



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 21 NOVEMBER 2002

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GOVERNMENT GAZETTE NOTICES

ALL poundkeepers' and private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to **Government Publishing SA** so as to be *received no later than 4 p.m. on the Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: governmentgazette@saugov.sa.gov.au*. Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged.

ADMINISTRATIVE ARRANGEMENTS ACT 1994 SECTION 5: ADMINISTRATION OF FOOD ACT 2001 COMMITTED TO THE MINISTER FOR HEALTH

Proclamation By The Governor's Deputy

(L.S.) BRUNO KRUMINS

PURSUANT to section 5 of the *Administrative Arrangements Act 1994* and with the advice and consent of the Executive Council, I commit the administration of the *Food Act 2001* to the Minister for Health.

Given under my hand and the Public Seal of South Australia, at Adelaide, 21 November 2002.

By command,

J. W. WEATHERILL, for Premier

DHS 53/02 CS

FOOD ACT 2001 (Act No. 44 of 2001): DAY OF COMMENCEMENT

Proclamation By The Governor's Deputy

(L.S.) BRUNO KRUMINS

WITH the advice and consent of the Executive Council, I—

- (a) fix 1 December 2002 as the day on which the *Food Act 2001*, except for section 86, will come into operation;
- (b) fix 1 September 2003 as the day on which section 86 of the *Food Act 2001* will come into operation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 21 November 2002.

By command,

J. W. WEATHERILL, for Premier

DHS 53/02 CS

NATIONAL PARKS AND WILDLIFE ACT 1972 SECTION 43: CONTINUATION AND ACQUISITION OF RIGHTS OF PROSPECTING AND MINING IN PORTION OF LAND ADDED TO PINKAWILLINIE CONSERVATION PARK

Proclamation By The Governor's Deputy

(L.S.) BRUNO KRUMINS

Preamble

The Crown land described in the schedule, together with other land, is by another proclamation made on this day added to the Pinkawillinie Conservation Park under section 29 (3) of the *National Parks and Wildlife Act 1972*.

It is intended that, by this proclamation, certain existing and future rights of entry, prospecting, exploration or mining be preserved in relation to the portion of the land added to the conservation park that is described in the schedule.

Proclamation

PURSUANT to section 43 of the *National Parks and Wildlife Act 1972* and with the advice and consent of the Executive Council, I declare, in relation to the land described in the schedule (being portion of the land added on this day to the Pinkawillinie Conservation Park), as follows:

1. Subject to clause 3, existing rights of entry, prospecting, exploration or mining under the *Mining Act 1971* or the *Petroleum Act 2000* may continue to be exercised in respect of the land described in the schedule.

2. Subject to clause 3, rights of entry, prospecting, exploration or mining may, with the approval of the Minister for Mineral Resources Development and the Minister for Environment and Conservation, be acquired pursuant to the *Mining Act 1971* or the *Petroleum Act 2000* in respect of the land described in the schedule.

3. A person in whom rights of entry, prospecting, exploration or mining are vested pursuant to the *Mining Act 1971* or the *Petroleum Act 2000* (whether those rights were acquired before or after the making of this proclamation) must not exercise those rights in respect of the land described in the schedule unless the person complies with the following conditions:

- (a) if work to be carried out in relation to the land in the exercise of rights vested pursuant to the *Petroleum Act 2000* is a regulated activity within the meaning of that Act, the person must ensure that—
 - (i) the work is not carried out until a statement of environmental objectives in relation to the activity that has been approved under that Act has also been approved by the Minister for Environment and Conservation; and
 - (ii) the work is carried out in accordance with the statement as so approved;
- (b) if any drilling, excavation, vegetation clearance, construction or other work in relation to the land in the exercise of rights under the *Mining Act 1971* or the *Petroleum Act 2000* has not previously been authorised (whether by inclusion in an approved statement of environmental objectives referred to in paragraph (a) or otherwise), the person must give at least 3 months notice of that proposed work to the Minister for Mineral Resources Development and the Minister for Environment and Conservation and supply each Minister with such information in relation to the proposed work as the Minister may require;
- (c) if directions are agreed upon by the Minister for Mineral Resources Development and the Minister for Environment and Conservation and given to the person in writing in relation to—
 - (i) carrying out work in relation to the land in a manner that minimises damage to the land (including vegetation or wildlife on the land) and the environment generally; or
 - (ii) preserving objects, structures or sites of historical, scientific or cultural interest; or
 - (iii) rehabilitating the land (including vegetation or wildlife on the land) on completion of the work; or
 - (iv) (where the work is being carried out in exercise of rights acquired after the making of this proclamation) prohibiting or restricting access to any specified area of the land that the Ministers believe would suffer significant detriment as a result of carrying out the work,

(being directions that do not reduce or otherwise detract from any requirement in respect of any of those matters contained in an approved statement of environmental objectives referred to in paragraph (a)), the person must comply with those directions in carrying out the work;
- (d) if a plan of management is in operation under section 38 of the *National Parks and Wildlife Act 1972* in respect of the land, the person must have regard to the provisions of the plan of management;
- (e) in addition to complying with the other requirements of this proclamation, the person—
 - (i) must take such steps as are reasonably necessary to ensure that objects, structures and sites of historical, scientific or cultural interest and any vegetation or wildlife on the land are not unduly affected by any work; and
 - (ii) must maintain all work areas in a clean and tidy condition; and
 - (iii) must, upon the completion of any work, obliterate or remove all installations and structures (other than installations and structures designated by the Minister for Mineral Resources Development and the Minister for Environment and Conservation as suitable for retention) used exclusively for the purposes of that work;
- (f) if no direction has been given by the Minister for Mineral Resources Development and the Minister for Environment and Conservation under paragraph (c) (iii), the person must (in addition to complying with any approved statement of environmental objectives referred to in paragraph (a)) rehabilitate the land (including vegetation or wildlife on the land) on completion of the work to the satisfaction of the Minister for Environment and Conservation.

4. If—

- (a) the Minister for Mineral Resources Development and the Minister for Environment and Conservation cannot agree as to whether—
- (i) approval should be granted or refused under clause 2; or
- (ii) a direction should be given under clause 3 (c); or
- (b) the Minister for Environment and Conservation does not approve a statement of environmental objectives referred to in clause 3 (a),

the Governor may, with the advice and consent of the Executive Council—

- (c) grant or refuse the necessary approval under clause 2; or
- (d) give a direction in writing under clause 3 (c); or
- (e) grant or refuse the necessary approval under clause 3 (a).

SCHEDULE

Section 63, Hundred of Wudinna, County of LeHunte.

Allotment 1 of DP 33659, Hundred of Hill, County of LeHunte.

Sections 41 and 42, Hundred of Koongawa, County of LeHunte.

Given under my hand and the Public Seal of South Australia, at Adelaide, 21 November 2002.

By command,

J. W. WEATHERILL, for Premier

EC 02/0073 CS

NATIONAL PARKS AND WILDLIFE ACT 1972 SECTION 29
(3): PINKAWILLINIE CONSERVATION PARK—
ALTERATION OF BOUNDARIES

Proclamation By The Governor's Deputy

(L.S.) BRUNO KRUMINS

PURSUANT to section 29 (3) of the *National Parks and Wildlife Act 1972* and with the advice and consent of the Executive Council, I alter the boundaries of the Pinkawillinie Conservation Park by adding to that Park the following Crown land:

Section 63, Hundred of Wudinna, County of LeHunte.

Allotment 1 of DP 33659, Hundred of Hill, County of LeHunte.

Sections 41 and 42, Hundred of Koongawa, County of LeHunte.

Allotment 2 of DP 26864, Hundred of Panitya, County of Buxton.

Sections 30 and 31, Hundred of Panitya, County of Buxton.

Given under my hand and the Public Seal of South Australia, at Adelaide, 21 November 2002.

By command,

J. W. WEATHERILL, for Premier

EC 02/0073 CS

SHOP TRADING HOURS ACT 1977 SECTION 13:
AUTHORISATION TO OPEN SHOP DURING SPECI-
FIED HOURS—ROWE AND JARMAN SPORTS SUPER-
STORE AT MODBURY AND ROWE AND JARMAN
SPORTS SUPERSTORE AT OAKLANDS PARK

Proclamation By The Governor's Deputy

(L.S.) BRUNO KRUMINS

PURSUANT to section 13 of the *Shop Trading Hours Act 1977* and with the advice and consent of the Executive Council, I authorise the opening of the following shops from 7 p.m. until 9 p.m. on Wednesday, 27 November 2002, subject to the conditions specified in the Schedule—

- (a) the shop known as Rowe and Jarman Sports Superstore, located at Shop 15, Tea Tree Plus, Modbury;
- (b) the shop known as Rowe and Jarman Sports Superstore, located at Marion Shopping Centre, Diagonal Road, Oaklands Park.

SCHEDULE

This proclamation only authorises the opening of the shops if—

- (a) the shopkeeper ensures that the only persons allowed to enter or remain in the shop during the hours specified in this proclamation (other than persons employed in the business of the shop during those hours) are persons who are members of the Rowe and Jarman Pty Ltd Privileged Customer Club; and
- (b) all relevant industrial awards, workplace agreements and enterprise agreements are observed by the shopkeeper and persons employed in the business of the shop during and in relation to the hours specified in this proclamation during which the shop is open; and
- (c) subject to an industrial award, workplace agreement or enterprise agreement to the contrary—a person who is employed in the business of the shop is entitled to refuse to work at the shop during the hours specified in this proclamation unless he or she has agreed with the shopkeeper to work during those hours.

Given under my hand and the Public Seal of South Australia, at Adelaide, 21 November 2002.

By command,

J. W. WEATHERILL, for Premier

MIR 02/031CS

STATUTES AMENDMENT (TRANSPORT PORTFOLIO) ACT
2001 (Act No. 17 of 2001): DAY OF COMMENCEMENT
OF SECTION 16

Proclamation By The Governor's Deputy

(L.S.) BRUNO KRUMINS

WITH the advice and consent of the Executive Council, I fix 1 December 2002 as the day on which section 16 of the *Statutes Amendment (Transport Portfolio) Act 2001* will come into operation.

Given under my hand and the Public Seal of South Australia, at Adelaide, 21 November 2002.

By command,

J. W. WEATHERILL, for Premier

CTSA 2001/03006/2

DEVELOPMENT ACT 1993, SECTION 26 (8): ADELAIDE
HILLS COUNCIL—STATE HERITAGE AREA (MOUNT
TORRENS) PLAN AMENDMENT

Preamble

1. The Development Plan amendment entitled 'Adelaide Hills Council—State Heritage Area (Mount Torrens) Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

2. The Minister for Urban Development and Planning has decided to approve the Plan Amendment.

NOTICE

PURSUANT to section 25 of the Development Act 1993, I—

- (a) approve the Plan Amendment; and
- (b) fix the day on which this notice is published in the *Gazette* as the day on which the Plan Amendment will come into operation.

Dated 21 November 2002.

J. WEATHERILL, Minister for Urban
Development and Planning

PLN 94/0947

ENVIRONMENT PROTECTION AUTHORITY

Exemption

THE ENVIRONMENT PROTECTION AUTHORITY has issued to The Frontier Touring Co. Pty Ltd, an exemption from the Environment Protection (Industrial Noise) Policy 1994 with respect to a music event held at Memorial Drive Tennis Complex, Memorial Drive, North Adelaide. The exemption applies to the music event held on 10 October 2002.

The Environment Protection Authority has issued to Eric John Ott an exemption from the Environment Protection (Industrial Noise) Policy 1994 with respect to a music event held at Memorial Drive Tennis Complex, Memorial Drive, North Adelaide. The exemption applies to the music event held on 18 October 2002.

G. SCLARE, Delegate, Environment Protection Authority

FISHERIES ACT 1982: SECTION 59

TAKE notice that pursuant to section 59 of the Fisheries Act 1982, Bartolomeo Puglisi, 6 Prospect Road, Port Lincoln, S.A. 5606 or persons acting as his agents (hereinafter referred to as the 'exemption holder') is exempt from the provisions of the Fisheries Act 1982, insofar as they may engage in the activities and do the acts specified in Schedule 1, (hereinafter referred to as the 'permitted use') during the times specified in Schedule 2 subject to the conditions specified in Schedule 3 from the waters specified in Schedule 4 (hereinafter referred to as the 'site').

SCHEDULE 1

The collection of Blue Mussels (*Mytilus edulis*) hereinafter referred to as the 'permitted species', located in the area of water specified in Schedule 4.

SCHEDULE 2

For a period of six months from the date of gazettal.

SCHEDULE 3

1. The permitted species must be transferred to a site licensed for the grow out of the permitted species being aquaculture licence FS00013.

2. The site must only be used for the collection and holding of the permitted species up to 30 mm.

3. The exemption holder must not introduce any species to the site or use the site for any other purpose than the permitted use.

4. The exemption holder must not use the site for any purpose other than the permitted use.

5. The exemption holder must ensure that the site is maintained in a good, tidy and safe condition to the satisfaction of the Minister for Primary Industries (the Minister).

6. The exemption holder must remove and lawfully dispose of any waste or debris on the site as soon as is reasonably practicable.

7. The exemption holder must mark the site boundary in accordance with any requirements of the Harbors and Navigation Act 1993 or other applicable Acts.

8. The exemption holder must comply with all reasonable directions of any such person authorised by the Minister to inspect the conduct of the exemption holder's activities at the site.

9. The exemption holder must at all times comply with all laws, by-laws, or regulations in force which relate to the site or the activities conducted in the site and with all notices, orders or requirements lawfully given or made by any authority or authorities in respect of the site.

10. The exemption holder must not do or permit to be done in upon or about the site anything which would cause or contribute to the degradation or pollution of any coastal land or the surrounding marine environment.

11. The Minister may terminate this exemption immediately by notice in writing served on the exemption holder if the exemption holder if the exemption holder commits or permits any breach or default of the obligations imposed on the permit holder by this permit.

12. The exemption holder shall not contravene or fail to comply with the Aquaculture Act 2001 and Fisheries Act 1982, or any regulations made under the Acts, except where specifically permitted by this notice.

13. The exemption holder must retain a copy of this permit which has been supplied by the Minister, and if requested by a Fisheries Officer, produce that permit for inspection.

14. The exemption holder must not use the anti-fouling chemical tributyltin (TBT) on any equipment used at the site.

15. The exemption holder must not use any chemical or drug for either therapeutic or prophylactic purpose except with the prior approval of the Minister.

16. The exemption holder must at all times indemnify the Minister, his officers, employees, contractors and agents from and against all claims, demands, actions, judgments, proceedings, damages, losses, costs, charges and expenses in respect of any loss of life, personal injury and/or damage to property caused or suffered in any manner in or about the site.

SCHEDULE 4

Licensed Area	Licensed Hectares
MGA 94—Zone 53	
580870E 6153290N	2
581070E 6153290N	
581070E 6153190N	
580870E 6153190N	

Dated 21 November 2002.

I. NIGHTINGALE, General Manager Aquaculture

FS00013

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

THE following determination made on 27 September 2001, by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

MICHAEL WRIGHT, Minister for Transport

TSA V28441

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee in respect of the M.V. 'Destiny Queen'

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *Destiny Queen* whilst operating within 200 nautical miles of the coast of South Australia.

Minimum Complement

13 persons—Master, Chief Mate, Second Mate, Chief Engineer, Second Engineer, Engineer Watchkeeper and 7 IRs (Integrated Ratings).

Minimum Qualifications of Crew

Master—Certificate of Competency as Master Class 1 valid to STCW '95.

Chief Mate—Certificate of Competency as Mate Class 1 valid to STCW '95.

Second Mate—Certificate of Competency as Mate Class 1 valid to STCW '95.

Chief Engineer—Certificate of Competency as Marine Engineer Class 1 valid to STCW '95.

Second Engineer—Certificate of Competency as Marine Engineer Class 2 valid to STCW '95.

Engineer Watchkeeper—Certificate of Competency as Engineer Watchkeeper valid to STCW '95.

IR—Integrated Rating qualification as specified within the Marine Orders.

CAPT. C. KAVINA, Presiding Member, State Crewing Committee

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

THE following determination made on 27 June 2002, by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

MICHAEL WRIGHT, Minister for Transport

TSA V28083

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee in respect of the M.V. 'Black Hawk'

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *Black Hawk* whilst operating within 15 nautical miles of the coast of South Australia.

Minimum Complement

Two persons—Master and GP

Minimum Qualifications of Crew

Master—Certificate of Competency as Coxswain and has successfully completed Occupational Health and Safety at Sea and Restricted Radiotelephony courses.

GP—General purpose person, an able-bodied person not less than 16 years of age with not less than 3 months experience and has successfully completed an approved Occupational Health and Safety at Sea course.

CAPT. C. KAVINA, Presiding Member, State Crewing Committee

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

THE following determination made on 21 August 2002 by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

MICHAEL WRIGHT, Minister for Transport

TSA V11430

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee in respect of the M.T. 'Taminga'

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *Taminga* whilst operating within the following limits:

Operational Limits

1. Within port limits of Port Pirie.
2. Within port limits of Port Bonython.
3. Within port limits of Wallaroo.

Minimum Complement

1. and 2. Three persons—Master, Engineer and 1 IR (Integrated Rating).

3. Four persons—Master, Engineer and 2 IRs (Integrated Ratings).

Minimum Qualifications of Crew

Master—Certificate of Competency as Master Class 4.

Engineer—Certificate of Competency as Marine Engineer Class 2.

Integrated Rating—Integrated Rating qualification as specified within the Marine Orders.

CAPT. C. KAVINA, Presiding Member, State Crewing Committee

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

THE following determination made on 21 August 2002, by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

MICHAEL WRIGHT, Minister for Transport

TSA V28327

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee in respect of the M.T. 'Tingari'

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *Tingari* whilst operating within the following limits:

Operational Limits

1. Harbour Towage.
2. Within St Vincent Gulf north of latitude 35°10'S, Spencer Gulf north of latitude 34°S.
3. Within 100 nautical miles of the coast of South Australia.

Minimum Complement

1. Three persons—Master, Engineer and 1 IR (Integrated Rating).

2. Four persons—Master, Mate, Engineer and 1 IR (Integrated Rating).

3. Six persons—Master, Mate, Chief Engineer, Second Engineer and 2 IRs (Integrated Ratings).

Minimum Qualifications of Crew

Master—Certificate of Competency as Master Class 4.

Mate—Certificate of Competency as Master Class 5.

Chief Engineer—Certificate of Competency as Marine Engineer Class 1.

Second Engineer—Certificate of Competency as Marine Engineer Class 2.

Integrated Rating—Integrated Rating qualification as specified within the Marine Orders.

CAPT. C. KAVINA, Presiding Member, State Crewing Committee

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

THE following determination made on 31 May 2002, by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

MICHAEL WRIGHT, Minister for Transport

TSA V28362

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee in respect of the M.V. 'Solomon Ophir'

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *Solomon Ophir* whilst operating within the following limits:

Operational Limits

1. Within 30 nautical miles of the coast of South Australia.
2. Whilst operating within Partially Smooth Waters limits of South Australia.
3. Whilst operating within Smooth Waters limits of South Australia.

Minimum Complement

Limit 1. *For 10 passengers or less:*

2 persons—Master and Mate

Limit 1. *For 11 to 20 passengers:*

3 persons—Master, Mate and GP (General Purpose Person)

Limit 2. *For 49 passengers or less:*

2 persons—Master and GP (General Purpose Person)

Limit 3. *For 49 passengers or less:*

2 persons—Master and GP (General Purpose Person)

Minimum Qualifications of Crew

Master—Certificate of Competency as Master Class V.

Mate—Certificate of Competency as Coxswain and has successfully completed approved Occupational Health and Safety at Sea and Restricted Radiotelephony courses.

GP—General purpose person, an able-bodied person not less than 16 years of age with not less than 3 months experience and has successfully completed an approved Occupational Health and Safety at Sea course.

Note: Either the Master, Mate or GP must possess a Certificate of Competency as Marine Engine Driver Grade III.

