



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 6 AUGUST 2020

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

GOVERNOR'S INSTRUMENTS

APPOINTMENTS AND REVOCATIONS

Department of the Premier and Cabinet
Adelaide, 6 August 2020

His Excellency the Governor in Executive Council has revoked the appointment of Phillip George Sutherland as a Deputy Member to Victoria Bridget Griffith, of the Construction Industry Training Board, effective from 7 August 2020 - pursuant to the provisions of the Construction Industry Training Fund Act 1993 and Section 36 of the Acts Interpretation Act 1915.

By command,

STEVEN SPENCE MARSHALL
Premier

Department of the Premier and Cabinet
Adelaide, 6 August 2020

His Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Construction Industry Training Board, pursuant to the provisions of the Construction Industry Training Fund Act 1993:

Member: from 7 August 2020 until 19 June 2022

Phillip George Sutherland

Deputy Member: from 7 August 2020 until 19 June 2022

Victoria Bridget Griffith (Deputy to Sutherland)

Katherine Lucy Anderson (Deputy to Vagnarelli)

By command,

STEVEN SPENCE MARSHALL
Premier

20IS/012CS

Department of the Premier and Cabinet
Adelaide, 6 August 2020

His Excellency the Governor in Executive Council has been pleased to appoint the Honourable Vickie Ann Chapman, MP, Deputy Premier, Attorney-General and Minister for Planning and Local Government to be also Acting Premier for the period from 8.00am on 8 August 2020 to 5.00pm on 11 August 2020 inclusive, during the absence of the Honourable Steven Spence Marshall, MP.

By command,

STEVEN SPENCE MARSHALL
Premier

DPC20/076CS
20IS/012CS

Department of the Premier and Cabinet
Adelaide, 6 August 2020

His Excellency the Governor in Executive Council has been pleased to appoint Adam Patrick Kimber SC as a Judge of the District Court of South Australia effective from 10 August 2020 - pursuant to section 12 of the District Court Act 1991.

By command,

STEVEN SPENCE MARSHALL
Premier

AGO0126-20CS

Department of the Premier and Cabinet
Adelaide, 6 August 2020

His Excellency the Governor in Executive Council has been pleased to designate Adam Patrick Kimber SC as a Judge of the Environment, Resources and Development Court of South Australia effective from 10 August 2020 - pursuant to Section 8(6) of the Environment, Resources and Development Court Act 1993.

By command,

STEVEN SPENCE MARSHALL
Premier

AGO0126-20CS

PROCLAMATIONS

South Australia

Liquor Licensing (Conferral of Authority) Proclamation 2020

under section 15 of the *Liquor Licensing Act 1997*

1—Short title

This proclamation may be cited as the *Liquor Licensing (Conferral of Authority) Proclamation 2020*.

2—Commencement

This proclamation comes into operation on 10 August 2020.

3—Conferral of authority on District Court Judge

Authority is conferred on the District Court Judge named in Schedule 1 to exercise the jurisdiction of the Licensing Court of South Australia.

Schedule 1—District Court Judge on whom authority is conferred

His Honour Judge Adam Patrick Kimber

Made by the Governor

with the advice and consent of the Executive Council
on 6 August 2020

South Australia

Mining (Variation of Private Mine) Proclamation 2020

under section 73N of the *Mining Act 1971*

Preamble

- 1 The following area was declared to be a private mine by a proclamation made pursuant to the *Mining Act 1971* on 1 August 1974 (*Gazette 1.08.1974 p810*):

That piece of land situated in the hundred of Myponga, county of Hindmarsh and being that portion of sections 302 and 303 situated north of a straight line joining the north-eastern corner of a reserve adjacent to section 302 with a point on the eastern boundary of section 303 distant 411.5 m south along the said boundary from its north-eastern corner and being portion of the land comprised and described in certificate of title register book volume 3909 folio 175;

Those portions of land situated in the hundred of Willunga county of Adelaide being firstly that portion of section 529A bounded on the east and north-west by intersecting roads and on the south-west by the southern boundary of the said hundred of Willunga, and a road; secondly the portion of sections 529A and 734 bounded on the north-west and west by intersecting roads and on the south and north-east by the southern boundary of the hundred of Willunga and the north-eastern boundary of the said section 734 respectively and being portion of the land comprised and described in certificate of title register book volume 3909 folio 175.

- 2 The Warden's Court has declared (on 2 July 2020 in Action No 1235 of 2020) that proper grounds exist for varying the declaration referred to in clause 1 by excising from the area of the private mine the land comprised in the following Certificates of Title:

Certificate of Title Register Book Volume 5467 Folio 301;

Certificate of Title Register Book Volume 5531 Folio 570.

1—Short title

This proclamation may be cited as the *Mining (Variation of Private Mine) Proclamation 2020*.

2—Commencement

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

3—Variation of private mine

The declaration referred to in clause 1 of the preamble is varied by excising from the area of the private mine the land described in clause 2 of the preamble.

Made by the Governor

on the basis of the declaration of the Warden's Court referred to in clause 2 of the preamble and with the advice and consent of the Executive Council
on 6 August 2020

RULES OF COURT

MAGISTRATES COURT OF SOUTH AUSTRALIA

Amendment 84 to the Magistrates Court Rules 1992

PURSUANT to section 49 of the *Magistrates Court Act 1991* and all other enabling powers, we, the undersigned, do hereby make the following amendments to the *Magistrates Court Rules 1992* as amended.

1. These Rules may be cited as the ‘Magistrates Court Rules 1992 (Amendment 84)’.
2. The *Magistrates Court Rules 1992* (‘the Rules’) as amended by these amendments apply to and govern all actions in the criminal division of the Court on and after the date on which these amendments are gazetted.
3. Sub-rule 41.03(b) is deleted and replaced as follows to correct a typographical error:
 - 41.03(b) orders that a defendant enters into a recognisance or undertaking of any kind, or extends or varies a recognisance or undertaking of any kind.
4. The following is inserted after Rule 41.03:
 - 41.03A Where a defendant is required to acknowledge the terms of a Community Service Order, a Home Detention Order or an Intensive Correction Order, the order may be acknowledged, varied or extended before a Registrar or Justice of the Peace.
 - 41.03B Where a defendant is required to acknowledge the terms of a Part 8A licence, the licence may be acknowledged, varied or extended before a Registrar, Justice of the Peace or a mental health worker.
5. Form S5 is deleted and replaced with Form S5.
6. Form S8 is deleted and replaced with Form S8.
7. Rule 27A.04 is deleted and replaced as follows:
 - 27A.04 The hearing date and location on the summons will be selected by SA Police from a set of dates and locations that have been provided by the Registrar to SA Police. The hearing date selected will be no less than 1 month and no more than 4 months from the date of the issue of the summons, or if the Court will not be sitting at that location within that period, the next sitting date of the Court.

Dated: 29 July 2020

MARY-LOUISE HRIBAL
Chief Magistrate

KATHRYN HODDER
Magistrate

BRETT JONATHON DIXON
Magistrate

KYM ANDREW MILLARD
Magistrate



HOME DETENTION ORDER
Magistrates Court of South Australia
www.courts.sa.gov.au
Sentencing Act 2017
 Section 71(1)

Court of Origin					
Sitting at				File No	
Registry Address	Street		Telephone		Facsimile
	City/Town/Suburb		State	Postcode	Email Address
Defendant					
Name	Surname		Given name/s		DOB
	dd/mm/yyyy				
Address					
Details of the offence(s) to which the home detention order relates:					
Date	Offence		Section and Act		
Details of the sentence that the Court has imposed:					
Total sentence of imprisonment to be served:					
Non-parole period:					
Details of the Home Detention Order:					
The Court has recorded a conviction against you for the offence(s) listed above and has imposed the sentence(s) shown for each matter. It has, however, ordered that the sentence(s) of imprisonment be served on home detention with the following conditions:					
1 <input type="checkbox"/> That you be of good behaviour and comply with all of the conditions of this order. 2 <input type="checkbox"/> That you be under the supervision of a Home Detention Officer for the period of this order and obey the lawful directions given to you by the Home Detention Officer to whom you are assigned. 3 <input type="checkbox"/> That you reside at the residence specified by the Court, namely _____, throughout the period of the Home Detention Order and will not be absent from that address except for the purposes of:					
a. remunerated employment, but only if confirmed and approved by the Home Detention Officer to whom you are assigned; b. your urgent medical or dental treatment; c. averting or minimising risk of serious injury or death to yourself or to any other person; d. attending any of the following, if approved or directed to do so by the Home Detention Officer to whom you are assigned:					
i. a place for the purpose of undergoing assessment or treatment (or both) relating to your mental or physical health; or ii. an intervention program; or iii. a course of education, training, instruction or any other activity; or e. any other purpose approved by the Home Detention Officer to whom you are assigned.					

- 4 That you travel to the specified address immediately upon release and upon arrival you contact the Home Detention Unit of the Department for Correctional Services by telephoning 1300 796 199.
- 5 If, in the case of an emergency, you obtain permission from the Home Detention Officer to whom you are assigned to reside at a new address you must make an application to the Court for a variation of your Home Detention Order conditions within two working days, but you can reside at that address until that application for variation is considered by the Court.
- 6 That you not leave the State without the prior written permission of the Home Detention Officer to whom you are assigned.
- 7 That you wear an electronic transmitter and comply with the rules of electronic monitoring, including the requirement to fully charge the transmitter daily, for the term of the Home Detention Order.
- 8 That you provide and maintain in operating condition an active mobile telephone service with an appropriate mobile communication device and give the contact details to the Department for Correctional Services (DCS) so that they may use it to communicate with you at all times while on electronic monitored home detention.
- 9 That you present yourself at the front door of your nominated address at the request of the Home Detention Officer to whom you are assigned, and respond to any telephone call at that address at any time, unless absent in accordance with these conditions.
- 10 That you surrender any passport you possess to the Registrar of the Court at the Court Registry, and not apply for a passport, nor attend within the boundary of the terminal building at any international airport whilst subject to a Home Detention Order.
- 11 That you do not possess a firearm, or ammunition or any part of a firearm.
- 12 That you submit to tests (including testing without prior notice) for gunshot residue as may be reasonably required.
- 13 That you not consume alcohol or any other drug which is not medically prescribed or otherwise legally available and then only at the prescribed or recommended dosage. You will submit to any drug and alcohol testing as directed by the Home Detention Officer to whom you are assigned and sign all required forms and comply with the requirements of the testing procedures.
- 14 That you attend and complete any assessment, counselling, treatment and therapeutic programs as may be deemed appropriate to effectively case manage your individual needs as directed by the Home Detention Officer to whom you are assigned.
- 15 That you not approach or communicate with, either directly or indirectly, _____, nor be within _____ metres of _____.
- 16 That you perform _____ hours of community service within _____ months from the date of this order and obey the lawful directions of the Home Detention Officer to whom you are assigned for the purposes of community service.
- 17 That you authorise the Department for Correctional Services to reveal that you are subject to a Home Detention Order to any person it believes reasonably necessary for the purposes of confirming employment and compliance with the conditions of this order.
- 18 Other:

What will happen if you comply with the conditions of this order:

If, at the end of the designated period of imprisonment (or non-parole period as the case may be), you have complied with all of the above conditions, the sentence(s) of imprisonment ordered by the Court will not have to be served in an institution and your sentence will have been served or you will be released on parole.

What can happen if you fail to comply with the conditions of this order:

If you fail to comply with any part of the order set out above, this order may be revoked and the sentence of imprisonment which you were to serve on home detention can be carried into effect to be served in an institution. In the case of a breach of a community service condition, you may be ordered to serve further time in prison on the basis of 1 day for every 7.5 hours of community service (or part thereof) not performed.

Acknowledgment by Defendant

I acknowledge that I have received a copy of the Home Detention Order. I understand its conditions and I understand what will happen if I fail to comply with these conditions.

.....
Date

.....
DEFENDANT

Witness

I have witnessed the Defendant's signature and provided the Defendant with a copy of this Home Detention Order

.....
Date

.....
MAGISTRATE / REGISTRAR / JUSTICE OF THE PEACE



INTENSIVE CORRECTION ORDER

Magistrates Court of South Australia

www.courts.sa.gov.au

Sentencing Act 2017

Section 81(1)

Court of Origin					
Sitting at				File No	
Registry Address	Street		Telephone		Facsimile
	City/Town/Suburb	State	Postcode	Email Address	
Defendant					
Name	Surname		Given name/s		DOB
	Address				
Details of the offence(s) to which the intensive correction order relates:					
Date	Offence		Section and Act		
Details of the sentence that the Court has imposed:					
Total sentence of imprisonment to be served:					
Details of the Intensive Correction Order:					
The Court has recorded a conviction against you for the offence(s) listed above and has imposed the sentence(s) shown for each matter. It has, however, ordered that the sentence(s) of imprisonment be served in the community while subject to intensive correction with the following conditions:					
<ol style="list-style-type: none"> 1 <input type="checkbox"/> That you be of good behaviour and comply with all of the conditions of this order. 2 <input type="checkbox"/> That you be under the supervision of a Community Corrections Officer for the period of this order and obey the lawful directions given to you by the Community Corrections Officer to whom you are assigned. 3 <input type="checkbox"/> That you report, within two working days of this order being made, at the office of the Department of Correctional Services at: Phone: (08) 8224 2500. (NOTE: You need not report if, within that two day period, you receive notice from the Department of Correctional Services that it is not necessary to do so). 4 <input type="checkbox"/> That you reside at the residence specified by the Community Corrections Officer to whom you are assigned throughout the period of the Intensive Correction Order and will not be absent from that address except for the purposes of: <ol style="list-style-type: none"> a. remunerated employment, but only if confirmed and approved by the Community Corrections Officer to whom you are assigned; b. your necessary medical or dental treatment; c. averting or minimising risk of serious injury or death to yourself or to any other person; d. any other purpose approved by the Community Corrections Officer to whom you are assigned. 					

- 5 That you reside at the residence specified by the Court, namely _____, throughout the period of the Intensive Correction Order and will not be absent from that address except for the purposes of:
- a. remunerated employment, but only if confirmed and approved by the Community Corrections Officer to whom you are assigned;
 - b. your necessary medical or dental treatment;
 - c. averting or minimising risk of serious injury or death to yourself or to any other person;
 - d. any other purpose approved by the Community Corrections Officer to whom you are assigned.
- 6 That you travel to the specified address immediately upon release and upon arrival you contact the Intensive Corrections Unit of the Department for Correctional Services by telephoning 1300 796 199.
- 7 If, in the case of an emergency, you obtain permission from the Community Corrections Officer to whom you are assigned to reside at a new address you must make an application to the Court for a variation of your Intensive Correction Order conditions within two working days, but you can reside at that address until that application for variation is considered by the Court.
- 8 That you not leave the State without the prior written permission of the Community Corrections Officer to whom you are assigned.
- 9 That you wear an electronic transmitter and comply with the rules of electronic monitoring, including the requirement to fully charge the transmitter daily, for the term of this Intensive Correction Order.
- 10 That you provide and maintain in operating condition an active mobile telephone service with an appropriate mobile communication device and give the contact details to the Department for Correctional Services (DCS) so that they may use it to communicate with you at all times during the term of this Intensive Correction Order.
- 11 That you present yourself at the front door of your nominated address at the request of the Community Correction Officer to whom you are assigned, and respond to any telephone call at that address at any time, unless absent in accordance with these conditions.
- 12 That you surrender any passport you possess to the Registrar of the Court at the Court Registry, and not apply for a passport, nor attend within the boundary of the terminal building at any international airport whilst subject to this Intensive Correction Order.
- 13 That you do not possess a firearm, or ammunition or any part of a firearm.
- 14 That you submit to tests (including testing without prior notice) for gunshot residue as may be reasonably required.
- 15 That you not consume alcohol or any other drug which is not medically prescribed or otherwise legally available and then only at the prescribed or recommended dosage. You will submit to any drug and alcohol testing as directed by the Community Corrections Officer to whom you are assigned and sign all required forms and comply with the requirements of the testing procedures.
- 16 That you attend and complete any assessment, counselling, treatment and therapeutic programs as may be deemed appropriate to effectively case manage your individual needs as directed by the Community Corrections Officer to whom you are assigned.
- 17 That you contribute _____ to the cost of any course or treatment that you are required to undertake under this order.
- 18 That you attend an intervention program, as directed by the Community Corrections Officer to whom you are assigned.
- 19 That you contribute _____ to the cost of the intervention program that you are required to attend under this order.
- 20 That you not approach or communicate with, either directly or indirectly, _____, nor be within _____ metres of _____.
- 21 That you perform _____ hours of community service within _____ months from the date of this order and obey the lawful directions of the Community Corrections Officer to whom you are assigned for the purposes of community service.
- 22 That you authorise the Department for Correctional Services to reveal that you are subject to an Intensive Correction Order to any person it believes reasonably necessary for the purposes of confirming employment and compliance with the conditions of this order.
- 23 That you comply with any other conditions included in the *Sentencing Regulations 2018* made for the purpose of section 82 of the *Sentencing Act 2017*.
- 24 Other: _____

What will happen if you comply with the conditions of this order:

If, at the end of the designated period of imprisonment, you have complied with all of the above conditions, the sentence(s) of imprisonment ordered by the Court will not have to be served in an institution and your sentence will have been served.

What can happen if you fail to comply with the conditions of this order:

If you fail to comply with any part of the order set out above, this order may be revoked and the sentence of imprisonment which you were to serve under the Intensive Correction Order can be carried into effect to be served in an institution. In the case of a breach of a community service condition, you may be ordered to serve further time in prison on the basis of 1 day for every 7.5 hours of community service (or part thereof) not performed.

Acknowledgment by Defendant

I acknowledge that I have received a copy of the Intensive Correction Order. I understand its conditions and I understand what will happen if I fail to comply with these conditions.

