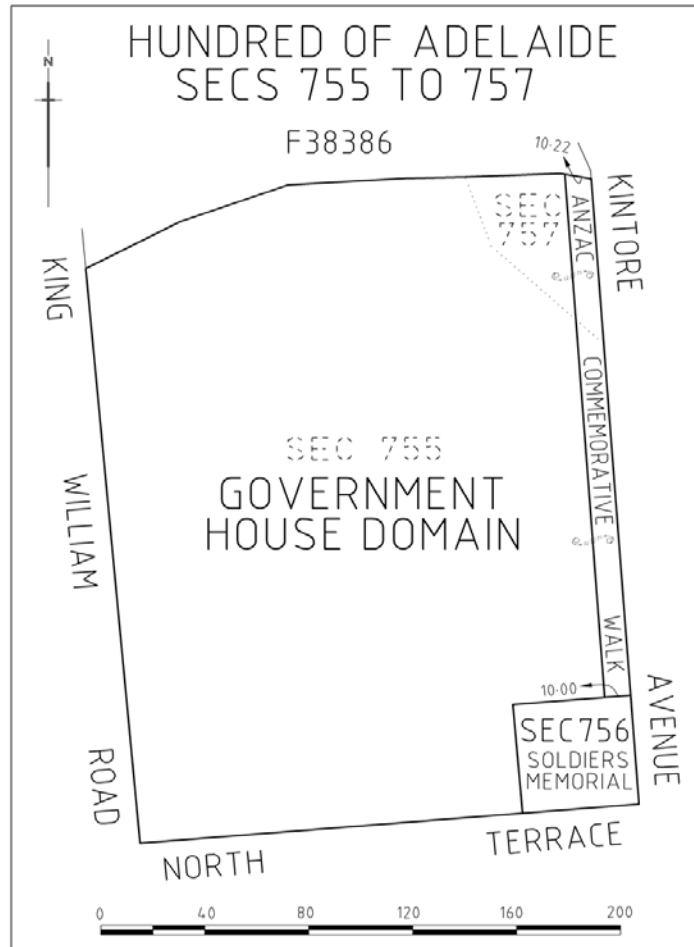
SECTION 118

Exemption

PURSUANT to Section 118 of the *Residential Tenancies Act 1995* ('the Act'), I, the Honourable Vickie Chapman, Attorney-General, being the Minister to whom administration of the Act is committed, do hereby grant the following exemption from the provisions of the Act.

The Act does not apply to an agreement that relates to residential premises that are located on or that form part of the land described in Schedule 1.

SCHEDULE 1



The piece of land in the Hundred of Adelaide shown in the plan contained herein and marked "Government House Domain".

Dated: 7 August 2019

VICKIE CHAPMAN
Attorney-General

ROAD TRAFFIC ACT 1961

Breath Analysing Instruments

I, GRANT STEVENS, Commissioner of Police, do hereby notify that on and from 6 August, 2019, the following persons were authorised by the Commissioner of Police to operate breath analysing instruments as defined in and for the purposes of the:

- Road Traffic Act 1961;
- Harbors and Navigation Act 1993;
- Security and Investigation Industry Act 1995; and
- Rail Safety National Law (South Australia) Act 2012.

PD Number	Officer Name
76808	BITAR, Emile Christopher
75045	CHAN, Toni Ellen
77072	DAVIS, Tessa Jayne
76858	DOWDELL, Rhys Levi
76810	ELLIOTT, Thomas Michael
76596	FAWCETT, Bethany Anne
76920	FLEMING, Stephen James
76447	GRAHAM, Jessica Helen
76656	ISTED, Adam Rhys
77128	LAWRENCE, Claudia Grace
76674	SKEWES, Benjamin Heath
76883	WILLIAMSON, Adam Michael

Dated: 6 August 2019

GRANT STEVENS
Commissioner of Police

Reference: 2019-0070

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order
Road Closure – Portions of Draper Road, Eckerts Road and Public Road, Glossop and Winkie*

BY Road Process Order made on 28 February 2019, the Berri Barmera Council ordered that:

1. Portions of Draper Road, Eckerts Road and Public Road, Glossop and Winkie, Berri Irrigation Area, more particularly delineated and lettered 'A', 'B' and 'C' in Preliminary Plan 18/0031 be closed.
2. The closed road described in order (1) will vest in the Crown.
3. The following easement is to be granted over portion of the land subject to that closure:

Grant a free and unrestricted Right of Way in favour of the South Australian Water Corporation over the land marked 'A' in Deposited Plan 120426.

On 13 August 2019 that order was confirmed by the Minister for Transport, Infrastructure and Local Government conditionally upon the deposit by the Registrar-General of Deposited Plan 120426 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: 15 August 2019

M. P. BURDETT
Surveyor-General

DPTI: 2018/19316/01

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order
Road Closure – Sabine Street, Carpenter Rocks*

BY Road Process Order made on 12 July 2019, the District Council of Grant ordered that:

1. Portion of Sabine Street, Carpenter Rocks, situated adjoining Allotments 1 and 2 in Deposited Plan 4246, Hundred of Kongorong, more particularly delineated and lettered 'A' and 'B' in Preliminary Plan 19/0011 be closed.
2. Transfer portion of the land subject to closure lettered 'A' to Matthew Charles VonStanke and Julie Anne VonStanke in accordance with the Agreement for Transfer dated 2 July 2019 entered into between the District Council of Grant and Matthew Charles VonStanke and Julie Anne VonStanke.
3. Transfer portion of the land subject to closure lettered 'B' to Laurence John Cranwell and Teresa Cranwell in accordance with the Agreement for Transfer dated 2 July 2019 entered into between the District Council of Grant and Laurence John Cranwell and Teresa Cranwell.

On 13 August 2019 that order was confirmed by the Minister for Transport, Infrastructure and Local Government conditionally upon the deposit by the Registrar-General of Deposited Plan 121845 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: 15 August 2019

M. P. BURDETT
Surveyor-General

DPTI: 2019/06131/01

South Australia

Subordinate Legislation (Postponement of Expiry) Regulations 2019

under the *Subordinate Legislation Act 1978*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Postponement of expiry for 1 year—Regulations made before 1 January 2009

Schedule 1—Postponement of expiry

Schedule 2—Revocation of *Subordinate Legislation (Postponement of Expiry) Regulations 2018*

1—Short title

These regulations may be cited as the *Subordinate Legislation (Postponement of Expiry) Regulations 2019*.

2—Commencement

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

3—Interpretation

In these regulations—

Act means the *Subordinate Legislation Act 1978*.

4—Postponement of expiry for 1 year—Regulations made before 1 January 2009

The expiry under Part 3A of the Act of the regulations listed in Schedule 1 is postponed for a period of 1 year commencing on 1 September 2019.