CAPT. C. KAVINA, Presiding Member, State
Crewing Committee

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that A. G. Tommy & Co. Pty Ltd, c/o Fabrizio Porcaro of Lynch Meyer Lawyers has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of the premises situated at 235 Greenhill Road, Dulwich, S.A. 5065 known as La Porchetta Italian Restaurant and to be known as Mangiamo Cafe Pizzeria.

The application has been set down for hearing on 5 December 2002 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 18 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Pamela Dianne Bampton and Lynette Gay Sharman, c/o Jeff Stevens & Associates have applied to the Licensing Authority for the transfer of a Hotel Licence in respect of the premises situated at Railway Terrace, Parilla, S.A. 5303 and known as Parilla Hotel.

The application has been set down for hearing on 16 December 2002 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 November 2002.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Guichen Bay Investments Pty Ltd has applied to the Licensing Authority for the transfer of a Residential Licence in respect of the premises situated at Hagan Street, Robe, S.A. 5276 and known as Robe Haven Motel.

The application has been set down for hearing on 19 December 2002.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 12 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Redden Bridge Wines Pty Ltd, c/o Peter Westley of Westley Digiorgio has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Wrattobully Road, via Naracoorte, S.A. 5271 and to be known as Redden Bridge Wines.

The application has been set down for hearing on 20 December 2002 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Chatenois Pty Ltd, has applied to the Licensing Authority for the transfer and removal of a Producer's Licence in respect of the premises situated at corner Legoe and Port Wakefield Roads, Virginia, S.A. 5120 and to be situated at 9 Schocroft Road, Piccadilly, S.A. 5151 and known as Piccadilly Fields.

The application has been set down for hearing on 20 December 2002 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 12 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Che Farouk Zahra has applied to the Licensing Authority for a Restaurant Licence with Extended Trading Authorisation and Entertainment Consent in respect of the premises situated at 6 Main Street, Crafers, S.A. 5152 and to be known as Jimmies on the Summit.

The application has been set down for hearing on 20 December 2002 at 9 a.m.

Conditions

The following licence conditions are sought:

Extended Trading Authorisation:

Thursday to Saturday—midnight to 1 a.m. the following day.

Sunday—8 p.m. to midnight.

Days preceding a public holiday—midnight to 1 a.m. the following day.

Approval pursuant to section 34 (1) (c) to serve liquor without a meal to persons seated at a table.

Entertainment Consent:

Acoustic live music, no heavy rock or dance music.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Hill Neyle Pty Ltd, P.O. Box 70, Stirling, S.A. 5152 has applied to the Licensing Authority for a Producer's Licence in respect of the premises situated at Lot 1, Mount Torrens Road, Mount Torrens, S.A. 5244 and to be known as Hill Neyle Pty Ltd.

The application has been set down for hearing on 20 December 2002 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 13 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Heka Pty Ltd, Brenton Paul Quirini and Cheryl Lee Quirini have applied to the Licensing Authority for the removal of a Wholesale Liquor Merchant's Licence in respect of the premises situated at 12 Sydney Place, Adelaide, S.A. 5000, to be situated at 185 Holbrooks Road, Underdale, S.A. 5032 and known as Empire Liquor.

The application has been set down for hearing on 20 December 2002 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 November 2002.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that La Vita Bella Pty Ltd, c/o P.O. Box 439, Magill, S.A. 5072 has applied to the Licensing Authority for a Restaurant Licence with Entertainment Consent and Extended Trading Authorisation in respect of the premises to be situated at 431-439 King William Street, Adelaide, S.A. 5000 and to be known as Ragazzi Cafe Ristorante Italiano.

The application has been set down for hearing on 20 December 2002 at 9 a.m.

Conditions

The following licence conditions are sought:

An Extended Trading Authorisation to apply to the whole of the premises on:

Friday and Saturday, midnight to 2 a.m. the following day.

Sunday, 8 a.m. to 11 a.m. and 8 p.m. to 1 a.m. the following day.

Entertainment Consent is sought in the area depicted in the plan lodged with the Licensing Authority. The entertainment is to consist of no more than a four-piece jazz or piano-style, or similar, entertainment.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Sharon Dolman and Saranjit Sanguandeeekul have applied to the Licensing Authority for a Restaurant Licence in respect of the premises situated at Shop 2, 107 Military Road, Semaphore South, S.A. 5019 and to be known as Beau Thai.

The application has been set down for hearing on 20 December 2002 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicants at the applicants' address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 November 2002.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that J. Alvarez Pty Ltd, c/o Adam Baker of Scales & Partners has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of the premises situated at Lot 110, Freebairn Street, Windsor Gardens, S.A. 5087 and known as John Di Fede Reception Centre.

The application has been set down for hearing on 23 December 2002 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 13 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Knighton Pty Ltd, c/o Kelly & Co., Level 17, 91 King William Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for an Extended Trading Authorisation and Entertainment Consent in respect of the premises situated at 17 Adelaide Road, Mount Barker, S.A. 5251 and known as Auchendarroch Hotel.

The application has been set down for hearing on 20 December 2002 at 9 a.m.

Conditions

The following licence conditions are sought:

1. An Extended Trading Authorisation for consumption on the licensed premises:

Thursday to Saturday—midnight to 2 a.m. the following day.

Sunday—8 a.m. to 11 a.m. and 8 p.m. to midnight.

For consumption off the licensed premises:

Sunday—8 a.m. to 11 a.m. and 8 p.m. to 9 p.m.

2. Entertainment Consent for the whole of the licensed premises excluding the outdoor areas whenever the premises are open to the public.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Oratek Services Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of the premises situated at 193 Payneham Road, St Peters, S.A. 5069 and known as Uncle Charlie's Pizza Bar and Restaurant.

The application has been set down for hearing on 23 December 2002.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 13 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Typhoon Holdings Pty Ltd has applied to the Licensing Authority for a variation to the Extended Trading Authorisation and Entertainment Consent in respect of premises situated at 88 Wright Street, Adelaide, S.A. 5000 and known as Old Queen's Arms Hotel.

The application has been set down for hearing on 20 December 2002.

Conditions

The following licence conditions are sought:

Variation to the Extended Trading Authorisation to authorise the sale of liquor for consumption on the licensed premises each Sunday from midnight to 3 a.m. the following day.

Entertainment Consent shall apply during the above hours.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 13 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Codbell Pty Ltd, as trustee for the Robe Unit Trust, 17 Bagot Street, North Adelaide, c/o Cosoff Cudmore Knox Solicitors, Level 21 Grenfell Centre, 25 Grenfell Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for the transfer of a Residential Licence in respect of the premises situated at Main Street, Robe, S.A. 5276 and known as Robetown Motor Inn.

The application has been set down for hearing on 23 December 2002 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 12 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Daryl Phillip Wohlers, c/o P.O. Box 162, Tanunda, S.A. 5352 has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of the premises situated at Shop 1, corner Basedow and Murray Streets, Tanunda, S.A. 5352 and known as Cafe Placebo.

The application has been set down for hearing on 23 December 2002 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Nhu Khoa Trinh, c/o Danny Beger of Beger & Co. Lawyers has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of the premises situated at 132-143 Gouger Street, Adelaide, S.A. 5000 and known as Vietnam Palace.

The application has been set down for hearing on 23 December 2002 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 15 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Wetdog Pty Ltd has applied to the Licensing Authority for a variation to the Extended Trading Hours in respect of premises situated at 192 Hindley Street, Adelaide, S.A. 5000 and known as Moskva Vodka Bar West.

The application has been set down for hearing on 20 December 2002 at 9 a.m.

Conditions

The following licence conditions are sought:

Currently:

Sunday to Tuesday—9 p.m. to 2 a.m. the following day.

Seeking:

Sunday to Tuesday—9 p.m. to 5 a.m. the following day.

Public Holidays—9 p.m. to 5 a.m. the following day.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that De Tien Luu, 10 Dartmouth Street, Croydon, S.A. 5008 has applied to Licensing Authority for the transfer of a Restaurant Licence in respect of the premises situated at Shop 1, 141 O'Connell Street, North Adelaide, S.A. 5006 and known as the Red Rock Noodle Bar & Restaurant—North Adelaide.

The application has been set down for hearing on 24 December 2002.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Cafe Metropolis Pty Ltd, c/o Greg Griffin of Griffins Solicitors has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of the premises situated at Shops 3 and 7, 254-266 Unley Road, Hyde Park, S.A. 5061, known as Roma's The Metro and to be known as Cafe Metro.

The application has been set down for hearing on 24 December 2002 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 14 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Alconbury Pty Ltd, P.O. Box 96, Elizabeth, S.A. 5111 has applied to the Licensing Authority for a variation to the Extended Trading Authorisation for the Beer Garden in respect of premises situated at 173 Woodford Road, Elizabeth North, S.A. 5113 and known as Red Lion Hotel.

The application has been set down for hearing on 20 December 2002 at 9 a.m.

Conditions

The following licence conditions are sought:

Variation to Extended Trading Authorisation is sought to apply to the Beer Garden during the following times:

Thursday to Saturday—midnight to 2 a.m. the following day.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 12 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Jovan Mitrovic, c/o Adrian Potter, Solicitor has applied to the Licensing Authority for a Restaurant Licence with Extended Trading Authorisation and Entertainment Consent in respect of the premises situated at 47B Morphett Street, Adelaide, S.A. 5000 and to be known as Deep South Cajun Foods.

The application has been set down for hearing on 20 December 2002 at 9 a.m.

Conditions

The following licence conditions are sought:

- Extended Trading Authorisation:

Monday to Saturday—midnight to 1 a.m. the following day.

Sunday—8 a.m. to 11 a.m. and 8 p.m. to 1 a.m. the following day.

- Approval pursuant to section 34 (1) (c) to serve liquor without a meal to persons seated at a table.
- Entertainment Consent is sought in areas shown on the plan lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Licensing Authority, and serving a copy of the notice on the applicant at the applicant's address given above, at least seven days before the hearing date.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gaming Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000.

Dated 20 November 2002.

Applicant

LOCAL GOVERNMENT ACT 1999

EYRE PENINSULA LOCAL GOVERNMENT ASSOCIATION

Charter

PURSUANT to Clause 19, Part 2, Schedule 2 of the Local Government Act 1999, the following Charter was adopted by an Absolute Majority of Delegates at the Annual General Meeting of the Eyre Peninsula Local Government Association held on 24 June 2002, at which Delegates of all Constituent Councils were present.

1. INTERPRETATION

‘Absolute majority’ means a majority of the whole number of members.

‘Act’ means the Local Government Act 1999.

‘AGM’ means the Annual General Meeting.

‘Association’ means the Eyre Peninsula Local Government Association.

‘Council’ means a council as constituted under the Local Government Act 1999.

‘Board Member’ means a person appointed by a constituent council.

‘EPLGA’ means the Eyre Peninsula Local Government Association.

‘Executive Committee’ means the executive committee formed by the appointment of persons by the constituent councils under this Charter.

2. NAME

The Regional Subsidiary will be called the Eyre Peninsula Local Government Association.

3. PURPOSE OF THE ASSOCIATION

The purpose of the Eyre Peninsula Local Government Association shall be:

3.1 As the Association is a Regional Association of Councils under Part 4 of the Constitution and Rules of the Local Government Association of South Australia, and as such will work with that Association in achieving its aims and objectives.

3.2 To encourage, promote, protect, and foster an efficient and effective autonomous, democratic system of local government elected by and responsible to local communities.

3.3 To identify available resources within the region and to co-ordinate or assist in co-ordinating the management of these resources for the betterment of their region’s community.

3.4 To encourage, assist, seek out, determine, assess and respond to the needs and aspirations of the region’s constituents.

3.5 To develop, encourage, promote, foster and maintain consultation and co-operation between local government authorities, regional organisations, State and Commonwealth Governments and their instrumentalities.

3.6 To develop, encourage, promote, foster and maintain the financial and economic well-being and advancement of the region, and if desirable for such purpose to undertake, establish, acquire, conduct or dispose of any business, enterprise, undertaking or venture, which in the opinion of EPLGA is necessary, desirable or convenient.

3.7 To effectively liaise and work with the State and Commonwealth Governments and their instrumentalities on a regional basis for the general enhancement of the region.

3.8 To be a regionally focused organisation, actively advocating, leading and promoting the region on behalf of a united and effective membership.

3.9 To encourage and facilitate a strong, diverse and sustainable regional economy.

3.10 To enhance the region’s unique built and natural environment utilising a collaborative approach.

3.11 To build a strong regional community supported by equitable and high quality service provision.

4. POWERS

EPLGA will have the following powers (in addition to and without prejudice to any other powers herein expressed or implied or by virtue of any other legislation applicable):

4.1 To subscribe to, become a member of and/or co-operate with any other association or organisation whose objects are altogether or in part similar or complementary to those of EPLGA and on such terms as EPLGA deems appropriate.

- 4.2 To enter into any arrangement with any Government or authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of EPLGA.
- 4.3 To appoint, employ, remunerate, remove or suspend such officers, managers, agents and employees as necessary for the purposes of EPLGA.
- 4.4 To raise revenue through subscriptions or levies from constituent councils. To apply for grants from Government Agencies and to seek sponsorship from business and industry.
- 4.5 To print or publish any newspapers, periodicals, books, leaflets, treatise, or other writing that EPLGA may think desirable for the promotion of its objects.
- 4.6 To appoint such committees as it deems necessary and to define the duties of such committees. The acts of any such committee shall be submitted before execution or discharge thereof for approval to EPLGA, provided that EPLGA may delegate the power of action in a single issue to a committee. Such a committee may consist partly of persons who are not representatives of constituent councils.
- 4.7 To co-opt to any duly appointed committee, any elected representatives, any officer of a constituent council, or any other appropriate person deemed desirable for the efficient function of that committee.
- 4.8 To appoint, from time to time, a solicitor or solicitors to provide the legal services required by the EPLGA, and may engage such other consultants as may be necessary or desirable to achieve the objectives of EPLGA.
- 4.9 To acquire, hold, deal with, and dispose of any real or personal property.
- 4.10 To open and operate bank accounts.
- 4.11 To invest its funds to the best advantage and to use the accumulated moneys to carry out its functions prescribed by these rules provided that EPLGA acts in accordance with Part 4 Chapter 9 of the Local Government Act 1999.
- To return to the constituent councils at any time it deems fit any surplus funds by resolution.
- 4.12 To borrow money by loan funds or overdraft, on such conditions as EPLGA sees fit for the purpose of the Association.
- An order to borrow by EPLGA can only be made by an absolute majority vote of the voting delegates of constituent councils, indicated in writing, after each council has been presented with a proposal for borrowing by EPLGA.
- 4.13 To give such security for the discharge of liabilities incurred by EPLGA as EPLGA thinks fit.
- 4.14 To enter into other contracts that EPLGA considers necessary or desirable for the attainment of its objectives.
- 4.15 To do all such things as are incidental or conducive to the attainment of the objects, the furtherance of the interests and the exercise of the powers of EPLGA.
- 4.16 To delegate all or any of EPLGA's powers to the executive as hereinafter prescribed subject to such limitations and conditions as may be determined by EPLGA, and such delegation is revocable by EPLGA and does not derogate from the power of EPLGA to act itself in any matter.
- 4.17 EPLGA may establish a committee of its members for the purpose of:
- (a) inquiring into and reporting to the Executive Committee on any matter within EPLGA's terms of reference given by the Executive Committee to the committee;
 - (b) exercising, performing and discharging delegated powers, functions or duties; and
 - (c) investigating opportunities for resource sharing within the region and implementing strategies to take advantage of any such opportunities.
- 4.18 A member of a committee established in accordance with clause 4.17 holds office at the pleasure of the Executive Committee.
- 4.19 The President of the Association shall be *ex officio* a member of all committees.

5. CONSTITUENT COUNCILS

- 5.1 The constituent councils of EPLGA shall comprise the District Councils of Ceduna, Cleve, Elliston, Franklin Harbour, Kimba, Le Hunte, Lower Eyre Peninsula, Streaky Bay, Tumby Bay and the City of Port Augusta, the City of Port Lincoln, and Whyalla City Council or their successors.
- 5.2 Any other council may apply in writing to the Executive Officer setting out the reasons why the council wishes to become a constituent council of EPLGA.

- 5.3 The Executive Officer shall forward the application to every constituent council not less than four weeks prior to the general meeting of the Association at which it is to be considered.
- 5.4 A council is recommended to become a constituent council if an absolute majority vote of the constituent councils so resolve.
- 5.5 EPLGA shall then put its recommendation for the council to become a constituent council to the Minister in accordance with Clause 29 of Schedule 2 of the Act.
- 5.6 On the granting of the approval of the Minister the council shall become a constituent council.

6. **CEASING AS A CONSTITUENT COUNCIL**

- 6.1 Subject to first having obtained approval from the Minister in accordance with Clause 29 of Schedule 2 of the Act, any constituent council may resign from EPLGA at any time, by giving three months written notice of such resignation to the Executive Officer, provided that its subscription for the current year and any other moneys outstanding prior to the date of its giving notice of resignation, has been paid to EPLGA.
- 6.2 The withdrawal of any constituent council shall not extinguish the liability of that council for the payment of all contributions towards the total income of EPLGA for the financial year in which such withdrawal shall take place, regardless of whether such contributions fall due for payment after the date of such withdrawal.
- 6.3 The withdrawal of any constituent council shall not extinguish the ability of such council for the payment of its contribution towards any actual or contingent deficiency in the next assets of EPLGA at the end of the financial year in which such withdrawal shall occur.
- 6.4 The withdrawal of any constituent council shall not extinguish the ability of such council to contribute to any loss or liability incurred by EPLGA at any time before or after such withdrawal in respect of any act or omission by EPLGA prior to such withdrawal.
- 6.5 Any constituent council that withdraws shall have the right, upon resignation, to make the submission to the Association seeking compensation for their prior contribution to any assets of EPLGA.

7. **SOURCES OF REVENUE**

- 7.1 Every constituent council shall be liable to contribute moneys to EPLGA in each financial year.
- 7.2 Each constituent council is required to pay an annual subscription as determined at the AGM, which will be due and payable within one month from written request for payment from EPLGA.

Current constitution reads:

‘Every constituent council shall contribute equally to fund EPLGA’.

- 7.3 If a council becomes a constituent council after the first day of July in any year, its subscription payable for that year will be on a *pro rata* basis.
- 7.4 A *pro rata* subscription will be calculated as from the first day of the month following that in which constituent council membership was granted and will be due and payable one calendar month thereafter.
- 7.5 The constituent councils shall not be required to contribute additional levies to the Authority except in accordance with the terms and conditions agreed to in writing by each constituent council.
- 7.6 EPLGA may borrow funds for specific projects in accordance with clause 4.12 of this Charter.

8. **INSURANCE OF MEMBERS AND OFFICERS**

EPLGA must effect and maintain sufficient insurance cover to indemnify EPLGA and its constituent councils as well as its own members and officers, against claims for public liability and professional indemnity arising out of the operation of EPLGA.

9. **DISQUALIFICATION**

- 9.1 If any constituent council shall fail to pay its annual subscriptions or any other moneys that are due and payable to EPLGA, the Executive Officer shall give written notice of default thereof to the council demanding payment of the same.
- 9.2 Any constituent council which fails to pay its annual subscription or any other moneys within three months from the date upon which the same is due and payable, may be removed from the register of members by the Executive Committee, and shall thereupon cease to be a constituent council subject to any legislative requirements, and not precluding its liability that may accrue in terms of clauses 6.3 and 6.4 as hereinbefore provided.
- 9.3 The Executive Officer will give notice in writing to the council that its status as a constituent council of EPLGA has been terminated.

10. BOARD MEMBERS

10.1 Prior to the AGM of EPLGA each constituent council will appoint two persons, at least one of whom shall be an elected member of council, to be a Board Member of EPLGA. In making that appointment, a constituent council shall appoint the following office holders of EPLGA as the elected representative of their respective constituent council:

- President;
- Senior Vice-President;
- Junior Vice-President;
- Representative to the Local Government Association of South Australia;
- Immediate Past President.

Such appointment, which may be altered at any time and subsequent alterations, shall be confirmed in writing to the Executive Officer prior to the commencement of any meeting.