.....
Date

.....
DEFENDANT

Witness

I have witnessed the Defendant's signature and provided the Defendant with a copy of this Intensive Correction Order

.....
Date

.....
MAGISTRATE / REGISTRAR / JUSTICE OF THE PEACE

STATE GOVERNMENT INSTRUMENTS

AGRICULTURAL AND VETERINARY PRODUCTS (CONTROL OF USE) REGULATIONS 2017

Approval of Quality Assurance Schemes

I, ROSS MEFFIN, Chief Inspector under the *Plant Health Act 2009*, for and on behalf of the Minister for Primary Industries and Regional Development, hereby:

1. Revoke, pursuant to regulation 37 of the *Agricultural and Veterinary Products (Control of Use) Regulations 2017* the notices published pursuant to regulation 7(2) of the *Agricultural and Veterinary Products (Control of Use) Regulations 2004*, in the Gazette on 28 November 2019, 12 March 2020 and 2 April 2020.
2. Approve, pursuant to regulation 7(2) of the *Agricultural and Veterinary Products (Control of Use) Regulations 2017* the quality assurance schemes listed in Column A for the specified crop listed opposite in Column B. Pursuant to regulation 7(3) a person is an accredited participant of an approved quality assurance scheme only if he or she satisfies the corresponding requirements for that scheme specified in Column C.

Column A	Column B	Column C
A scheme established by the Freshcare Food Safety & Quality Standard Edition 4.1, published by Freshcare Ltd, NSW, Australia.	Beetroot, carrot, common fig, continental parsley, kale, parsley, radish, silverbeet, spinach and spring onions.	A current certification of Freshcare for the supply of a crop of a kind for which the scheme is approved, issued by Freshcare Ltd.
A scheme established by the Harmonised Australian Retailer Produce Scheme Standard Version 1.0	Basil, beetroot, coriander, chives, common fig, continental parsley, dill, kale, lemon thyme, mint, oregano, parsley, radish, rocket, rosemary, sage, silverbeet, spinach, spring onions, tarragon thai basil, thyme and watercress.	A current certification meeting the requirements of the Harmonised Australian Retailer Produce Scheme for the supply of a crop of a kind for which the scheme is approved.
A scheme established by the Recommended International Code of Practice General Principles of Food Hygiene CAC/RCP 1-1969 including Annex on Hazard Analysis and Critical Control Point (HACCP) System and Guidelines for its Application, as adopted by the Codex Alimentarius Commission in 1997.	Basil, chives, continental parsley, coriander, dill, lemon thyme, mint, oregano, rocket, rosemary, sage, spinach, tarragon, thai basil, thyme and watercress.	A current certification meeting the requirements of Codex Alimentarius Alinorm: 97/13A for the supply of a crop of a kind for which the scheme is approved.
A scheme established by the SQF 2000 Code, A HACCP-Based Supplier Assurance Code for the Food Manufacturing and Distributing Industries, 8th edition, published by the Safe Quality Food Institute, Arlington, USA.	Basil, chives, continental parsley, coriander, dill, lemon thyme, mint, oregano, rocket, rosemary, sage, spinach, tarragon, thai basil, thyme and watercress.	A current certification (to Level 1, 2 or 3) of an SQF 2000 system for the supply of a crop of a kind for which the scheme is approved, issued in accordance with the SQF 2000 Code.

Dated: 4 August 2020

ROSS MEFFIN
Chief Inspector (Plant Health Act 2009)
for and on behalf of

DAVID BASHAM
Minister for Primary Industries and Regional Development

ANANGU PITJANTJATJARA YANKUNYTJATJARA LAND RIGHTS ACT 1981

Notice of a Delay to the Conduct of the Next Scheduled Anangu Pitjantjatjara Yankunytjatjara Executive Board Member Elections

Pursuant to section 9(6)(a) of the *Anangu Pitjantjatjara Yankunytjatjara (APY) Land Rights Act 1981 (SA) (the Act)*, I, Hon Steven Spence Marshall MP, Premier of South Australia and Minister responsible for the administration of the Act determine to delay the conduct of the APY Executive Board Member elections due to be held between 1 May 2020 and 31 August 2020 for a period of 12 months. Accordingly, the APY Board Member elections are to be held during the period of 1 May 2021 to 31 August 2021.

Dated: 31 July 2020

HON STEVEN SPENCE MARSHALL MP
Premier

AQUACULTURE ACT 2001

AQUACULTURE TENURE ALLOCATION BOARD (ATAB)

*Point Pearce (East) Intertidal Aquaculture Zone and the Point Pearce (West) Aquaculture Zone prescribed in the Aquaculture (Zones—Eastern Spencer Gulf) Policy 2005***Minister’s Assessment Guidelines**

The Aquaculture Tenure Allocation Board (**ATAB**) will assess applications and make recommendations to the Minister for Primary Industries and Regional Development (or delegate of the Minister) as to any applications that should not be granted and as to the order of merit of the remaining applications. The key objective of the tenure allocation process under the Aquaculture Act 2001 (“**the Act**”) is to ensure an equitable and transparent process is followed to allocate tenure to operators who will use the marine resource at an optimum level (in terms of the quality and quantity of output relative to the capacity of the environment).

The ATAB assesses all applications for new leases within aquaculture zones (in State waters) prescribed as non-public call areas, together with the proposed activity to be licenced, to ensure fairness in the tenure allocation process.

Under section 36(1) of the Act, in an aquaculture zone or part thereof (in State waters) not designated as a public call area, the ATAB must assess each application for a production lease and the accompanying application for a corresponding licence taking into account—

- (a) the objects of the Act; and
- (b) any prescribed criteria or other relevant provisions of the applicable aquaculture policy.

The ATAB must also assess all applications in accordance with the Minister’s assessment guidelines under section 36(2) of the Act.

Upon completion of assessment, the ATAB must make recommendations to the Minister as to applications that should not be granted and the order of merit of remaining applications.

The Objects of the Act are:

- (a) to promote the ecologically sustainable development of marine and inland aquaculture; and
- (b) to maximise the benefits to the community from the State’s aquaculture resources; and
- (c) to ensure the efficient and effective regulation of the aquaculture industry.

Part A—Minister’s Assessment Guidelines

The assessment of applications received by the ATAB must be carried out in accordance with the Minister’s assessment guidelines under section 36 of the Act. The Minister’s assessment guidelines are:

Capability	Description
Nature of proposal	<p>POINT PEARCE (EAST) INTERTIDAL AQUACULTURE ZONE AND POINT PEARCE (WEST) INTERTIDAL AQUACULTURE ZONE</p> <ul style="list-style-type: none"> • ATAB will ensure that the proposed activity is located within the Point Pearce (east) intertidal aquaculture zone and/or the Point Pearce (west) aquaculture zone and; • In the Point Pearce (east) aquaculture zone is the farming of bivalve molluscs and/or algae and does not exceed 20 hectares; and • In the Point Pearce (west) aquaculture zone is the farming of aquatic animals (other than abalone, finfish and prescribed wild caught tuna) in a manner that involves regular feeding, the farming of bivalve molluscs and/or the farming of algae and does not exceed 40 hectares. • ATAB will take into account the interests of the local Aboriginal communities as represented by the Point Pearce Aboriginal Corporation (PPAC) or the Narungga Nation Aboriginal Corporation (NNAC). • ATAB will take into account that Aboriginal traditions relating to the zone, including Aboriginal fishing traditions, must be preserved (subject to any contrary view of the PPAC or NNAC). • ATAB will evaluate the nature of the proposal including proposed farming practices and processes. • ATAB will evaluate if proposed farming structures are appropriate for the oceanographic conditions of the zone, taking into consideration any types of farming structures previously used in or around this zone and their ability or inability to withstand conditions. • ATAB will evaluate the proposed stages and timeframes of development to ensure they are realistic and achievable.
Technical and Environmental Capacity	<ul style="list-style-type: none"> • ATAB will evaluate the level of knowledge and previous experience the applicant has in the farming of the proposed species, including in conditions comparable to those in the relevant aquaculture zone. • ATAB will evaluate the applicant’s level of commitment in relation to ensuring the proposed operations are managed in an environmentally sustainable manner and that the intended farming activity will be compliant with the requirements of, or obligations under, the Act. • ATAB will evaluate the applicant’s readiness to develop and commence operations on the site. • ATAB will evaluate the applicant’s level of commitment to ecologically sustainable development of the site, and to the long-term growth and development of the aquaculture industry in the region.
Business capacity	<ul style="list-style-type: none"> • ATAB will evaluate the information provided regarding the business capacity of the applicant to undertake the proposed farming activities. • To assist ATAB in evaluating business capacity the applicant should provide information including, but not limited to: <ul style="list-style-type: none"> • Three year financial projections for establishing and operating the site. To better inform ATAB, these projections may include a summary of establishment costs for the site including: <ul style="list-style-type: none"> - Proof of the applicant’s financial capacity to establish and operate the proposed enterprise; - Supporting infrastructure development costs (e.g. processing shed, boats and vehicles, equipment storage site, dive equipment); - Site development costs (moorings, farming structures);

Capability	Description
Regional and social benefits/ Economic benefits to the state	<ul style="list-style-type: none"> - Cost of spat/juveniles; - Cost of feed; - Labour costs (including the number of staff); - Processing costs; - Fuel/Electricity costs; - Regulatory fees; - Operational/administrative costs; - Selling/Distribution costs; and - Costs of ongoing environmental monitoring. • The applicant should provide the estimated level of capital investment required to establish the site or sites and details of the level of finance required, and proof of the funds available, to establish and operate the enterprise over a three-year period. This proof of funds can take the form of a letter or Certification of Financial Adequacy from a financial institution of note, indicating that the applicant has the funds required. • ATAB will consider whether the applicant has illustrated that they have access to appropriate markets and/or a strategy in place to access those markets. • ATAB will evaluate information provided by the applicant outlining how the proposal will benefit the region. This information may relate to: <ul style="list-style-type: none"> - Improvements in the infrastructure of the region enhancing its overall capacity in aquaculture, food production or food distribution; - Increases in regional employment from aquaculture; - Introduction of new technology; and - Any specific social and/or regional benefits of the proposal.

The ATAB provides a recommendation to the Minister as to successful (and non-successful) applications in accordance with section 36(1) of the Act. One or more applicants may be offered leases provided that the total area granted does not exceed the hectares released within the zone.

*For example - Applicants should ensure that they are able to meet conditions of the lease, licence and *Aquaculture Regulations 2016*. Therefore, applicants should refer to examples of lease and licence conditions which are available on the aquaculture public register:

www.pir.sa.gov.au/aquaculturepublicregister

A successful applicant recommended by the ATAB will have their corresponding licence application assessed by PIRSA in accordance with the objectives of the Act. A recommendation by the ATAB to grant tenure to an applicant does not guarantee success in obtaining an aquaculture licence. PIRSA and the Environment Protection Authority (EPA) will use additional information to determine any specific licence conditions required, in line with section 36 of the Act.

Lease and licence conditions provided on the public register are for guidance only. Conditions may vary between sites, and it is the responsibility of the operator to ensure they are familiar with their lease and licence conditions, once the lease and licence are granted.

In addition, operators are required to comply with the requirements of all statutes, regulations, by-laws, ordinances, rules or other forms of statutory instruments or delegated legislation applicable to the licensed site or to the use of the licensed site by the licensee, including but not limited to the Act, *Aquaculture Regulations 2016* and the *Livestock Act 1997*. It is the responsibility of applicants to understand the relevant pieces of legislation. Further information on South Australian legislation can be found on the South Australian Legislation website (<http://www.legislation.sa.gov.au>).

Lease/licence holders also must make themselves familiar with other policies of PIRSA as they relate to the operations of the aquaculture farm. These policies are available on the PIRSA web site (<http://www.pir.sa.gov.au/aquaculture/policies>).

Dated: 17 July 2020

PROF. GAVIN BEGG
 A/Executive Director
 Fisheries and Aquaculture
 Delegate of the Minister for Primary Industries and Regional Development

ASSOCIATIONS INCORPORATION ACT 1985

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 HINDMARSH HOUSING CO-OPERATIVE INCORPORATED (the Association) being an incorporated association under the Act are being carried on, or would more appropriately be carried on by a company limited by guarantee incorporated under the *Corporations Act 2001* (Cth) AND WHEREAS the Commission was on 9 July 2020 requested by the Association to transfer its undertaking to UNITINGSA HOUSING LTD (Australian Company Number 627 622 020), the Commission pursuant to section 42(2) of the Act DOES HEREBY ORDER that on 6 August 2020, the Association will be dissolved, the property of the Association becomes the property of UNITINGSA HOUSING LTD and the rights and liabilities of the Association become the rights and liabilities of UNITINGSA HOUSING LTD.

Given under the seal of the Commission at Adelaide.

Dated: 4 August 2020

BRADLEY SIMPSON
 A delegate of the
 Corporate Affairs Commission

AUTHORISED BETTING OPERATIONS ACT 2000

GR NOTICE NO. 6 OF 2020

Gambling Codes of Practice (Self-service terminals) Variation Notice 2020

By this notice, I, Dini Soulio, Liquor and Gambling Commissioner, vary the notice prescribing advertising and responsible gambling codes of practice, as follows:

1. Preliminary

- (1) This notice may be cited as the *Gambling Codes of Practice (Self-service terminals) Variation Notice 2020*.
- (2) This notice comes into operation on 6 August 2020.
- (3) This notice is authorised by—
 - (a) section 6A of the *Authorised Betting Operations Act 2000*, in particular section 6A(9);
 - (b) section 13B of the *State Lotteries Act 1966*, in particular section 13B(8).

2. Purpose

This notice varies the *Gambling Codes of Practice Notice 2013*¹ to remove the prohibition on self-service terminals which must not be operated by the insertion of cash subject to implementing additional harm minimisation measures and require gambling providers which install banknote acceptors on self-service terminals to have enhanced training materials for staff to ensure the use of the devices are adequately monitored and additional harm minimisation measures are understood and implemented as required.

3. Self-service terminals

- (1) In clause 50A of the *Gambling Codes of Practice Notice 2013*, **delete** subclause (c) and **insert**—

“(c) if the device is able to be operated by the insertion of cash—

 - (i) the device must have a maximum cash deposit limit of \$100; and
 - (ii) the device must have pause functionality if the gambling provider’s staff suspect the customer may be under the age of 18 years old, may be barred, is demonstrating difficulty controlling their gambling or is intoxicated; and
 - (iii) the device must display the relevant expanded warning message on the screen at no more than 10 minute intervals; and
 - (iv) the device must display the relevant expanded warning message alternating with the condensed warning message and the national helpline number 1800 858 858, at the bottom of the screen at all times, at no more than 10 minute intervals; and
 - (v) when the device’s screen has been idle for a period of time, the length of which is approved by the Commissioner, a message must be displayed including:
 - a. a statement that the device is restricted to people aged 18 and more (18+ only)
 - b. a statement that the device is regulated by state law and codes of practice and that it is subject to inspection by an agency of the State, along with advice as to a telephone number to call to register a complaint; and
 - (vi) the device must have the functionality to send high volume alerts, at levels approved by the Commissioner, to the gambling provider’s staff, for the purpose of monitoring patrons who may be demonstrating behaviours indicative of having problems controlling their gambling; and
 - (vii) the device must be installed in line of sight of the gambling provider’s staff; and
 - (viii) there must be electronic surveillance of the device with recordings to be kept for a period of time approved by the Commissioner.”

4. Training—Wagering and Lotteries

- (1) In clause 73(1) of the *Gambling Codes of Practice Notice 2013*, **insert**—

“(e) if the gambling provider installs, in a place in which it is otherwise authorised to provide its gambling products, a device which allows customers to purchase the gambling product and process winnings without the assistance of an operator and the device is able to be operated by the insertion of cash, must have enhanced training for staff to ensure the use of the devices are adequately monitored and additional harm minimisation measures are understood and implemented as required.”

¹ GR Notice No. 8 of 2013, South Australian Government Gazette, 18 December 2013 (No. 81 of 2013), pages 4798–4844, varied by—Gambling Codes of Practice (In-Venue Messaging) Variation Notice 2014 (GR1/2014), 20 February 2014, Gazette No. 14 of 2014, pages 1014–1024; Gambling Codes of Practice (General) Variation Notice 2015 (GR6/2015), 26 March 2015, Gazette No. 19 of 2015, pages 1266–1271; Gambling Codes of Practice (Premium Gaming) Variation Notice 2015 (GR8/2015), 7 May 2015, Gazette No. 28 of 2015, pages 1665–1666; Gambling Codes of Practice (Predictive Monitoring) Variation Notice 2015 (GR12/2015), 30 July 2015, Gazette No. 46 of 2015, page 3586; Gambling Codes of Practice (Account Gambling) Variation Notice 2016 (GR1/2016), 18 February 2016, Gazette No. 10 of 2016, page 541–546; Gambling Codes of Practice (General) Variation Notice 2016 (GR4/2016), 9 June 2016, Gazette No. 35 of 2016, page 2049–2052; Gambling Codes of Practice (Tranche 1—South Australian variations for the National Consumer Protection Framework for Online Wagering in Australia) Variation Notice 2019 (GR5/2019), 23 May 2019 (No. 23 of 2019), pages 1303–1305; Gambling Codes of Practice (Complimentary gambling products—interactive wagering service providers) Variation Notice 2020 (GR5/2020), 9 July 2020 (No. 58 of 2020), page 3782.

Dated: 6 August 2020

DINI SOULIO
Liquor and Gambling Commissioner

JUSTICES OF THE PEACE ACT 2005

SECTION 11(5)(a)

Notice of Removal from the Office of Justice of the Peace

I, Vickie Chapman, Attorney-General, pursuant to the power vested in me by Section 11(5)(a) of the *Justices of the Peace Act 2005* (the 'Act'), do hereby remove John Charles Harrop, justice of the peace identification number 12759, from the office of justice of the peace for South Australia effective from the date of the publication of this notice in the SA Government Gazette.

Pursuant to section 11(6) of the Act, I declare that John Charles Harrop may not apply for reappointment as a justice for a period of five years from the date of the publication of this notice in the SA Government Gazette.