Schedule 1—Postponement of expiry

Adelaide Dolphin Sanctuary Regulations 2005 made under the *Adelaide Dolphin Sanctuary Act 2005*

Adelaide Festival Centre Trust Regulations 2007 made under the *Adelaide Festival Centre Trust Act 1971*

Adelaide Park Lands Regulations 2006 made under the *Adelaide Park Lands Act 2005*

Associations Incorporation Regulations 2008 made under the *Associations Incorporation Act 1985*

Australian Energy Market Commission Establishment Regulations 2005 made under the *Australian Energy Market Commission Establishment Act 2004*

Botanic Gardens and State Herbarium Regulations 2007 made under the *Botanic Gardens and State Herbarium Act 1978*

- Children's Services (Appeals) Regulations 2008* made under the *Children's Services Act 1985*
- Child Sex Offenders Registration Regulations 2007* made under the *Child Sex Offenders Registration Act 2006*
- Construction Industry Training Fund Regulations 2008* made under the *Construction Industry Training Fund Act 1993*
- Coroners Regulations 2005* made under the *Coroners Act 2003*
- Courts Administration Regulations 2008* made under the *Courts Administration Act 1993*
- Criminal Assets Confiscation Regulations 2006* made under the *Criminal Assets Confiscation Act 2005*
- Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Regulations 2007* made under the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*
- Criminal Law (Forensic Procedures) Regulations 2007* made under the *Criminal Law (Forensic Procedures) Act 2007*
- Criminal Law Consolidation (General) Regulations 2006* made under the *Criminal Law Consolidation Act 1935*
- Crown Proceedings Regulations 2008* made under the *Crown Proceedings Act 1992*
- Dangerous Substances (Dangerous Goods Transport) Regulations 2008* made under the *Dangerous Substances Act 1979*
- Development Regulations 2008* made under the *Development Act 1993*
- Dust Diseases Regulations 2006* made under the *Dust Diseases Act 2005*
- Environment, Resources and Development Court Regulations 2005* made under the *Environment, Resources and Development Court Act 1993*
- Evidence Regulations 2007* made under the *Evidence Act 1929*
- Explosives (Security Sensitive Substances) Regulations 2006* made under the *Explosives Act 1936*
- Fair Trading (Health and Fitness Industry Code) Regulations 2007* made under the *Fair Trading Act 1987*
- Fair Work (Clothing Outworker Code of Practice) Regulations 2007* made under the *Fair Work Act 1994*
- Fees Regulation (Proof of Age Card) Regulations 2008* made under the *Fees Regulation Act 1927*
- Fire and Emergency Services Regulations 2005* made under the *Fire and Emergency Services Act 2005*
- Freedom of Information (Exempt Agency) Regulations 2008* made under the *Freedom of Information Act 1991*
- Gaming Machines Regulations 2005* made under the *Gaming Machines Act 1992*
- Health Care (HPC—Appointment of Members) Regulations 2008* made under the *Health Care Act 2008*
- Health Care Regulations 2008* made under the *Health Care Act 2008*
- Heritage Places Regulations 2005* made under the *Heritage Places Act 1993*

- Housing and Urban Development (Administrative Arrangements) (HomeStart Finance) Regulations 2007* made under the *Urban Renewal Act 1995*
- Justices of the Peace Regulations 2006* made under the *Justices of the Peace Act 2005*
- Lottery and Gaming Regulations 2008* made under the *Lottery and Gaming Act 1936*
- Marine Parks Regulations 2008* made under the *Marine Parks Act 2007*
- Members of Parliament (Register of Interests) Regulations 2008* made under the *Members of Parliament (Register of Interests) Act 1983*
- Natural Resources Management (Financial Provisions) Regulations 2005* made under the *Natural Resources Management Act 2004*
- Natural Resources Management (General) Regulations 2005* made under the *Natural Resources Management Act 2004*
- Natural Resources Management (Transitional Provisions—Levies) Regulations 2005* made under the *Natural Resources Management Act 2004*
- Partnership Regulations 2006* made under the *Partnership Act 1891*
- Pastoral Land Management and Conservation Regulations 2006* made under the *Pastoral Land Management and Conservation Act 1989*
- Petroleum (Submerged Lands) Regulations 2005* made under the *Petroleum (Submerged Lands) Act 1982*
- Petroleum Products Regulations 2008* made under the *Petroleum Products Regulation Act 1995*
- Plastic Shopping Bags (Waste Avoidance) Regulations 2008* made under the *Plastic Shopping Bags (Waste Avoidance) Act 2008*
- Primary Industry Funding Schemes (Barossa Wine Industry Fund) Regulations 2007* made under the *Primary Industry Funding Schemes Act 1998*
- Primary Industry Funding Schemes (Clare Valley Wine Industry Fund) Regulations 2008* made under the *Primary Industry Funding Schemes Act 1998*
- Primary Industry Funding Schemes (SA Grape Growers Industry Fund) Regulations 2007* made under the *Primary Industry Funding Schemes Act 1998*
- Professional Standards Regulations 2006* made under the *Professional Standards Act 2004*
- Protective Security Regulations 2008* made under the *Protective Security Act 2007*
- Public Corporations (General) Regulations 2008* made under the *Public Corporations Act 1993*
- Residential Parks Regulations 2007* made under the *Residential Parks Act 2007*
- Roads (Opening and Closing) Regulations 2006* made under the *Roads (Opening and Closing) Act 1991*
- SACE Board of South Australia Regulations 2008* made under the *SACE Board of South Australia Act 1983*
- Serious and Organised Crime (Control) Regulations 2008* made under the *Serious and Organised Crime (Control) Act 2008*
- Sheriff's Regulations 2005* made under the *Sheriff's Act 1978*
- State Procurement Regulations 2005* made under the *State Procurement Act 2004*
- Survey Regulations 2007* made under the *Survey Act 1992*

Terrorism (Police Powers) Regulations 2006 made under the *Terrorism (Police Powers) Act 2005*

Training and Skills Development Regulations 2008 made under the *Training and Skills Development Act 2008*

Valuation of Land Regulations 2005 made under the *Valuation of Land Act 1971*

Wilderness Protection Regulations 2006 made under the *Wilderness Protection Act 1992*

Young Offenders Regulations 2008 made under the *Young Offenders Act 1993*

Schedule 2—Revocation of *Subordinate Legislation (Postponement of Expiry) Regulations 2018*

The *Subordinate Legislation (Postponement of Expiry) Regulations 2018* are revoked.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 15 August 2019

No 199 of 2019

South Australia

Development (Railway Works) Variation Regulations 2019

under the *Development Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Development Regulations 2008*

- 4 Variation of Schedule 3—Acts and activities that are not development
 - 5 Variation of Schedule 14—State agency development exempt from approval
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Development (Railway Works) Variation Regulations 2019*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Development Regulations 2008*

4—Variation of Schedule 3—Acts and activities that are not development

Schedule 3, clause 13(1)(c)(i) and (ii)—delete subparagraphs (i) and (ii) and substitute:

- (i) a temporary builder's office, shed, store or other similar building; or
- (ii) a retaining wall; or
- (iii) a bridge, other than a pedestrian bridge; or
- (iv) a culvert or drain; or
- (v) a pipe.