10.2 Board Members of EPLGA shall be eligible for such allowances from the funds of EPLGA determined from time to time by resolution.

10.3 Should any extraordinary vacancy occur in the membership of EPLGA Board, such vacancy is to be filled by a nomination from the constituent council that originally appointed the member to the vacant office.

10.4 Each member and proxy member shall hold office until (whichever occurs first):

- resignation by notice in writing has been given to the Executive Officer (a copy of which shall be given to the Chief Executive Officer of that member's constituent council);
- ceasing to be an elected or staff member of the constituent council that appointed the member;
- that person is removed from that office by the constituent council; or
- conclusion of the next ensuing periodical election for the constituent council.

Each member and proxy member is eligible for re-appointment.

10.5 Board members shall not be required to comply with the provisions of Chapter 5 Part 4 Division 2 of the Act.

11. EXECUTIVE COMMITTEE

11.1 Constituent councils shall appoint one of its Board Members to an Executive Committee, which shall have the full delegated powers of EPLGA to make all decisions and will, subject to any direction given by the AGM, be responsible for the management of EPLGA.

11.2 Business may be conducted by the Executive Committee to include that as delegated by a general meeting or any matter deemed to be of an urgent nature or of expediency by the President.

11.3 The Executive Committee will be responsible for the appointment of the Executive Officer, in addition to management and evaluation of the officer's performance and conditions.

12. DEPUTIES TO BOARD MEMBERS

12.1 Each constituent council is entitled to appoint one of its elected members or a staff member as Deputy Board Member, for any of its members that cannot attend any meeting of EPLGA or its committees who may exercise all rights, privileges and obligations of the Board Member, during the absence of the Board Member.

12.2 A Deputy Board Member shall have the voting rights of each Board Member that the Deputy Board Member represents.

12.3 Unless representing a Board Member, a Deputy Board Member shall be entitled to attend meetings, but not entitled to vote.

13. MEETINGS

13.1 The President shall preside over meetings of EPLGA which shall be held at such times and places as determined at the previous meeting:

13.1.1 The AGM which shall be held during the month of July.

13.1.2 Two general meetings, one of which shall be held during the month of July and the other in December.

13.1.3 At least two executive meetings, including one held in March and the other held in September.

- 13.1.4 Special general meetings may be held at such times and places as determined by the Executive Committee, or by requisition in writing of any three members of EPLGA. One week's notice, in writing shall be given to all members for the date, time, place and reason for any special general meeting.
 - 13.1.5 Urgent general meetings, should he/she deem such a meeting necessary upon such notice, will include the date, time, place and reasons for any urgent general meeting.
 - 13.1.6 All other meetings of the Executive Committee.
 - 13.2 The Executive Officer shall give notice of all meetings of EPLGA and the business to be transacted thereat, to each member and Chief Executive Officer of constituent councils:
 - 13.2.1 Three weeks notice for the AGM, which shall include the President's Report and the Draft Budget for the ensuing year.
 - 13.2.2 Three weeks notice for general meetings.
 - 13.2.3 Two weeks notice for Executive Committee meetings.
 - 13.2.4 Reasonable notice given by post or fax to the Chief Executive Officer of each constituent council for urgent general meetings.
 - 13.2.5 Four weeks notice in the case of winding-up the Association.
 - 13.3 The President will chair all meetings. In the absence of the President, the Senior Vice-President or in his/her absence the Junior Vice-President assumes the responsibilities of the President and in the absence of the above office holders, an Acting Chairperson for that meeting only shall be elected from the members present.
 - 13.4 All decisions regarding real property, investing or borrowing money and securities for discharge of liabilities will be made at a duly constituted general meeting of EPLGA having due regard for clause 4.12.
 - 13.5 Items for the agenda of a general meeting must be submitted in writing to the Executive Officer, at least four weeks before the date of the general meeting.
- 14. QUORUM**
- 14.1 A quorum at the AGM and any meeting will be ascertained by dividing the total number of Board Members for the time being in office by two, ignoring any fraction resulting from the division and adding one.
 - 14.2 A quorum at a meeting in the case of winding-up will be constituted by the personal attendance of not less than 100% of the Board Members or their Deputies at that particular time.
- 15. VOTING**
- 15.1 Questions arising at all meetings of EPLGA except for winding-up (in accordance with clauses 15.3 and 28.0) will be decided by the votes of the majority of members present.
 - 15.2 The President will be entitled to a deliberative vote only.
 - 15.3 A question regarding the winding-up of EPLGA will be decided by an absolute majority of constituent councils present at the meeting, voting on the basis of two votes per constituent council present at the meeting, and such votes will be evidenced by two members from each constituent council holding a voting card.
 - 15.4 Any question requiring a decision, having an equal number of votes, shall be held to be a negative vote.
- 16. ADJOURNMENTS**
- 16.1 The President may adjourn a meeting at any time.
 - 16.2 The members present at any meeting may from time to time resolve to adjourn such a meeting.
- 17. ANNUAL GENERAL MEETING**
- The AGM will:
- (a) Confirm the minutes of the previous AGM.
 - (b) Receive the Annual Report. The Report shall include details of achievements of the aims and objectives of the Association's annual program and shall include the documents described in Clause 19.4.
 - (c) Receive a financial statement for the preceding financial year.

- (d) Elect/appoint the following officers (all shall be elected members of the Association, and in the case of President, Senior Vice-President and Junior Vice-President, shall be of different constituent councils.)
Officers of the Association and shall hold office for a one year term, but shall be eligible for re-election:
- President;
 - Immediate Past President;
 - Senior Vice-President;
 - Junior Vice-President;
 - Representative to the Local Government Association.
- (e) Receive nominations from constituent councils and elect members of the Executive Committee for the ensuing year in accordance with clause 11.1.
- (f) Appoint a suitably qualified person to the position of Auditor.
- (g) Fix subscriptions and or levies from constituent councils for the ensuing year in accordance with clauses 7 and 19.
- (h) Appoint bank signatories in accordance with clause 24.1.
- (i) Appoint any committees (other than the Executive Committee).
- (j) Consider the draft Business Plan prepared in accordance with Clause 24 of Schedule 2 of the Act and, following any amendment, adopt the Business Plan and make recommendations on the implementation of that plan.
- (k) Review and consider comments from constituent councils and adopt the budget for the following year.
- (l) Consider any other matters of which due notice has been given in accordance with clause 13.5.

18. BUSINESS PLAN

- 18.1 The Executive Officer shall prepare a draft Business Plan in accordance with Clause 24 of Schedule 2 of the Act for consideration by the Executive Committee. The Business Plan shall be consistent with a Strategic Plan, which shall be prepared by EPLGA and distributed to its constituent councils. The Strategic Plan shall be reviewed so as to ensure that it is in force for not less than one year beyond the end of the year of the Business Plan under consideration.
- 18.2 The Executive Committee shall approve a draft Business Plan to be submitted to the AGM for adoption.
- 18.3 The Executive Committee shall review the performance against targets of the Business Plan not less than twice during each year.

19. REFERRAL OF BUDGET AND PROGRAM TO MEMBER COUNCILS

- 19.1 The Executive Officer shall prepare a draft Budget as an appendix to the Business Plan in accordance with the provisions of Clause 25 of Schedule 2 of the Act for consideration by the Executive Committee.
- 19.2 The Executive Committee shall recommend a draft Budget prior to the AGM. The draft budget shall include a schedule showing the amount of subscriptions and/or levies required to be paid by constituent councils for the ensuing year.
- 19.3 For second and subsequent years during its implementation the Executive Committee shall adopt a report showing the performance of EPLGA against the targets set for the year in the Business Plan.
- 19.4 The following documents shall be included in the Agenda papers for the AGM:
- 19.4.1 EPLGA Strategic Plan.
 - 19.4.2 Business Plan recommended by the Executive Committee.
 - 19.4.3 Draft Budget recommended by the Executive Committee.
 - 19.4.4 For second and subsequent years, a report showing the performance of the EPLGA against the targets set for the year in the Business Plan.
- 19.5 The Annual Report of the Association shall be distributed to constituent councils by 30 September following its adoption by the AGM.
- 19.6 A constituent council that adopts a position contrary to the recommendations of the Executive Committee has the opportunity to debate the issue on the floor of the AGM.
- 19.7 A constituent council is not able to direct EPLGA.

20. EXECUTIVE OFFICER

- 20.1 EPLGA shall appoint a Chief Executive Officer, who shall have the title of Executive Officer, under such terms and conditions as the parties may agree. The Executive Committee may delegate powers to the Executive Officer to streamline the day to day operational/management issues of EPLGA.
- 20.2 The Executive Officer shall be the public officer of EPLGA.
- 20.3 The Executive Officer shall be responsible for the general administration of EPLGA in accordance with the Act and Regulations of that Act and the general law of the State and Commonwealth.
- 20.4 Where the Executive Officer is employed under a contract with EPLGA, the Association shall appoint one of the constituent council Chief Executive Officers to be the Contract Supervisor.

21. THE SEAL

- 21.1 The Association shall have a common seal upon which its corporate name shall appear in legible characters, which shall only be used in accordance with Clause 37 of Schedule 2 of the Act.
- 21.2 The seal shall not be used without the express authorisation of a resolution of the Association and every use of the seal shall be recorded in the minutes of the meeting. The affixing of the seal shall be witnessed by the Executive Officer and the President, or in the absence of the President, the presiding member, or two members present at the meeting.
- 21.3 The seal shall be kept in the custody of the Executive Officer or such person as EPLGA may from time to time decide.

22. STANDING ORDERS

- 22.1 Subject to this Charter the provisions of the Local Government (Procedures at Meetings) Regulations 2000 shall apply to the rules of debate and conduct of all meetings of EPLGA.
- 22.2 Any question as to the inconsistency of the conduct of a meeting with the meeting regulations and/or with this Charter at any meeting of EPLGA shall be determined at that meeting by the Chairperson of the meeting.

23. PROPERTY

- 23.1 All property held by the EPLGA will be held by it on behalf of the constituent councils.
- 23.2 No person may without the approval of EPLGA sell, encumber or otherwise deal with any property of EPLGA.

24. FINANCIAL MANAGEMENT

- 24.1 EPLGA shall maintain an operations bank account and such other accounts as it may determine from time to time. The operators of all bank accounts shall be the President and Executive Officer and not less than two members appointed at the AGM, where any two of the bank operators are required to operate the accounts.
- 24.2 The Executive Officer shall cause adequate and proper books of account to be kept in relation to all affairs of the Association.
- 24.3 The Executive Officer shall prepare a draft Operations Manual for the Executive Committee and, following any amendment shall adopt the Operations Manual and make recommendations on the implementation of the Manual.
- 24.4 EPLGA shall give due regard to Chapter 9 Part 4 of the Act when investing funds.
- 24.5 The financial year for EPLGA is from 1 July to 30 June.
- 24.6 EPLGA shall appoint an Auditor at the AGM.
- 24.7 The Association shall produce an EPLGA policy manual.

25. DISPUTE RESOLUTION

It is anticipated that there will be occasions when the views of constituent councils will differ on issues relating to the development and implementation of policy of EPLGA. It is legitimate that there will be differing views and constituent councils, through their Board Members, are urged to use the processes of investigation, consultation and debate within the meetings of EPLGA to achieve the best collective outcome for EPLGA.

- 25.1 Where a dispute situation arises:
 - 25.1.1 between constituent councils regarding the development or implementation of policy of EPLGA to the point that in the opinion of the Executive Committee the successful operation of EPLGA is in jeopardy;

- 25.1.2 between a constituent council and EPLGA regarding the development or implementation of policy to the point that in the opinion of the Executive Committee the successful operation of EPLGA is in jeopardy.

Then the disputing parties are required to submit their dispute to an independent arbitrator:

- 25.1.3 the independent arbitrator shall be the President of the Local Government Association of South Australia or nominee;
- 25.1.4 the constituent councils and/or EPLGA in dispute shall have the opportunity to put their views both in writing and verbally to the independent arbitrator;
- 25.1.5 the determination of the independent arbitrator shall be binding on the constituent councils and/or EPLGA in dispute;
- 25.1.6 all costs of the arbitration process will be at the cost of the constituent councils involved in the dispute.

26. ALTERATION TO CHARTER

- 26.1 Any proposed alterations to this Charter will be approved at the AGM or at a special general meeting of EPLGA called for the purpose and must be carried by an absolute majority of the members.
- 26.2 Four weeks prior notice shall be given by the Executive Officer to all constituent councils setting out the nature of the proposed alteration.

27. CIRCUMSTANCES NOT PROVIDED FOR

- 27.1 If any circumstances arise to which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, EPLGA will have the power to determine what action may be taken to ensure the effective administration and objectives of EPLGA, provided that such action will be determined at a meeting of EPLGA.

28. WINDING-UP

- 28.1 In addition to the provisions of Clause 33 of Schedule 2 of the Act, EPLGA may be wound-up by the constituent councils.
- 28.2 In the event of dissolution and after payment of all expenses, any surplus assets shall be returned to constituent councils in proportion to the subscription paid in the financial year prior to the passing of the resolution to dissolve.
- 28.3 In the event of dissolution where there are insufficient funds to pay all expenses due by EPLGA a levy shall be struck to cover the deficiency such levy being in proportion to the subscription payable in the financial year prior to dissolution.

29. INSOLVENCY

In the event of the insolvency of EPLGA, each constituent council shall be responsible for the liabilities of the Association in proportion to the subscription payable in the financial year prior to its insolvency.

July 2002

J. WEATHERILL, Minister for Local Government



Christmas/New Year Holiday Publishing Information

Last Gazette for 2002 will be Thursday, 19 December 2002

Closing date for notices for publication will be
4 p.m. Tuesday, 17 December 2002

First Gazette for 2003 will be Thursday, 9 January 2003

Closing date for notices for publication will be
4 p.m. Tuesday, 7 January 2003

*(There will **NOT** be a Gazette in the period between these two dates)*

It would be appreciated if *Government Gazette* notices for publication be addressed to:

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To apply from 1 July 2002

\$	\$		
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Associations:		Ceasing to Carry on Business (each insertion)	22.70
Incorporation	17.40	Discontinuance Place of Business	22.70
Intention of Incorporation	43.00	Land—Real Property Act:	
Transfer of Properties	43.00	Intention to Sell, Notice of.....	43.00
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Companies:		Caveat Lodgment.....	17.40
Alteration to Constitution	34.10	Discharge of	18.30
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First Name.....	25.50	Licensing	51.00
Each Subsequent Name.....	8.75	Municipal or District Councils:	
Meeting Final.....	28.75	Annual Financial Statement—Forms 1 and 2	481.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	341.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	68.00
First Name.....	34.10	Each Subsequent Name.....	8.75
Each Subsequent Name.....	8.75	Noxious Trade	25.50
Notices:		Partnership, Dissolution of.....	25.50
Call.....	43.00	Petitions (small)	17.40
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Creditors.....	34.10	General).....	17.40
Creditors Compromise of Arrangement	34.10	Register of Unclaimed Moneys—First Name.....	25.50
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name	8.75
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	43.00	Rate per page (in 8pt)	218.00
Release of Liquidator—Application—Large Ad.	68.00	Rate per page (in 6pt)	288.00
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Restored Name.....	32.25	column line, tabular one-third extra.	
Petition to Supreme Court for Winding Up.....	59.50	Notices by Colleges, Universities, Corporations and District	
Summons in Action.....	51.00	Councils to be charged at \$2.40 per line.	
Order of Supreme Court for Winding Up Action.....	34.10	Where the notice inserted varies significantly in length from	
Register of Interests—Section 84 (1) Exempt.....	77.00	that which is usually published a charge of \$2.40 per column line	
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ALL private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to **Government Publishing SA** so as to be *received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: governmentgazette@saugov.sa.gov.au*. Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged.

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Pages	Main	Amends	Pages	Main	Amends
1-16	1.95	0.85	497-512	28.10	27.00
17-32	2.70	1.70	513-528	28.90	27.75
33-48	3.50	2.50	529-544	29.70	28.75
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65-80	5.20	4.30	561-576	31.25	30.50
81-96	6.00	5.00	577-592	32.30	31.00
97-112	6.90	5.85	593-608	33.10	32.00
113-128	7.70	6.75	609-624	33.90	33.00
129-144	8.65	7.65	625-640	34.60	33.50
145-160	9.50	8.50	641-656	35.40	34.50
161-176	10.40	9.30	657-672	36.00	35.25
177-192	11.20	10.20	673-688	37.50	36.00
193-208	12.00	11.10	689-704	38.30	37.00
209-224	12.80	11.80	705-720	38.80	38.00
225-240	13.60	12.60	721-736	40.25	38.50
241-257	14.50	13.30	737-752	40.75	39.75
258-272	15.40	14.20	753-768	41.75	40.25
273-288	16.30	15.20	769-784	42.25	41.50
289-304	17.00	16.00	785-800	43.00	42.25
305-320	17.90	16.80	801-816	43.75	42.75
321-336	18.70	17.60	817-832	44.75	43.75
337-352	19.60	18.60	833-848	45.75	44.50
353-368	20.40	19.40	849-864	46.50	45.25
369-384	21.30	20.30	865-880	47.25	46.50
385-400	22.00	21.10	881-896	47.75	47.00
401-416	22.80	21.80	897-912	49.25	47.75
417-432	23.90	22.70	913-928	49.75	49.25
433-448	24.60	23.60	929-944	50.50	49.75
449-464	25.50	24.40	945-960	51.50	50.25
465-480	26.00	25.20	961-976	52.50	51.25
481-496	27.10	26.00	977-992	53.50	52.00

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MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Mineral Resources Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Oxford Resources Pty Ltd
 Location: Mulgathing area—Approximately 60 km north-west of Tarcoola.
 Term: 1 year
 Area in km²: 465
 Ref.: 137/02

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

Dated 21 November 2002.

H. TYRTEOS, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Mineral Resources Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: MIM Exploration Pty Ltd
 Location: Maitland area—Approximately 40 km south of Kadina.
 Term: 1 year
 Area in km²: 383
 Ref.: 129/02

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

Dated 21 November 2002.

H. TYRTEOS, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Mineral Resources Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Southern Titanium NL
 Location: Meribah area—Approximately 150 km east-north-east of Murray Bridge.
 Term: 1 year
 Area in km²: 1 271
 Ref.: 145/02

Plan and co-ordinates can be found on the PIRSA Sarig website: <http://www.minerals.pir.sa.gov.au/sarig> or by phoning Mineral Tenements on (08) 8463 3103.

Dated 21 November 2002.

H. TYRTEOS, Mining Registrar

MOTOR VEHICLES ACT 1959

Recognised Historic Motor Vehicle Club

NOTICE is hereby given that the undermentioned club is recognised as an historic motor vehicle club in accordance with Schedule 1, Clause 3 (3) (a) of the Motor Vehicles Regulations, for the purposes of section 25 of the Motor Vehicles Act 1959:

Land Rover Heritage Society Incorporated.

Dated 14 November 2002.

R. J. FRISBY, Registrar of Motor Vehicles

PETROLEUM ACT 2000

Suspension of Petroleum Exploration Licences PEL 135 and 136

Office of Minerals and Energy Resources,
 Adelaide, 11 November 2002

NOTICE is hereby given that the abovementioned Petroleum Exploration Licences have been suspended under the provisions of the Petroleum Act 2000, from and including 7 November 2002 to 6 May 2003, pursuant to delegated powers dated 28 March 2002, *Gazetted* 11 April 2002, page 1573.

The expiry date of Petroleum Exploration Licences PEL 135 and PEL 136 is now determined to be 7 May 2007.

B. A. GOLDSTEIN, Director Petroleum, Office of Minerals and Energy Resources. Delegate of the Minister for Mineral Resources Development.

RETIREMENT VILLAGES ACT 1987

Notice of Exemption

TAKE notice that I, Stephanie Wendy Key, Minister for Social Justice, pursuant to subsection (2) of section 4 of the Retirement Villages Act 1987 ('the Act') hereby exempt the organisation specified in Schedule 1 from subsection (3) of section 10AAA of the Act, subject to the condition set out in Schedule 2.

SCHEDULE 1

Elderly Citizens' Homes of SA Inc.