Dated: 29 July 2020

VICKIE CHAPMAN MP
Deputy Premier
Attorney-General

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:

Comprising an unencumbered estate in fee simple in that piece of land being the whole of Unit 5 in Strata Plan No 839 comprised in Certificate of Title Volume 5050 Folio 491.

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

2. Compensation

A person who has or had an interest consisting of native title or an alienable 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.

2A. Payment of professional costs relating to acquisition (section 26B)

If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of \$10 000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

Professional costs include legal costs, valuation costs and any other costs prescribed by the *Land Acquisition Regulations 2019*.

3. Inquiries

Inquiries should be directed to:

Petrula Pettas
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2619

Dated: 4 August 2020

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

ROCCO CARUSO
Manager, Property Acquisition
(Authorised Officer)
Department for Infrastructure and Transport

DIT: 2019/18658/01

LAND AGENTS ACT 1994

Exemption

TAKE notice that I, Dini Soulio, Commissioner for Consumer Affairs, as delegate for the Attorney-General, pursuant to section 51 of the *Land Agents Act 1994*, hereby exempt Nikola Podnar from compliance with section 8BA(c)(ii)(A) of the *Land Agents Act 1994*, with respect to the offence for which he was convicted of on 19 April 2000.

Dated: 27 July 2020

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

LANDSCAPE SOUTH AUSTRALIA ACT 2019

Notice of Volume of Water Available for Allocation from the River Murray Consumptive Pool

PURSUANT to Section 121(4) of the *Landscape South Australia Act 2019* ('the Act'), I, Ben Bruce, delegate of the Minister for Environment and Water and Minister to whom the Act is committed, hereby determine the volume of water available for allocation from each of the River Murray Prescribed Watercourse's Consumptive Pools to water access entitlement holders for the period 1 July 2020 to 30 June 2021, as set out in Schedule 1 below:

SCHEDULE 1

Consumptive Pool	Classes	Volume of Water Available for Allocation	Water Access Entitlement	Water Allocation Rate as % of Nominal Maximum Water Allocation Rate of 1 kL/unit share
		kL	unit share	(%)
Metropolitan Adelaide	Class 6	65,000,000	130,000,000	50
All Purpose	Class 1	8,368,662	8,368,662	100
	Class 2	40,500,000	50,000,000	81
	Class 3	492,316,552	607,798,212	81
	Class 5	5,568,841	5,568,841	100
	Class 8	17,982,000	22,200,000	81
All Purpose	Sub Total	564,736,055	693,935,715	
Wetland	Class 9	38,953,915	38,953,915	100
Environmental	*Class 9	7,244,800	7,244,800	100
	Total	675,934,770	870,134,430	

* Riverine Recovery Program

This Notice will remain in effect until 30 June 2021, unless earlier varied.

Dated: 31 June 2020

BEN BRUCE
Executive Director, Water and River Murray
Department for Environment and Water
Delegate of the Minister for Environment and Water

MENTAL HEALTH ACT 2009

Authorised Mental Health Professional

NOTICE is hereby given in accordance with Section 94(1) of the *Mental Health Act 2009*, that the Chief Psychiatrist has determined the following person as an Authorised Mental Health Professional:

Georgina Smith

A person's determination as an Authorised Mental Health Professional expires three years after the commencement date.

Dated: 6 August 2020

DR J. BRAYLEY
Chief Psychiatrist

MENTAL HEALTH ACT 2009

Limited Treatment Facility

NOTICE is hereby given in accordance with Section 97 of the *Mental Health Act 2009*, that the Chief Psychiatrist has determined from 12 August 2020 that:

Building 11 of the Repatriation Health Precinct, 216 Daws Road, Daw Park SA 5054, will be a Limited Treatment Facility known as:

Specialist Advanced Dementia Unit (SADU), for the treatment of behavioural and psychological symptoms secondary to dementia.

Dated: 6 August 2020

DR JOHN BRAYLEY
Chief Psychiatrist

MINING ACT 1971

Invitation to Submit Exploration Licence Applications

Notice is hereby given that the Delegate of the Minister for Energy and Mining will be considering Exploration Licence applications over the land identified in Columns 1, 2, 3 and 6 of the Table during the moratorium period listed in Column 4 of the Table. Applications for exploration licences will be accepted during the application open dates (Application week) listed in Column 5 of the Table below.

THE APPLICATION AREA MUST QUOTE THE ERA NUMBER AND MUST INCORPORATE THE WHOLE OF THE AREA (as specified in Column 3 of the Table).

THE TABLE

Column 1 ERA No	Column 2 Locality	Column 3 Area (km ²)	Column 4 Moratorium Period	Column 5 Applications Open Dates	Column 6 Specific Criteria
1146	Ucolta area approximately 10km east of Peterborough	351	27 July 2020 to 6 September 2020	7-11 September 2020	Nil

Applications may be submitted via SARIG <https://map.sarig.sa.gov.au/> during the Application Week (Column 5). All applications will be considered competing and will be assessed using the criteria for competing applications under the Exploration Release Area (ERA) process. Plans and co-ordinates for the land identified in Columns 1, 2, 3 and 6 of the Schedule can be obtained at the Department for Energy and Mining (DEM) Minerals website http://energymining.sa.gov.au/minerals/exploration/public_notices, or by phoning Mineral Tenements on 08 8463 3103.

This Notice becomes effective 6 August 2020.

C. BUTTFIELD
Acting Mining Registrar
Delegate of the Minister for Energy and Mining

MINING ACT 1971

Invitation to Submit Exploration Licence Applications

Notice is hereby given that the Delegate of the Minister for Energy and Mining will be considering Exploration Licence applications over the land identified in Columns 1, 2, 3 and 6 of the Table during the moratorium period listed in Column 4 of the Table. Applications for exploration licences will be accepted during the application open dates (Application week) listed in Column 5 of the Table below.

THE APPLICATION AREA MUST QUOTE THE ERA NUMBER AND MUST INCORPORATE THE WHOLE OF THE AREA (as specified in Column 3 of the Table).

THE TABLE

Column 1 ERA No	Column 2 Locality	Column 3 Area (km ²)	Column 4 Moratorium Period	Column 5 Applications Open Dates	Column 6 Specific Criteria
1147	Warnes area approximately 60km east-southeast of Peterborough	106	27 July 2019 to 4 October 2019	5-9 October 2020	Nil

Applications may be submitted via SARIG <https://map.sarig.sa.gov.au/> during the Application Week (Column 5). All applications will be considered competing and will be assessed using the criteria for competing applications under the Exploration Release Area (ERA) process. Plans and co-ordinates for the land identified in Columns 1, 2, 3 and 6 of the Schedule can be obtained at the Department for Energy and Mining (DEM) Minerals website http://energymining.sa.gov.au/minerals/exploration/public_notices, or by phoning Mineral Tenements on 08 8463 3103.

This Notice becomes effective 6 August 2020.

C. BUTTFIELD
Acting Mining Registrar
Delegate of the Minister for Energy and Mining

MINING ACT 1971

SECTION 28(5)

Exploration Licences

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:	Vale Australia EA Pty Ltd
Location:	Mount Finke area - approximately 45km southwest of Tarcoola
Term:	Two years
Area in km ² :	951
Reference number:	2020/00046
Applicant:	Iluka (Eucla Basin) Pty Ltd
Location:	Fig Tree Corner area - approximately 100km northwest of Ceduna
Term:	Two years
Area in km ² :	70
Reference number:	2020/00047
Applicant:	Vale Australia EA Pty Ltd
Location:	Deception Hill area - approximately 25km south-southwest of Tarcoola
Pastoral Leases:	Wilgena, Mulgathing
Term:	Two years
Area in km ² :	677
Reference number:	2020/00051
Applicant:	Iluka (Eucla Basin) Pty Ltd
Location:	Yalata area - approximately 185km west-northwest of Ceduna
Term:	Two years
Area in km ² :	943
Reference number:	2020/00058

Applicant: Western Areas Limited
 Location: Yellabinna area - approximately 120km west of Tarcoola
 Term: Two years
 Area in km²: 932
 Reference number: 2020/00069

Applicant: Western Areas Limited
 Location: Yellabinna area - approximately 85km west of Tarcoola
 Term: Two years
 Area in km²: 724
 Reference number: 2020/00070

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 8463 3103.

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: 30 July 2020

C. BUTTFIELD
 A/Mining Registrar as delegate for the Minister for Energy and Mining
 Department for Energy and Mining

MINING ACT 1971

SECTION 35A(1)

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: Clay & Mineral Sales Pty Ltd
 Claim Number: 4490
 Location: Section 200 CT 5655/853 and sections 201, 202, 203 and 204 CT 5656/606, Monarto South area, approximately 15 km west-southwest of Murray Bridge
 Area: 163.14 hectares approximately
 Purpose: Extractive Minerals (Sand and Limestone)
 Reference: 2019/001602

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

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 20 August 2020.

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 on which it should be granted.

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: 6 August 2020

C. BUTTFIELD
 A/Mining Registrar as delegate for the Minister for Energy and Mining
 Department for Energy and Mining

OFFICE FOR THE AGEING (ADULT SAFEGUARDING) AMENDMENT ACT 2018,
 SCH 1—TRANSITIONAL PROVISION

AGEING AND ADULT SAFEGUARDING ACT 1995

Declaration by the Minister for Health and Wellbeing—Prescribed Vulnerable Adult

I STEPHEN GRAHAM WADE MLC, Minister for Health and Wellbeing, pursuant clause 1(2)(b) of the *Office for the Ageing (Adult Safeguarding) Amendment Act 2018, Sch 1—Transitional Provisions*, hereby declare the following class of vulnerable adult to be included in the ambit of the definition of a prescribed vulnerable adult from 1 October 2020:

1. A vulnerable adult within the meaning of section 3 of the *Ageing and Adult Safeguarding Act 1995* who has a disability—
 - (a) That is attributable to intellectual, psychiatric, cognitive, neurological, sensory or physical impairment, or a combination of those impairments; and
 - (b) That is, or is likely to be, permanent; and
 - (c) That results in the person having—
 - a. A reduced capacity for social interaction, communication, learning, mobility, decision making or self care; and
 - b. A need for continuing support services, and includes such a disability notwithstanding that it is of an episodic nature.

Dated: 3 August 2020

HON STEPHEN WADE MLC
 Minister for Health and Wellbeing

OUTBACK COMMUNITIES (ADMINISTRATION AND MANAGEMENT) ACT 2009

OUTBACK COMMUNITIES AUTHORITY

Declaration of Community Contribution (Andamooka) for 2020-2021

NOTICE is hereby given that at its meeting on 18 June 2020, the Outback Communities Authority, for the financial year ending 30 June 2021 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 2020;
- second instalment, payable on 15 December 2020;
- third instalment, payable on 15 March 2021; and
- fourth instalment, payable on 15 June 2021.

M. R. SUTTON
Director

(A4549714)

OUTBACK COMMUNITIES (ADMINISTRATION AND MANAGEMENT) ACT 2009

OUTBACK COMMUNITIES AUTHORITY

Declaration of Community Contribution (Iron Knob) for 2020-2021

NOTICE is hereby given that at a meeting on 18 June 2020, the Outback Communities Authority, for the financial year ending 30 June 2021 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 2020;
- second instalment, payable on 15 December 2020;
- third instalment, payable on 15 March 2021; and
- fourth instalment, payable on 15 June 2021.

M. R. SUTTON
Director

(A4549714)

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Surrender of Petroleum Exploration Licences—PELs 568 and 569

Notice is hereby given that I have accepted the surrender of the abovementioned petroleum exploration licences under the provisions of the *Petroleum and Geothermal Energy Act 2000*, pursuant to delegated powers dated 29 June 2018:

No. of Licence	Licensee	Locality	Effective Date of Surrender	Reference
PEL 568	SAPEX Pty Limited	Cooper Basin	22/05/2020	F2011/000209
PEL 569				F2011/000210

Dated: 29 July 2020

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

*Suspension of Petroleum Exploration Licence—PEL 94
Associated Activities Licence—AAL 200*

Pursuant to section 90 of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the abovementioned Licences have been suspended under the provisions of the *Petroleum and Geothermal Energy Act 2000* for the period from 6 July 2020 to 5 July 2021 inclusive, pursuant to delegated powers dated 29 June 2018.

The expiry date of PEL 94 and AAL 200 is now determined to be 4 November 2022.

Dated: 5 August 2020

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

Suspension of Petroleum Exploration Licence—PEL 95

Pursuant to section 90 of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the abovementioned Licence has been suspended under the provisions of the *Petroleum and Geothermal Energy Act 2000* for the period from 6 July 2020 to 5 July 2021 inclusive, pursuant to delegated powers dated 29 June 2018.

The expiry date of PEL 95 is now determined to be 29 October 2022.

Dated: 4 August 2020

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

Suspension of Petroleum Exploration Licence—PEL 570

Pursuant to section 90 of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the abovementioned Petroleum Exploration Licence has been suspended for the period from 17 July 2020 until 16 July 2021 inclusive, pursuant to delegated powers dated 29 June 2018.

The expiry date of PEL 570 is now determined to be 4 March 2023.

Dated: 4 August 2020

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

*Suspension of Petroleum Exploration Licence—PEL 630
Suspension of Associated Activities Licence—AAL 252*

Pursuant to section 90 of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the abovementioned licences have been suspended for the period from 6 July 2020 to 5 July 2021 inclusive, pursuant to delegated powers dated 29 June 2018.

PEL 630 and AAL 252 will now expire on 8 September 2023.

Dated: 30 July 2020

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

Suspension of Petroleum Retention Licences—PRLs 106, 108, 109 and 110

Pursuant to section 90 of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the abovementioned Licences have been suspended for the period 12 May 2020 to 11 May 2021 inclusive, pursuant to delegated powers dated 29 June 2018.

PRLs 106, 108, 109 and 110 are now due to expire on 10 May 2026.

Dated: 29 July 2020

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

SECTION 25(5)(B)

Variation of Petroleum Exploration Licence—PEL 568

Notice is hereby given that under the provisions of the *Petroleum and Geothermal Energy Act 2000*, pursuant to delegated powers dated 29 June 2018, the conditions of the abovementioned Exploration Licence has been varied as follows:

Condition 1 of the licence is omitted and the following substituted:

“ During the term of the licence, the Licensee shall carry out or cause to be carried out, exploratory operations on the area comprised in the licence in accordance with such work programs as are approved by the Minister from time to time. Years one to four exploratory operations are guaranteed. These exploratory operations shall include but not necessarily be limited to:

Year of Term of Licence	Minimum Work Requirements
One	Geological and geophysical studies.
Two	Geological and geophysical studies.
Three	Geological and geophysical studies.
Four	Geological and geophysical studies.
Five	Drill 1 well.

”

The revised work requirements as a result of this variation would not have altered the outcome of the original competitive tender process.

Dated: 29 July 2020

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

SECTION 25(5)(b)

Variation of Petroleum Exploration Licence—PEL 569

Notice is hereby given that under the provisions of the *Petroleum and Geothermal Energy Act 2000*, pursuant to delegated powers dated 29 June 2018, the conditions of the abovementioned Exploration Licence has been varied as follows:

Condition 1 of the licence is omitted and the following substituted:

“ During the term of the licence, the Licensee shall carry out or cause to be carried out, exploratory operations on the area comprised in the Licence in accordance with such work programs as are approved by the Minister from time to time. Years one to four exploratory operations are guaranteed. These exploratory operations shall include but not necessarily be limited to:

Year of Term of Licence	Minimum Work Requirements
One	Geological and geophysical studies.
Two	Geological and geophysical studies.
Three	Geological and geophysical studies.
Four	Geological and geophysical studies.
Five	Drill 1 well.

”

The revised work requirements as a result of this variation would not have altered the outcome of the original competitive tender process.

Dated: 29 July 2020

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

LOCAL GOVERNMENT INSTRUMENTS

CITY OF ADELAIDE

LOCAL GOVERNMENT ACT 1999—SECTION 219

Naming of Roads

NOTICE is hereby given that on 9 June 2020, Council resolved to change the name of the public road known as Lindes Lane to No Fixed Address Lane, pursuant to section 219 of the Local Government Act 1999.

Dated: 6 August 2020

M. GOLDSTONE
Chief Executive Officer

CITY OF HOLDFAST BAY

Adoption of Valuations and Declaration of Rates

NOTICE is given that at its meeting on 28 July 2020, and in relation to the 2020/2021 financial year, the Council, in exercise of the powers contained in Chapter 10 of the Local Government Act 1999:

1. Adopted the most recent valuations of the State Valuation Office of the capital value of all rateable land in its area totalling \$13,827,139,580.
2. Declared a differential general rate of 0.247456 cents in the dollar of the capital value of rateable land, used for Residential and Other Land uses.
3. Declared a differential general rate of 0.384961 cents in the dollar of the capital value of rateable land, used for Commercial (Shop), Commercial (Office), Commercial (Other), Industrial (Light), Industrial (Other) and Vacant Land uses.
4. Imposed a minimum amount payable by way of general rate of \$1,021.
5. Fixed a maximum increase of 6% (over the 2019/2020 general rate but subject to conditions) in the general rate charged on rateable land used for residential purposes that is the principal place of residence of a ratepayer.
6. Declared a differential separate rate of 0.126719 cents in the dollar of the capital value of rateable land:
 - (a) with a frontage to Jetty Road, Glenelg or Moseley Square; and
 - (b) within the side streets that intersect with Jetty Road, Glenelg between High Street, Glenelg and Augusta Street, Glenelg; and
 - (c) the entire site referred to as the Holdfast Shores 2B Entertainment Centre; and
 - (d) that has a land use of Category 2 (Commercial—Shop), Category 3 (Commercial—Office) and Category 4 (Commercial—Other).
7. Declared a separate rate of 0.96334 cents in the dollar of the capital value of rateable land within the Patawalonga basin bounded by the high water mark and fixed the maximum amount payable by way of this separate rate at \$806.
8. Declared a separate rate by way of a levy of 0.0096815 cents in the dollar of the capital value of rateable land in the Council's area in the catchment area of the Green Adelaide Board.