5—Variation of Schedule 14—State agency development exempt from approval

Schedule 14, clause 1(1)(v)—after subparagraph (ii) insert:

or

- (iii) that—

(A) is on railway land as defined in Schedule 3 clause 13(5); or

- (B) is on land adjacent to railway land and is, in the opinion of the Rail Commissioner, detrimentally affecting the use of, or activities or operations on, the railway land.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 15 August 2019

No 200 of 2019

MPL19/010CS

South Australia

Development (Public Notification) Variation Regulations 2019

under the *Development Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Development Regulations 2008*

- 4 Variation of Schedule 9—Public notice categories
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Development (Public Notification) Variation Regulations 2019*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Development Regulations 2008*

4—Variation of Schedule 9—Public notice categories

- (1) Schedule 9, clause 18(a)—delete "a building" and substitute:

1 or more buildings

- (2) Schedule 9, clause 18(c)—delete paragraph (c)

- (3) Schedule 9, clause 19—delete clause 19 and substitute:

19 Except where the development falls within Part 1 of this Schedule, is within the City of Adelaide, or is classified as *non-complying* development under the relevant Development Plan, development of a kind referred to in clause 6 of this Schedule (including a change of use of land of a kind referred to in that clause) where the site of the proposed development is adjacent land to land in a zone under the relevant Development Plan which is different to the zone that applies to the site of the development.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 15 August 2019

No 201 of 2019

MPL19/010CS

CITY OF HOLDFAST BAY
PERMITS AND PENALTIES BY-LAW 2019

By-law No. 1 of 2019

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 2019* and is By-law No. 1 of the City of Holdfast Bay.
- 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:
 - 4.2 By-Law No.1 – Permits and Penalties 2012.²
 - 4.3 This By-law will expire on 1 January 2027.³

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 City of Holdfast Bay; 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, or such other person as the Council may authorise, granted in writing (including, by way of the Council adopting a policy of general application 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 as 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 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.

Note-

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.

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 Holdfast Bay held on **9 July 2019** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ROBERTO BRIA
Chief Executive Officer

CITY OF HOLDFAST BAY
MOVEABLE SIGNS BY-LAW 2019

By-law No. 2 of 2019

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 2019* and is By-law No. 2 of the City of Holdfast Bay.
 - 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, 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:
By-Law No.2 - Moveable Signs 2012.²
 - 4.2 This By-law will expire on 1 January 2027.³
- 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 2019*.
 - 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 **business premises** means premises from which a business is being conducted;
 - 6.4 **Council** means the City of Holdfast Bay;
 - 6.5 **footpath area** means:
 - 6.5.1 that part of a road between the property boundary of the road and the edge of the carriageway on the same side as that boundary;

- 6.5.2 a footway, laneway or other place made or constructed for the use of pedestrians and not for the use of vehicles;
- 6.6 **Local Government land** has the same meaning as in the Act;
- 6.7 **moveable sign** has the same meaning as in the Act;
- 6.8 **road** has the same meaning as in the Act; and
- 6.9 **vehicle** has the same meaning as in the *Road Traffic Act 1961*.

Note-

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

PART 2 – MOVEABLE SIGNS**7. Construction**

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 condition so as not to present a hazard to any member of the public;
- 7.3 be of strong construction and sufficiently stable or securely fixed in position so as to keep its position in any adverse weather conditions;
- 7.4 not contain any sharp or jagged edges or corners;
- 7.5 not be unsightly or offensive in appearance or content;
- 7.6 not rotate or contain moving parts;
- 7.7 be constructed of timber, cloth, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 7.8 not contain flashing lights or be illuminated internally;
- 7.9 not have balloons, flags, streamers or other things attached to it;
- 7.10 not be more than 1100mm high, 700mm wide and 700mm deep;
- 7.11 not have a display area exceeding 700mm square in total or, if the sign is two sided, 700mm square on each side;
- 7.12 in the case of an 'A' frame or 'sandwich board' sign:
 - 7.12.1 be hinged or joined at the top;
 - 7.12.2 be of such construction that its sides are securely fixed or locked in position when erected; and
- 7.13 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.

8. Placement

A moveable sign must, in the opinion of an authorised person:

- 8.1 be painted or otherwise detailed in a competent and professional manner;
- 8.2 be aesthetically appealing, legible and simply worded to convey a precise message;
- 8.3 be of such design and contain such colours as are compatible with the architectural design of the premises adjacent to the sign, and which relate well to the townscape and overall amenity of the locality in which it is situated and which do not detract from or conflict with traffic, safety or direction signs or signals; and
- 8.4 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.

9. Placement

A moveable sign must:

- 9.1 only be placed on the footpath area of a road;
- 9.2 where there is no kerb to define the footpath area, be set back from the edge of the carriageway by no less than 400mm;
- 9.3 in the case of a flat sign, the message of which only contains newspaper headlines and the name of a newspaper, be in line with and against the business to which it relates;
- 9.4 be placed no less than 2 metres from any structure, fixed object, tree, bush or plant (including another moveable sign);
- 9.5 be placed directly in front of the business premises to which it relates;
- 9.6 not be placed on a sealed part of any footpath area unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare of at least 1.8 metres;
- 9.7 not be placed on a road where the width of the road (including the footpath area and the carriageway) is less than 4 metres;
- 9.8 not be placed within 10 metres of the corner of a road;
- 9.9 not be placed on a landscaped area;
- 9.10 not be placed on a designated parking area or within 1 metre of an entrance to or exit from premises;
- 9.11 not unreasonably restrict the use of the footpath area; and
- 9.12 not be placed in such a position or in such circumstances that:
 - 9.12.1 it compromises the safety of any person or places a person at risk of harm; or

- 9.12.2 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.

10. Restrictions

- 10.1 A moveable sign must:
- 10.1.1 only display material which advertises a business being conducted on business premises adjacent to the sign or the products available from that business;
- 10.1.2 be limited in number to one moveable sign per business premises;
- 10.1.3 only be displayed when the business to which it relates is open to the public;
- 10.1.4 not be displayed during the hours of darkness unless it is in a clearly lit area and is clearly visible; and
- 10.2 A moveable sign must not, without the Council's permission, be displayed on any road, footpath or local government land within Moseley Square.
- 10.3 A moveable sign must not be displayed on any road, footpath or local government land along Jetty Road, Glenelg.
- 10.4 If in the opinion of the Council a road is unsafe for a moveable sign to be displayed, the Council may by resolution prohibit or restrict the display of a moveable sign thereon on such conditions as the Council thinks fit.

11. Moveable Signs on Vehicles

A person must not, without the Council's permission, display or cause to be displayed a moveable sign on or attached to or adjacent to a vehicle that is parked on Local Government land or a road primarily for the purpose of advertising or offering for sale a product (including the vehicle) or business to which the sign relates.

12. Exemptions

- 12.1 Subclauses 9.5 and 10.1 do not apply to a moveable sign which is used:
- 12.1.1 to advertise a garage sale taking place from residential premises;
- 12.1.2 as a directional sign to an event run by an incorporated association or a charitable body; or
- 12.2 Subclause 10.1 does not apply to a flat sign the message of which only contains newspaper headlines and the name of a newspaper and which must be displayed and located flat against a wall of the business premises at all times.
- 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 the Act or another Act; or
- designed to direct people to the open inspection of any land or building that is available for purchase or lease; or
- 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; or
- 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.