SCHEDULE 2

Interim financial statements presented pursuant to section 10AAA of the Act may be prepared in a consolidated format for all retirement village accommodation administered by the abovementioned authority and need not specifically relate to the site at which the relevant resident or residents reside, as prescribed by Regulation 7 of the Retirement Villages Regulations 2002.

Dated 7 November 2002.

STEPHANIE KEY, Minister for Social Justice

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—Balranald Street, Sutherland Road and Douglas Street, Ferryden Park

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the DEVELOPMENT ASSESSMENT COMMISSION proposes to make a Road Process Order to close and transfer to the SOUTH AUSTRALIAN HOUSING TRUST portions of Balranald Street, Sutherland Road and Douglas Street adjoining allotment 91 in Deposited Plan 4969 and allotments 14, 45, 46, 47 and 48 in Deposited Plan 4972, more particularly delineated and lettered 'A', 'B' and 'C' (respectively) in Preliminary Plan No. 02/0039.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the City of Port Adelaide Enfield situated in the Civic Centre, 163 St Vincent Street, Port Adelaide and in the libraries at Enfield, Greenacres and Parks and the office of the Surveyor-General, 101 Grenfell Street, Adelaide during normal office hours.

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 Development Assessment Commission, 136 North Terrace, Adelaide, S.A. 5000, WITHIN 28 DAYS OF THIS NOTICE and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Development Assessment Commission will give notification of a meeting at which the matter will be considered.

Commission Contact: Ms Gabrielle McMahan, telephone 8303 0744.

Dated 21 November 2002.

P. M. KENTISH, Surveyor-General

SOIL CONSERVATION AND LAND CARE ACT 1989

Appointments

I, JOHN DAVID HILL, Minister for Environment and Conservation in the State of South Australia to whom the administration of the Soil Conservation and Land Care Act 1989, has been committed, do hereby appoint the following people as members of the Kingoonya Soil Conservation Board, pursuant to section 24 of the Act until 30 December 2003:

John Read
Richard John Armour
Richard Giles Mould
Colin Baden Greenfield
Michael Andrew Simons
Paul Douglas Blight
Julie Mould

Dated 20 October 2002.

J. HILL, Minister for Environment and Conservation

SOIL CONSERVATION AND LAND CARE ACT 1989

Appointments

I, JOHN DAVID HILL, Minister for Environment and Conservation in the State of South Australia to whom the administration of the Soil Conservation and Land Care Act 1989, has been committed, do hereby appoint the following people as members of the Marree Soil Conservation Board, pursuant to section 24 of the Act until 30 December 2003:

Catriona Ruth McTaggart
Josephine Maree Morton
Shane Michael Oldfield
Kenneth David Ogilvy
Janet Crommelin Brook
Anne Elizabeth Scammell

Christine Mary Crafter is the Government Representative.

Dated 20 October 2002.

J. HILL, Minister for Environment and Conservation

NOTICE TO MARINERS

No. 55 of 2002

Victoria/South-East South Australia (Otway Basin) Marine Seismic Survey

SANTOS LTD will be carrying out a 2D Seismic Survey in south-east South Australia and south-west Victorian waters commencing mid-November 2002 for approximately 2 weeks.

The seismic vessel, Multiwave's S.V. *Polar Duke*, will be involved in survey operations 24 hours per day.

This involves towing a single 7 200 m streamer and airgun array behind the vessel at an average speed of 4.6 knots. The end of the streamer is marked with a yellow plastic tail-buoy equipped with radar reflector and quick flashing light.

The area is defined by the 20 m isobath and the following WGS84 co-ordinates:

Latitude 38°03'S, longitude 140°52'E
Latitude 38°27'S, longitude 140°43'E
Latitude 38°41'S, longitude 141°14'E
Latitude 38°25'S, longitude 141°27'E

Mariners are advised to exercise caution and keep well clear of the survey area during the periods specified, as the vessel has limited steering capabilities whilst operations are in progress. There is potential for snagging of the streamer if vessels approach too close.

Navy charts affected: Aus 348

Adelaide, 11 November 2002.

M. WRIGHT, Minister for Transport

TSA 2002/00309

REGULATIONS UNDER THE FOOD ACT 2001

No. 216 of 2002

*At the Executive Council Office at Adelaide, 21 November 2002*PURSUANT to the *Food Act 2001* and with the advice and consent of the Executive Council, I make the following regulations.

BRUNO KRUMINS, Governor's Deputy

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

LEA STEVENS, Minister for Health

SUMMARY OF PROVISIONS**PART 1
PRELIMINARY**

1. Citation
2. Commencement
3. Interpretation

**PART 2
PROVISIONS RELATING TO ADMINISTRATION OF ACT**

4. Prescription of enforcement agencies
5. Head of enforcement agency
6. Prescription of public institutions
7. Meaning of "primary food production"
8. Application of Act to water suppliers

**PART 3
ADOPTION OF FOOD STANDARDS CODE**

9. Adoption of Food Standards Code

**PART 4
MISCELLANEOUS**

10. Notification of food business
 11. Inspection fee
 12. Specific provision relating to meat
 13. Application of Act to certain food businesses
 14. Transitional provision—Notification of food business
 15. Transitional provision—Authorised officers
 16. Revocation of regulations
-

PART 1
PRELIMINARY

Citation

1. These regulations may be cited as the *Food Regulations 2002*.

Commencement

2. (1) Subject to subregulations (2) and (3), these regulations will come into operation on the day on which the *Food Act 2001* comes into operation.

(2) Regulations 4(2), (3), (4) and (5), 10 and 14 will come into operation on 1 September 2003.

(3) Regulation 11 will come into operation on 1 January 2003.

Interpretation

3. In these regulations—

"**Act**" means the *Food Act 2001*;

"**constituent council**" has the same meaning as in the *Local Government Act 1999*;

"**Department**" means the department of the Minister to whom the administration of the Act has been committed;

"**relevant regulatory subsidiary**" means a regional subsidiary established by two or more councils under the *Local Government Act 1999* in connection with the operation and enforcement of the *Food Act 1985* or the *Food Act 2001*;

"**small business**" means a business where not more than 20 people are engaged in handling food (and for the purposes of this definition the relevant number of people will be determined by counting people who work full-time in handling food, or the full-time equivalents of such people).

PART 2
PROVISIONS RELATING TO ADMINISTRATION OF ACT

Prescription of enforcement agencies

4. (1) For the purposes of the definition of "**enforcement agency**" under the Act—

- (a) the Department; and
- (b) all municipal and district councils under the *Local Government Act 1999*; and
- (c) all relevant regulatory subsidiaries,

are prescribed.

(2) For the purposes of section 86 of the Act—

- (a) if a food business is conducted outside the area of a council, then the Department is prescribed as the **appropriate enforcement agency** with respect to that food business;
- (b) if a food business is conducted in one, and only one, council area, then the relevant local government authority is prescribed as the **appropriate enforcement agency** with respect to that food business;
- (c) if a food business is conducted in more than one council area, then the relevant local government authority for each council area where the food business is conducted is prescribed as an **appropriate enforcement agency** with respect to that food business.

(3) For the purposes of subregulation (2)—

- (a) if a food business is a food transport business, then that business will be taken to be conducted—
 - (i) at a depot used for the purposes of the food transport business; or
 - (ii) if there is no such depot, at the place where the vehicles used for the purposes of the food transport business are principally based or, if there is no such place, at each place where a vehicle used for the purposes of the business is usually parked when not in use;
- (b) if a food business (not being a food transport business) involves the preparation of food in one or more locations and then the transportation or delivery of the food to another place or places, then that business will be taken to be conducted at any location where the food is prepared;
- (c) in any other case, a food business will be taken to be conducted at any place where food intended for sale is handled, or where food is sold, on a permanent or regular basis.

(4) For the purposes of subregulation (2) the **relevant local government authority** is—

- (a) if a relevant regulatory subsidiary has been established in relation to the relevant area—that subsidiary;

(b) in any other case—the council established under the *Local Government Act 1999* in relation to the relevant area.

(5) In this regulation—

"**council area**" means—

(a) if a relevant regulatory subsidiary has been established in relation to the relevant area—the combined area of the areas of the subsidiary's constituent councils;

(b) in any other case—the area of a council established under the *Local Government Act 1999*;

"**food transport business**" means a business that involves the transport of food for fee or reward through the use of a food transport vehicle.

Head of enforcement agency

5. For the purposes of the definition of "**head of an enforcement agency**" under the Act—

(a) the chief executive of the Department is prescribed as the head of that enforcement agency; and

(b) the chief executive officer of a municipal or district council under the *Local Government Act 1999*, other than where the council is constituent council of a relevant regulatory subsidiary, is prescribed as the head of that enforcement agency; and

(c) the person designated by the constituent councils of a relevant regulatory subsidiary as the principal officer of the subsidiary is prescribed as the head of that enforcement agency.

Prescription of public institutions

6. For the purposes of the definition of "**public institution**" under the Act—

(a) public hospitals; and

(b) correctional institutions within the meaning of the *Correctional Services Act 1982*,

are prescribed.

Meaning of "primary food production"

7. The following Acts are prescribed for the purposes of section 7(1) of the Act:

(a) the *Dairy Industry Act 1992*; and

(b) the *Meat Hygiene Act 1994*.

Application of Act to water suppliers

8. Pursuant to subsection (2)(c) of section 11 of the Act, the following bodies and persons are prescribed for the purposes of that section:

(a) councils; and

(b) a person employed or engaged by a council to supply water for human consumption; and

- (c) NRG Flinders Operating Services Pty. Ltd., in relation to the supply of water at Leigh Creek;
and
- (d) a Joint Venturer under the *Roxby Downs (Indenture Ratification) Act 1982*, in relation to the supply of water within the area of the District Council of Roxby Downs.

PART 3
ADOPTION OF FOOD STANDARDS CODE

Adoption of Food Standards Code

9. (1) Subject to subregulation (2), the Australia New Zealand Food Standards Code as defined in the *Food Standards Australia New Zealand Act 1991* of the Commonwealth (as that code is in force from time to time) is adopted for the purposes of the definition of "**Food Standards Code**" under the Act.

(2) The code referred to in subregulation (1) is adopted with the following modifications:

(a) Volume 1 of the code is modified in the same manner as it was modified by items 8 and 10 of Schedule 1 of the *Food Regulations 1986* immediately before the repeal of the *Food Act 1985* by the *Food Act 2001*¹;

(b) Volume 2 of the code is modified—

(i) by inserting after subclause (1) of clause 4 of Standard 2.5.1 the following subclause:

(1a) Subclause 4(2) does not apply to goat's milk.;

(ii) by inserting after the present contents of clause 3 of Standard 3.1.1 the following subclause:

(2) However, this Chapter does not apply to a food business to the extent that the food business is constituted by—

(a) an activity or process that is regulated by or under the *Dairy Industry Act 1992* or the *Meat Hygiene Act 1994*; or

(b) an activity or process that is exempt from the operation of Parts 5, 7 and 8 of the *Food Act 2001* by virtue of the operation of regulation 13 of the *Food Regulations 2002*,

(even if the activity or process involves the substantial transformation of food).;

(iii) by striking out Standard 3.2.1 (*Food Safety Programs*);

(iv) by inserting after subclause (2) of clause 3 of Standard 3.2.2 the following subclause:

(3) This clause comes into operation in the State of South Australia on 1 December 2003.;

(v) by inserting after subclause (4) of clause 4 of Standard 3.2.2 the following subclauses:

(5) This clause comes into operation in the State of South Australia on 1 September 2003.

(6) This clause operates in the State of South Australia subject to the provisions of regulation 14 of the *Food Regulations 2002*.

- ¹ Item 8 provides for the substitution of Standard H1 (and relates to milk and liquid milk products) and item 10 provides for the variation of Standard H5 (and relates to goat's milk).

PART 4
MISCELLANEOUS

Notification of food business

10. For the purposes of section 86(3) of the Act, the prescribed period is 14 days after the date of the transfer or change (as the case may be).

Inspection fee

11. (1) An enforcement agency may impose an inspection fee for the carrying out of any inspection of any premises or food transport vehicle by an authorised officer appointed by the enforcement agency reasonably required in connection with the operation or administration of the Act.

(2) A fee under subregulation (1)—

(a) must not exceed the reasonable costs of the enforcement agency with respect to the inspection by the authorised officer and in any event must not exceed—

(i) in the case of a small business—\$80;

(ii) in any other case—\$200; and

(b) may be recovered by the enforcement agency as a debt from the occupier of the premises, or from the owner or operator of the food transport vehicle (as the case may be).

Specific provision relating to meat

12. (1) Pursuant to section 113(2)(b) of the Act, a person must not sell for human consumption the meat of an animal that is not referred to in the definition of "**meat**" in the Food Standards Code.

Maximum penalty: \$2 500.

Expiation fee: \$210.

(2) Subregulation (1) does not apply to or in relation to—

(a) game; or

(b) the meat of a crocodile.

(3) Subregulation (1) does not apply if the food in question is to be exported to another country.

(4) In this regulation—

"**game**" means a goat, rabbit, hare, kangaroo, wallaby or bird that has not been confined or husbanded in any way;

"**meat**" includes the flesh of an animal.

Application of Act to certain food businesses

13. (1) Pursuant to section 113(2)(p) of the Act, Parts 5, 7 and 8 of the Act do not apply to a person undertaking on farm land or on a boat an activity or process that constitutes a food business for the purposes of the Act (even if the activity or process involves the substantial transformation of food).

(2) Subregulation (1) does not apply insofar as any activity or process involves—

(a) the packing or treating of food in circumstances within the ambit of section 7(2)(b) of the Act;
or

(b) the handling of food that is to be sold directly to the public.

(3) In this regulation—

"boat" includes any form of vessel;

"farm land" means land (including land covered wholly or partially by water) used wholly or mainly for the purposes of primary production.

Transitional provision—Notification of food business

14. (1) This regulation contains provisions of a transitional nature consequent on the commencement of section 86 of the Act.

(2) The proprietor of a food business that commences operations between 1 September 2003 and 30 November 2003 (inclusive) is not required to provide the notice required by subsection (1) of section 86 of the Act until 1 December 2003 (and the proprietor may conduct that business until that date despite the provisions of that subsection).

(3) If subsection (3) of section 86 of the Act applies with respect to a food business between 1 September 2003 and 30 November 2003 (inclusive), the prescribed period under that subsection for giving notice of the relevant transfer or change is the period ending on 1 December 2003 or the period of 14 days after the date of the transfer or change, whichever is the longer.

Transitional provision—Authorised officers

15. (1) A person holding office as an authorised officer under the *Food Act 1985* immediately before the commencement of this regulation will be taken to have been appointed as an authorised officer for the purposes of the *Food Act 2001* (and section 94(1) of the Act will not apply with respect to such a person).

(2) A certificate of authority under the *Food Act 1985* held by an authorised officer within the ambit of subregulation (1) will be taken to be a certificate of authority provided under section 95 of the *Food Act 2001*.

Revocation of regulations

16. The following regulations are revoked:

(a) *Food Regulations 1986*;

(b) *Food Hygiene Regulations 1990*.

REGULATIONS UNDER THE ROAD TRAFFIC ACT 1961

No. 217 of 2002

At the Executive Council Office at Adelaide, 21 November 2002

PURSUANT to the *Road Traffic Act 1961* and with the advice and consent of the Executive Council, I make the following regulations.

BRUNO KRUMINS, Governor's Deputy

PURSUANT to section 10AA(2) of the *Subordinate Legislation Act 1978*, I certify that, in my opinion, it is necessary or appropriate that the following regulations come into operation as set out below.

M. J. WRIGHT, Minister for Transport

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Insertion of Part 1A

**PART 1A
ROAD CLOSURE**

- 6A. Definitions for Part 1A
- 6B. Event management plan
- 6C. Advertisements
- 6D. Information to be available from council

Citation

1. The *Road Traffic (Miscellaneous) Regulations 1999* (see *Gazette* 25 November 1999 p. 2690), as varied, are referred to in these regulations as "the principal regulations".

Commencement

2. These regulations will come into operation on the day on which section 16 of the *Statutes Amendment (Transport Portfolio) Act 2001* comes into operation.

Insertion of Part 1A

3. The following Part is inserted after regulation 6 of the principal regulations:

**PART 1A
ROAD CLOSURE****Definitions for Part 1A**

6A. In this Part—

"**council area**" means a municipality or district council district;

"**event**" means an event—

- (a) to which section 33 of the Act has been declared to apply; or
- (b) in relation to which application has been made to the Minister for a declaration that section 33 is to apply.

Event management plan

6B. (1) For the purposes of section 33(1) of the Act, the Minister may require an applicant seeking an order for either or both of the following:

- (a) closure of a road;
- (b) exemption of persons from the duty to observe an enactment, regulation or by-law,

to provide the Minister with an **event management plan**.

(2) The event management plan must be prepared in consultation with—

- (a) the Commissioner of Police; or
- (b) the Commissioner of Highways; or
- (c) each council within whose area the event is to take place,

as the Minister directs.

(3) The event management plan must specify the person with primary responsibility for the following tasks, and the time at which the tasks are to be carried out or completed, as may be necessary:

- (a) the provision, placement, erection and dismantling of traffic control devices;
- (b) the placement of advance warning signs;
- (c) the provision and distribution of written material advising of the road closure, as well as any necessary additional information, to members of the public likely to be affected by the closure, including—
 - (i) local residents; and
 - (ii) proprietors of local businesses; and
 - (iii) persons who pay council rates on local property but do not use the property as a principal place of residence;
- (d) the fulfilment of other conditions the Minister thinks fit to impose under section 33(4) of the Act.

Advertisements

6C. (1) For the purposes of section 33(3) of the Act, an order to close a road must be advertised at least 2 clear days before the order takes effect in the following manner:

- (a) if the Minister is of the opinion that closure of the road will not substantially affect road users—
 - (i) in another council area adjoining the council area within which the road to be closed is situated; or

- (ii) on a road under the care, control and management of the Commissioner of Highways,

notice of the order is to be placed in a newspaper circulated in the vicinity of the road that is to be closed;

- (b) if the Minister is of the opinion that closure of the road will substantially affect road users—

- (i) in another council area adjoining the council area within which the road to be closed is situated; or

- (ii) on a road under the care, control and management of the Commissioner of Highways,

notice of the order is to be placed in one or more newspapers as determined by the Minister after the applicant has engaged in the required consultations.

- (2) For the purposes of subregulation (1)(b), the required consultations are—

- (a) consultations with the councils for the council areas within which the road to be closed is situated; and

- (b) consultations with the councils for any other council areas within which road users will be substantially affected by the closure; and

- (c) if road users on a road under the care, control and management of the Commissioner of Highways will be substantially affected by the closure, consultations with the Commissioner of Highways; and

- (d) where the Minister directs, consultations with the Commissioner of Police.

- (3) A notice in accordance with subregulation (1) must—

- (a) identify the name of the road to be closed and the council area or council areas within which the road is situated; and

- (b) if the road closure order applies to only part of a road, identify the section of the road to be closed; and

- (c) specify the date on which the road is to be closed; and

- (d) specify the period of time during which the road is to be closed; and

- (e) identify all roads that will be inaccessible by vehicle as a result of the closure; and

- (f) include the name and telephone number of a person from whom further details regarding the road closure can be obtained; and

- (g) include, where possible—
 - (i) the email address of a person from whom further information regarding the road closure can be obtained; or
 - (ii) the address of a website from which further information regarding the road closure can be obtained; and
- (h) include advice of any order that has been made under section 33(1)(b) of the Act exempting persons from the duty to observe an enactment, regulation or by-law.

Information to be available from council

6D. The Minister must ensure that every council within whose area a road to be closed is situated is provided with the following information, which is to be kept available for inspection by members of the public at the office of the council until the event has taken place:

- (a) the name of every road that will be inaccessible by vehicle as a result of the closure;
- (b) the duration of the closure;
- (c) if an order has been made under section 33(1)(b) of the Act exempting persons from the duty to observe an enactment, regulation or by-law, particulars of the order;
- (d) a copy of the road closure order;
- (e) if a traffic management plan has been prepared in relation to the road closure, a copy of that plan;
- (f) if an event management plan has been prepared, a copy of that plan;
- (g) other relevant documentation.