Dated: 6 August 2020

R. BRIA
Chief Executive Officer

CITY OF NORWOOD PAYNEHAM & ST PETERS

Declaration of Public Road

Notice is hereby given pursuant to Section 210 of the *Local Government Act 1999* (SA), that the City of Norwood Payneham & St Peters resolved at its meeting held on 3 August 2020 that the private road comprised in Certificate of Title Volume 5993 Folio 210 comprising allotment 22 in DP 1208 and which is a private road commonly known as Charlotte Lane in the area of Norwood is hereby declared to be public road.

Dated: 6 August 2020

MARIO BARONE
Chief Executive Officer

CITY OF PLAYFORD

Amended Declaration of Rates

NOTICE is hereby given that the City of Playford at its meeting held on 28 July 2020, amended its rate declaration with the effect that the following rates are declared:

Declaration of Differential General Rate

That having considered and taken into account the general principles of rating contained in Section 150 of the Act, and in accordance with Section 153(2) of the Act issues of consistency and comparability across council areas in the imposition of rates on various sectors of the business and wider community, the Council pursuant to Sections 152(1)(c), 153(1)(b) and 156(1)(a) of the Act, declares the following differential general rates for the year ending 30 June 2021, to apply to all rateable land within the Council area based on the following two components:

- 6.1 one being a fixed charge of \$1,018.29
- 6.2 the other being a differential general rate based on the capital value of the land varying according to land use as follows:
 - (a) \$0.00241174 in the dollar of the capital value on rateable land of land uses category 1 (residential), category 7 (primary production), category 8 (vacant land) and category 9 (other) land use.
 - (b) \$0.01342094 in the dollar of the capital value on rateable land of land uses category 2 (commercial shop), category 3 (commercial office), category 4 (commercial other), category 5 (industry light) and category 6 (industry other) land use.

Maximum Increase for Principal Place of Residence

Pursuant to Section 153(3) of the Act, the Council has determined that it will not apply a maximum increase (rates cap) on general rates to be imposed on rateable land constituting the principal place of residence of a principal ratepayer.

Separate Rate (Regional Landscape Levy)

Pursuant to Section 69 of the *Landscape South Australia Act 2019* and Section 154 of the Act, the Council imposes a separate rate of \$0.00008850 in the dollar for the year ending 30 June 2021 on the capital value of all rateable land in the Council area and the Green Adelaide Region, so as to reimburse the Council for the amount contributed or to be contributed by the Council to the Green Adelaide Board of \$1,118,116.

Dated: 29 July 2020

SAM GREEN
Chief Executive Officer

CITY OF PORT ADELAIDE ENFIELD

Adoption of Valuations and Declaration of Rates for 2020/2021

NOTICE is hereby given that at its ordinary meeting on the 14th of July and amended at a special meeting held on 28th July 2020, the Council resolved for the financial year ending 30 June 2021:

1. To adopt the capital valuations that are to apply in its area for rating purposes totalling \$33,028,790,377.
2. To declare differential general rates on rateable land within its area as follows:
 - RESIDENTIAL
A differential general rate of \$0.002438 in the dollar on the capital value of the land subject to the rate.
 - COMMERCIAL—SHOP
A differential general rate of \$0.005800 in the dollar on the capital value of the land subject to the rate.
 - COMMERCIAL—OFFICE
A differential general rate of \$0.005800 in the dollar on the capital value of the land subject to the rate.
 - COMMERCIAL—OTHER
A differential general rate of \$0.005800 in the dollar on the capital value of the land subject to the rate.
 - INDUSTRY—LIGHT
A differential general rate of \$0.005800 in the dollar on the capital value of the land subject to the rate.
 - INDUSTRY—OTHER
A differential general rate of \$0.005800 in the dollar on the capital value of the land subject to the rate.
 - PRIMARY PRODUCTION
A differential general rate of \$0.005800 in the dollar on the capital value of the land subject to the rate.
 - VACANT LAND
A differential general rate of \$0.005800 in the dollar on the capital value of the land subject to the rate.
 - OTHER
A differential general rate of \$0.005800 in the dollar on the capital value of the land subject to the rate.
 - MARINA BERTHS
A differential general rate of \$0.005800 in the dollar on the capital value of the land subject to the rate.
3. Fixed a minimum amount payable by way of rates, pursuant to Section 158 of the *Local Government Act 1999*, in respect of the 2020-2021 financial year, in respect of rateable land within all parts of its area of \$856.
4. Declared a separate rate in respect of the Regional Landscape Levy for the 2020-2021 financial year of \$0.0000891 in the dollar on the capital value of rateable land in the area of Green Adelaide on 14 July 2020.
5. Declared a separate rate in respect to the 2020-2021 financial year of \$0.00170 in the dollar on the capital value of rateable land for each allotment contained within Deposited Plan No.42580 comprising the New Haven Village at North Haven.
6. Declared that all rates declared or payable in respect of or during the 2020-2021 financial year will fall due (unless otherwise agreed with the Principal Ratepayer) in four equal or approximately equal instalments payable on 14 September 2020, 1 December 2020, 1 March 2021 and 1 June 2021.

With reference to categories of uses being the categories of uses as differentiating factors referred to in the *Local Government (General) Regulations 2013* and *Local Government Act 1999* and in the case of marina berths, as permitted by section 156(4a) of the *Local Government Act 1999*.

Dated: 6 August 2020

M. WITHERS
Chief Executive Officer

CITY OF TEA TREE GULLY

Declaration of Service Charges 2020-2021

Notice is hereby given that on 28 July 2020 the City of Tea Tree Gully, adopted and declared annual service as follows for the year ending 30 June 2021:

1. An annual service charge for all properties serviced by Council's Community Wastewater Management System of:
 - 1.1 \$480 for all properties where the occupied property is charged a SA Water sewer service charge or the land is vacant; and
 - 1.2 \$725 for all other properties.

Dated: 6 August 2020

J. MOYLE
Chief Executive Officer

CITY OF UNLEY

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that the Corporation of the City of Unley at a meeting on 27 July 2020 for the financial year ending 30 June 2021 resolved as follows:

Adoption of Valuations

Adopt for rating purposes the Government assessment of capital value being \$15,336,559,400 as detailed in the valuation roll prepared by the Valuer-General in relation to the Council area and specified 1 July 2020 as the day as and from which the valuations shall become and be the valuations of the Council.

Declaration of Rates

Declared differential general rates, based upon the capital value of the land as follows:

- (a) in respect to rateable land which is categorised as Residential, a differential general rate of 0.002420 rate in the dollar;
- (b) in respect to rateable land which is categorised as Commercial-Shop, Industry-Light, Industry-Other, Primary Production, Vacant Land and Other, a differential general rate of 0.004845 rate in the dollar; and
- (c) in respect to rateable land which is categorised as Commercial-Office and Commercial-Other, a differential general rate of 0.005736 rate in the dollar.

Fix a minimum amount payable by way of general rates at \$855.

A separate rate of 0.00009607 rate in the dollar as the Regional Landscape Levy in accordance with the requirements of the Landscape South Australia Act 2019.

Differential Separate rates as follows:

- in that part of the Council's area comprising rateable land with an Unley Road address, a differential separate rate of 0.0002105 rate in the dollar, capped at \$2,000 in respect of land uses: Commercial-Shop, Commercial-Office and Commercial-Other.
- in that part of the Council's area comprising rateable land with a Goodwood Road address and situated between Mitchell Street/Arundel Avenue to the south and Leader Street/Parsons Street to the North, a differential separate rate of 0.001252 rate in the dollar, capped at \$2,000 in respect of land uses: Commercial-Shop, Commercial-Office and Commercial-Other.
- in that part of the Council's area comprising rateable land with a King William Road address and situated between Greenhill Road and Commercial Road, a differential separate rate of 0.001161 rate in the dollar capped at \$2,000 in respect of land use: Commercial-Shop.
- in that part of the Council's area comprising rateable land along Fullarton Road between Cross Road and Fisher Street, a fixed charge of \$240 in respect of land uses: Commercial-Shop, Commercial-Office and Commercial-Other.

Dated: 6 August 2020

P. TSOKAS
Chief Executive Officer

CORPORATION OF THE TOWN OF WALKERVILLE

Adoption of Valuation and Declaration of Rates 2020/21

NOTICE is hereby given that the Council of the Corporation of the Town of Walkerville at its Special Meeting held on Monday 3 August 2020, and in relation to the 2020/21 financial year, in exercise of the powers contained in the *Local Government Act 1999*:

1. Adopted the most recent valuations of the Valuer-General available to the Council of the land in its area totalling \$3,630,454,920.
2. Declared differential general rates as follows:
 - 2.1 Residential: a rate of 0.0023010 in the dollar on the capital value of such rateable land;
 - 2.2 Commercial—Shop: a rate of 0.0037966 in the dollar on the capital value of such rateable land;
 - 2.3 Commercial—Office: a rate of 0.0037966 in the dollar on the capital value of such rateable land;
 - 2.4 Commercial—Other: a rate of 0.0037966 in the dollar on the capital value of such rateable land;
 - 2.5 Industry—light: a rate of 0.0037966 in the dollar on the capital value of such rateable land;
 - 2.6 Industry—other: a rate of 0.0037966 in the dollar on the capital value of such rateable land;
 - 2.7 Primary production: a rate of 0.0037966 in the dollar on the capital value of such rateable land;
 - 2.8 Vacant land: a rate of 0.0037966 in the dollar on the capital value of such rateable land;
 - 2.9 Other: a rate of 0.0037966 in the dollar on the capital value of such rateable land.
3. Declared a minimum amount payable by way of general rates of \$1,215.
4. Declared a separate rate of 0.000095 in the dollar on all rateable land in the Council area in respect of the Regional Landscape Levy.

Payment of Rates

Rates can be paid in one payment by the 18 September 2020 or in four equal, or approximately equal, parts which, pursuant to Section 181 (2) of the *Local Government Act 1999*, will fall due on the following dates:

- 1st payment: 18 September 2020
- 2nd payment: 18 December 2020
- 3rd payment: 18 March 2021
- 4th payment: 18 June 2021

A copy of the 2020/21 Annual Business Plan can be viewed at the Civic and Community Centre, 66 Walkerville Terrace, Gilberton, SA 5081, during business hours, or from www.walkerville.sa.gov.au

Dated: 6 August 2020

KIKI CRISTOL
Chief Executive Officer

CLARE AND GILBERT VALLEYS COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—West Terrace, Clare

Notice is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the Clare and Gilbert Valleys Council proposes to make a Road Process Order to close portion of West Terrace, Clare as delineated and lettered 'A', 'B' & 'C' on the Preliminary Plan No. 20/0029.

Closed road 'A' is to merge with adjoining Allotment 105 in D25867, closed road 'B' is to merge with adjoining Allotment 106 in D25867 and closed road 'C' is to merge with adjoining Allotment 47 in D83876.

A copy of the plan and a statement of persons affected are available for public inspection at the Council Office, 4 Gleeson Street, Clare SA 5453 and the Adelaide Office of the Surveyor-General during normal office hours. The Preliminary Plan may also be viewed at www.sa.gov.au/roadsactproposals.

Any application for easement or objection must set out the full name, address and details of the submission and must be fully supported by reasons.

The application for easement or objection must be made in writing to the Council, 4 Gleeson Street, Clare SA 5453 within 28 days of this notice and a copy must be forwarded to the Surveyor-General at GPO Box 1354 Adelaide 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated: 14 January 2020

HELEN MACDONALD
Chief Executive Officer

DISTRICT COUNCIL OF FRANKLIN HARBOUR

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that the District Council of Franklin Harbour at its meeting held on 29 July 2020, resolved for the 2020/2021 financial year:

Adoption of Capital Valuations

Pursuant to section 167(2) (a) of the *Local Government Act 1999* adopts for the year ending 30 June 2021 for rating purposes, the valuations of the Valuer-General of capital values in relation to the area of the Council totalling \$301,131,100.

Declaration of Rates

Pursuant to sections 153(1) (b) and 156 (1) (c) of the *Local Government Act 1999*, the District Council of Franklin Harbour declares the following Differential Rates based on the assessed capital value of all rateable properties within the Council for the financial year ending 30 June 2021, the said differential general rates to vary by reference to the land use and to locality in which the rateable land is situated:

- Rateable land with land use Residential - 0.21000 cents in the dollar;
- Rateable land with land use Commercial Shop - 0.21000 cents in the dollar
- Rateable land with land use Commercial Other - 0.21000 cents in the dollar
- Rateable land with land use Industry Light - 0.21000 cents in the dollar
- Rateable land with land use Industry Other - 0.21000 cents in the dollar
- Rateable land with the Commercial (Bulk Handling) zone - 1.10510 in the dollar
- Rateable land with land use Primary Production - 0.49100 cents in the dollar
- Rateable land with land use Vacant Land - 0.49100 cents in the dollar
- Rateable land with land use Other - 0.21000 cents in the dollar

Declaration of a Fixed Charge

Pursuant to section 152(1)(c) of the *Local Government Act 1999*, the District Council of Franklin Harbour declares a fixed charge of \$390.00 on each separate assessed rateable property for the financial year ending 30 June 2021.

Declaration of a Separate Rate—Regional Landscape Levy

Pursuant to section 66 of the *Landscape South Australia Act 2019* and section 154 of the *Local Government Act 1999*, and in order to reimburse Council for amounts contributed to the Eyre Peninsula Regional Landscape Board, declare a separate rate on all rateable properties within the area of the Council and of the Board for the year ending 30 June 2021 based on the purpose of land use, these rates being:

Residential	\$79.15
Commercial & Industrial	\$118.72
Primary Producers.....	\$158.30
Other & Vacant Land.....	\$79.15

Declaration of an Annual Service Charge—Garbage

Pursuant to section 155 (1)(b) of the *Local Government Act 1999*, the District Council of Franklin Harbour declares an Annual Service Charge of \$260.00 (140L bin) and \$310.00 (240L bin) for all occupied properties in Cowell, Port Gibbon and Lucky Bay for the first service and \$200.00 for each additional service for the year ended 30 June 2021.

Declaration of an Annual Service Charge—Garbage Recycling

Pursuant to section 155 (1)(b) of the *Local Government Act 1999*, the District Council of Franklin Harbour declares an Annual Service Charge of \$120.00 for residents of Cowell who use the monthly recyclable collection service for the year ended 30 June 2021.

Separate Rate—Cowell CWMS fixed charge

Pursuant to Section 154(1) and (2)(c) of the *Local Government Act 1999*, declares a Separate Rate of \$367.00 for the fixed component of the Community WasteWater Management Scheme, for all properties within the CWMS collection area in Cowell, for the year ending 30 June 2021.

Declaration of an Annual Service Charge—Cowell CWMS service charge

Pursuant to Section 155(1)(a) of the *Local Government Act 1999*, declares an Annual Service Charge of \$150.00 for the variable component of the Community WasteWater Management Scheme, for all properties within the CWMS collection area in Cowell, for the year ending 30 June 2021.

Declaration of an Annual Service Charge—Lucky Bay Water

Pursuant to section 155(1)(a) of the *Local Government Act 1999*, declares an Annual Service Charge of \$270.00 for the Lucky Bay water supply capital and maintenance costs for the year ended 30 June 2021.

Separate Rate—Lucky Bay Erosion Projection Investigation

Pursuant to section 154(2)(c) of the *Local Government Act 1999*, and in order to reimburse Council for expenditure on the Erosion Projection Investigation and Design project, declares a separate rate based on a fixed charge of \$100.00 on all rateable properties within Lucky Bay for the year ending 30 June 2021.

Declaration of an Annual Service Charge—Port Gibbon Water

Pursuant to section 155(1) (a) of the *Local Government Act 1999*, declares an Annual Service Charge of \$270.00 for the Port Gibbon water supply capital and maintenance costs for the year ended 30 June 2021.

Declaration of an Annual Service Charge—Port Gibbon CWMS

Pursuant to section 155(1) (a) of the *Local Government Act 1999*, declares an Annual Service Charge of \$430.00 for the Port Gibbon CWMS capital and maintenance costs for the year ended 30 June 2021.

Declaration of Payment of Rates

Pursuant to section 181 of the *Local Government Act 1999*, the District Council of Franklin Harbour declares that the rates for the financial year ending 30 June 2021 will fall due in four equal or approximately equal instalments payable on 15 September 2020, 15 December 2020, 15 March 2021 and 15 June 2021.

Dated: 6 August 2020

S. GILL
Chief Executive Officer

DISTRICT COUNCIL OF PETERBOROUGH

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that the District Council of Peterborough, at the meeting held on 27 July 2020, for the financial year ending 30 June 2021 resolved as follows:

Adoption of Capital Valuations

The District Council of Peterborough, in accordance with section 167(2)(a) of the Local Government Act 1999, adopts for the year ending 30 June 2021 for rating purposes, the most recent valuations presently available to the Council made by the Valuer-General of capital values in relation to the area of the Council, with the total of the valuations being \$205,137,960 comprising \$195,836,160 in respect of rateable land and \$9,301,800 in respect of non-rateable land before alteration.

Differential General Rates

Pursuant to Sections 152(1)(c), 153 (1)(b) and 156 (1)(b) of the Local Government Act 1999, the District Council of Peterborough declare the following differential general rates on the assessed capital values of all rateable properties within the Council area for the year ended 30 June 2021, the said differential general rates to vary by reference to locality in which the rateable land is situated. The said differential general rates declared are as follows:

Peterborough township.....	0.6556 cents in the dollar
Oodlawirra township.....	0.4950 cents in the dollar
Yongala township.....	0.4937 cents in the dollar
Rural property.....	0.3004 cents in the dollar

Annual Service Charge (Garbage)

Pursuant to Section 155(2) of the Local Government Act 1999, the District Council of Peterborough declare an Annual Service Charge of \$100.00 per Mobile Garbage Bin (Wheelie Bin) for the year ended 30 June 2021 upon all rateable and non-rateable land to which it provides or makes available the service of the collection and disposal of domestic and commercial waste (with such Annual Service Charge to be adjusted downwards in accordance with the sliding scale in Regulation 13 of the Local Government (General) Regulations 2013 in any case where the collection service is not provided at the land).