13. Removal of Moveable Signs

- 13.1 If:
- 13.1.1 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
- 13.1.2 the positioning of a moveable sign does not comply with a requirement of this By-law; or
- 13.1.3 any other relevant requirement of this By-law is not complied with; or
- 13.1.4 the moveable sign unreasonably:
- 13.1.4.1 restricts the use of the road; or
- 13.1.4.2 endangers the safety of members of the public,
- an authorised person may order the owner of the sign to remove the sign from the road.
- 13.2 A person must comply with an order of an authorised person made pursuant to subparagraph 13.1 of this By-law.
- 13.3 If the authorised person cannot find the owner, or the owner fails to comply with the order of an authorised person, the authorised person may remove and dispose of the moveable sign.
- 13.4 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.
- 13.5 The owner, or other person responsible for a moveable sign must remove or relocate the moveable sign at the request of an authorised person:
- 13.5.1 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

13.5.2 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 City of Holdfast Bay held on the **9 July 2019** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ROBERTO BRIA
Chief Executive Officer

CITY OF HOLDFAST BAY
LOCAL GOVERNMENT LAND BY-LAW 2019

By-law No. 3 of 2019

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

PART 1 – PRELIMINARY

1. Title

This By-law may be cited as the *Local Government Land By-law 2019* and is By-law No. 3 of the City of Holdfast Bay.

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 and promote conservation of the foreshore;
- 3.3 to protect the convenience, comfort and safety of members of the public;
- 3.4 to enhance the amenity of the Council area; and
- 3.5 for the good rule and government of the 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:
By-law No.3 – Local Government Land 2012.²
- 4.2 This By-law will expire on 1 January 2027.³

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 2019.
- 5.2 Subject to subclauses 5.3 and 5.4, this By-law applies throughout the Council area.
- 5.3 Subclauses 9.2, 9.4.2, 9.9.2, 9.9.5, 9.25.1, 9.25.3, 9.25.4, 9.29.2, 9.30, 9.41, 10.2 and 10.8 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 9.4.4, 9.9.1, 9.9.3, 9.9.4 and 9.13.2 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 **Act** means the *Local Government Act 1999*;
- 6.2 **animal or animals** includes birds and insects but not a dog;
- 6.3 **aquatic life** means any animal or plant living or growing in water including, but not limited to, yabbies, molluscs, fish, insects, insect pupa or larvae and water plants;

- 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 ramp** means a facility constructed, maintained and operated for the launching and retrieval of a boat;
- 6.7 **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 or foreshore;
- 6.8 **Council** means the City of Holdfast Bay;
- 6.9 **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;
- 6.10 **effective control** means a person exercising effective control of an animal either:
- 6.10.1 by means of a physical restraint; or
- 6.10.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
- 6.11 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 6.12 **foreshore** means land owned by or under the Council's care, control and management (including a road) that:
- 6.12.1 extends 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) or;
- 6.12.2 extends from the edge of any other navigable waterway or body of water in the Council's area to the nearest road or section boundary or for a distance of 50 metres (whichever is the lesser);
- 6.13 **funeral ceremony** means a ceremony only (i.e. a memorial service) and does not include a burial;
- 6.14 **liquor** has the same meaning as in the *Liquor Licensing Act 1997*;
- 6.15 **Local Government land** means all land owned by the Council or under the Council's care, control and management (except roads);
- 6.16 **low water mark** means the lowest meteorological tide;
- 6.17 **offensive** includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;
- 6.18 **open container** means a container that after the contents of the container have been sealed at the time of manufacture:
- 6.18.1 being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
- 6.18.2 being a can, it has been opened or punctured;
- 6.18.3 being a cask, it has had its tap placed in a position to allow it to be used;
- 6.18.4 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
- 6.18.5 is a flask, glass, mug or other container able to contain liquid.
- 6.19 **personal watercraft** means a device that –
- 6.19.1 is propelled by a motor; and
- 6.19.2 has a fully enclosed hull; and
- 6.19.3 is designed not to retain water if capsized; and
- 6.19.4 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;
- 6.20 **tobacco product** has the same meaning as in the *Tobacco Products Regulation Act 1997*;
- 6.21 **'road'** has the same meaning as in the *Local Government Act 1999*;
- 6.22 **vehicle** has the same meaning as in the *Road Traffic Act 1961*;
- 6.23 **waters** includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council; and
- 6.24 **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 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.

9.3 Amplification

Use an amplifier or other mechanical or electrical device for the purpose of amplifying sound or broadcasting announcements or advertisements.

9.4 Animals

- 9.4.1 Cause or allow an animal to stray onto, move over, graze or be left unattended on Local Government land.
- 9.4.2 Cause or allow an animal to enter, swim, bathe or remain in any waters located on Local Government land to which the Council has resolved this subparagraph shall apply.
- 9.4.3 Cause or allow any animal to swim or bathe in any waters adjacent to the foreshore to the inconvenience, annoyance or danger of any other person bathing or swimming.
- 9.4.4 Take, drive or ride any horse, or allow it to remain, on the foreshore or to bathe in any waters adjacent the foreshore except between the hours of midnight and 9.00am and then only in such areas of the foreshore as the Council may be resolution direct and if the horse remains under effective control.
- 9.4.5 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 Annoyance

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

- 9.5.1 using that land; or
- 9.5.2 occupying nearby premises, by making noise or creating a disturbance.

9.6 Aquatic Life

Introduce any aquatic life to any waters located on Local Government Land.

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 Bathing

In any waters adjacent the foreshore:

- 9.8.1 swim or bathe within five metres of any jetty; or
- 9.8.2 swim or bathe at a time when swimming or bathing in that place has been prohibited by resolution of the Council (for reasons of public safety) as indicated by a sign or signs displayed on or near the foreshore.

9.9 Boats & Mooring

Subject to the provisions of the *Harbours 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 or foreshore except in an area to which the Council has resolved this subclause applies;
- 9.9.2 launch or retrieve a boat from or to any Local Government land to which the Council has determined this subclause applies without using a boat ramp constructed and set aside by the Council for that purpose;
- 9.9.3 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;
- 9.9.4 hire out a boat or otherwise use a boat for commercial purposes except in an area to which the Council has resolved this subclause applies and other than in accordance with any conditions determined by resolution of the Council; or
- 9.9.5 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 this subclause 9.13, erect a tent or other structure of calico, canvas, plastic or similar material as a place of habitation for a period of 24 hours.
- 9.13.2 Camp or sleep overnight on Local Government land other than on 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 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 **Charge Admission**
Charge admission or seek payment for entering any part of the foreshore.
- 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 whether or not 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 other than in accordance with any conditions of use contained on a sign or notice in the vicinity of the 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, explode or use any fireworks.
- 9.23 **Fishing**
- 9.23.1 Cast a fishing line or keep a fishing line in the water from any beach while there are other persons in the waters in the vicinity of the fishing line;
- 9.23.2 Cast a fishing line, net or trap to catch water creatures in areas to which this subparagraph applies.
- 9.24 **Flora and Fauna**
Subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:
- 9.24.1 plant, damage, pick, cut, disturb, interfere with or remove any plant, tree or flower thereon;
- 9.24.2 cause or allow an animal to stand or walk on any flower bed or garden plot;
- 9.24.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;
- 9.24.4 take, interfere with, tease, harm or disturb any animal, bird or aquatic life or the eggs or young of any animal, bird or aquatic life;
- 9.24.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;