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Fax transmission: (08) 8207 1040
Enquiries: (08) 8207 1045

CITY OF BURNSIDE

Supplementary Election for Kensington Gardens & Magill Ward—Nominations Received

NOTICE is hereby given that at the close of nominations at 12 noon on 14 November 2002, the following persons have been accepted as candidates and are listed in the order in which they will appear on the ballot paper:

Councillor for Kensington Gardens & Magill Ward—
(1 vacancy)
Jacobsen, Jim
Obst, Corey
Caruso, Mario
Cornish, Peter
Hignett, Kay
Coleman, Mark

Postal Voting

The election will be conducted entirely by postal voting. No polling booth will be open for voting on polling day. Voting is not compulsory.

Voting material will be dispatched by post to every natural person, body corporate and group listed on the voters roll as at roll closure on 30 September 2002.

The mailout will commence on 26 November with all voting materials to be delivered by 2 December 2002.

A person who has not received voting material by 2 December 2002 and who believes that he or she is entitled to vote should apply to the State Electoral Office on 8401 4351.

A pre-paid addressed envelope for each elector entitlement will be provided. Completed ballot material must be returned to reach the Returning Officer no later than 12 noon on Monday, 16 December 2002.

A ballot box will be provided at the Council Office, 401 Greenhill Road, Tusmore for electors who wish to personally deliver their completed ballot material during office hours.

Place of Counting Votes

The scrutiny and counting of votes will take place at the City of Burnside Civic Centre, 401 Greenhill Road, Tusmore as soon as practicable after 1 p.m. on Monday, 16 December 2002. A provisional declaration will be made at the conclusion of the election count.

Campaign Donations Return

All candidates must forward a campaign donations return to the council Chief Executive Officer within six weeks after the conclusion of the election.

STEVE TULLY, Returning Officer

CITY OF CHARLES STURT

Classification of Land as Community Land

NOTICE is hereby given that council at its meeting held on 28 October 2002, resolved pursuant to section 193 (5) of the Local Government Act 1999, that the Henley Square Car Park located at 259-267 Seaview Road, Henley Beach is classified as community land.

P. LOCKETT, Chief Executive

CITY OF MOUNT GAMBIER

Supplementary Election for Mayor—Nominations Received

NOTICE is hereby given that at the close of nominations at 12 noon on Thursday, 14 November 2002, the following persons have been accepted as candidates and are listed in the order in which they will appear on the ballot paper:

Councillor for Mayor—(1 vacancy)
Pearson, Hugh H
Perryman, Steve
Allen, John

Postal Voting

The election will be conducted entirely by postal voting. No polling booth will be open for voting on polling day. Voting is not compulsory.

Voting material will be dispatched by post to every natural person, body corporate and group listed on the voters roll as at roll closure on Monday, 30 September 2002.

The mailout will commence on Tuesday, 26 November, with all voting materials to be delivered by Monday, 2 December 2002.

A person who has not received voting material by Monday, 2 December 2002 and who believes that he or she is entitled to vote should apply to the Australian Electoral Commission Divisional Office of Barker on (08) 8723 1366.

A pre-paid addressed envelope for each elector entitlement will be provided. Completed ballot material must be returned to reach the Deputy Returning Officer no later than 12 noon on Monday, 16 December 2002.

A ballot box will be provided at the Australian Electoral Commission Divisional Office of Barker, 2 Mitchell Street, Mount Gambier for electors who wish to personally deliver their completed ballot material during office hours.

Place of Counting Votes

The scrutiny and counting of votes will take place at the Australian Electoral Commission Divisional Office of Barker, 2 Mitchell Street, Mount Gambier as soon as practicable after 12 noon on Monday, 16 December 2002. A provisional declaration will be made at the conclusion of the election count.

Campaign Donations Return

All candidates must forward a campaign donations return to the council Chief Executive Officer within six weeks after the conclusion of the election.

STEVE TULLY, Returning Officer

CITY OF NORWOOD PAYNEHAM & ST PETERS

Casual Vacancy

NOTICE is hereby given in accordance with section 54(6) of the Local Government Act 1999, that a vacancy has occurred for the office of Councillor for the Payneham Ward, due to the failure of a member to submit a return in accordance with section 54(4) of the Local Government Act 1999, to take effect from 29 October 2002.

M. BARONE, Chief Executive Officer

Close of Roll for Supplementary Election

NOTICE is hereby given that due to the failure of a member to submit a return in accordance with section 54(4) of the Local Government Act 1999, a supplementary election will be necessary to fill the vacancy of Councillor for the Payneham Ward.

The voters roll to conduct this supplementary election will close at 5 p.m. on Friday, 29 November 2002.

Nominations to fill the vacancy will open on Tuesday, 24 December 2002 and will be received up until 12 noon on Thursday, 16 January 2003.

The election will be conducted entirely by post with the return of ballot material to reach the Returning Officer no later than 12 noon on Monday, 17 February 2003.

STEVE TULLY, Returning Officer

CITY OF PLAYFORD

ROADS (OPENING AND CLOSING) ACT 1991

Walkway between Midway Road and Burdon Street, Elizabeth Park

NOTICE is hereby given that the City of Playford, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, proposes to make a Road Process Order to close the whole of road (Walkway) between Midway Road and Burdon Street, Elizabeth Park adjoining allotments 50 in Deposited Plan 44649 and 582 in Deposited Plan 6711, more particularly delineated as 'A' and 'B' in Preliminary Plan No. 02/0115.

Portion of closed road lettered 'A' is to be transferred to Andrew Robertson McCulloch, 161 Midway Road, Elizabeth Park, S.A. 5113.

Portion of closed road lettered 'B' is to be transferred to the South Australian Housing Trust, Riverside Centre, North Terrace, Adelaide, S.A. 5000, subject to any easements that may be required.

The plan and statement of affected owners may be inspected at the Council's office and the office of the Surveyor-General during normal office hours. Any application for easement or objection must be lodged with the City of Playford, Civic Centre, Warooka Drive, Smithfield, S.A. 5114 and the Adelaide office of the Surveyor-General, 101 Grenfell Street, Adelaide, S.A. 5000, in writing, giving full details within 28 days of this notice.

The City of Playford will give notification of a meeting to deal with any submissions if required.

Dated 13 November 2002.

T. JACKSON, Chief Executive Officer

CITY OF PLAYFORD

ROADS (OPENING AND CLOSING) ACT 1991

Walkway between Woodlands Road and Stratton Road, Elizabeth Downs

NOTICE is hereby given that the City of Playford, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, proposes to make a Road Process Order to close the whole of road (Walkway) between Woodlands Road and Stratton Road, Elizabeth Downs adjoining allotments 155 and 172 in Deposited Plan 9691, more particularly delineated as 'A' and 'B' in Preliminary Plan No. 02/0106.

Portion of closed road lettered 'A' is to be transferred to Gerard Michael Ian Trower and Gloria Jean Trower, 36 Woodlands Road, Elizabeth Downs, S.A. 5113.

Portion of closed road lettered 'B' is to be transferred to Helen Beatrice Williams and John Henry Williams, 37 Stratton Road, Elizabeth Downs, S.A. 5113, subject to any easements that may be required.

The plan and statement of affected owners may be inspected at the Council's office and the office of the Surveyor-General during normal office hours. Any application for easement or objection must be lodged with the City of Playford, Civic Centre, Warooka Drive, Smithfield, S.A. 5114 and the Adelaide office of the Surveyor-General, 101 Grenfell Street, Adelaide, S.A. 5000, in writing, giving full details within 28 days of this notice.

The City of Playford will give notification of a meeting to deal with any submissions if required.

Dated 13 November 2002.

T. JACKSON, Chief Executive Officer

CITY OF PORT ADELAIDE ENFIELD

Conversion of Private Road to Public Road

NOTICE is hereby given pursuant to section 210 (2) (b) of the Local Government Act 1999, that the City of Port Adelaide Enfield intends to declare the private Right-of-way situated between Vassall and Percy Streets, Semaphore, described as allotment 58 in Filed Plan 44295 to be a public road.

A copy of the filed plan indicating the size and location of the private Right-of-way is on display in the Civic Centre, 163 St Vincent Street, Port Adelaide and at the regional offices situated in the Enfield, Greenacres and Parks libraries.

Residents may obtain further information and request that a copy of the plan be posted to them by contacting Gary Baron on Telephone: (08) 8405 6852; Fax: (08) 8405 6666 or email gbaron@portenf.sa.gov.au.

H. J. WIERDA, City Manager

CITY OF TEA TREE GULLY

Periodical Review

NOTICE is hereby given that the City of Tea Tree Gully has reviewed its elector representation arrangements in accordance with the provisions of section 12 of the Local Government Act 1999.

Pursuant to section 12 (13) (a) of the Local Government Act 1999, the Electoral Commissioner has certified that the Periodical Review has complied with the requirements of section 12 of the said Act.

The revised representation arrangements take effect as from the day of the first general election held after the expiration of five months from the publication of this notice.

The revised representation arrangements are as follows:

1. That the composition of the council shall comprise the Mayor, who shall be elected at large by the electors of the city and 12 Councillors who shall be elected by the electors of the individual wards as representatives of the wards.
2. Some of the wards have been marginally revised, however, the number of the wards remain as six.
3. The number of Councillors representing each ward is two.
4. The boundaries of the wards are defined in Schedules 1 to 6 as detailed herein.

THE FIRST SCHEDULE

Pedare Ward: Comprising the whole of the suburbs of Greenwith and Golden Grove and portions of the suburbs of Salisbury East and Salisbury Heights within the area of the municipality of Tea Tree Gully.

THE SECOND SCHEDULE

Hillcott Ward: Comprising the whole of the suburbs of Wynn Vale and Modbury Heights and portions of the suburbs of Para Hills and Gulfview Heights within the area of the municipality of Tea Tree Gully.

THE THIRD SCHEDULE

Drumminor Ward: Comprising the whole of the suburbs of Modbury North, Redwood Park and Ridgehaven within the area of the municipality of Tea Tree Gully.

THE FOURTH SCHEDULE

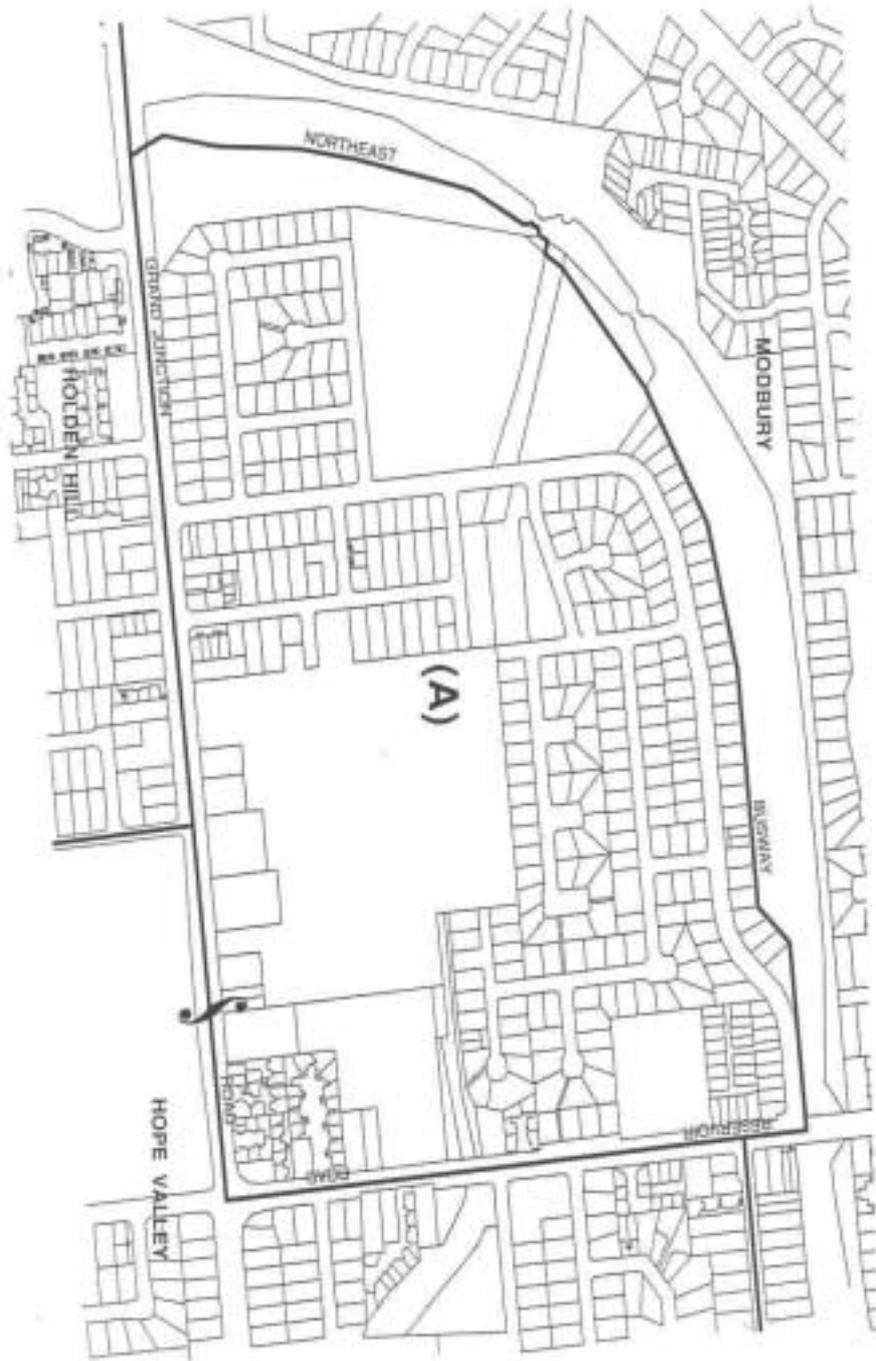
Balmoral Ward: Comprising the whole of the suburbs of Modbury and St Agnes, portions of the suburbs of Valley View, Gilles Plains and Holden Hill, and inclusive of portion of the suburb of Hope Valley more particularly delineated on the plan published herewith and marked 'A', within the area of the municipality of Tea Tree Gully.

THE FIFTH SCHEDULE

Water Gully Ward: Comprising the whole of the suburb of Highbury, portion of the suburb of Dernancourt, and the whole of the suburb of Hope Valley, exclusive of portion more particularly delineated on the plan published herewith and marked 'A', within the area of the municipality of Tea Tree Gully.

THE SIXTH SCHEDULE

Steventon Ward: Comprising the whole of the suburbs of Yatala Vale, Fairview Park, Surrey Downs, Banksia Park, Tea Tree Gully and Vista, and portions of the suburbs of Houghton, Upper Hermitage and Gould Creek within the area of the municipality of Tea Tree Gully.



CITY OF WEST TORRENS

Periodical Review

NOTICE is hereby given that the City of West Torrens has reviewed its elector representation arrangements in accordance with the provisions of section 12 of the Local Government Act 1999.

Pursuant to section 12 (13) (a) of the Local Government Act 1999, the Electoral Commissioner has certified that the Periodical Review has complied with the requirements of section 12 of the said Act. The revised representation arrangements take effect as from the day of the first general election held after the expiration of five months from the publication of this notice.

The revised representation arrangements are as follows:

- a Mayor;
- 14 Ward Councillors;
- seven Wards, the descriptions of which are contained in the schedules that follow;
- each Ward is represented by two Councillors.

THE FIRST SCHEDULE

Lockleys Ward: Comprising portions of the Hundreds of Adelaide and Yatala, County of Adelaide, more particularly delineated on the plan published herewith.

THE SECOND SCHEDULE

Thebarton Ward: Comprising portions of the Hundred of Adelaide, County of Adelaide, more particularly delineated on the plan published herewith.

THE THIRD SCHEDULE

Airport Ward: Comprising portions of the Hundreds of Adelaide and Noarlunga, County of Adelaide, more particularly delineated on the plan published herewith.

THE FOURTH SCHEDULE

Hilton Ward: Comprising portions of the Hundred of Adelaide, County of Adelaide, more particularly delineated on the plan published herewith.

THE FIFTH SCHEDULE

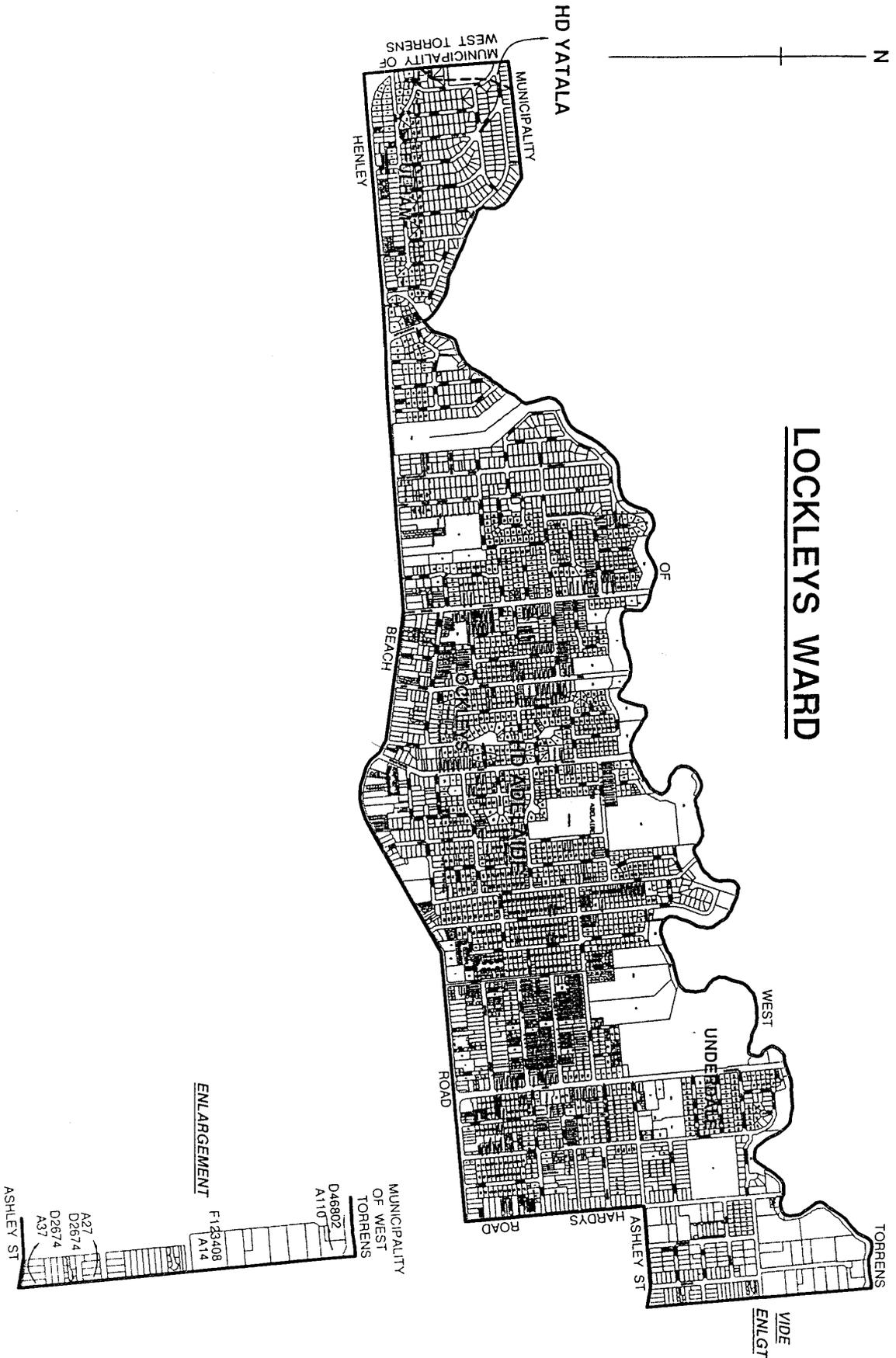
Morphett Ward: Comprising portions of the Hundreds of Adelaide and Noarlunga, County of Adelaide, more particularly delineated on the plan published herewith.