Fixed Charge

Pursuant to Section 152(1)(c) of the Local Government Act 1999, the District Council of Peterborough declare a fixed charge of \$380.00 on each separate assessed rateable property for the year ended 30 June 2021.

Separate Rates (State Government NRM Levy)

Pursuant to Section 95 of the Natural Resources Management Act 2004, and Section 154 of the Local Government Act 1999, and in order to reimburse the Council for amounts contributed to the Northern Yorke Natural Resources Management Board, being \$33,741.00 for the year ended 30 June 2021, declare a separate rate of 0.01723 cents in the dollar, based on the assessed capital value of all rateable properties in the area of the Council and of the Northern Yorke Natural Resources Management Board.

Annual Service Charge (Community Wastewater Management System)

Pursuant to Section 155(2) of the Local Government Act 1999, and in accordance with the Community Wastewater Management Systems Property Units Code as provided at Regulation 12 of the Local Government (General) Regulations 2013, the District Council of Peterborough declare an Annual Service Charge of \$540.00 per Property Unit for the year ended 30 June 2021 upon all rateable and non-rateable land to which it provides or makes available the service of the Community Wastewater Management System in the Peterborough township.

Dated: 6 August 2020

P. MCGUINNESS
Chief Executive Officer

SOUTHERN MALLEE DISTRICT COUNCIL

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that the Southern Mallee District Council at the special meeting held on Wednesday, 29 July 2020, resolved for the year ending 30 June 2021 as follows:

Adoption of Valuation

To adopt the most recent valuations of the Valuer-General available to the Council of the capital value of land within the Council's area totalling \$592,406,120 and of which \$578,573,600 is the total valuation of rateable land.

Declaration of Differential General Rate

Differential rates be declared for the financial year ending 30 June 2021 on the assessed capital value of all rateable land and according to its locality within the area of the Council as follows:

0.006989 cents in the dollar on the capital value of rateable land within the townships of Geranium, Lameroo, Parilla, Parrakie and Pinnaroo, and

0.005940 cents in the dollar of the capital value of all other rateable land in the Council area.

Minimum Rate

Pursuant to Section 158 of the *Local Government Act 1999*, the Council declares a minimum amount payable by way of general rates of \$570 in respect of all rateable properties within its area.

Regional Landscape Levy

That pursuant to Part 5 of the *Landscape South Australia Act 2019* and Section 154 of the *Local Government Act 1999*, the Council declares, in respect of the year ending 30 June 2021, a separate rate of 0.0002173 cents in the dollar, based on the capital value of rateable land within the Council's area and within the area of the Murraylands and Riverland Landscape Board in order to recover the amount payable to the Board.

Community Wastewater Management Scheme Service Charge

Community Wastewater Management Scheme as set out in Section 155 of the *Local Government Act 1999*, the Council imposes an annual service charge on each piece of occupied land of \$605.00 and on each piece of vacant land of \$302.00 to which the prescribed service (Community Wastewater Management Scheme) is available.

Mobile Garbage Bin Collection Service Charge

As set out in Section 155 of the *Local Government Act 1999*, the Council imposes an annual service charge against each rateable and non-rateable piece of land within the collection area in line with the Council's Mobile Garbage Bin Collection Service Policy of \$250.00 per annum and \$185.00 per annum for each additional Mobile Garbage Bin Collection.

Payment of Rates

Pursuant to Section 181 of the *Local Government Act 1999*, the Council declares that the Council rates for the financial year ending 30 June 2021 shall be payable in four equal instalments with instalments falling due on 7 September 2020, 7 December 2020, 9 March 2021 and 7 June 2021.

Dated: 6 August 2020

MATTHEW SHERMAN
Acting Chief Executive Officer

DISTRICT COUNCIL OF STREAKY BAY

Adoption of the Annual Business Plan Budget, Adoption of Declaration of Rates 2020-2021

NOTICE is hereby given that at its Special Council Meeting held on 30 July, 2020 the District Council of Streaky Bay resolved the following:

Adoption of the Annual Business Plan 2020-2021

That Council, pursuant to the provisions of s123 (6) of the *Local Government Act 1999* and Regulation 5A of the *Local Government (Financial Management) Regulations 2011* adopt the Annual Business Plan 2020-2021, for the financial year ending 30 June 2021.

Adoption of the Annual Budget 2020-2021

That Council, pursuant to Section 123 (7) of the *Local Government Act 1999* and Regulation 7 of the *Local Government (Financial Management) Regulations 2011*, adopt the Annual Budget for the financial year ending 30 June 2021, as presented in the Annual Business Plan 2020-2021 which includes:

- (a) a budgeted income statement, balance sheet and statement of cash flows, presented in a manner consistent with the Model Financial Statements; and
- (b) a statement whether projected operating income is sufficient to meet projected operating expenses for the relevant financial year; and
- (c) a summary of operating and capital investment activities presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances; and estimates with respect to the Council's operating surplus ratio, asset sustainability ratio and net financial liabilities ratio presented in a manner consistent with the note in the Model Financial Statements.

Adoption of Valuations

That Council, pursuant to s167 (2)(a) of the *Local Government Act 1999*, for the financial year ending 30 June 2021, and its role under Section 6, 7 and 8 of the *Local Government Act 1999*, adopt for rating purposes, the most recent valuations of the Valuer-General available to the Council of the Site Value of land within the Council's area, totalling \$350,479,640 for rateable land, and hereby specifies 30 July 2020 as the day from which such valuations shall become and be the valuations of Council, subject to such alterations as may appear necessary.

Attribution of Land Uses

- (a) the numbers indicated against the various categories of land use prescribed by the *Local Government (General) Regulations 2013* Reg. 14 (1), be used to designate land uses in the Assessment Book;
- (b) the use indicated by those numbers in respect of each separate assessment of land described in the Assessment Book on this date be attributed to each such assessment respectively; and
- (c) reference in this resolution to land being of a certain category use means the use indicated by that category number in the Regulations.

Residential Rate Cap

That Council, pursuant to s153 (3) of the *Local Government Act 1999*, for the financial year ending 30 June 2021, has determined not to fix a maximum increase in the general rate charged on rateable land that constitutes the principal place of residence of a principal ratepayer.

Declaration of Rates

That Council, having taken into consideration the general principles of rating contained in Section 150 of the *Local Government Act 1999* and having observed the requirements of Section 153 of the *Local Government Act 1999*, pursuant to Sections 151 (1) (c), 152 (1) (c), 153 (1) (b) and 156 (1) (c) of the *Local Government Act 1999*, the Council, for the financial year ending 30 June 2021:

Declares differential rates on the basis of locality and land use as follows:

- (a) In the Residential zone (1):
 - (0.7565) cents in the dollar of the Site Value of rateable land of categories 1, 8 and 9 use;
 - (1.0246) cents in the dollar of the Site Value of rateable land of categories 2, 5 and 6 use;
 - (1.0246) cents in the dollar of the Site Value of rateable land categories 3 and 4 use;
 - (0.5126) cents in the dollar of the Site Value of rateable land of category 7 use;
- (b) In the Town Centre zone (2):
 - (0.7565) cents in the dollar of the Site Value of rateable land of category 1 use;
 - (1.4460) cents in the dollar of the Site Value of rateable land of categories 2, 3, 4, 5, 6, 8 and 9 use;
- (c) In the Industry zones (3):
 - (0.7565) cents in the dollar of the Site Value of rateable land of category 1 use;
 - (1.0246) cents in the dollar of the Site Value of rateable land of categories 2, 3, 4, 5, 6, 8 and 9 use;
 - (0.5126) cents in the dollar of the Site Value of rateable land of category 7 use;
- (d) In the Light Industry (Aquaculture) zone (4):
 - (0.5126) cents in the dollar of the Site Value of rateable land of category 7 use;
- (e) In the Primary Production zone (18):
 - (0.6899) cents in the dollar of the Site Value of rateable land of categories 1, 2, 3, 6 and 9 use;
 - (28.6900) cents in the dollar of the Site Value of rateable land of category 4 use;
 - (0.5126) cents in the dollar of the Site Value of rateable land of categories 5, 7 and 8 use;
- (f) In the Commercial (Bulk Handling) zone (13):
 - (28.6900) cents in the dollar of the Site Value of rateable land of all category uses;
- (g) In the Rural Deferred Urban zone (8):
 - (0.5126) cents in the dollar of the Site Value of rateable land of categories 1, 2, 3, 4, 5, 6, & 7 use;
 - (0.6899) cents in the dollar of the Site Value of rateable land of categories 8 & 9 use;
- (h) In the Robinson Groundwater Basin Protection zone (14):
 - (0.5126) cents in the dollar of the Site Value of rateable land of category 7 use;
- (i) In the Country Township and Settlement zones (10 & 11):
 - (0.6899) cents in the dollar of the Site Value of rateable land of all categories;
- (j) In the Coastal zone, (9):
 - (0.6899) cents in the dollar of the Site Value of rateable land of categories 1, 2, 3, 5, 6, 8 and 9 use;
 - (1.4460) cents in the dollar of the Site Value of rateable land of category 4 use;
 - (0.5126) cents in the dollar of the Site Value of rateable land of category 7 use;
- (k) In the Rural Living, Rural Landscape Protection, & Recreation zones (6, 7, & 15):
 - (0.6899) cents in the dollar of the Site Value of rateable land of categories 1, 2, 3, 4, 5, 6, 8 and 9 use;
 - (0.5126) cents in the dollar of the Site Value of rateable land of category 7 use;

Where each of the above zones is a defined zone within the Development Plan under the *Development Act 1993*.

Fixed Charge

The Council has imposed a fixed charge of \$600.00. The fixed charge is levied against the whole of an allotment (including land under a separate lease or licence) and only one fixed charge is levied against two or more pieces of adjoining land (whether intercepted by a road or not) if they are owned by the same owner and occupied by the same occupier. The reasons for imposing a fixed charge are:

The Council considers it appropriate that all rateable properties make a contribution to the cost of administering the Council's activities;

The Council considers it appropriate that all rateable properties make a contribution to the cost of creating and maintaining the physical infrastructure that supports each.

Annual Service Charge

Pursuant to Section 155 of the *Local Government Act 1999* and in accordance with Regulation 12(4)(b) of the *Local Government (General) Regulations 2013*, the Council imposes an annual service charges as set out below:

\$477.00 on all applicable land;

to which it provides or makes available the Community Wastewater Management Systems, being services for the collection and disposal of waste.

\$200.00 on all applicable land;

to all properties within the Waste Management Collection service area that have an occupiable dwelling, outbuilding or other class of structure and those en-route that are outside of collection areas that receive a Waste Management Collection service.

Regional Landscape Levy (RL Levy)

Pursuant to Section 95 of the *Landscape South Australia Act 2019* the Council declares variable separate rates, in respect of all rateable land in the area of the Eyre Peninsula Landscape Board and within the area of the Council in order to recoup the amount of \$167,320 being Council's contribution to the Board for the period ending 30 June 2020. The rates are as below:

Residential	\$79.15
Commercial	\$118.72
Industrial	\$118.72
Primary Producers	\$158.30
Other & Vacant Land.....	\$79.15

Schedule of Fees and Charges

That Council, pursuant to Section 188 of the *Local Government Act 1999* adopt the fees and charges for the financial year ending 30 June 2021.

Dated: 6 August 2020

DARREN WALKER
Acting Chief Executive Officer

WAKEFIELD REGIONAL COUNCIL

Adoption of Valuations and Declaration of Rates 2020-21

Notice is hereby given that at its meeting held on 29 July 2020, Wakefield Regional Council, in exercise of its powers contained in Chapter 10 of the *Local Government Act 1999*, for the financial year ending 30 June 2021:

Adoption of Valuation

Adopted the most recent valuation made by the Valuer-General of capital value in relation to the area of the Council, that being the valuation listing of 27 July 2020 showing a total assessment for the district of \$2,357,906,260.

Fixed Charge

Declared a fixed charge of \$320 on rateable property within its area.

Declaration of Differential General Rates

Declared differential general rates on property within its area based on land use as follows:

- on rateable land of Category (a), (Residential), a rate of 0.3951 cents in the dollar;
- on rateable land of Category (b) (Commercial Shop), Category (c) (Commercial Office), and Category (d) (Commercial Other), a rate of 0.6377 cents in the dollar;
- on rateable land of Category (e) (Industry Light) and Category (f) (Industry Other), a rate of 0.6197 cents in the dollar;
- on rateable land assigned Category (g) (Primary Production), a rate of 0.2940 cents in the dollar;
- on rateable land assigned Category (h) (Vacant), a rate of 1.5505 cents in the dollar; and
- on rateable land assigned Category (i) (Other), a rate of 0.4039 cents in the dollar.

Community Wastewater Management Schemes Service Charges

Declared service charges for the purposes of recovering from ratepayers who will benefit from the authorised Community Wastewater Management Schemes for the disposal of sewerage effluent, the capital cost of the work and the cost of the maintenance and operation thereof, of \$557.00 in respect of land which is occupied and \$427.00 in respect of land which is vacant.

Waste Collection Charge

Declared a service charge of \$246 for the service known as the Residential (three bin) waste collection service and \$218 for the service known as the Commercial (two bin) domestic waste collection service for the purpose of recovering from ratepayers, who will be benefited by the collection of waste, the cost of providing those services.

Regional Landscape Levy

Declared a separate rate of 0.016957 cents in the dollar on rateable land within its area for the purpose of raising its contribution to the Regional Landscape levy.

Dated: 30 June 2020

ANDREW MACDONALD
Chief Executive Officer

YORKE PENINSULA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

Permits and Penalties By-Law 2020—By-law No. 1 of 2020

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

PART 1—PRELIMINARY

1. Short Title

This by-law may be cited as the *Permits and Penalties By-law 2020*.

2. Commencement

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

3. Definitions

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

- 3.1.1 'authorised person' means a person appointed as an authorised person pursuant to Section 260 of the *Local Government Act 1999*;
- 3.1.2 'Council' means the Yorke Peninsula Council;
- 3.1.3 'drive' a vehicle means to be in control of the steering, movement or propulsion of the vehicle;
- 3.1.4 'driver' of a vehicle means the person driving the vehicle;
- 3.1.5 'motor vehicle' has the same meaning as in the *Road Traffic Act 1961*;
- 3.1.6 'person' includes a natural person, a body corporate or incorporated association;
- 3.1.7 'road' has the same meaning as in the *Local Government Act 1999*;
- 3.1.8 'vehicle' has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules 1999* and includes a motor vehicle.

3.2 In this by-law:

- 3.2.1 'owner' has the same meaning as in the *Road Traffic Act 1961*;
- 3.2.2 'prescribed offence' means an offence against a by-law of the Council relating to the driving, parking or standing of vehicles.

4. Construction

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

PART 2—PERMITS

5. Council May Grant Permits

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

- 5.1 The permit must be in writing.
- 5.2 A person may apply for permission by:
 - 5.2.1 making a written application for permission to the Council or its duly authorised agent;
 - 5.2.2 making application by way of a website established by the Council for the purpose of issuing a permit of a particular kind;
 - 5.2.3 obtaining a permit from a permit vending-machine installed and maintained by the Council that has been designated by the Council for the purposes of issuing a permit of a particular kind.
- 5.3 The Council may:
 - 5.3.1 provide that the permit applies for a particular term;
 - 5.3.2 attach conditions to the permit the Council considers appropriate;
 - 5.3.3 change or revoke a condition, by notice in writing; or
 - 5.3.4 add new conditions, by notice in writing.
- 5.4 A person who holds a permit must comply with every condition attached to it. Failure to do so constitutes a breach of this by-law.
- 5.5 The Council may revoke a permit, by notice in writing, if:
 - 5.5.1 the holder of the permit fails to comply with a condition attached to it; or
 - 5.5.2 the permit is of a continuing nature, and the Council has reasonable grounds for revoking it.
- 5.6 The Council may, by resolution, fix, vary or revoke fees or charges for the granting of a permit to do a specified thing.
- 5.7 A person who applies for permission by way of subparagraph 5.2.2 or 5.2.3 is taken to have been granted permission when the following steps have been completed:
 - 5.7.1 the person pays the permit fee (if any) by (as the case may be):
 - 5.7.1.1 inserting sufficient coins or notes into the permit vending-machine;
 - 5.7.1.2 credit or debit card; or
 - 5.7.1.3 such other method of payment that may be approved by the Council by resolution;
 - 5.7.2 the person receives a notice identifying itself as a permit from the Council to undertake the activity specified in the permit.