- 9.24.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;
- 9.24.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or aquatic life; or
- 9.24.8 burn any timber or dead wood –
- with the exception that subclauses 9.24.4 and 9.24.7 do not apply to lawful fishing activities.
- 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 the use of a ball, missile or other object 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 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 or participate in or conduct any organised group fitness activity or training on Local Government land to which the Council has resolved this subclause applies.
- 9.25.4 Play or practise 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 (if any).
- 9.25.5 Participate in any game, recreational activity or event where the Council has caused a notice to be erected indicating the game, recreational activity or event is prohibited.
- 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 **Jetties**
- 9.27.1 Jump or dive from a jetty into water or onto a beach;
- 9.27.2 Tie or affix any personal water craft to a jetty;
- 9.27.3 After being requested to leave a jetty by an authorised officer for any contravention (alleged or actual) of this subclause 9.27, come back onto the jetty within 24 hours of the request being made.
- 9.28 **Model Aircraft, Boats and Cars**
- Subject to the *Civil Aviation Safety Regulations 1998*:
- 9.28.1 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
- 9.28.2 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.
- 9.29 **Moorings**
- 9.29.1 Enter or be on any mooring or mooring area between the hours of 12 midnight and 7.00am following other than with the consent of the person who has the right to use the mooring or mooring area to moor a vessel;
- 9.29.2 Enter a mooring area which is generally closed to the public and requires permission for entry.
- 9.30 **Kites**
- Fly a kite with more than one control string on Local Government land to which the Council has resolved this subparagraph shall apply.
- 9.31 **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.
- 9.32 **Playing Area**
- Use or occupy a playing area:
- 9.32.1 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);
- 9.32.2 in a manner contrary to the purpose for which the playing area was intended to be used or occupied; or

- 9.32.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area.
- 9.33 **Preaching**
Preach, harangue or solicit for religious purposes.
- 9.34 **Removing Soil**
Carry away or remove any soil, sand, clay, timber, stones, pebbles, gravel, seaweed, rocks, minerals, vegetation, shells, or other organic or inorganic materials or any part of the land.
- 9.35 **Rubbish Dumps and Rubbish Bins**
- 9.35.1 Interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on Local Government Land.
- 9.35.2 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).
- 9.36 **Structures**
Erect or allow to remain erected any shed, tent, hut or other structure.
- 9.37 **Swimming and Aquatic Activity**
Subject to the provisions of the *Harbors and Navigation Act 1993* enter, swim or engage in any aquatic activity in or on any waters except:
- 9.37.1 in waters that the Council has set aside for that purpose; or
- 9.37.2 in an area where a nearby sign states that such activity is allowed and in accordance with any conditions stated in the sign; or
- 9.37.3 in the sea.
- 9.38 **Trading**
- 9.38.1 Sell buy, offer or display anything for sale or hire or lease any goods, merchandise, commodity, article or thing.
- 9.38.2 Carry on any business or promote or advertise the same.
- 9.38.3 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.
- 9.39 **Vehicles**
- 9.39.1 Drive or propel a vehicle except on an area or road constructed and set aside by the Council for that purpose.
- 9.39.2 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.
- 9.39.3 Repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown.
- 9.40 **Weddings, Functions and Special events**
- 9.40.1 Hold, conduct or participate in a 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 forty (40).
- 9.40.2 Hold or conduct any filming where the filming is for a commercial purpose.
- 9.41 **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 **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.
- 10.2 **Fishing**
Fish in any waters to which the Council has determined this subclause applies.
- 10.3 **Glass**
Willfully break any glass, china or other brittle material.

- 10.4 **Helium Balloons**
Release an unsecured balloon containing helium unless the balloon is:
- 10.4.1 released unintentionally and without negligence; or
 - 10.4.2 released inside a building or structure and does not make its way into the open air;
 - 10.4.3 released for scientific, including meteorological, purposes; or
 - 10.4.4 a balloon aircraft that is recovered after landing.
- 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 participate in 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 **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.
- 10.9 **Missiles**
Throw, roll or discharge any stone, substance or missile to the danger of any person or animal.
- 10.10 **Obstruction**
Obstruct:
- 10.10.1 any footpath or bicycle track;
 - 10.10.2 any door, entrance, stairway or aisle in any building; or
 - 10.10.3 any gate or entrance to local government land.
- 10.11 **Sand Dunes, Pebble Dunes, Coastal Slopes and Cliffs**
- 10.11.1 carry out any activity that may damage or threaten the integrity of sand dunes, pebble dunes, coastal slopes or cliffs; or
 - 10.11.2 introduce non-indigenous flora or fauna or dump any material in a sand dune or pebble dune; or
 - 10.11.3 destroy, remove or cause interference to any vegetation, whether living or dead, on or within a sand dune, coastal slope or coastal cliff.
- 10.12 **Solicitation**
Tout or solicit customers for the parking of vehicles or for any other purpose whatsoever.
- 10.13 **Toilets**
In any public convenience on Local Government land:
- 10.13.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
 - 10.13.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
 - 10.13.3 use it for a purpose for which it was not designed or constructed;
 - 10.13.4 enter a toilet that is set aside for use of the opposite gender except:
 - 10.13.4.1 where a child under the age of eight years is accompanied by a parent or adult guardian of that gender; or
 - 10.13.4.2 to provide assistance to a person with a disability; or
 - 10.13.4.3 in the case of a genuine emergency.
- 10.14 **Waste**
- 10.14.1 Deposit or leave thereon:
 - 10.14.1.1 anything obnoxious or offensive; or
 - 10.14.1.2 any mineral, mineral waste, industrial waste or by-products.
 - 10.14.2 Deposit any rubbish other than in receptacles provided by the Council for that purpose;
 - 10.14.3 Deposit in any 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, including the foreshore, 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 any Police Officer, emergency worker, Council Officer or Council 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 or in accordance with a direction of a Council Officer.
- 14.2 The restrictions in subclauses 9.14 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 City of Holdfast Bay held on the **9 July 2019** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

Roberto Bria
Chief Executive Officer

CITY OF HOLDFAST BAY ROADS BY-LAW 2019

By-law No. 4 of 2019

For the management, control and regulation of activities on roads in the Council's area.