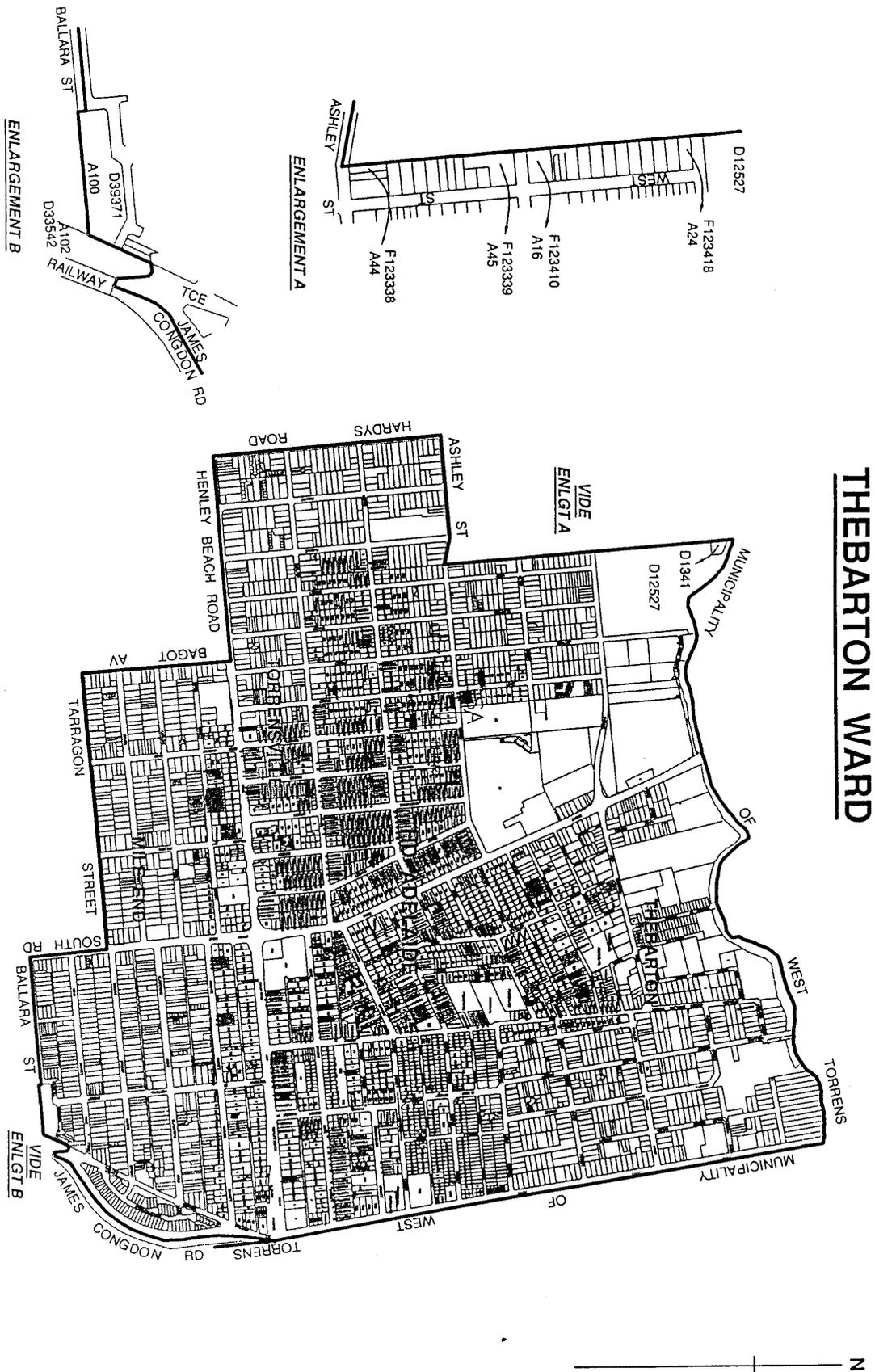
THE SIXTH SCHEDULE

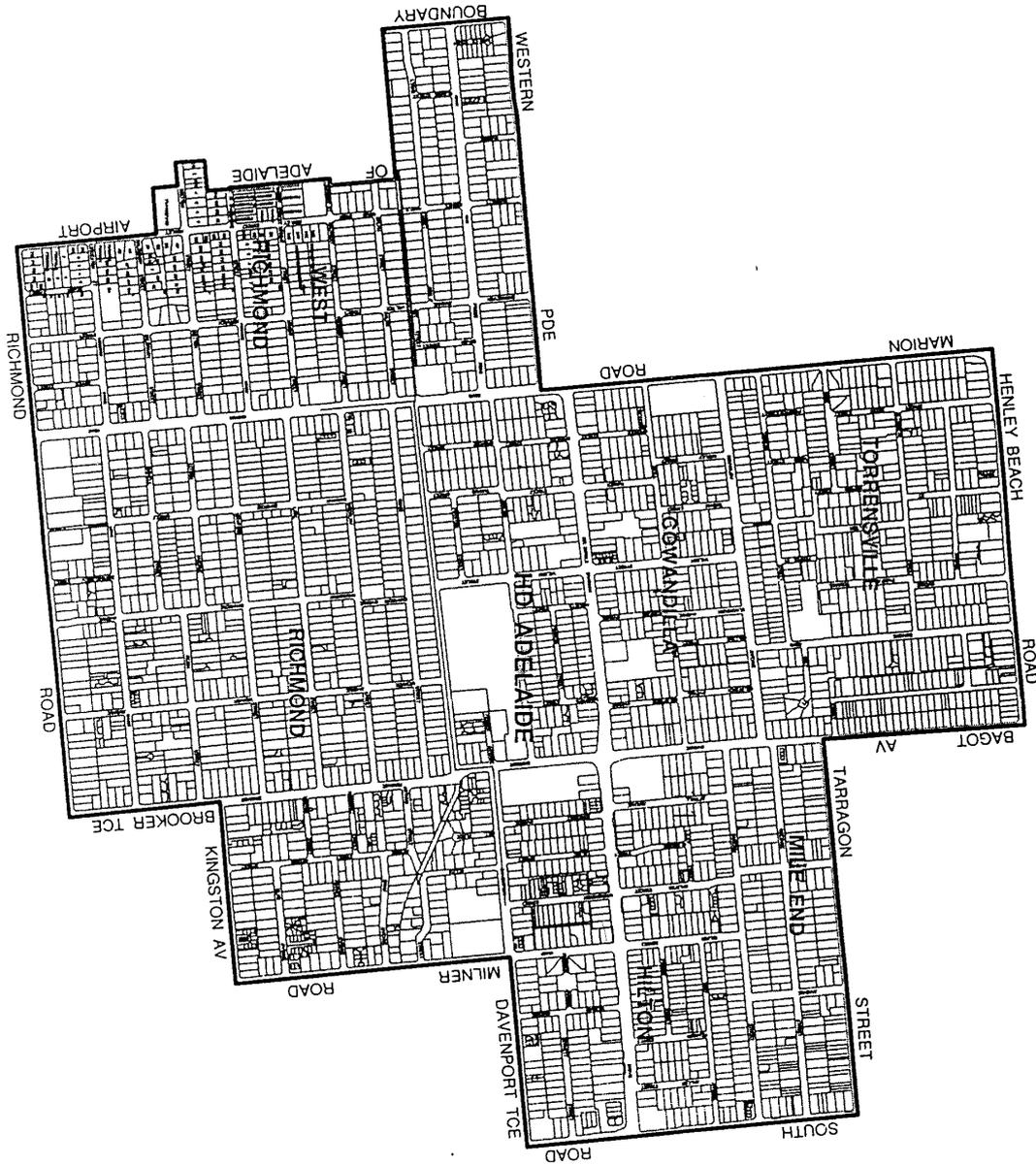
Plympton Ward: Comprising portions of the Hundred of Adelaide, County of Adelaide, more particularly delineated on the plan published herewith.

THE SEVENTH SCHEDULE

Keswick Ward: Comprising portions of the Hundred of Adelaide, County of Adelaide, more particularly delineated on the plan published herewith.

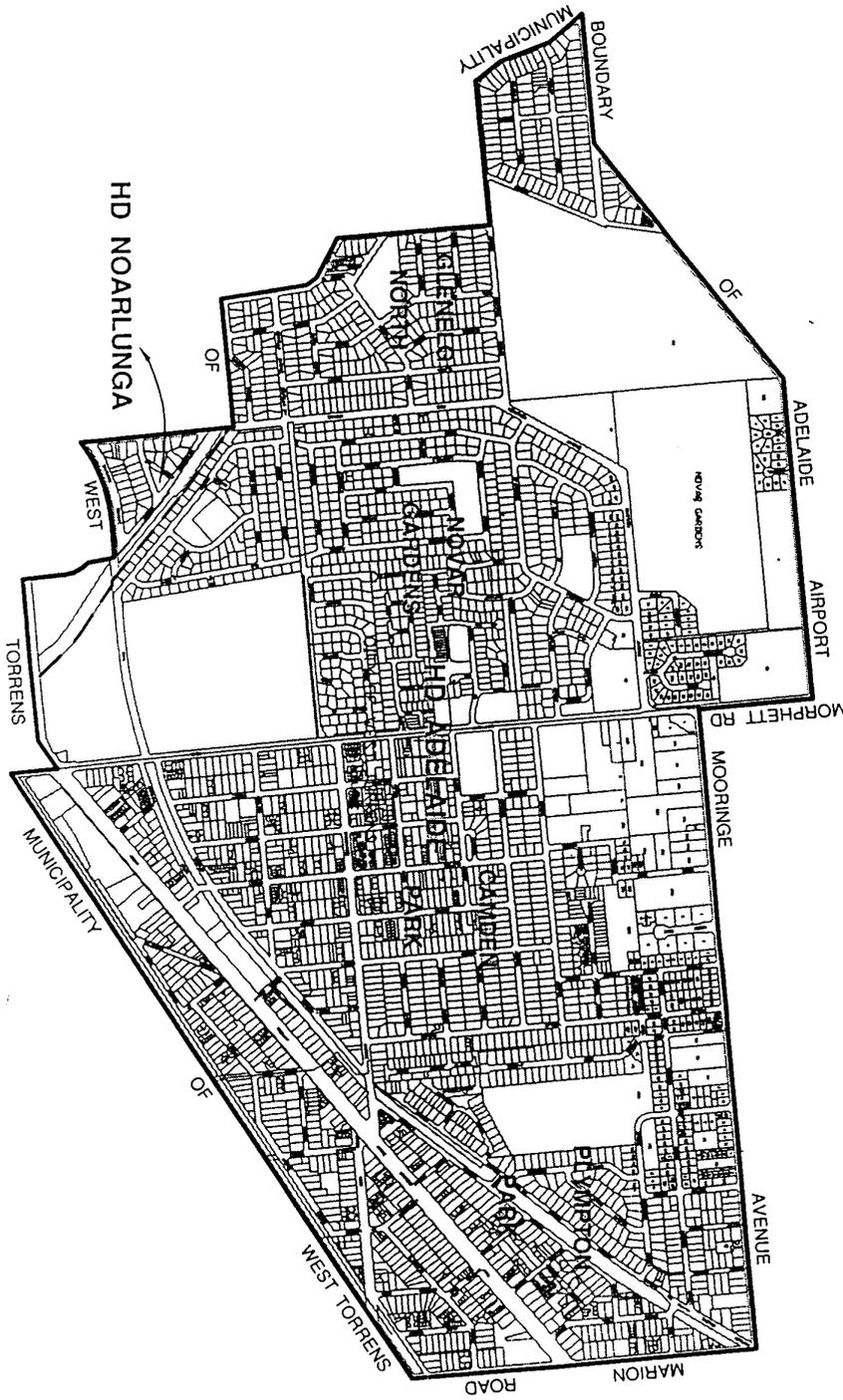






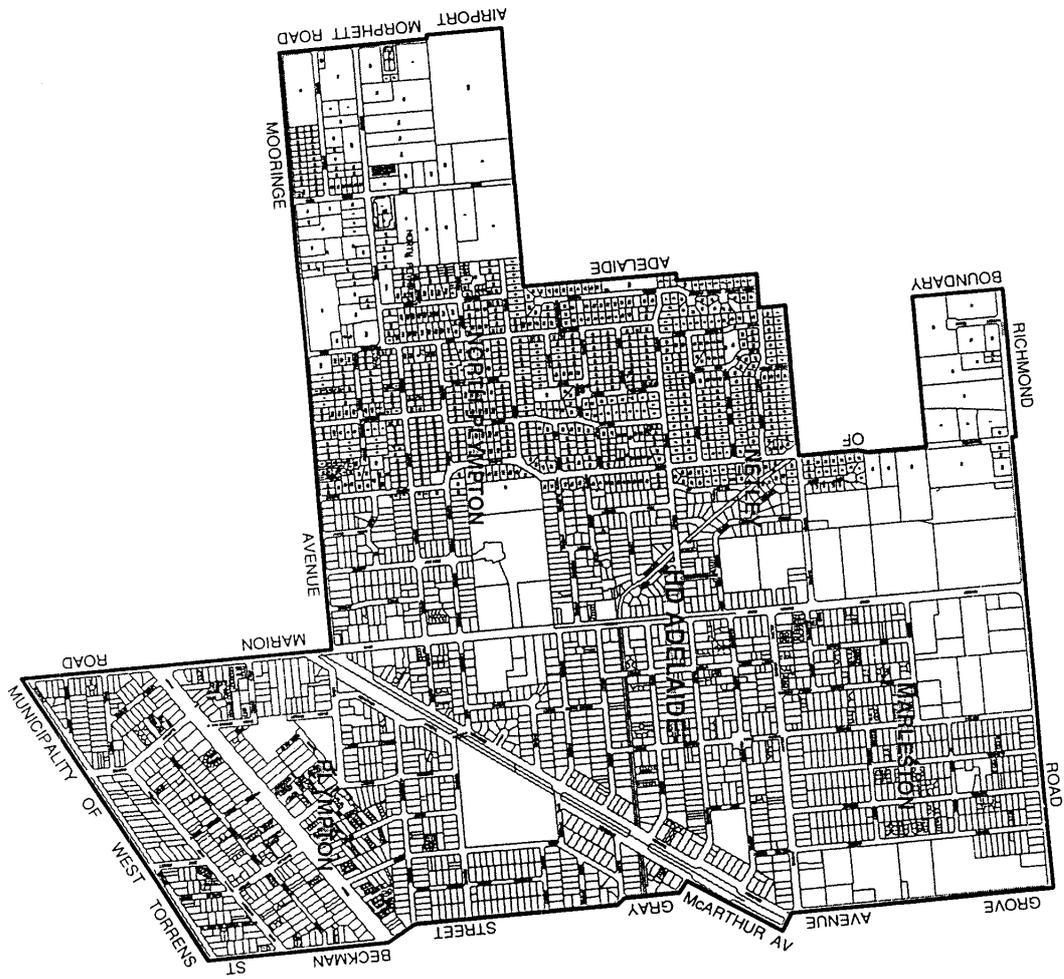
HILTON WARD





MORPHETT WARD

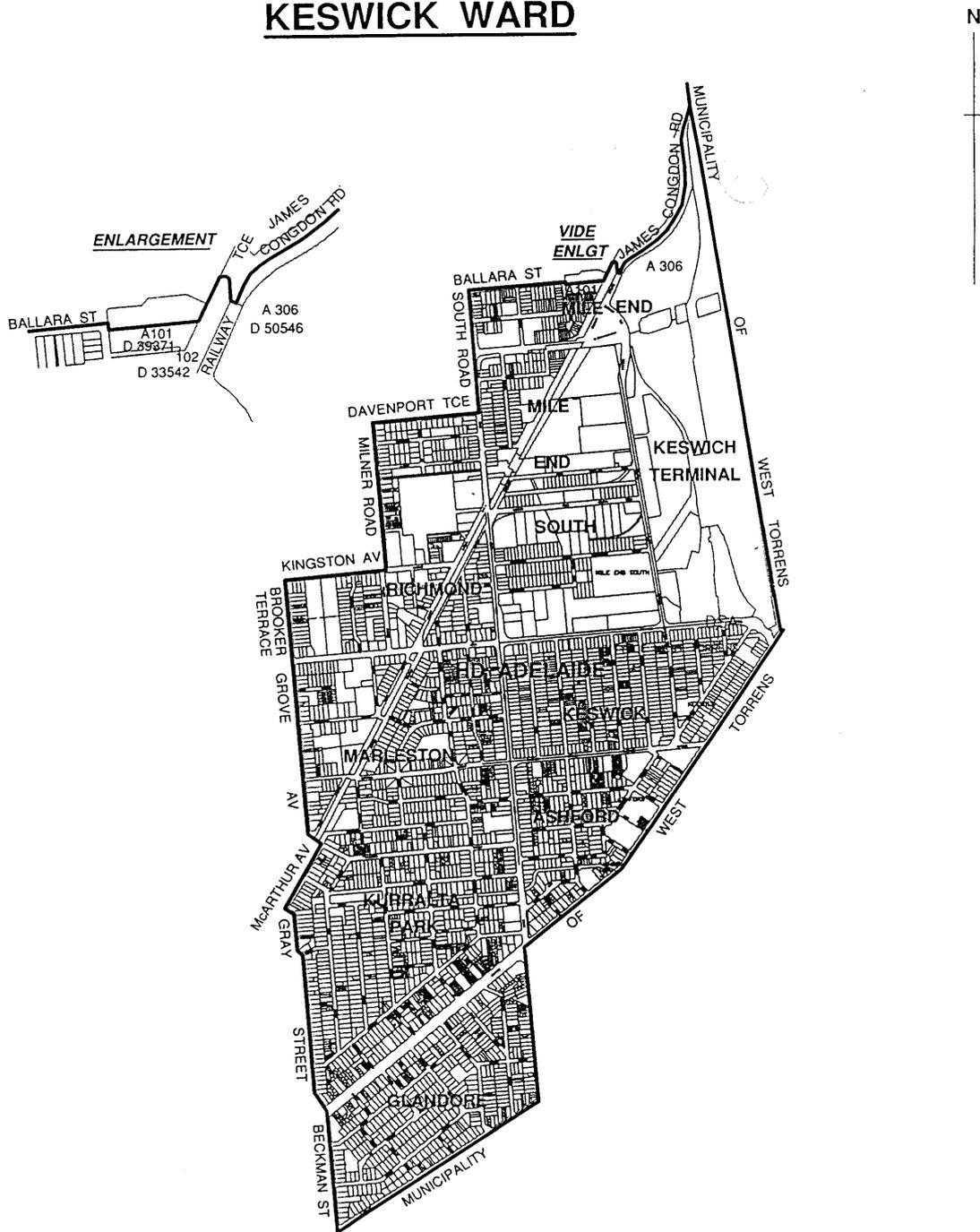




PLYMPTON WARD



KESWICK WARD



Trevor Starr
Chief Executive Officer

CLARE AND GILBERT VALLEYS COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Portion of Archer Street, Auburn

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, the Clare and Gilbert Valleys Council proposes to make a Road Process Order to close that portion of public road between allotment 353 in Filed Plan 211949 and allotment 7 in Filed Plan 103539 (being portion of Archer Street, Auburn), more particularly delineated and marked 'A' in Preliminary Plan No. 02/0125. The portion marked 'A' is to be transferred to the adjacent owner and merged with allotment 353 in Filed Plan 211949 held in certificate of title 5564-63, subject to an easement to the council.

A copy of the preliminary plan and statement of persons affected is available for public inspection at the Council Office, 4 Gleeson Street, Clare or at the Adelaide office of the Surveyor-General during normal office hours.

Any person affected may object to the proposed road process, or apply for an easement to be granted in that person's favour over the land subject to the proposed road closure. Such objection, or application for an easement, must set out the full name and address of the person, and reason for making the objection or application. Any application for an easement must give full particulars of the nature and location of the easement and, where made by a person as the owner of adjoining or nearby land, specify the land to which the easement is to be annexed.