PART 3—ENFORCEMENT

6. Penalties

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

7. Liability of Vehicles Owners and Expiation of Certain Offences

- 7.1 Without derogating from the liability of any other person, but subject to this paragraph, if a vehicle is involved in a prescribed offence, the owner of the vehicle is guilty of an offence and liable to the same penalty as is prescribed for the principal offence and the expiation fee that is fixed for the principal offence applies in relation to an offence against this paragraph.
- 7.2 The owner and driver of a vehicle are not both liable through the operation of this paragraph to be convicted of an offence arising out of the same circumstances, and consequently conviction of the owner exonerates the driver and conversely conviction of the driver exonerates the owner.
- 7.3 An expiation notice or expiation reminder notice given under the Expiation of Offences Act 1996 to the owner of a vehicle for an alleged prescribed offence involving the vehicle must be accompanied by a notice inviting the owner, if they were not the driver at the time of the alleged prescribed offence, to provide the Council or officer specified in the notice, within the period specified in the notice, with a statutory declaration:
 - 7.3.1 setting out the name and address of the driver; or
 - 7.3.2 if they had transferred ownership of the vehicle to another prior to the time of the alleged offence and has complied with the *Motor Vehicles Act 1959* in respect of the transfer - setting out details of the transfer (including the name and address of the transferee).
- 7.4 Before proceedings are commenced against the owner of a vehicle for an offence against this section involving the vehicle, the Informant must send the owner a notice:
 - 7.4.1 setting out particulars of the alleged prescribed offence; and
 - 7.4.2 inviting the owner, if he or she was not the driver at the time of the alleged prescribed offence, to provide the Informant, within 21 days of the date of the notice, with a statutory declaration setting out the matters referred to in subparagraph 7.3.
- 7.5 Subparagraph 7.4 does not apply to:
 - 7.5.1 proceedings commenced where an owner has elected under the *Expiation of Offences Act 1996* to be prosecuted for the offence; or
 - 7.5.2 proceedings commenced against an owner of a vehicle who has been named in a statutory declaration under this section as the driver of the vehicle.
- 7.6 Subject to subparagraph 7.7, in proceedings against the owner of a vehicle for an offence against this paragraph, it is a defence to prove:
 - 7.6.1 that, in consequence of some unlawful act, the vehicle was not in the possession or control of the owner at the time of the alleged prescribed offence; or
 - 7.6.2 that the owner provided the Informant with a statutory declaration in accordance with an invitation under this paragraph.
- 7.7 The defence in paragraph 7.6.2 does not apply if it is proved that the owner made the declaration knowing it to be false in a material particular.
- 7.8 If:
 - 7.8.1 an expiation notice is given to a person named as the alleged driver in a statutory declaration under this paragraph; or
 - 7.8.2 proceedings are commenced against a person named as the alleged driver in such a statutory declaration,the notice or summons, as the case may be, must be accompanied by a notice setting out particulars of the statutory declaration that named the person as the alleged driver.
- 7.9 The particulars of the statutory declaration provided to the person named as the alleged driver must not include the address of the person who provided the statutory declaration.

8. Evidence

In proceedings for a prescribed offence, an allegation in an Information that:

- 8.1 a specified place was a road or local government land; or
- 8.2 a specified vehicle was driven, parked or left standing in a specified place; or
- 8.3 a specified vehicle was parked or left standing for the purposes of soliciting business from a person or offering or exposing goods for sale; or
- 8.4 a specified place was not formed or otherwise set aside by the Council for the purposes of the driving, parking or standing of vehicles; or
- 8.5 a specified person was an authorised person; or
- 8.6 a specified provision was a condition of a specified permit granted under paragraph 5 of this by-law; or
- 8.7 a specified person was the owner or driver of a specified vehicle; or
- 8.8 a person named in a statutory declaration under paragraph 7 of this by-law for the prescribed offence to which the declaration relates was the driver of the vehicle at the time at which the alleged offence was committed; or
- 8.9 an owner or driver of a vehicle for a prescribed offence was given notice under paragraph 7 of this by-law on a specified day, is proof of the matters so alleged in the absence of proof to the contrary.

PART 4—MISCELLANEOUS

9. Revocation

Council's *By-law No. 1—Permits and Penalties*, published in the *Gazette* on 19 December 2013, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Yorke Peninsula Council held on the 29th day of July 2020 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ANDREW CAMERON
Chief Executive Officer

YORKE PENINSULA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

Local Government Land By-Law 2020—By-law No. 2 of 2020

For the management and regulation of the use of and access to all land vested in or under the control of the Council including the prohibition and regulation of particular activities on local government land.

PART 1—PRELIMINARY

1. Short Title

This by-law may be cited as the *Local Government Land By-law 2020*.

2. Commencement

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

3. Definitions

In this by-law:

- 3.1 'animal' includes birds, insects and fish;
- 3.2 'boat' includes a raft, canoe, personal watercraft, pontoon or any other similar device;
- 3.3 'camp or camping' includes the occupation or placement of a sleeping bag, tent, vehicle, caravan or other makeshift structure as or for the purpose of temporary accommodation, but does not include a situation where a person is resting in a vehicle during a journey;
- 3.4 'children's playground' means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within 5 metres of such devices if there is no enclosed area);
- 3.5 'community garden' means an area of land set aside by the Council for the purposes of being gardened collectively by a group of people;
- 3.6 'domestic animal' includes any duck, reptile or fish;
- 3.7 'e-cigarette' means:
 - 3.7.1 a device that is designed to generate or release an aerosol or vapour for inhalation by its user in a manner similar to the inhalation of smoke from an ignited tobacco product; or
 - 3.7.2 a device of a kind resolved by the Council and notified by notice in the *Gazette* to be an e-cigarette;
- 3.8 '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;
- 3.9 'emergency worker' has the same meaning as in the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 3.10 'foreshore' means the area between the low water mark on the seashore and the nearest boundary of:
 - 3.10.1 a road;
 - 3.10.2 a section;
 - 3.10.3 a public reserve;
 - 3.10.4 land vested in fee simple in any person other than the Council or the Minister responsible for the administration of the *Harbors and Navigation Act 1993*;
- 3.11 'funeral ceremony' means a ceremony only (i.e. a memorial service) and does not include a burial;
- 3.12 'inflatable castle' includes a bouncy castle, jumping castle and any other inflatable structure used for recreational purposes;
- 3.13 'liquor' has the same meaning as defined in the *Liquor Licensing Act 1997*;
- 3.14 'local government land' has the same meaning as in the *Local Government Act 1999*, but does not include any road;
- 3.15 'open container' means a container which:
 - 3.15.1 after the contents thereof have been sealed at the time of manufacture and:
 - 3.15.1.1 being a bottle, has had its cap, cork or top removed (whether or not it has since been replaced);
 - 3.15.1.2 being a can, it has been opened or punctured;
 - 3.15.1.3 being a cask, has had its tap placed in a position to allow it to be used;
 - 3.15.1.4 being any form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to the contents thereof; or
 - 3.15.2 is a flask, glass or mug or other container used for drinking purposes;

- 3.16 'organised competition or sport' does not include social play;
- 3.17 'personal watercraft' means a device that:
- 3.17.1 is propelled by a motor; and
 - 3.17.2 has a fully enclosed hull; and
 - 3.17.3 is designed not to retain water if capsized; and
 - 3.17.4 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;
- 3.18 'sand dune' means the sand dunes, coastal slopes, cliffs and other geomorphological coastal forms under the care, control, and management of the Council;
- 3.19 'smoke' means:
- 3.19.1 in relation to a tobacco product, smoke, hold, or otherwise have control over, an ignited tobacco product; or
 - 3.19.2 in relation to an e-cigarette, to inhale from, hold or otherwise have control over, an e-cigarette that is in use;
- 3.20 'traffic control device' has the same meaning as in the *Road Traffic Act 1961*;
- 3.21 'variable message sign' includes a permanent, portable or vehicle mounted electronic sign (except when the sign is used as a traffic control device);
- 3.22 'waters' means any body of water including a pond, lake, river, creek or wetlands under the care, control and management of Council.

PART 2—MANAGEMENT OF LOCAL GOVERNMENT LAND

4. Activities Requiring Permission

A person must not on any local government land, without the permission of Council:

- 4.1 Access to Waters
subject to the provisions of the *Harbors and Navigation Act 1993*, enter any waters, or swim or use a boat in or on waters:
- 4.1.1 in an area where a nearby sign erected by the Council states that one or more of these activities is prohibited;
 - 4.1.2 contrary to any condition or requirement stated on a nearby sign erected by the Council;
- 4.2 Advertising and Signage
- 4.2.1 display any sign for the purpose of commercial advertising, other than a moveable sign that is displayed in accordance with the *Moveable Signs By-law 2020*;
 - 4.2.2 erect, install, place or display a variable message sign;
 - 4.2.3 place or maintain any goods or sign on the road or park or stand a vehicle on the land for the purpose of:
 - 4.2.3.1 soliciting any business from any person; or
 - 4.2.3.2 offering or exposing goods or services for sale.provided that this subparagraph 4.2.3 shall not apply to a person who is simply travelling along an area or road on local government land set aside by the Council;
- 4.3 Aircraft
subject to the *Civil Aviation Act 1988*, land or take off any aircraft on or from the land;
- 4.4 Alteration to Local Government Land
make an alteration to the land, including:
- 4.4.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property; or
 - 4.4.2 erecting or installing a structure (including pipes, wires, cables, pavers, fixtures, fittings and other objects) in, on, across, under or over the land; or
 - 4.4.3 changing or interfering with the construction, arrangement or materials of the land; or
 - 4.4.4 changing, interfering with or removing a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the land; or
 - 4.4.5 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land;
- 4.5 Amplification
use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound to the public;
- 4.6 Animals on Local Government Land
- 4.6.1 cause or allow any animal to stray onto, move over, graze or be left unattended;
 - 4.6.2 ride, lead or drive any horse, cattle or sheep, except on any track or car park on local government land that the Council has set aside (through the erection of signage) for the use by, or in connection with that animal;
 - 4.6.3 cause or allow any animal under his or her control to swim or bathe in any waters to which Council has resolved this subparagraph will apply;
 - 4.6.4 allow an animal in that persons control, charge or ownership to damage Council property;
 - 4.6.5 release or leave any domestic animal;
- 4.7 Attachments
attach anything to a tree, plant, structure or fixture on local government land;
- 4.8 Bees
place, or allow to remain, any bee hive;

- 4.9 Boats and Boat Ramps
subject to the provisions of the *Harbors and Navigation Act 1993* and the *Marine Safety (Domestic Commercial Vessel) National Law*:
- 4.9.1 launch or retrieve a boat to or from a boat ramp to which the Council has determined this subparagraph applies;
 - 4.9.2 launch or retrieve a boat to or from the foreshore where the Council has determined that this subparagraph applies;
 - 4.9.3 launch or retrieve a boat from any boat ramp to which the Council has determined this subparagraph applies other than in accordance with any conditions specified on a sign or signs erected in the vicinity of the boat ramp, including (but not limited to) conditions which may restrict the type of boat that may be launched from that boat ramp;
 - 4.9.4 tie or affix a boat to any jetty or pontoon;
 - 4.9.5 hire, offer for hire or use for commercial purposes a boat;
 - 4.9.6 jump, dive or swim from any boat ramp or similar type of infrastructure; or
 - 4.9.7 allow a vehicle to remain stationary on a boat ramp longer than is reasonably necessary to launch or retrieve a boat;
- 4.10 Bridge and Jetty Jumping
- 4.10.1 jump from or dive from any bridge;
 - 4.10.2 jump or dive from any jetty or pontoon to which the Council has resolved this subparagraph applies;
- 4.11 Buildings and Structures
- 4.11.1 erect or install a building;
 - 4.11.2 use a building or structure other than for its intended purpose;
- 4.12 Camping
- 4.12.1 camp or stay overnight; or
 - 4.12.2 erect any tent, booth, marquee or other structure as a place of habitation;
except in a place designated by resolution of the Council for that purpose and in accordance with any such resolution;
- 4.13 Cemeteries
comprising a cemetery:
- 4.13.1 bury or inter any human or animal remains;
 - 4.13.2 erect any memorial;
- 4.14 Closed Lands
enter or remain on any part of the land:
- 4.14.1 at any time during which the Council has declared that it shall be closed to the public, and which is indicated by a sign to that effect; or
 - 4.14.2 where the land is enclosed with fences and/or walls and gates, at any time when the gates have been closed and locked;
or
 - 4.14.3 where admission charges are payable, without paying those charges;
- 4.15 Distribution
distribute anything to any bystander, passerby or other person;
- 4.16 Donations
ask for or receive or indicate that he or she desires a donation of money or any other thing;
- 4.17 Fires
light any fire except:
- 4.17.1 in a place provided by the Council for that purpose; or
 - 4.17.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four metres; and
 - 4.17.3 in accordance with the *Fire and Emergency Services Act 2005*;
- 4.18 Fireworks
discharge any fireworks;
- 4.19 Fishing
- 4.19.1 fish in any waters on local government land to which the Council has resolved this subparagraph shall apply; or
 - 4.19.2 fish from any bridge or other structure on local government land to which the Council has resolved this subparagraph shall apply;
- 4.20 Flora, Fauna and Other Living Things
subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:
- 4.20.1 except in a community garden, damage, pick, or interfere with any plant, fungi or lichen thereon; or
 - 4.20.2 tease, remove or cause harm to any animal or bird or the eggs or young of any animal or bird or aquatic creature;
 - 4.20.3 use, possess or have control of any device for the purpose of killing or capturing any animal or bird;
- 4.21 Foreshore
- 4.21.1 hire out a boat on or from any part of the foreshore;
 - 4.21.2 lead or drive any horse, cattle, sheep and other like animal on the foreshore where the Council has resolved this subparagraph applies;

- 4.22 Funerals and Scattering Ashes
conduct or participate in a funeral ceremony, or scatter ashes on land to which the Council has resolved this subparagraph will apply;
- 4.23 Games
- 4.23.1 participate in, promote or organise any organised competition or sport, as distinct from organised social play;
- 4.23.2 play or practice any game which involves kicking, hitting or throwing a ball or other object, which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of that land or, detract from or be likely to detract from another person's lawful use and enjoyment of that land;
- 4.23.3 play or practice the game of golf on land to which the Council has resolved this subparagraph applies;
- 4.24 Horses, Cattle etc
lead or drive any horse, cattle, sheep and other like animal on land to which the Council has resolved this subparagraph applies;
- 4.25 Lighting
- 4.25.1 use or operate any fixed floodlight;
- 4.25.2 use or operate any portable floodlight on land to which this subparagraph applies;
- 4.26 Marine Life
introduce any marine life to any waters;
- 4.27 Model Aircraft, Boats and Cars
- 4.27.1 subject to the *Civil Aviation Act 1988*, fly or operate a model aircraft or drone aircraft;
- 4.27.2 operate a model boat, model aircraft, drone aircraft 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;
- 4.28 Motor Bikes and Buggies
- 4.28.1 drive, propel, operate or be in possession of a motor bike, buggy or similar motor vehicle on land to which the Council has determined subparagraph applies;
- 4.28.2 bring any motor bike, buggy or similar motor vehicle on land to which the Council has resolved this subparagraph applies;
- 4.29 No Liquor
- 4.29.1 consume, carry or be in possession or charge of any liquor on any local government land constituting a park or reserve to which this subparagraph applies;
- 4.29.2 excepting sealed containers, consume, carry or be in possession or charge of any liquor in an open container on any local government land constituting a park or reserve to which this subparagraph applies;
- 4.30 Overhanging Articles and Displaying Personal Items
suspend or hang an article or object from a building, verandah, pergola, post or other structure where it might present a nuisance or danger to a person using the land or be of an unsightly nature;
- 4.31 Picking of Fruit, Nuts or Berries
except in any community garden, pick fruit, nuts, seeds or berries from any plant;
- 4.32 Pontoons
install or maintain a pontoon or jetty in any waters;
- 4.33 Preaching and Canvassing
preach, canvass, harangue or otherwise solicit for religious purposes except on any land or part thereof where the Council has, by resolution, determined this restriction shall not apply;
- 4.34 Public Exhibitions and Displays
- 4.34.1 sing, busk or play a musical instrument for the apparent purpose of either entertaining others or receiving money;
- 4.34.2 conduct or hold any concert, festival, show, public gathering, circus, performance or any other similar activity;
- 4.34.3 erect or inflate any inflatable castle;
- 4.34.4 cause any public exhibitions or displays;
- 4.35 Removing
carry away or remove any earth, rocks, minerals, plant material (dead or living), animal remains (including shells and fossils) or any part of the land;
- 4.36 Ropes
place a buoy, cable, chain, hawser, rope or net in or across any waters;
- 4.37 Selling
sell anything or display anything for sale;
- 4.38 Skateboards and Small Wheeled Devices
subject to the *Road Traffic Act 1961*, and the *Local Government Act 1999*, ride on a skateboard or use roller skates or roller blades on land to which the Council has resolved this subparagraph will apply;
- 4.39 Trading
sell, buy, offer or display anything for sale;

- 4.40 Vehicles
 - 4.40.1 drive or propel a motor vehicle thereon, unless on an area or road constructed or set aside by the Council for the parking or travelling of motor vehicles;
 - 4.40.2 drive or propel a motor vehicle on any part of the land to which the Council has resolved this subparagraph applies;
 - 4.40.3 except on an area properly constructed for the purpose, promote, organise or take part in any race, test or trial of any kind in which motor vehicles, motor cycles, motor scooters or bicycles take part;
- 4.41 Weddings
 - conduct or participate in a marriage ceremony or other special event ;
- 4.42 Wetlands
 - subject to the *Natural Resources Management Act 2004*, where that land constitutes a wetland:
 - 4.42.1 operate a model boat;
 - 4.42.2 fish, or take any aquatic creature;
 - 4.42.3 introduce any fish or aquatic creature;
 - 4.42.4 take or draw water;
 - 4.43 Working on Vehicles
 - perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.