PART 1- PRELIMINARY

1. **Title**
This By-law may be cited as the *Roads By-law 2019* and is By-law No. 4 of the City of Holdfast Bay.
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 operation.¹
- 4.2 By-Law No. 4 - Roads 2012.²
- 4.3 This By-law will expire on 1 January 2027.³

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 2019*.
- 5.2 Subject to subclauses 5.3 and 5.4, this By-law applies throughout the Council's area.
- 5.3 Subclause 7.3 of this By-law only applies to 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 (including a tent trailer) 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 Holdfast Bay;
- 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 **electoral matter** has the same meaning as in the *Electoral Act 1995* provided that such electoral matter is not capable of causing physical damage or injury to a person within its immediate vicinity;
- 6.8 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 6.9 **moveable sign** has the same meaning as in the Act;
- 6.10 **road** has the same meaning as in the Act being, a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes—
 - 6.10.1 a bridge, viaduct or subway; or
 - 6.10.2 an alley, laneway or walkway; and
- 6.11 **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 or magnifying sound including the broadcasting of announcements or advertisements.
- 7.3 **Animals**
Allow any horse, cattle, sheep or other livestock to stray onto, graze, wander or be left unattended on any road to which the Council has, by resolution, determined this subclause 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 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 **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, solicit 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, cause or hold a concert, festival, show, display public gathering, 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.
- 7.8 **Rubbish Bins**
- Deposit in any Council bin on a road any rubbish emanating from a domestic, commercial or trade source.
- 7.9 **Soliciting**
- Ask for or receive or do anything to indicate a desire for a donation of money or any other thing.
- 7.10 **Repairs to Vehicles**
- Repair, wash, paint, panel beat or perform other work of any nature on or to any 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:

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 any emergency worker, 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 or in accordance with a direction of 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 Holdfast Bay held on **9 July 2019** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ROBERTO BRIA
Chief Executive Officer

CITY OF HOLDFAST BAY
DOGS BY-LAW 2019

By-law No. 5 OF 2019

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 2019* and is By-law No. 5 of the City of Holdfast Bay.
 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 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:
By-Law No. 5 – Dogs 2012.²
 - 4.2 This By-law will expire on 1 January 2027.³
- 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 2019*.
 - 5.2 Subject to subclause 5.3, this By-law applies throughout the Council's area.
 - 5.3 Subclauses 9 and 10.1, 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 and includes a dog undergoing training of a kind approved by the Dog and Cat Management Board;
 - 6.4 **Council** means the City of Holdfast Bay;
 - 6.5 **dog** (except for in clause 7.1) has the same meaning as in the *Dog and Cat Management Act 1995*;
 - 6.6 **effective control** means a person exercising effective control of a dog either:
 - 6.6.1 by means of a physical restraint (as defined under the *Dog and Cat Management Act 1995*);
or
 - 6.6.2 by command, the dog being in close proximity to the person and the person being able to see the dog at all times;
 - 6.7 **Hooded Plover breeding site** means any land within 100 metres of a sign on Local Government land that indicates a Hooded Plover breeding nest, eggs or chick(s) are or may be present on the land or in the vicinity;
 - 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 and part of any premises or land whether used or occupied for domestic or non-domestic purposes;
- 6.11 **small dwelling** means a self-contained dwelling commonly known as a flat, service flat, home unit or the like;
- 6.12 For the purposes of clause 10 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 person, animals or birds.

Note-

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

PART 2 – LIMITS ON DOG NUMBERS**7. Limits on dog numbers in private premises**

- 7.1 Subject to 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 in 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 of or person responsible for the dog may be liable.

9. Dog Prohibited Areas

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

10. Dog on leash areas

- 10.1 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 to which the Council has resolved that this subclause applies unless the dog is under effective control by means of a leash.
- 10.2 A person must not allow a dog under that person's control, charge or authority to be or remain in a Hooded Plover breeding site unless the dog is under effective control by means of a leash.

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 – EXEMPTIONS**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 or dog on leash area.

This By-law was duly made and passed at a meeting of the City of Holdfast Bay held on **9 July 2019** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ROBERTO BRIA
Chief Executive Officer

CITY OF HOLDFAST BAY
CATS BY-LAW 2019

By-law No. 6 of 2019

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 2019* and is By-law No. 6 of the City of Holdfast Bay.

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 2012.²

4.2 This By-law will expire on 1 January 2027.³

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 2019*.

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 **approved cattery** means a building, structure, premises or area approved by the relevant authority pursuant to the *Development Act 1993* for the keeping of cats on a temporary or permanent basis or, for use in connection with a business involving the keeping of cats, that is operating in the accordance with all approvals;
- 6.3 except for in clause 8, **cat** means an animal of the species *felis catus*, which is three months of age or has lost its juvenile canine teeth;

- 6.4 **Council** means City of Holdfast Bay;
- 6.5 **keep** includes the provision of food or shelter;
- 6.6 for the purposes of clause 8, a cat (or cats) causes a **nuisance** if it:
- 6.6.1 unreasonably interferes with the peace, comfort or convenience of a person, including but not limited to by displaying aggressive nature or creating unpleasant noise or odour; or
- 6.6.2 damages or otherwise has an adverse impact upon native flora or fauna; or
- 6.6.3 acts in a manner that is injurious to a person's real or personal property; or
- 6.6.4 wanders onto premises without the consent of the owner or occupier of the premises; or
- 6.6.5 defecates or urinates on premises without the consent of the owner or occupier of the premises;
- 6.7 **owner** of a cat has the same meaning as in section 5 of the *Dog and Cat Management Act 1995*;
- 6.8 **premises** includes any land (whether used or occupied for domestic or non-domestic purposes) and any part thereof; and
- 6.9 the **person responsible for the control of a cat** has the same meaning as in section 6 of the *Dog and Cat Management Act 1995*.

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 two (2) cats on any premises.
- 7.2 Subclause 7.1 does not apply to premises comprising an approved cattery.
- 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 Without limiting liability under clause 8.1, the owner of or person responsible for the control of a cat is guilty of an offence under this By-law if the cat causes a nuisance.
- 8.3 For the purposes of this subclause 8, **cat** means an animal of the species *felis catus* (of any age).

9. Registration of cats

- 9.1 Where the Council has resolved 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 (if any) and accompanied by the fee (if any) as prescribed by the Council; and
- 9.2.2 nominate a person of or over sixteen (16) years of age who consents to the cat being registered in his or her name; and
- 9.2.3 identify with reference to an address the premises at which the cat is kept; and
- 9.2.4 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 an approved cattery.
- 9.5 The Council may, by resolution, revoke a resolution to adopt a registrations scheme under subclause 9.1 should it see fit to do so.

PART 3 – EXEMPTIONS**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 4 – 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 City of Holdfast Bay held on **9 July 2019** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ROBERTO BRIA
Chief Executive Officer

THE BAROSSA COUNCIL

Assigning of a Road Name

Notice is hereby given that pursuant to Section 219 of the Local Government Act 1999, The Barossa Council on 16 July 2019 resolved that Government Road Cockatoo Valley, informally known as Sandland Road (West), from Woodlands Road, westward to the end of the road reserve, be named Tomley Road.

Dated: 16 July 2019

MARTIN MCCARTHY
Chief Executive Officer

CLARE AND GILBERT VALLEYS COUNCIL

Declaration of Public Roads- Notice of Intention

Notice is hereby given, pursuant to Section 210 (2) (b) of the Local Government Act 1999, that the Clare and Gilbert Valleys Council intends to declare the following to be public roads.

All roads delineated on GP 520/1856 plan of "Auburn", more particularly described as North Street, St Vincent Street, Wakefield Street (now known as Henry Street), South Street and King William Street.

All roads delineated on DP 24 plan of "North Auburn", more particularly described as Bleechmore Street and Meller Street.

All roads delineated on GP 458/1855 plan of "East Auburn", more particularly described as Mill Lane, Raglan Street, Globe Street and the remaining portion of Field Street (now known as Mill Lane).