An objection, or application for an easement, must be lodged in writing to the Clare and Gilbert Valleys Council, 4 Gleeson Street, Clare, S.A. 5453, and a copy lodged with the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001 within 28 days of this notice.

Where an objection or application for an easement is made, the council will give notification of a meeting at which the matter will be considered, so that the person making the objection or application may attend, if desired, personally or by a representative.

M. A. GOLDSTONE, Chief Executive Officer

DISTRICT COUNCIL OF FRANKLIN HARBOUR

Supplementary Election for Area Councillor—Nominations Received

NOTICE is hereby given that at the close of nominations at 12 noon on Thursday, 14 November 2002, the following persons have been accepted as candidates and are listed in the order in which they will appear on the ballot paper:

Area Councillor—(1 vacancy)
McFarlane, Rob
Wildman, Alfred Frank
Jackson, Gavin

Postal Voting

The election will be conducted entirely by postal voting. No polling booth will be open for voting on polling day. Voting is not compulsory.

Voting material will be dispatched by post to every natural person, body corporate and group listed on the voters roll as at roll closure on Monday, 30 September 2002.

The mailout will commence on Tuesday, 26 November, with all voting materials to be delivered by Monday, 2 December 2002.

A person who has not received voting material by Monday, 2 December 2002 and who believes that he or she is entitled to vote should apply to the State Electoral Office on 1300 655 232.

A pre-paid addressed envelope for each elector entitlement will be provided. Completed ballot material must be returned to reach the Returning Officer no later than 12 noon on Monday, 16 December 2002.

A ballot box will be provided at the Council Office, 6 Main Street, Cowell, for electors who wish to personally deliver their completed ballot material during office hours.

Place of Counting Votes

The scrutiny and counting of votes will take place at the District Council of Franklin Harbour as soon as practicable after 12 noon on Monday, 16 December 2002. A provisional declaration will be made at the conclusion of the election count.

Campaign Donations Return

All candidates must forward a campaign donations return to the council Chief Executive Officer within six weeks after the conclusion of the election.

STEVE TULLY, Returning Officer

DISTRICT COUNCIL OF KIMBA

Change of Council Meeting Date and Time

NOTICE is hereby given that the District Council of Kimba resolved at its meeting held on 13 November 2002 to change the date of the scheduled January council meeting from 8 January 2003 to 15 January 2003, and that this meeting be held in the Kimba Council Chambers, Cross Street, Kimba, commencing at 4 p.m.

Office Closure—Christmas/New Year Period

Notice is hereby given that the District Council of Kimba resolved at its meeting held on 13 November 2002, that pursuant to section 45 of the Local Government Act 1999, the council office will be closed over the Christmas/New Year Period from 1 p.m. on Tuesday, 24 December 2002 through until 8 a.m. on Monday, 6 January 2003.

Temporary Street Closures—Christmas Festivals

Notice is hereby given that at a meeting held on 13 November 2002, council resolved to exercise the power pursuant to section 33 of the Road Traffic Act 1961, and clause F of the Instrument of General Approval of the Minister dated 12 March 2001 accordingly, council pursuant to section 33 (1) (a) of the Road Traffic Act 1961, declares that the event to be conducted, being a Christmas Street Party, is an event to which section 33 of the Road Traffic Act applies and as such, makes an order that High Street, Kimba, between Martin Terrace and North Terrace, will be closed to traffic from 5 p.m. until midnight on Tuesday, 24 December 2002, and that Martin Terrace, Kimba, from Jacobs Way to High Street will be closed to traffic from 5 p.m. until 8 p.m. on Tuesday, 24 December 2002.

Pursuant to section 33 (1) (b) of the Road Traffic Act 1961, council made an order directing that persons taking part in the event be exempted, in relation to roads, from the duty to observe the Australian Road Rules specified and attached to the exemption:

Rule 230—Crossing a Road—General

Rule 298—Driving with a person in a trailer provided the speed of the vehicle does not exceed 25 km/h.

S. R. CHERITON, Chief Executive Officer

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

Resignation of Councillor

NOTICE is hereby given in accordance with section 54 (6) of the Local Government Act 1999, that a vacancy has occurred in the office of Area Councillor, due to the resignation of Councillor William J. Ford, to take effect from 15 November 2002.

A previous vacancy for Area Councillor was not filled due to the Council having adopted a policy not to fill a casual vacancy pursuant to subsection 6 (2) (b) of the Local Government (Elections) Act 1999. Due to the above resignation and pursuant to subsection 6 (3) of the Local Government (Elections) Act 1999 a supplementary election must be held to fill the vacant offices.

P. AIRD, Chief Executive Officer

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

Close of Roll for Supplementary Election

NOTICE is hereby given that a supplementary election is necessary to fill two vacancies of Area Councillor for the District Council of Lower Eyre Peninsula, pursuant to subsection 6 (3) of the Local Government (Elections) Act 1999.

The voters roll to conduct this supplementary election will close at 5 p.m. on Friday, 29 November 2002.

Nominations to fill the vacancies will open on Tuesday, 24 December 2002 and will be received up until 12 noon on Thursday, 16 January 2003.

The election will be conducted entirely by post with the return of ballot material to reach the Returning Officer no later than 12 noon on Monday, 17 February 2003.

STEVE TULLY, Returning Officer

DISTRICT COUNCIL OF MOUNT BARKER

Declaration of Public Road

NOTICE is hereby given that the council, pursuant to section 208 of the Local Government Act 1999, declares that section of land being allotment 102 in Deposited Plan 60035 as public road known as Mount Ferguson Road, Hundred of Kuitpo.

A. S. STUART, Chief Executive Officer

DISTRICT COUNCIL OF MOUNT REMARKABLE

Correction of Community Land Exclusion Notice

NOTICE is hereby given that on 10 April 2001, the District Council of Mount Remarkable resolved that pursuant to section 193 of the Local Government Act 1999, to exclude the following land from Classification as Community Land:

The proposed allotment of the subdivision of section 95, Hundred of Willowie, comprised in certificate of title 5820/209.

A plan of this section of land can be inspected at the Council Office, Stuart Street, Melrose.

P. J. MOORE, Chief Executive Officer

DISTRICT COUNCIL OF ORROROO/CARRIETON

Exclusion of Land from Classification as Community Land

NOTICE is hereby given pursuant to section 193 of the Local Government Act 1999, and in accordance with council's public consultation policy, that the District Council of Orroroo/Carrieton, at its meeting held on 12 November 2002, resolved that the land described in the Schedule accompanying this notice, being operational and commercial council-owned properties be excluded from the classification of Community Land, subject to public consultation.

SCHEDULE

Asset No.	Certificate of Title	Legal Description	Address of Property	Description
C1/1	5799/252	Lot 31	Main Street, Morchard	Institute Building
E1/1	5149/570	Lot 92, FP185794	Fifth Street, Carrieton	Vacant township block
E1/2	5733/536	Lot 170	Fifth Street, Carrieton	Vacant—tourist shelter
E1/3	5729/495 5824/569 5840/381	Lot 166 Lot 171 Lot 182	Fifth Street, Carrieton	Council Depot
E1/5	5615/292 5605/352 5434/456	Lot 187 Lot 198 Lot 203	Fifth Street, Carrieton	General store/shop
E1/7	5523/172 5523/146	Lot 215 Lot 218	Fifth Street, Carrieton	Vacant township blocks
E1/10	5801/135 5835/354	Lot 88 Lot 89	West Terrace, Carrieton	Vacant township blocks
E1/11	5149/570	Lot 6	Fifth Street, Carrieton	Vacant township block
E1/12	5149/570	Lot 72	West Terrace, Carrieton	Vacant township block
E1/13	5149/570	Lots 75 and 76	First Street, Carrieton	Vacant township blocks
E1/14	5149/570	Lot 80	East Terrace, Carrieton	Vacant township block
E1/15	5289/204	Lot 94	Fourth Street, Carrieton	Vacant township block
E1/16	5289/3	Lot 93	Main Street, Carrieton	Vacant township block
E1/17	5339/975 5441/325	Lots 162 and 175 Lots 2, 15 and 178	Fourth Street, Carrieton	Vacant township blocks
E1/18	5340/86	Lot 159	Fourth Street, Carrieton	Vacant township block
E1/19	5840/381 5823/218	Lot 183 Lot 186	Fifth Street, Carrieton	Former council office and hall
E1/20	5149/570	Lot 84	Main Street, Carrieton	Vacant township block
E1/21	5149/570	Lot 101	Main Street, Carrieton	Vacant township block
E1/22	5441/325	Lots 2 and 15	Fourth Street, Carrieton	Vacant township blocks
E2/4	5392/546	Piece 93, FP199795	Hundred of Eurelia	Vacant land—closed road strip
E3/7	5392/546	Piece 94, FP199795	Hundred of Eurelia	Vacant land—closed road strip
W2/13	5568/227	Lot 27, DP47900	Sixth Street, Orroroo	Vacant township block
W2/15	5809/520	Lot 311, FP185203	62 Sixth Street, Orroroo	Tourist facility—early settler's cottage/shed
W2/16	5607/610	Lot 363, FP185255 Lot 387, FP185279 Lot 388, FP185280	18 Fifth Street, Orroroo	Council Depot
W2/17	2518/133	Lot 360, FP185252	17 Second Street, Orroroo	Council Offices/Town Hall CWA Archives/Rest Rooms
W2/18	5775/961	Lot 373, FP185265	26 Fourth Street, Orroroo	Senior Citizens' Clubroom
W2/19	5344/423	Lot 3, DP43342	South Terrace, Orroroo	Vacant township block
W2/20	5344/424	Lot 4, DP43342	South Terrace, Orroroo	Vacant township block
W2/21	5344/425	Lot 5, DP43342	South Terrace, Orroroo	Vacant township block
W2/22	5344/427	Lot 7, DP43342	South Terrace, Orroroo	Vacant township block
W2/23	5344/429	Lot 9, DP43342	South Terrace, Orroroo	Vacant township block
W2/24	5344/430	Lot 10, DP43342	South Terrace, Orroroo	Vacant township block
W2/25	5344/431	Lot 11, DP43342	South Terrace, Orroroo	Vacant township block
BRP1/1	5736/86	Lot 87	Second Street, Yatina	Vacant township block
BRP1/2	5733/981	Lot 71	Main Street, Yatina	Vacant township block
BRP1/6	5798/732	Lot 26	Railway Terrace, Black Rock	Vacant township block
BRP1/5	5808/408	Lot 27	Railway Terrace, Black Rock	Vacant township block
BRP1/4	5812/777	Lot 28	Railway Terrace, Black Rock	Vacant township block

T. BARNES, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1—Permits and Penalties

TO provide for a permit system and continuing penalties in Council by-laws, to clarify the construction of such by-laws, and to repeal by-laws.

A. All previous by-laws made or adopted by the Council, prior to the date this by-law is made, are hereby repealed effective from the day on which this by-law comes into operation.

1. *Permits*

- 1.1 In any by-law of the Council, unless the contrary intention is clearly indicated, the word 'permission' means the permission of the Council given in writing.
- 1.2 The Council may attach such conditions to a grant of permission as it thinks fit, and may vary or revoke such conditions or impose new conditions by notice in writing to the permit holder.
- 1.3 Any permit holder shall comply with every such condition.
- 1.4 The Council may revoke such grant of permission at any time by notice in writing to the permit holder.

2. *Offences and Penalties*

- 2.1 Any person who commits a breach of any by-law of the Council shall be guilty of an offence and shall be liable to a maximum penalty being the maximum penalty referred to in the Local Government Act 1999, that may be fixed by by-law for any breach of a by-law.
- 2.2 Any person who commits a breach of any by-law of the Council of a continuing nature shall be guilty of an offence and, in addition to any other penalty that may be imposed, shall be liable to a further penalty for every day on which the offence is continued, such penalty being the maximum amount referred to in the Local Government Act 1934 and/or Local Government Act 1999, which may be prescribed by by-law for offences of a continuing nature.

3. *Construction*

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

The foregoing by-law was duly made and passed at a meeting of the District Council of Robe held on 12 November 2002 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. KAY, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2—Moveable Signs

TO set standards for moveable signs on streets and roads and to provide conditions for and the placement of such signs.

1. *Definitions*

In this by-law:

- 1.1 'footpath area' means that part of a street or road between the property boundary of the street or road and the edge of the carriageway on the same side as that boundary; and
- 1.2 'moveable sign' has the same meaning as in the Local Government Act 1999.

2. *Construction*

A moveable sign displayed on a public street or road shall:

- 2.1 be of a kind known as an 'A' Frame or Sandwich Board sign, an 'inverted "T"' sign, or a flat sign;
- 2.2 be well constructed and maintained in good condition so as not to present a hazard to any member of the public;

- 2.3 be of strong construction so as to be stable when in position and to be able to keep its position in adverse weather conditions with no sharp or jagged edges or corners;
- 2.4 not be unsightly or offensive in appearance or content;
- 2.5 not contain flashing parts or any moveable attachment;
- 2.6 be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 2.7 not exceed 900 mm in perpendicular height, or have a base with any side exceeding 600 mm in length;
- 2.8 not have a display area exceeding 1m² in total or, if the sign is two-sided, 1m² on each side;
- 2.9 be stable when in position;
- 2.10 in the case of an 'A' Frame or Sandwich Board sign:
 - 2.10.1 be hinged or joined at the top;
 - 2.10.2 be of such construction that its sides shall be securely fixed or locked in position when erected;
- 2.11 in the case of an 'inverted "T"' sign, contain no struts or supports that run between the display area and the base of the sign.

3. *Position*

A moveable sign shall only be positioned on a public street or road on the footpath area subject to the following conditions. Where there is no kerb to define the footpath, a set back of 400 mm from the edge of the shoulder of the carriageway is required:

- 3.1 in the case of a flat sign, must be in line with and against the property boundary of the street or road;
- 3.2 must be no less than 2 m between the sign and any structure, fixed object, tree, bush or plant (including another moveable sign);
- 3.3 must not be placed on a sealed part of any footpath area, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 m wide;
- 3.4 not within 1 m from the corner property line;
- 3.5 in accordance with paragraph 5, must be adjacent to the premises of the business to which it relates.

4. *Restrictions*

A moveable sign shall:

- 4.1 in accordance with paragraph 5, display material which advertises a business being conducted on commercial premises adjacent to the sign, or the products available from that business;
- 4.2 be limited to one per business premises;
- 4.3 only be displayed when the business is open;
- 4.4 be securely fixed in position such that it cannot be blown over or swept away;
- 4.5 not be in such a position or in such circumstances that the safety of any user of the street or road is at risk;
- 4.6 not be displayed during the hours of darkness unless it is clearly visible;
- 4.7 not to be displayed on a carriage way of a street or road which includes medians, traffic islands, roundabouts, kerb protuberances, and unsealed shoulders.

5. *Exceptions*

- 5.1 Paragraph 3 (5) and paragraph 4 (1) do not apply to a moveable sign which is used:
 - 5.1.1 to advertise a garage sale taking place from residential premises;
 - 5.1.2 as a directional sign to an event run by an incorporated association or a charitable body;
 - 5.1.3 with permission.

5.2 Paragraphs 4.1 and 4.2 do not apply to a flat sign, the message of which only contains newspaper headlines and the name of a newspaper.

6. Application

This by-law does not apply if:

- 6.1 the moveable sign is placed there pursuant to an authorisation under another Act;
- 6.2 the moveable sign is designed to direct people to the open inspection of any land or building that is available for purchase or lease; or
- 6.3 the moveable sign is related to a State or Commonwealth election and is displayed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling days.

7. Construction

This by-law is subject to any Act of Parliament and Regulations made thereunder.

The foregoing by-law was duly made and passed at a meeting of the District Council of Robe held on 12 November 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. KAY, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3—Roads

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

1. Definitions

In this by-law:

- 1.1 'authorised person' means a person appointed an authorised person pursuant to section 260 of the Local Government Act 1999;
- 1.2 'Emergency Vehicle' has the same meaning as in the Australian Road Rules 1999 and the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999;
- 1.3 'electoral matter' has the same meaning as in the Electoral Act 1995 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 1.4 'road' has the same meaning as in the Local Government Act 1999.

2. Activities Requiring Permission

No person shall without permission on any road:

- 2.1 *Repairs to Vehicles*
perform the work of repairing, washing, painting, panel-beating or other work of any nature on or to any vehicle, provided that this paragraph shall not extend to running repairs in the case of breakdown;
- 2.2 *Donations*
ask for or receive or indicate that he or she desires a donation of money or any other thing;
- 2.3 *Preaching*
preach or harangue;
- 2.4 *Amplification*
use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements or advertisements;
- 2.5 *Horses, Cattle, Camels or Sheep*
ride, lead or drive any horse, cattle, camel or sheep, on any street or road in those areas that the Council has designated by resolution;
- 2.6 camp or remain overnight.

3. Posting of Bills

No person shall, without the Council's permission, post any bills, advertisements or other papers or items on a building or structure on a road except for any electoral matter posted on a building or structure with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum.

4. Public Exhibitions and Displays

No person shall, without the Council's permission, allow any public exhibition or display to occur on a road.

5. Removal of Animals and Persons

- 5.1 If any animal is found on part of a road in breach of a by-law any person in charge of the animal shall forthwith remove it from that part on the request of any authorised person; and
- 5.2 An authorised person may direct any person who is considered to be committing or has committed a breach of this by-law to leave that part of the road. Failure to comply with that direction forthwith is a breach of this by-law.

6. Exemptions

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

7. Construction

This by-law is subject to any Act of Parliament and Regulations made thereunder.

8. Applications of Paragraphs

Paragraph 2.5 of this by-law shall apply only in such portion or portions of the area as the council may by resolution direct in accordance with section 246 (3) (e) of the Local Government Act 1999.

The foregoing by-law was duly made and passed at a meeting of the District Council of Robe held on 12 November 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. KAY, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4—Local Government Land

FOR the management of all land vested in or under the control of the Council.

1. Definitions

In this by-law:

- 1.1 'authorised person' means a person appointed an authorised person pursuant to section 260 of the Local Government Act 1999;
- 1.2 '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;
- 1.3 'Emergency Vehicle' has the same meaning as in the Australian Road Rules 1999 and the Road Traffic (Road Rules) Ancillary and Miscellaneous Provisions Regulations 1999;
- 1.4 'Foreshore' means the area between the Low Water Mark on the seashore and the nearest boundary of:
 - 1.4.1 a road;
 - 1.4.2 a section;
 - 1.4.3 a public reserve; or
 - 1.4.4 land comprised in a land grant, Crown Land or Crown Licence;

- 1.5 'local government land' means all land vested in or under the control of the Council (except streets and roads);
- 1.6 'Low Water Mark' means the lowest meteorological tide;
- 1.7 'vehicle' has the same meaning as in the Australian Road Rules 1999.

2. Activities requiring permission

No person shall without permission on any local government land:

2.1 Vehicles generally

- 2.1.1 being the driver of a vehicle, fail to obey the indications given by any sign erected by or with the authority of the Council, for regulating traffic or indicating the direction or route to be followed by traffic on that land;
- 2.1.2 drive or propel a vehicle on any part thereof where the Council has excluded vehicles generally (or of that class) pursuant to Section 359 of the Local Government Act 1934;

2.2 Vehicles on Foreshore

Subject to paragraph 4.9 of this by-law no person shall:

- 2.2.1 drive or propel a vehicle onto or from the Foreshore other than by a ramp or thoroughfare constructed or provided by the Council for that purpose;
- 2.2.2 allow any vehicle to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat;
- 2.2.3 drive or propel any vehicle on such a ramp or thoroughfare or elsewhere on the Foreshore at a speed greater than 25 km/h;

2.3 Trading

- 2.3.1 Carry on the business of selling or offering or exposing for sale any goods, merchandise, commodity, article or thing; or
- 2.3.2 Set up a van or other vehicle or stall or other structure, tray, carpet or device for the purpose of buying or selling any goods, merchandise, commodity, article or thing;

2.4 Overhanging articles

suspend or hang any article or thing from any building, verandah, pergola, post or other structure where it might present a nuisance or danger to any person using local government land;

2.5 Entertainers

sing, busk or play any recording or upon any musical instrument so as to appear to be for the purpose of entertaining other persons;

2.6 Donations

ask for or receive or indicate that he or she desires a donation of money or any other thing;

2.7 Preaching

preach or harangue;

2.8 Distribute

give out or distribute to any bystander or passer-by any handbill, book, notice, or other printed matter, provided that this restriction shall not apply to any handbill or leaflet given out or distributed by or with the authority of a candidate during the course of a Federal, State or Local Government Election or to a handbill or leaflet given out or distributed during the course and for the purpose of a Referendum;

2.9 Handbills on cars

place or put on any vehicle any handbill, advertisement, notice or printed matter except for any electoral matter posted on a vehicle with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum;

2.10 Amplification

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

2.11 Removing soil etc.

carry away or remove any soil, clay, gravel, sand, timber, stones, pebbles or any part of the land;

2.12 Depositing Soil

deposit any soil, clay, gravel, sand, timber, stones, pebbles or any other matter on the land;

2.13 Picking fruit etc.

pick fruit, nuts or berries from any trees or bushes thereon;

2.14 Games

2.14.1 participate in any game recreation or amusement which involves the use of a ball missile or other object which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land;

2.14.2 play any organised competition sport, as distinct from organised social play, in accordance with paragraph 8 of this by-law.