5. Prohibited Activities

A person must not, on any local government land:

- 5.1 Annoyances
 - unreasonably annoy or interfere with any other person:
 - 5.1.1 using the land;
 - 5.1.2 occupying nearby premises,
 - by making a noise or creating a disturbance that has not been authorised by the Council;
- 5.2 Children's Playgrounds
 - use any device, equipment or apparatus installed in a children's playground if that person is over the age indicated by sign or notice as the age limit for using such equipment, apparatus or other installed device;
- 5.3 Fishing
 - deposit or leave any dead fish (in part or whole) or offal;
- 5.4 Glass
 - wilfully break any glass, china or other brittle material;
- 5.5 Interference with Permitted Use
 - interrupt, disrupt or interfere with any other person's use of local government land which is permitted or for which permission has been granted;
- 5.6 Use of Rubbish Bins
 - 5.6.1 remove, dispose or interfere with any rubbish (including bottles, newspaper, cans, containers or packaging) that has been discarded in a Council rubbish bin;
 - 5.6.2 deposit any commercial waste or other rubbish emanating from commercial premises in any Council rubbish bin;
- 5.7 Playing Games
 - 5.7.1 play or practice a game in any area where a sign indicates that the game is prohibited;
 - 5.7.2 promote, organise or take part in any organised competition or sport in any area to which this subparagraph applies;
- 5.8 Sand Dunes
 - 5.8.1 use a sand board or other item to slide down a sand dune, coastal slope or cliff;
 - 5.8.2 destabilise sand on a sand dune, coastal slope or cliff so as to cause it to unnecessarily mass waste down slope;
 - 5.8.3 destroy, remove or cause interference to live or dead vegetation within a sand dune, coastal slope or coastal cliff;
 - 5.8.4 light or cause to be lit or permit to remain alight any fire within a sand dune or on a coastal slope or cliff;
 - 5.8.5 introduce non-indigenous flora and fauna or dump any material in the sand dunes or down coastal slopes or coastal cliffs;
 - 5.8.6 carry out any activity which may threaten the integrity of sand dunes, coastal slopes and cliffs in the area;
- 5.9 Smoking
 - smoke tobacco, e-cigarette or any other substance:
 - 5.9.1 in any building or part of any building; or
 - 5.9.2 on any land to which this subparagraph applies;
- 5.10 Solicitation
 - tout or solicit customers for the parking of vehicles or for any other purpose whatsoever;

5.11 Toilets

in any public convenience:

- 5.11.1 urinate other than in a urinal or pan or defecate other than in a pan provided for that purpose;
- 5.11.2 smoke tobacco or any other substance;
- 5.11.3 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 5.11.4 use it for a purpose for which it was not designed or constructed;
- 5.11.5 enter any toilet that is set aside for use by the opposite sex except where:
 - 5.11.5.1 a child under the age of five years accompanied by an adult person of that other sex; and/or
 - 5.11.5.2 to provide assistance to a disabled person;

5.12 Use of Equipment

use any item of equipment or property belonging to the Council other than in the manner and for the purpose for which it was designed or set aside.

PART 3—MISCELLANEOUS

6. Directions

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

- 6.1 that person's use of the land;
- 6.2 that person's conduct and behaviour on the land;
- 6.3 that person's safety on the land;
- 6.4 the safety and enjoyment of the land by other persons.

7. Removal of Animals and Objects and Exclusion of Persons

- 7.1 If any animal is found on local government land in breach of this by-law:
 - 7.1.1 any person in charge of the animal shall forthwith remove it from that land on the request of an authorised person; and
 - 7.1.2 any authorised person may remove any animal from the land if the person fails to comply with the request, or if no person is in charge of the animal.
- 7.2 If an object is obstructing any part of local government land an authorised person of the Council may remove the object, provided that this paragraph shall not apply to any object that has been placed on the land with the permission of the Council or some other lawful authority.
- 7.3 An authorised person may direct any person who is considered to be committing, or has committed, a breach of this by-law to leave local government land and not return for a period of no longer than 24 hours.

8. Exemptions

- 8.1 The restrictions in this by-law do not apply to any Police Officer, 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 of a Council Officer, or to an emergency worker performing emergency duties.
- 8.2 The restrictions in paragraphs 4.2.2, 4.5, 4.7, 4.15, 4.33, 4.34.2 and 4.34.4 of this by-law do not apply to:
 - 8.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
 - 8.2.2 electoral matters authorised by a candidate and which relate to an election under the *Local Government Act 1999* or the *Local Government (Elections) Act 1999* that 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
 - 8.2.3 matters which relate to, and occur during the course of and for the purpose of a referendum.

9. Application

Any of paragraphs 4.6.3, 4.9.1, 4.9.2, 4.9.3, 4.10.2, 4.19, 4.22, 4.23.3, 4.25.2, 4.28, 4.29, 4.38, 4.40.2, 4.41, 5.7.2 and 5.9.2 of this by law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246(3)(e) of the *Local Government Act 1999*.

10. Revocation

Council's *By-law No. 2—Local Government Land*, published in the *Gazette* on 19 December 2013, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Yorke Peninsula Council on the 29th day of July 2020 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ANDREW CAMERON
Chief Executive Officer

YORKE PENINSULA COUNCIL
BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999
Roads By-Law 2020—By-law No. 3 of 2020

For the management of public roads.

PART 1—PRELIMINARY

1. Short Title

This by-law may be cited as the *Roads By-law 2020*.

2. Commencement

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

3. Definitions

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

- 3.1 'adjacent land' has the same meaning as in the *Australian Road Rules*;
- 3.2 'animal' includes birds and poultry but does not include a dog;
- 3.3 'camp or camping' includes the occupation or placement of a sleeping bag, tent, vehicle, caravan or other makeshift structure as or for the purpose of temporary accommodation, but does not include a situation where a person is resting in a vehicle during a journey;
- 3.4 '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;
- 3.5 'emergency worker' has the same meaning as in the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*.

PART 2—MANAGEMENT OF ROADS

4. Activities Requiring Permission

A person must not on any road, without the permission of Council:

- 4.1 Advertising
 - 4.1.1 display any sign for the purpose of commercial advertising, other than a moveable sign which is displayed on a public road in accordance with the Council's *Moveable Signs By-law 2020*;
 - 4.1.2 place or maintain any goods or sign on the road or park or stand a vehicle on the road for the purpose of:
 - 4.1.2.1 soliciting any business from any person; or
 - 4.1.2.2 offering or exposing goods or services for sale.provided that this subparagraph 4.1.2 shall not apply to a person who is simply travelling along a road.
- 4.2 Amplification
use an amplifier or other device whether mechanical or electrical for the purposes of amplifying sound to the public;
- 4.3 Animals
 - 4.3.1 cause or allow any animal, to stray onto, graze, wander on or be left unattended on any road except where the Council has set aside a track or other area for use by or in connection with an animal of that kind and, then only if under the effective control of a person;
 - 4.3.2 lead, drive or exercise any animal in such a manner as to endanger the safety of any person;
- 4.4 Bridge Jumping
jump from or dive from a bridge;
- 4.5 Donations
ask for or receive or indicate that he or she desires a donation of money or any other thing;
- 4.6 Driving on Formed Surface
drive a motor vehicle other than on a portion of the road that has been formed or otherwise set aside by the Council for the driving of motor vehicles, unless it is not reasonably practical to do so;
- 4.7 Fires
light any fire except:
 - 4.7.1 in a place provided by the Council for that purpose; or
 - 4.7.2 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 metres; and
 - 4.7.3 in accordance with the *Fire and Emergency Services Act 2005*;
- 4.8 Fishing
fish from any bridge or other structure on a road to which the Council has resolved this subparagraph shall apply;
- 4.9 Preaching and Canvassing
preach, canvass, harangue or otherwise solicit for religious purposes except on any land or part thereof where the Council has, by resolution, determined this restriction shall not apply;

- 4.10 Public Exhibitions and Displays
 - 4.10.1 sing, busk or play a musical instrument for the apparent purpose of either entertaining others or receiving money;
 - 4.10.2 conduct or hold any concert, festival, show, public gathering, street party, circus, performance or any other similar activity;
 - 4.10.3 cause any public exhibitions or displays;
- 4.11 Tents and Camping
 - 4.11.1 erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation;
 - 4.11.2 camp or sleep overnight;
- 4.12 Use of Rubbish Bins
 - 4.12.1 remove, dispose or interfere with any rubbish (including bottles, newspaper, cans, containers or packaging) that has been discarded in a Council rubbish bin;
 - 4.12.2 deposit any commercial waste or other rubbish emanating from commercial premises in any Council rubbish bin;
- 4.13 Working on Vehicles
 - perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.

PART 3—MISCELLANEOUS

5. Directions

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

- 5.1 that person's use of the road;
- 5.2 that person's conduct and behaviour on the road;
- 5.3 that person's safety on the road;
- 5.4 the safety and enjoyment of the road by other persons.

6. Removal of Animals

- 6.1 If any animal is found on a road in breach of this by-law:
 - 6.1.1 any person in charge of the animal shall forthwith remove it from that land on the request of an authorised person; and
 - 6.1.2 any authorised person may remove any animal from the road if the person fails to comply with the request, or if no person is in charge of the animal.
- 6.2 If an object is obstructing any part of a road an authorised person of the Council may remove the object, provided that this paragraph shall not apply to any object that has been placed on the road with the permission of the Council or some other lawful authority.

7. Exemptions

- 7.1 The restrictions in this by-law do not apply to any Police Officer, 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 of a Council Officer, or to an emergency worker performing emergency duties.
- 7.2 The restrictions in paragraphs 4.2, 4.9 and 4.10 of this by-law do not apply to:
 - 7.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
 - 7.2.2 electoral matters authorised by a candidate and which relate to an election under the *Local Government Act 1999* or the *Local Government (Elections) Act 1999* that 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
 - 7.2.3 matters which relate to, and occur during the course of and for the purpose of a referendum.
- 7.3 Paragraph 4.6 of this by-law does not apply to a motor vehicle being driven to or from adjacent land by the shortest practical route.

8. Application

Paragraph 4.8 of this by law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246(3)(e) of the *Local Government Act 1999*.

9. Revocation

Council's *By-law No. 3—Roads*, published in the *Gazette* on 19 December 2013, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Yorke Peninsula Council held on the 29th day of July 2020 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ANDREW CAMERON
Chief Executive Officer

YORKE PENINSULA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

Moveable Signs By-Law 2020—By-law No. 4 of 2020

To set standards for moveable signs on roads, to provide conditions for and the placement of such signs, to protect public safety and to protect or enhance the amenity of the area of the Council.

PART 1—PRELIMINARY

1. Short Title

This by-law may be cited as the *Moveable Signs By-law 2020*.

2. Commencement

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

3. Definitions

In this by-law:

- 3.1 'banner' means a moveable sign constituted of a strip of cloth, plastic or other material hung or attached to a pole, fence or other structure;
- 3.2 'footpath' means:
 - 3.2.1 a footway, lane or other place made or constructed for the use of pedestrians; or
 - 3.2.2 that part of road between the property boundary of the road and the edge of the carriageway on the same side as that boundary;
- 3.3 'moveable sign' has the same meaning as the *Local Government Act 1999*;
- 3.4 'road' has the same meaning as in the *Local Government Act 1999*;
- 3.5 'road related area' has the same meaning as in the *Road Traffic Act 1961*.

PART 2—PROVISIONS APPLICABLE TO MOVEABLE SIGNS

4. Design and Construction

A moveable sign displayed on a road must:

- 4.1 be constructed so as not to present a hazard to any member of the public;
- 4.2 be constructed so as to be stable when in position and to be able to keep its position in adverse weather conditions;
- 4.3 not be unsightly or offensive in appearance;
- 4.4 not contain flashing or moving parts;
- 4.5 be not more than 90cm high, 60cm in width or 60cm in depth;
- 4.6 not have a display area exceeding 1m² in total or, if the sign is two-sided 1m² on each side;
- 4.7 in the case of an 'A' frame or sandwich board sign:
 - 4.7.1 be hinged or joined at the top;
 - 4.7.2 be of such construction that its sides can be and are securely fixed or locked in position when erected;
- 4.8 in the case of an inverted 'T' sign, contain no struts or members than run between the display area of the sign and the base of the sign.

5. Placement

A moveable sign displayed on a road must:

- 5.1 not be placed anywhere except on the footpath;
- 5.2 not be placed on a sealed footpath, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 metres wide;
- 5.3 be placed at least 50cm from the kerb (or if there is no kerb, from the edge of the roadway);
- 5.4 not be placed on a landscaped area, other than on landscaping that comprises only lawn;
- 5.5 not be placed on a designated parking area or within 1 metre of an entrance to any premises; and
- 5.6 not be fixed, tied or chained to, leaned against or placed closer than 1.5 metres to any other structure, object or plant (including another moveable sign);
- 5.7 not be placed in a position that puts the safety of any person at risk;
- 5.8 not be placed on a median strip, roundabout, traffic island or on a carriageway;
- 5.9 not be within 6 metres of an intersection of a road.

6. Restrictions

A moveable sign displayed on a road must:

- 6.1 only contain material which advertises a business being conducted on commercial premises adjacent to the sign, or the goods and services available from that business;
- 6.2 be limited to two per business premises;
- 6.3 not be displayed unless the business to which it relates is open to the public;
- 6.4 be securely fixed in position such that it cannot be blown over or swept away;
- 6.5 not be displayed during the hours of darkness unless it is clearly visible.

7. Appearance

A moveable sign displayed on a road must:

- 7.1 be painted or otherwise detailed in a competent and professional manner;
- 7.2 be legible and simply worded to convey a precise message;
- 7.3 be of such design and contain such colours that are compatible with the architectural design of the premises adjacent to the sign and are compatible with the townscape and overall amenity of the locality in which the sign is situated;
- 7.4 contain a combination of colours and typographical styles that blend in with and reinforce the heritage qualities of the locality and the buildings in which the sign is situated;
- 7.5 not have any balloons, flags, streamers or other things attached to it.

8. Banners

Notwithstanding the other provisions of this by-law, a banner must:

- 8.1 only be displayed on a road, footpath or road related area;
- 8.2 be securely fixed to a pole, fence or other structure so that it does not hang loose or flap;
- 8.3 not be attached to any building, structure, fence, vegetation or other item owned by the Council on a road, or other improvement to a road owned by the Council;
- 8.4 relate to an event and not be displayed more than one month before and two days after the event it advertises;
- 8.5 not be displayed for a continuous period of more than one month and two days in any twelve month period;
- 8.6 not exceed 3m² in size.

PART 3—ENFORCEMENT

9. Removal of Unauthorised Moveable Signs

9.1 If:

- 9.1.1 a moveable sign has been placed on any road or footpath in contravention of this by-law or of section 226 of the *Local Government Act 1999*, an authorised person may order the owner of the sign to remove the moveable sign from the road or footpath;
 - 9.1.2 the authorised person cannot find the owner, or the owner fails to comply immediately with the order, the authorised person may remove and dispose of the sign;
 - 9.1.3 a moveable sign is removed under subparagraph 9.1.2 of this by-law and is not claimed within 30 days of such removal the authorised person may sell, destroy or otherwise dispose of the moveable sign as the authorised person thinks fit.
- 9.2 Any person who displays an unauthorised moveable sign or who is the owner of an unauthorised moveable sign which has been removed under subparagraph 9.1 of this by-law must pay the Council any reasonable costs incurred in removing, storing or attempting to dispose of the moveable sign before being entitled to recover the moveable sign.

10. Removal of Authorised Moveable Signs

A moveable sign must be removed or relocated by the person who placed the moveable sign on a road or footpath or the owner of the sign, at the request of an authorised person if:

- 10.1 in the opinion of the 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
- 10.2 so required by the authorised person for the purpose of special events, parades, road or footpath works or any other circumstances which, in the opinion of the authorised person, requires relocation or removal of the moveable sign.

PART 4—MISCELLANEOUS

11. Specified Exemptions

11.1 This by-law does not apply to a moveable sign which:

- 11.1.1 is a moveable sign that is placed on a public road pursuant to an authorisation under the *Local Government Act 1999* or another Act;
 - 11.1.2 directs people to the open inspection of any land or building that is available for purchase or lease;
 - 11.1.3 directs people to a garage sale that is being held on residential premises;
 - 11.1.4 directs people to a charitable function;
 - 11.1.5 is related to a Commonwealth or State election that occurs during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day;
 - 11.1.6 is related to an election held under the *Local Government Act 1999* or the *Local Government (Elections) Act 1999* and is displayed during the period commencing four weeks immediately before the date that has been set for polling day and ending at the close of voting on polling day;
 - 11.1.7 is related to a referendum and is displayed during the course and for the purpose of that referendum;
 - 11.1.8 is displayed with permission of the Council and in accordance with any conditions attached to that permission; or
 - 11.1.9 is a sign of a class prescribed in regulations.
- 11.2 Paragraphs 6.2 and 6.3 of this by-law do not apply to a flat sign containing only the banner or headlines of a newspaper or magazine.
- 11.3 Paragraphs 4, 6.2, 6.3 and 7 of this by-law do not apply to a directional sign to an event run by a charitable body.

12. Prohibition

- 12.1 The Council may, by resolution, prohibit the display of moveable signs on a road or part of road subject to this paragraph.
- 12.2 A resolution made by the Council under subparagraph 12.1 may prohibit the display of moveable signs absolutely, or at particular times or on particular days.
- 12.3 The Council may only make a resolution under subparagraph 12.1 if, in the opinion of the Council, the display of movable signs on the road would endanger the safety of road users.
- 12.4 Notwithstanding any other paragraph of this by-law, a person must not display a moveable sign on a road or part of a road contrary to a prohibition made by the Council under this paragraph.

13. Revocation

Council's *By-law No. 4—Moveable Signs*, published in the *Gazette* on 19 December 2013, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Yorke Peninsula Council on the 29th day of July 2020 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ANDREW CAMERON
Chief Executive Officer

YORKE PENINSULA COUNCIL

BY-LAW MADE UNDER THE DOG AND CAT MANAGEMENT ACT 1995
AND THE LOCAL GOVERNMENT ACT 1999*Dogs By-Law 2020—By-Law No. 5 of 2020*

For the management and control of dogs within the Council's area.

PART 1—PRELIMINARY

1. Short Title

This by-law may be cited as the *Dogs By-law 2020*.