Dated: 15 August 2019

DR HELEN MACDONALD
Chief Executive Officer

COORONG DISTRICT COUNCIL

Adoption of Valuations and Declarations of Rates

NOTICE is hereby given that at the Special Council meeting held on Thursday 1 August 2019, the Coorong District Council passed the following resolutions for the financial year ended 30 June 2020:

Adoption of Valuations

To adopt for rating purposes the most recent capital valuations of the Valuer General totalling \$1,776,771,000.

Declaration of General Rates and Separate Rates

To declare general rates as follows:

1. A fixed charge of \$360 in respect to each rateable assessment.
2. Differential general rates on the capital value and locality of all rateable land within the Bulk Handling Zone as described in Council's Development Plan as consolidated 29 November 2018 at 1.2027 cents in the dollar.
3. Differential general rates on the capital value and locality of all rateable land outside the Bulk Handling Zone according to its land use as follows:
 - (a) 0.4220 cents in the dollar in respect of land with the land use of Residential;
 - (b) 0.4220 cents in the dollar in respect of land with the land use of Commercial-Shop, Commercial-Office, Commercial-Other;
 - (c) 0.4220 cents in the dollar in respect of land with the land use of Industry-Light, Industry-Other;

- (d) 0.4220 cents in the dollar in respect of land with the land use of Other;
 - (e) 0.3587 cents in the dollar in respect of land with the land use of Primary Production; and
 - (f) 0.5064 cents in the dollar in respect of land with the land use of Vacant Land.
4. A separate rate per property of 0.02134 cents in the dollar on the capital value of all rateable land within that part of the Council area that is within the area of the SA Murray Darling Basin Natural Resource Management Board.
 5. A differential separate rate per property on all rateable land within that part of the Council area that is within the area of the South East Natural Resource Management Board with the following land uses.
 - (a) \$ 82.66 per rateable property with the land use of Residential, Vacant & Other;
 - (b) \$123.99 per rateable property with the land use of Commercial – Shop, Office or Other;
 - (c) \$198.38 per rateable property with the land use of Industrial – Light or Other; and
 - (d) \$363.70 per rateable property with the land use of Primary Production.

To impose annual service charges as follows:

1. Community Wastewater Management Systems (CWMS):
Tailem Bend, Meningie, Tintinara and Wellington East:
 - \$605 per occupied unit;
 - \$605 per vacant allotments.
2. On each assessment of rateable and non-rateable land to which the Council makes available a water supply service in the areas of Wellington East and Peake:
 - A supply charge of \$235 per property;
 - A usage charge of \$0.60 per kilolitre used.
3. \$330 on each eligible assessment of rateable and non-rateable land within the kerbside collection boundary to which the Council makes available a Kerbside Waste Management Service.

Declaration of Payment of Rates

Rates are payable in four equal or approximately equal instalments on:

- 27 September 2019;
- 11 December 2019;
- 11 March 2020; and
- 11 June 2020.

Dated: 1 August 2019

G. MAXWELL
Acting Chief Executive Officer

THE FLINDERS RANGES COUNCIL

Adoption of Valuations and Declaration of Rates

Notice is hereby given at a meeting of the Council held on Friday, 2 August 2019 and for the year ending 30 June 2020, it resolved:

ADOPTION OF CAPITAL VALUATIONS

The Flinders Ranges Council, in accordance with Section 167(2)(a) of the *Local Government Act 1999* (the *Act*), adopts for rating purposes for the year ending 30 June 2020, the valuations made by the Valuer-General of capital values in relation to all land in the area of the Council, and hereby specifies 2 August 2019 as the day as and from which such valuations shall become and be the valuations of the Council with the total of the valuations being \$ 266,584,520 comprising \$257,555,280 in respect of rateable land and \$9,029,240 in respect of non-rateable land before alteration.

DECLARATION OF DIFFERENTIAL GENERAL RATES

Declares that, having taken into account the general principles of rating contained in Section 150 of the *Act* and the requirements of Section 153(2) of the *Act*, The Flinders Ranges Council declares, pursuant to Sections 152(1)(a), 153 (1)(b) and 156 (1)(c) of the *Act*, and Regulation 14(1) of the *Local Government (General) Regulations 2013*, the following differential general rates based on the assessed capital values of all rateable land within the Council area for the year ending 30 June 2020, the said differential general rates to vary by reference to the predominant land use of the rateable land and the locality of the land.

The said differential general rates declared are as follows:

Locality of Quorn Township, Quorn Rural Area, Hawker Township, Hawker Rural Area:

- (1) A differential general rate of 0.7100 cents in the dollar on rateable land in the Council's area of category 1 (residential) land use;
- (2) A differential general rate of 0.7600 cents in the dollar on rateable land in the Council's area of category 2 (commercial - shop) land use;
- (3) A differential general rate of 0.8700 cents in the dollar on rateable land in the Council's area of category 3 (commercial - office) land use;
- (4) A differential general rate of 0.8700 cents in the dollar on rateable land in the Council's area of category 4 (commercial - other) land use;
- (5) A differential general rate of 0.8700 cents in the dollar on rateable land in the Council's area of category 5 (industry - light) land use;
- (6) A differential general rate of 0.9700 cents in the dollar on rateable land in the Council's area of category 6 (industry - other) land use;
- (7) A differential general rate of 0.6530 cents in the dollar on rateable land in the Council's area of category 7 (primary production) land use;
- (8) A differential general rate of 0.7100 cents in the dollar on rateable land in the Council's area of category 8 (vacant land) land use;
- (9) A differential general rate of 0.9700 cents in the dollar on rateable land in the Council's area of category 9 (other) land use;

RESIDENTIAL GENERAL RATES CAP

Pursuant to Section 153(3) of the *Act*, The Flinders Ranges Council has determined not to fix a maximum increase in the general rate to be charged on the principal place of residence of a principal ratepayer for the year ending 30 June 2020.

DECLARATION OF MINIMUM RATE

Pursuant to Section 158(1)(a) of the *Act*, The Flinders Ranges Council fixes a minimum amount of \$790.00 payable by way of general rates for the year ending 30 June 2020.

DECLARATION OF GARBAGE ANNUAL SERVICE CHARGE

Pursuant to and in accordance with Section 155 of the *Act*, The Flinders Ranges Council declare Annual Service Charges for the year ending 30 June 2020 based on the level of usage of the service upon the land to which it provides the prescribed service of the collection and disposal of "wet" and "recyclable" waste as follows:

- (1) \$180.00 for occupied properties in Quorn, Hawker and Cradock for "wet" waste; and
- (2) \$125.00 for occupied properties in Quorn, Hawker and Cradock for "recyclable" waste.