2. Commencement

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

3. Definitions

In this by-law:

- 3.1 'approved kennel establishment' means a building, structure or area approved by the relevant authority, pursuant to the *Development Act 1993* or *Planning, Development and Infrastructure Act 2016* for the keeping of dogs on a temporary or permanent basis;
- 3.2 '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 Board for assistance dogs;
- 3.3 'Board' has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.4 'children's playground' means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within 3 metres of such devices if there is no enclosed area);
- 3.5 'control', in relation to a dog, includes the person having ownership, possession or charge of, or authority over, the dog;
- 3.6 'dog' has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.7 'effective control' means a person exercising effective control of a dog either:
- 3.7.1 by means of a physical restraint;
- 3.7.2 by command, the dog being in close proximity to the person, and the person being able to see the dog at all times;
- 3.8 'keep' includes the provision of food or shelter;
- 3.9 'leash' includes any chain, cord or leash;
- 3.10 'local government land' has the same meaning as in the *Local Government Act 1999*;
- 3.11 'park' has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.12 'premises' includes:
- 3.12.1 land;
- 3.12.2 a part of any premises or land;
- 3.13 'public place' has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.14 'small premises' means a premises comprising any self-contained dwelling where the premises associated with the dwelling contains a secured unobstructed yard area of less than 100 square metres;
- 3.15 'township' has the same meaning as in the *Local Government Act 1999*;
- 3.16 'wetland area' includes any park, reserve, scrub, trail or other land adjacent to a wetland;
- 3.17 'working livestock dog' means a dog:
- 3.17.1 usually kept, proposed to be kept or worked on rural land by a person who is:
- 3.17.1.1 a primary producer; or
- 3.17.1.2 engaged or employed by a primary producer; and
- 3.17.2 kept primarily for the purpose of herding, droving, protecting, tending or working stock, or training for herding, droving, protecting, tending or working stock.

PART 2—DOG MANAGEMENT AND CONTROL

4. Dog Free Areas

- 4.1 A person must not allow a dog in that person's control to be in, or remain in a dog free area.
- 4.2 For the purposes of this paragraph, a dog free area is any:
- 4.2.1 local government land; or
 - 4.2.2 public place,

to which the Council has resolved this paragraph applies.

- 4.3 The restrictions in subparagraph 4.1 do not apply to any assistance dog.

5. Dog on Leash Areas

- 5.1 A person must not allow a dog under that person's control to be in, or remain in, a dog on leash area unless the dog is secured by a strong leash not exceeding two metres in length which is either:

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

- 5.2 For the purposes of this paragraph, a dog on leash area is any:

- 5.2.1 local government land or public place to which the Council has resolved that this paragraph applies;
- 5.2.2 park when organised sport is being played;
- 5.2.3 enclosed children's playground or if a children's playground is not enclosed land within five metres of children's playground equipment; or
- 5.2.4 wetland area.

6. Dog Exercise Areas

- 6.1 Subject to paragraphs 4 and 5, a person may enter any dog exercise area for the purpose of exercising a dog under his or her control.

- 6.2 For the purposes of this paragraph, a dog exercise area is any:

- 6.2.1 park; or
- 6.2.2 local government land that the Council has resolved is a dog exercise area.

- 6.3 A person must ensure that any dog under their control remains under effective control while the dog is in a dog exercise area.

7. Limit on Dog Numbers

- 7.1 A person must not, without permission, keep any dog on any premises where the number of dogs on the premises exceeds the prescribed limit.

- 7.2 Subject to subparagraph 7.3, the prescribed limit on the number of dogs to be kept on premises:

- 7.2.1 constituting a small premises in a township is one dog;
- 7.2.2 within a township on premises other than a small premises is two dogs;
- 7.2.3 outside a township on premises other than a small premises is three dogs.

- 7.3 For the purposes of calculating the prescribed limit, the following dogs are to be disregarded:

- 7.3.1 any dog that is under three months of age; and
- 7.3.2 up to five working livestock dogs kept on premises outside a township.

- 7.4 The prescribed limit does not apply to:

- 7.4.1 an approved kennel establishment;
- 7.4.2 a veterinary practice;
- 7.4.3 a pet shop;
- 7.4.4 any premises that the Council has exempted from the requirements of this paragraph; or
- 7.4.5 any business involving dogs provided that the business is registered in accordance with the *Dog and Cat Management Act 1995* provided the business complies with all other relevant legislative obligations.

8. Dog Faeces

A person must not allow a dog under that person's control to be in a public place or on local government land unless the 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.

PART 3—MISCELLANEOUS

9. Application

- 9.1 The Council may from time to time, by resolution, identify local government land as a dog exercise area in accordance with subparagraph 6.2.2 of this bylaw.

- 9.2 Any of subparagraphs 4 and 5.2.1 of this by-law shall apply only in such portion or portions of the area as the Council may from time to time, by resolution, direct in accordance with Section 246 of the *Local Government Act 1999*.

- 9.3 Where the Council makes a resolution under either of subparagraphs 9.1 or 9.2, the Council's Chief Executive Officer must ensure that:

- 9.3.1 the area is denoted by signs erected by the Council; and
- 9.3.2 information is provided to the public on the Council's website and in any other manner determined by the Council's Chief Executive Officer.

10. Revocation

Council's *By-law No 5—Dogs and Cats*, published in the *Gazette* on 19 December 2013, is revoked on the day on which this By-law comes into operation.

The foregoing By-law was duly made and passed at a meeting of the Yorke Peninsula Council held on the 29th day of July 2020 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ANDREW CAMERON
Chief Executive Officer

YORKE PENINSULA COUNCIL

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

Cats By-Law 2020—By-law No. 6 of 2020

For the management and control of cats within the Council's area.

PART 1—PRELIMINARY

1. Short Title

This by-law may be cited as the *Cats By-law 2020*.

2. Commencement

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

3. Definitions

3.1 In this by-law:

- 3.1.1 'authorised person' has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.1.2 'cattery' means a building, structure, premises or area approved by the relevant authority pursuant to the *Development Act 1993* or *Planning, Development and Infrastructure Act 2016* for the keeping of cats on a temporary or permanent basis;
- 3.1.3 'cat' means an animal of the species *Felis catus* over three months of age;
- 3.1.4 'keep' includes the provision of food or shelter;
- 3.1.5 'premises' includes:
 - 3.1.5.1 land;
 - 3.1.5.2 a part of any premises or land;
- 3.1.6 'prescribed premises' means:
 - 3.1.6.1 a cattery;
 - 3.1.6.2 a veterinary practice;
 - 3.1.6.3 a pet shop; or
 - 3.1.6.4 any premises for which the Council has granted an exemption;
- 3.1.7 'public notice' has the same meaning as in Section 4(1aa) of the *Local Government Act 1999*;
- 3.1.8 'responsible for the control' means a person who has possession or control of the cat;

3.2 For the purposes of this by-law:

- 3.2.1 the 'prescribed limit', in respect of the number of cats to be kept on premises, is two cats;
- 3.2.2 the 'prescribed manner' in which a cat is to be identified at all times while the cat is not effectively confined to premises of which the owner of the cat is the occupier is by means of a collar around its neck to which a tag is attached legibly setting out:
 - 3.2.2.1 the name of the owner of the cat, or of a person entitled to possession of the cat; and
 - 3.2.2.2 either:
 - (a) the address of the owner or other person; or
 - (b) the telephone number of the owner or other person.

PART 2—REGISTRATION AND IDENTIFICATION OF CATS

4. Cats Must be Registered

- 4.1 Every cat must be registered under this by-law.
- 4.2 If a cat is unregistered, any person who owns or is responsible for the control of the cat is guilty of an offence.
- 4.3 If a person is guilty of an offence by reason of a cat being unregistered, the person is guilty of a continuing offence for each day that the cat remains unregistered.
- 4.4 A person is not guilty of an offence by reason of the fact that the cat is unregistered if:
 - 4.4.1 less than 14 days has elapsed since the person first owned or became responsible for the control of the cat; or
 - 4.4.2 the cat:
 - 4.4.2.1 is travelling with the person; and
 - 4.4.2.2 is not usually kept within the area of the Council; or
 - 4.4.3 the person is responsible for the control of the cat only by reason of the cat being kept for business purposes at prescribed premises.

5. Registration Procedure for Cats

- 5.1 An application for registration of a cat must:
- 5.1.1 be made to the Council in the manner and form approved by the Council; and
 - 5.1.2 nominate a person of or over 16 years of age who consents to the cat being registered in his or her name; and
 - 5.1.3 nominate, with reference to an address of premises, the place at which the cat will usually be kept; and
 - 5.1.4 include the unique identification number assigned to the microchip implanted in the cat; and
 - 5.1.5 be accompanied by the registration fee and, if applicable, any late payment fee set by resolution of the Council for the cat.
- 5.2 Subject to subparagraph 5.3, on application and payment of the registration fee and any fee for late payment of the registration fee, the Council must register the cat in the name of the person nominated and issue to that person a certificate of registration in the form approved by Council.
- 5.3 The Council may refuse to register a cat under this by-law if:
- 5.3.1 the number of cats kept or proposed to be kept at premises exceeds the prescribed limit;
 - 5.3.2 keeping a cat at the proposed premises would be contrary to any Act, Regulation or By-law.
- 5.4 A cat registered in the name of a particular person must, on application to the Council, be registered in the name of some other person who is of or over 16 years of age and consents to the cat being registered in his or her name.

6. Duration and Renewal of Registration

- 6.1 Registration under this by-law remains in force until 30 June next ensuing after registration was granted and may be renewed from time to time for further periods of 12 months.
- 6.2 If an application for renewal of registration is made before 31 August of the year in which the registration expired, the renewal operates retrospectively from the date of expiry.

7. Accuracy of Records

- 7.1 The person in whose name a cat is individually registered must inform the Council as soon as practicable after any of the following occurs:
- 7.1.1 the cat is removed from the place recorded in the register as the place at which the cat is usually kept with the intention that it will be usually kept at some other place (whether in the area of the Council, in a different Council area or outside the State);
 - 7.1.2 the cat dies;
 - 7.1.3 the cat has been missing for more than 72 hours;
 - 7.1.4 the residential address or telephone number of the owner of the cat change;
 - 7.1.5 the ownership of the cat is transferred to another person.
- 7.2 Information given to the Council under this paragraph must include such details as may be reasonably required for the purposes of ensuring the accuracy of records kept under the *Dog and Cat Management Act 1995* and this by-law.
- 7.3 If ownership of a cat is transferred from the person in whose name the cat is individually registered, the person must give to the new owner the certificate of registration last issued in respect of the cat.

8. Identification of Cats

- 8.1 Every cat must be identified in the prescribed manner at all times while the cat is not effectively confined to premises of which the owner of the cat is the occupier.
- 8.2 If a cat is not identified in the prescribed manner required by paragraph 8.1, any person who owns or is responsible for the control of the cat is guilty of an offence.
- 8.3 A person is not guilty of an offence by reason of the fact that the cat is not identified in the prescribed manner if:
- 8.3.1 the cat:
 - 8.3.1.1 is travelling with the person; and
 - 8.3.1.2 is not usually kept within the area of the Council; or
 - 8.3.2 the person is responsible for the control of the cat only by reason of the cat being kept, for business purposes, at prescribed premises; or
 - 8.3.3 the Council has granted the owner of the cat an exemption from the requirements of this paragraph or an extension of time within which to comply with the requirements.

PART 3—CAT MANAGEMENT AND CONTROL

9. Limit on Cat Numbers

- 9.1 A person must not, without permission, keep any cat on any premises where the number of cats on the premises exceeds the prescribed limit.
- 9.2 Permission under this paragraph may be given if the Council is satisfied that:
- 9.2.1 no insanitary condition exists on the premises as a result of the keeping of cats;
 - 9.2.2 a nuisance is not caused to any neighbour as a result of the keeping of cats on the premises; and
 - 9.2.3 all cats kept on the premises are desexed in accordance with any requirements of the *Dog and Cat Management Act 1995*.
- 9.3 The prescribed limit does not apply to prescribed premises.

The foregoing by-law was duly made and passed at a meeting of the Yorke Peninsula Council held on the 29th day of July 2020 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ANDREW CAMERON
Chief Executive Officer

YORKE PENINSULA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

Port Vincent Marina By-Law 2020—By-law No. 7 of 2020

For the regulation of certain activities undertaken in the Port Vincent Marina to ensure the safety and convenience of persons in the Marina.

PART 1—PRELIMINARY

1. Short Title

This by-law may be cited as the *Port Vincent Marina By-law 2020*.

2. Commencement

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

3. Definitions

3.1 In this by-law:

- 3.1.1 'Act' means the *Local Government Act 1999*;
- 3.1.2 'emergency worker' has the same meaning as in the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 3.1.3 'jetty' means a wharf or landing and includes recreation launching facilities, walkways, boardwalks, piles and pontoons constructed as part of a jetty, a pier or the piles or wooden structure protecting a pier;
- 3.1.4 'pontoon' means a pontoon or jetty;
- 3.1.5 'Port Vincent Marina' means the land and waterways constituting the Port Vincent Marina as delineated in red on the map specified in Schedule 1;
- 3.1.6 'vessel' has the same meaning as in the *Harbors and Navigation Act 1993*;
- 3.1.7 'waterways' includes the navigable waters within Port Vincent Marina.

PART 2—USE OF THE PORT VINCENT MARINA

4. Prohibited Activities

A person must not do any of the following within the Port Vincent Marina:

4.1 Boat Repair and Maintenance Generally

- 4.1.1 cause, suffer or permit in the waterways any major repairs to a vessel;
- 4.1.2 undertake, or cause to be undertaken, any of the following:
 - 4.1.2.1 any spray painting on any vessel;
 - 4.1.2.2 chipping of paint and/or rust on any vessel;
 - 4.1.2.3 the use of any noisy equipment including any angle grinder, sand blaster or other electrical power tool and/or welding equipment on any vessel except for:
 - (a) the purposes of carrying out minor maintenance work to a vessel; and
 - (b) in a manner that does not adversely affect the amenity of the locality or otherwise cause a nuisance to any other person;
 - 4.1.2.4 any welding, burning, cutting or heating of plant, equipment or materials on or associated with any vessel (whether undertaken on the vessel or not) without permission from the Council;
- 4.1.3 allow any repair or maintenance equipment and/or materials and/or waste materials to be left on a pontoon;

4.2 Conduct of Persons in Waterways

- 4.2.1 allow any dog that the person is responsible for to enter or swim in the waterways;
- 4.2.2 release any duck or goose or any other bird, animal or fish into the waterways;
- 4.2.3 engage in water skiing on any other water sports in the waterways;
- 4.2.4 destroy, damage, disturb, deface or interfere with any buoy, float, life preserver, sign, notice or any other property of the Council;

4.3 Moorings

cause, suffer or permit any vessel to be moored in the waterways unless it is secured to a pontoon or otherwise secured within a marina berth;

4.4 Notification of Ownership

cause, suffer or permit a vessel to remain in the waterways for a period exceeding seven days without the owner of the vessel having first provided details of such vessel to the Council including the name, length, description, use and location of such vessel;

4.5 Nuisances in Waterways

- 4.5.1 cause, suffer or permit any nuisance or conduct likely to cause injury to health or risk to safety in the waterways;
- 4.5.2 cause, suffer or permit any of the following:
 - 4.5.2.1 the creation of noise including, but not limited to, playing music and/or musical instruments, between 11.00pm and 7.00am on any day or;
 - 4.5.2.2 the use of generators and/or compressors between 9.00pm and 6.00am on any day in any daylight saving period and between 8.00pm and 7.00am on any other day;

- 4.6 **Obstructions by Vessels**
cause, suffer or permit any vessel, or any part of any vessel, that is secured to a pontoon to obstruct the passage of vessels through the waterways;
- 4.7 **Safe Mooring**
cause, suffer or permit any vessel to be moored in the waterways in such a place or manner so as to cause, or be likely to cause, any risk or danger to any person or property;
- 4.8 **Sunken Vessels**
cause, suffer, or permit any sunken vessel to remain in the waterways for a period exceeding three days;
- 4.9 **Vessel Control Generally**
tow any object or person in the waterways except for:
- 4.9.1 a disabled vessel; or
- 4.9.2 floating plant where such towing is necessary for marina maintenance and/or construction purposes;
- 4.10 **Vessel as Place of Residence**
reside or cause, suffer or permit any person to reside, on a vessel in the waterways for a period greater than seven days without the permission of the Council first being obtained.

PART 3—ENFORCEMENT

5. Orders

- 5.1 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, an authorised person may take action reasonably required to have the order carried out.
- 5.2 The Council may recover the costs associated with taking any action under Section 262(3) of the Act from the person who failed to comply with the Order as a debt.

PART 4—MISCELLANEOUS

6. Exemptions

The restrictions in this by-law do not apply to any Police Officer, 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 of a Council Officer, or to an emergency worker performing emergency duties.

7. Revocation

Council's *By-law No 7—Port Vincent Marina*, published in the *Gazette* on 19 December 2013, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Yorke Peninsula Council held on the 29th day of July 2020 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ANDREW CAMERON
Chief Executive Officer

SCHEDULE 1—PORT VINCENT MARINA



PUBLIC NOTICES

NATIONAL ELECTRICITY LAW

Publication of Final Rule

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

Under ss 102 and 103, the making of the *National Electricity Amendment (Deferral of network charges) Rule 2020 No. 11* (Ref. ERC0302) and related final determination. All provisions commence on **6 August 2020**.

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 15, 60 Castlereagh St
Sydney NSW 2000

Telephone: (02) 8296 7800

www.aemc.gov.au

Dated: 6 August 2020

NATIONAL ENERGY RETAIL LAW

Initiation of Rule Change Request

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

Under s 251, the Energy and Water Ombudsman of New South Wales has requested the *Maintaining life support customer registration when switching* (Ref. RRC0038) proposal. The proposal seeks to make amendments that aim to facilitate transfer of life support information when life support customers change premises or retailer. Submissions must be received by **3 September 2020**.

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.

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 15, 60 Castlereagh St
Sydney NSW 2000

Telephone: (02) 8296 7800

www.aemc.gov.au

Dated: 6 August 2020

NOTICE SUBMISSION

The South Australian Government Gazette is compiled and published each Thursday.

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

All submissions are formatted per the gazette style and proofs are supplied as soon as possible. Alterations must be returned before 4 p.m. Wednesday.

Requests to withdraw submitted notices must be received before 10 a.m. on the day of publication.

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- Subtitle—brief description of the notice
- A structured body of text
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- Name, position, and government department/organisation of the person authorising the notice

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