DECLARATION OF COMMUNITY WASTEWATER MANAGEMENT SYSTEMS ANNUAL SERVICE CHARGE

Pursuant to and in accordance with Section 155 of the *Act*, and in accordance with the Community Wastewater Management Systems Property Unit Code as provided at Regulation 12 of the *Local Government (General) Regulations 2013*, The Flinders Ranges Council declare an Annual Service Charges for the year ending 30 June 2020 based on the nature of the service and varying according to whether the land is vacant or occupied upon the land to which it provides or makes available the prescribed service of a Community Wastewater Management System, of:

- (a) \$400.00 per unit in respect of each piece of occupied land serviced by the Quorn Community Wastewater Management Systems;
- (b) \$390.00 per unit in respect of each piece of vacant land serviced by the Quorn Community Wastewater Management Systems;
- (c) \$400.00 per unit in respect of each piece of occupied land serviced by the Hawker Community Wastewater Management Systems; and
- (d) \$390.00 per unit in respect of each piece of vacant land serviced by the Hawker Community Wastewater Management Systems.

DECLARATION OF SEPARATE RATES (NRM LEVY – COLLECTED FOR THE STATE GOVERNMENT)

Pursuant to Section 95 of the *Natural Resources Management Act 2004*, and Section 154 of the *Act*, and in order to reimburse the Council for amounts contributed to the Northern and Yorke Natural Resources Management Board, being \$45,611 for the year ending 30 June 2020, The Flinders Ranges Council declare a separate rate of 0.01780 cents in the dollar, based on the capital value of all rateable properties in the area of the Council and of the Northern and Yorke Natural Resources Management Board.

DECLARATION OF PAYMENT OF RATES

Pursuant to Section 181(1) & (2) of the *Act*, The Flinders Ranges Council declare that all rates for the year ending 30 June 2020 be payable by four (4) equal or approximately equal instalments, with the:

- first instalment payable on or before 27 September 2019;
- second instalment payable on or before 1 December 2019;
- third instalment payable on or before 1 March 2020; and
- fourth instalment payable on or before 1 June 2020.

Dated: 2 August 2019

D W WHICKER
Acting Chief Executive Officer

DISTRICT COUNCIL OF LOWER EYRE PENINSULA**CALL FOR NOMINATIONS***Supplementary Election of Area Councillor*

Nominations to be a candidate for election as a member of the District Council of Lower Eyre Peninsula will be received between Thursday 22 August 2019 and 12 noon, Thursday 5 September 2019. Candidates must submit a profile of not more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Nomination kits are available from the Council Office, 32 Railway Terrace, Cummins and the Branch Council Office, 38 Washington Street, Port Lincoln.

A briefing session for intending candidates will be held from 6pm-7pm on Tuesday 27 August 2019 at the Port Lincoln Golf Club, Flinders Highway, Port Lincoln.

For interested candidates that may not be able to attend the briefing, Council staff will be available to provide information and answer any queries by appointment. Please call 8676 0400 to make a booking.

Dated: 15 August 2019

MICK SHERRY
Returning Officer

WATTLE RANGE COUNCIL**CLOSE OF NOMINATIONS***Supplementary Election of Councillor for Corcoran Ward***Nominations Received**

At the close of nominations at 12 noon on Thursday 8 August 2019 the following people were accepted as candidates and are listed in the order in which they will appear on the ballot paper.

Councillor for Corcoran Ward - 1 Vacancy

MUHOVICS, Dennis
JELLESMA, Ryan
LOOBY-McRÖSTIE, Nicole
EMMERICH, Klaus Allen

Postal Voting

The election will be conducted by post. Ballot papers and pre-paid envelopes for each voting entitlement will be posted between Tuesday 20 August 2019 and Monday 26 August 2019 to every person, or designated person of a body corporate or group listed on the voters roll at roll close on Friday 28 June 2019. Voting is voluntary.

A person who has not received voting material by Monday 26 August 2019 and believes they are entitled to vote should contact the Deputy Returning Officer on 08 7424 7400.

Completed voting material must be returned to reach the Returning Officer no later than 12 noon on Monday 9 September 2019.

A ballot box will be provided at the Council office, Millicent Council Chambers, George Street, Millicent for electors wishing to hand deliver their completed voting material during office hours.

Vote Counting Location

The scrutiny and counting of votes will take place at the Electoral Commission SA as soon as practicable after 1:30 pm on Tuesday 10 September 2019. A provisional declaration will be made at the conclusion of the election count.

Campaign Donations Return

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

Dated: 8 August 2019

MICK SHERRY
Returning Officer

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 *Application of the RRN test to the RERT* proposal (Ref. ERC0253). Written requests for a pre-determination hearing must be received by **22 August 2019**. Submissions must be received by **26 September 2019**.

Under s 99, the making of a draft determination and related draft rule on the *Threshold for participant compensation following market intervention* proposal (Ref. ERC0255). Written requests for a pre-determination hearing must be received by **22 August 2019**. Submissions must be received by **26 September 2019**.

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: 15 August 2019

NATIONAL GAS LAW

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

Under ss 311 and 313, the making of the *National Gas Amendment (NT Emergency Gas Supply Arrangements) Rule 2019 No. 3* (Ref. GRC0052) and related final determination. All provisions commence on **15 August 2019**.

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: 15 August 2019

TRUSTEE ACT 1936**PUBLIC TRUSTEE***Estates of Deceased Persons*

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

COOKE John Edgar late of 101 Jenkins Terrace Naracoorte of no occupation who died 4 November 2018
DOWNING Keith late of 32 Dally Road Gilles Plains of no occupation who died 6 August 2018
HARRISON Gwenda June late of 8 Elmgrove Road Salisbury North of no occupation who died 27 October 2017
HENNING Wilhelm Heinrich late of 8 Oakmont Court Salisbury East Mill Operator who died 18 April 2019
POND Elizabeth late of 28 Liddell Drive Huntfield Heights of no occupation who died 4 April 2018
PRICE Colin David late of 14 Blackfriars Road Port Elliott Retired Master Plumber who died 13 January 2019
SWAIN Arthur James late of 86 Oaklands Road Glengowrie of no occupation who died 21 April 2017
SWANN Heather Winsome late of 2 Kalyra Road Belair Retired Shorthand Typist who died 27 July 2018
TOSH John late of 150 Reynell Road Woodcroft Builder who died 1 December 2018
WHITTINGTON Ronald William late of 4 Kangaroo Thorn Road Trott Park Retired Knife Hand who died 18 April 2019

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 13 September 2019 otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver same to the Public Trustee.

Dated: 15 August 2019

N S RANTANEN
Acting Public Trustee

NOTICE SUBMISSION

Notices for publication must be submitted before 4 p.m. Tuesday, the week of intended gazettal.

Proofs of formatted content are supplied for all notice submissions. Alterations must be returned before 4 p.m. Wednesday.

The *SA Government Gazette* is compiled and published each Thursday. Requests to withdraw submitted notices must be received before 10 a.m. on the day of publication.

Gazette notices should be emailed as Word files—and signed PDF files if applicable—in the following format:

- Title (name of the governing legislation/department/organisation)
- Subtitle (description of notice)
- A structured body of text
- Date of authorisation
- Name, position, and department/organisation of the authorising person

Please provide the following information in your email:

- Date of intended gazettal
- Details that may impact on publication of the notice
- Email address and phone number of the person authorising the submission
- Name of the person and organisation to be charged for the notice, if applicable
- Request for a quote, if required
- Purchase order, if required

EMAIL: governmentgazettesa@sa.gov.au

PHONE: (08) 8207 1025

WEBSITE: www.governmentgazette.sa.gov.au