2.15 Athletic and ball sports

2.15.1 to which this subparagraph applies, in accordance with paragraph 8 of this by-law, promote, organise or take part in any organised athletic sport;

2.15.2 to which this subparagraph applies, in accordance with paragraph 8 of this by-law, play or practice the game of golf;

2.16 Smoking

smoke tobacco or any other substance in any building or part thereof;

2.17 Closed lands

enter or remain on any part of local government land:

2.17.1 at any time during which the Council has declared that the part shall be closed to the public, and which is indicated by a sign adjacent to the entrance to that part;

2.17.2 where the land is enclosed with fences and/or walls, and gates have been closed and locked; or

2.17.3 where admission charges are payable, for that person to enter that part without paying those charges;

2.18 Tents

(except with the Council or other Government authority) erect any tent or other structure of calico, canvass, plastic or similar material as a place of habitation;

2.19 Camping

camp or remain overnight;

2.20 Fauna

2.20.1 take, interfere with or disturb any animal or bird or the eggs or young of any animal or bird;

2.20.2 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird; or

2.20.3 use, possess or have control of any device for the purpose of killing or capturing any animal or bird;

2.21 Flora

2.21.1 take, uproot or damage any plant;

- 2.21.2 remove, take or disturb any soil, stone, wood, timber or bark;
- 2.21.3 collect or take any dead wood or timber for the purpose of using the same to make or maintain a fire; or
- 2.21.4 ride or drive any vehicle or animal or run, stand or walk on any flowerbed or garden plot;
- 2.22 *Animals*
- 2.22.1 allow any stock to stray into or depasture therein;
- 2.22.2 allow any animal to damage any flower bed, garden plot, tree, lawn or other item or place;
- 2.23 *Fires*
- light any fire except:
- 2.23.1 in a place provided by the Council for that purpose; or
- 2.23.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material;
- 2.24 *Fireworks*
- use, discharge or explode any fireworks;
- 2.25 *Swimming*
- swim or bathe in any pond or lake to which this subparagraph 2.25 applies;
- 2.26 *Bridge jumping*
- jump or dive from any bridge;
- 2.27 *Boat ramps*
- launch or retrieve a boat to or from any pond or lake to which this subparagraph 2.27 applies;
- 2.28 *Use of boats*
- 2.28.1 hire out a boat or otherwise use it for commercial purposes in any pond or lake; or
- 2.28.2 hire out a boat on or from any part of the Foreshore;
- 2.29 *Toilets*
- in any public convenience on local government land:
- 2.29.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
- 2.29.2 smoke tobacco or any other substance;
- 2.29.3 deposit anything in a pan, urinal or drain that is likely to cause a blockage;
- 2.29.4 use it for a purpose for which it was not designed or constructed;
- 2.29.5 enter any toilet that is set aside for use of the opposite sex except where:
- (a) a child under the age of five years accompanied by an adult person; and/or
- (b) to provide assistance to a disabled person;
- 2.30 *Cemeteries*
- comprising a cemetery:
- 2.30.1 bury or inter any human or animal remains;
- 2.30.2 erect any memorial.

3. *Posting of Bills*

No person shall without the Council's permission post any bills, advertisements or other papers or items on a building or structure on local government land or other public place except for any electoral matter posted on a building or structure with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum.

4. *Prohibited activities*

No person shall on any local government land:

4.1 *Use of equipment*

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

4.2 *Repairs to vehicles*

perform the work of repairing, washing, painting, panel-beating or other work of any nature on or to any vehicle, provided that this paragraph shall not extend to running repairs in the case of breakdown;

4.3 *Annoyances*

annoy or unreasonably interfere with any other person's use of the land by making a noise or creating a disturbance that has not been authorised by the Council;

4.4 *Directions*

fail to comply with any reasonable direction or request from an authorised person of the Council relating to:

4.4.1 that person's use of the land;

4.4.2 that person's conduct and behaviour on the land;

4.4.3 that person's safety on the land; or

4.4.4 the safety and enjoyment of the land by other persons;

4.5 *Missiles*

throw, roll or discharge any stone, substance or missile to the danger of any person or animal;

4.6 *Glass*

wilfully break any glass, china or other brittle material;

4.7 *Defacing property*

deface, paint, write, cut names or make marks on or fix bills or advertisements to any tree, rock, gate, fence, building, sign or other property of the Council therein except for any electoral matter posted on a building or structure with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum;

4.8 *Horses, Cattle, Camels or Sheep*

4.8.1 send, drive, lead, ride or take any horse, cattle, camel or sheep or permit any horse, cattle, camel or sheep to be sent, driven, led, ridden or taken on any land which the Council has, by resolution, declared to be prohibited for such purpose;

4.8.2 allow any horse, cattle, camel or sheep to be left loose or left unattended on any land which the council has, by resolution, declared to be prohibited for such purpose;

4.9 *Foreshore*

no person shall drive a vehicle on the Foreshore south of the area abutting Guichen Bay between an imaginary line extending from the Low Water Mark and inter-secting the Esplanade at right angles at a point 300 m south-west of the north-eastern corner of Section 390, Hundred of Waterhouse.

5. *Removal of animals and persons*

5.1 If any animal is found on any part of local government land in breach of a by-law:

5.1.1 any person in charge of the animal shall forthwith remove it from that part on the request of an authorised person; and

5.1.2 any authorised person may remove it therefrom if the person fails to comply with the request, or if no person is in charge of the animal.

5.2 An authorised person may direct any person who is considered to be committing or has committed a breach of this by-law to leave that part of the local government land. Failure to comply with that direction forthwith is a breach of this by-law.

6. Sand dunes, coastal slopes and cliffs

No person shall:

- 6.1 destabilise sand on a sand dune, by any means so as to cause it to unnecessarily mass waste down slope;
- 6.2 destroy, remove or cause interference to live or dead vegetation within a sand dune, coastal slope or coastal cliff;
- 6.3 introduce non-indigenous flora or fauna or dump any material in a sand dune;
- 6.4 carry out any other activity that may damage or threaten the integrity of sand dunes, coastal slopes or cliffs.

7. Exemptions

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

8. Application of paragraphs

Any of subparagraphs 2.14.2, 2.15, 2.25 and 2.27 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with section 246 (3) (e) of the Local Government Act 1999.

9. Construction

This by-law is subject to any Act of Parliament and Regulations made thereunder.

The foregoing by-law was duly made and passed at a meeting of the District Council of Robe held on 12 November 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. KAY, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

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

By-Law No. 5—Dogs

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

1. Definitions

In this by-law unless the context otherwise requires:

- 1.1 'Act' means the Dog and Cat Management Act 1995;
- 1.2 'approved kennel establishment' means a building, structure or area approved by the relevant authority, pursuant to the Development Act 1993 for the keeping of cats and/or dogs on a temporary or permanent basis;
- 1.3 'council land' means all parklands, reserves, ornamental grounds, streets, roads, jetties, bridges, foreshore, public places and other land vested in or under the control of the Council;
- 1.4 'dog' means an animal of the species *canis familiaris* but does not include a dingo or cross of a dingo;
- 1.5 'premises' means any domestic and non-domestic premises, except a kennel establishment in respect of which a development authorisation is in force under the Development Act 1993.

2. Dog Free Areas

No person shall on any Council land to which this paragraph applies, in accordance with paragraph 6 of this by-law cause suffer or permit any dog under that person's control, charge or authority to be, or remain in that place.

3. Dogs on Leash Areas

No person shall on any Council land to which this paragraph applies, in accordance with paragraph 6 of this by-law, cause, suffer or permit any dog under that person's control, charge or authority to be or remain in that public place unless such dog is restrained by a strong leash not exceeding 2 m in length and either tethered securely to a fixed object or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

4. Dog Exercise Areas

- 4.1 Any person may enter upon any part of Council land to which this paragraph applies in accordance with paragraph 6 of this by-law, for the purpose of exercising a dog under his or her control.
- 4.2 Where a person enters upon such part of Council land for that purpose, he or she shall ensure that the dog or dogs under his or her control remain under effective control (within the meaning of the Dog and Cat Management Act 1995) while on the land.
- 4.3 Signs shall be erected to denote the land to which this paragraph applies, and information shall be provided to the public in a manner determined by the Council's Chief Executive Officer to inform the public about such land.

5. Limit on Dog Numbers

- 5.1 The limit on the number of dogs kept in any dwelling in the township shall be two dogs.
- 5.2 The limit on the number of dogs kept in any dwelling outside of the township shall be three dogs (other than working dogs).
- 5.3 No person shall, without obtaining the written permission of the Council, keep any dog on any premises where the number of dogs on those premises exceeds the limit unless the premises are an approved kennel establishment.

6. Application of Paragraphs

Any of paragraphs 2, 3 and subparagraph 4.1 of this by-law shall apply only in such portion or portions of Council land as the Council may by resolution direct in accordance with section 246 (3) (e) of the Local Government Act 1999.

7. Construction

This by-law is subject to any Act of Parliament and Regulations made thereunder.

The foregoing by-law was duly made and passed at a meeting of the District Council of Robe held on 12 November 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. KAY, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 6—Bird Scaring Devices

THE purpose of this by-law is to regulate the use of bird scaring devices to enable land owners reasonable means by which to protect crops, but at the same time to prevent nuisances and to encourage land owners and occupiers to use a wide range of bird control techniques.

1. Definitions

In this by-law:

- 1.1 'Device' means any noise-generating device designed and used for the purpose of scaring birds and other animals from land;
- 1.2 'Activation' is:
 - 1.2.1 for a gas gun, one discharge;
 - 1.2.2 noise emission from any electronic device/ 'tweeter' that reproduces or simulates bird communication calls; and

- 1.3 'Discharge' in the context of a gas gun is one or more firings or detonations in quick succession;
- 1.4 'flammable undergrowth' means grass, weeds and other flammable or potentially flammable growth;
- 1.5 'Horticulture' means the use of land for market gardening, viticulture, floriculture, orchards, wholesale plant nurseries or commercial turf growing;
- 1.6 'Bird Deterrent Management Plan' means a plan of actions and strategies to deter birds from causing damage to produce on the land.

2. Prohibited Activities

No person being the owner or occupier of land, shall for the purpose of scaring birds from the land, use or employ any mechanical or other device:

- 2.1 in such a manner as to be, in the opinion of the Council, an unreasonable nuisance or danger to any other person;
- 2.2 on Christmas Day or Good Friday; and
- 2.3 where the device is gas powered:
- 2.3.1 unless the flammable undergrowth within a 4 m radius of the device is destroyed by cutting, slashing or utilising other means; and
- 2.3.2 unless all other flammable material within a 4 m radius of the device is removed.

3. Activities Requiring Permission

No person shall without permission:

- 3.1 activate a device unless it is operated as part of a Bird Deterrent Management Plan;
- 3.2 activate a device unless it has marked on the body of the device the owner's full name and 24 hour telephone contact number(s) and provide such details to Council when seeking permission;
- 3.3 activate a device other than during the hours from 6 a.m. to 8.30 p.m.;
- 3.4 activate more than one device per 10 ha of land;
- 3.5 activate a device other than within the confines of an area of the land used for the purposes of horticulture;
- 3.6 direct a device towards a dwelling other than that person's dwelling;
- 3.7 activate multiple devices on the same property with synchronising the sounds;
- 3.8 activate a device within 200 m of a public roadway without first placing notification on the boundary of the property and the public roadway of the existence of the device;
- 3.9 activate a device within 300 m of a residence (other than that person's residence);
- 3.10 activate a device within 600 m of a Residential or Rural Living zone boundary, a childcare centre, school or hospital building;
- 3.11 discharge a gas gun at frequencies greater than 5 per hour;
- 3.12 activate an electronic device for no greater than a 30 second duration;
- 3.13 in the case of small parcels of adjacent land that are separately owned or occupied on which devices are used:
- 3.13.1 activate more than one device per 10 ha of aggregated land; or
- 3.13.2 activate more than one device per 10 ha of aggregated land so that the aggregated number of emissions is not more than 5 per hour; and
- 3.14 activate a device in a building or structure.

4. Intention to Use a Device

Any person intending to operate a bird scaring device(s) must notify the Council of their intention to do so, outlining:

- 4.1 their name and address;

- 4.2 the number of devices intended to be used;
- 4.3 the type of each device; and
- 4.4 the minimum distance from occupied neighbouring premises.

5. Notice

- 5.1 Where there is a breach of any provision of this by-law the Council may serve notice in writing on the owner or occupier of any land requiring that person to reduce the number of activations or disarm and remove the device.
- 5.2 The person on whom the notice is served shall comply with the notice.
- 5.3 If the notice is not complied with, the Council may carry out the requirements of the notice and may recover the cost of so doing from the person to whom the notice was directed.

6. Construction

This by-law is subject to any Act of Parliament and Regulations made thereunder.

The foregoing by-law was duly made and passed at a meeting of the District Council of Robe held on 12 November 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. KAY, Chief Executive Officer

DISTRICT COUNCIL OF YANKALILLA

Exclusion of Land from Classification as Community Land

NOTICE is hereby given that the District Council of Yankalilla at a meeting held on 14 November 2002, resolved, pursuant to section 193 of the Local Government Act 1999, to exclude the following parcels of land from the classification as community land:

- Council Office, Charles Street, Yankalilla, Lots 3, 4, Part Lot 1, Part Section 1181, Hundred of Yankalilla (CT 1773/115); Lots 3, 4, Part Lot, Part Section 1181, Hundred of Yankalilla (CT 2357/139).
- Refuse Depot, Victor Harbor Road, Yankalilla, Lot 2, Section 1184, Hundred of Yankalilla (CT 4216/97).
- Council Depot, Kemmis Hill Road, Yankalilla, Lot 1, Part Section 1183, Hundred of Yankalilla.
- Normanville Caravan Park, Jetty Road, Normanville, Lot 22, Part Section 1014, Hundred of Yankalilla (CT 2370/93).
- Yankalilla Cemetery, Victor Harbor Road, Yankalilla, Section 345, Hundred of Yankalilla (CT 59/86).
- House Rapid Bay, Cygnet Place, Rapid Bay, Lot 14, Part Section 1511, Hundred of Yankalilla (CT 4203/823).
- Museum, Main South Road, Yankalilla, Lot 3, Part Section 1036, Hundred of Yankalilla (CT 4223/598).

R. SWEETMAN, Chief Executive Officer

DISTRICT COUNCIL OF YANKALILLA

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1—Permits and Penalties

TO provide for a permit system and continuing penalties in Council by-laws, to clarify the construction of such by-laws, and to repeal by-laws.

A. All previous by-laws made or adopted by the Council, prior to the date this by-law is made, are hereby repealed effective from the day on which this by-law comes into operation.

Permits

1. (1) In any by-law of the Council, unless the contrary intention is clearly indicated, the word 'permission' means the permission of the Council given in writing.

(2) The Council may attach such conditions to a grant of permission as it thinks fit, and may vary or revoke such conditions or impose new conditions by notice in writing to the permit holder.

(3) Any permit holder shall comply with every such condition.

(4) The Council may revoke such grant of permission at any time by notice in writing to the permit holder.

Penalties

2 (1) Any person who commits a breach of any by-law of the Council shall be guilty of an offence and shall be liable to a maximum penalty being the maximum penalty referred to in the Local Government Act 1999, that may be fixed by by-law for any breach of a by-law.

(2) Any person who commits a breach of any by-law of the Council of a continuing nature shall be guilty of an offence and, in addition to any other penalty that may be imposed, shall be liable to a further penalty for every day on which the offence is continued, such penalty being the maximum amount referred to in the Local Government Act 1934 and/or Local Government Act 1999, which may be prescribed by by-law for offences of a continuing nature.

Construction

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

The foregoing by-law was duly made and passed at a meeting of the District Council of Yankalilla held on 14 November 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. SWEETMAN, Chief Executive Officer

DISTRICT COUNCIL OF YANKALILLA

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2—Moveable Signs

TO set standards for moveable signs on streets and roads and to provide conditions for and the placement of such signs.

Definitions

1. In this by-law:

- (1) 'footpath area' means that part of a street or road between the property boundary of the street or road and the edge of the carriageway on the same side as that boundary; and
- (2) 'moveable sign' has the same meaning as in the Local Government Act 1999.

Construction

2. A moveable sign displayed on a public street or road shall:

- (1) be of a kind known as an 'A' Frame or Sandwich Board sign, an 'inverted "T"' sign, or a flat sign;
- (2) be well constructed and maintained in good condition so as not to present a hazard to any member of the public;
- (3) be of strong construction so as to be stable when in position and to be able to keep its position in adverse weather conditions with no sharp or jagged edges or corners;
- (4) not be unsightly or offensive in appearance or content;
- (5) not contain flashing parts;
- (6) be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- (7) not exceed 1.2 m in perpendicular height, or have a base with any side exceeding 800 mm in length;
- (8) not have a display area exceeding 1 m² in total or, if the sign is two-sided, 1 m² on each side;
- (9) be stable when in position;
- (10) in the case of an 'A' Frame or Sandwich Board sign:
 - (a) be hinged or joined at the top;
 - (b) be of such construction that its sides shall be securely fixed or locked in position when erected;
- (11) in the case of an 'inverted "T"' sign, contain no struts or supports that run between the display area and the base of the sign.

Position

3. A moveable sign shall only be positioned on a public street or road on the footpath area subject to the following conditions. Where there is no kerb to define the footpath, a set back of 400 mm from the edge of the carriageway is required:

- (1) in the case of a flat sign, must be in line with and against the property boundary of the street or road;
- (2) must be no less than 2 m between the sign and any structure, fixed object, tree, bush or plant (including another moveable sign);
- (3) must not be placed on a sealed part of any footpath area, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 m wide;
- (4) not within 1 m of the corner of a street or road;
- (5) must be adjacent to the premises of the business to which it relates.

Restrictions

4. A moveable sign shall:

- (1) display material which advertises a business being conducted on commercial premises adjacent to the sign, or the products available from that business;
- (2) be limited to one per business premises;
- (3) only be displayed when the business is open;
- (4) be securely fixed in position such that it cannot be blown over or swept away;
- (5) not be in such a position or in such circumstances that the safety of any user of the street or road is at risk;
- (6) not be displayed during the hours of darkness unless it is clearly visible;
- (7) not to be displayed on a medium strip, traffic island or on a carriageway of a street or road.

Exemptions

5. (1) Paragraph 3 (5) and paragraph 4 (1) do not apply to a moveable sign which is used:

- (a) to advertise a garage sale taking place from residential premises;
- (b) as a directional sign to an event run by an incorporated association or a charitable body;
- (c) with permission.

(2) Paragraphs 4 (1) and 4 (2) do not apply to a flat sign, the message of which only contains newspaper headlines and the name of a newspaper.

Application

6. This by-law does not apply if:

- (1) the moveable sign is placed there pursuant to an authorisation under another Act;
- (2) the moveable sign is designed to direct people to the open inspection of any land or building that is available for purchase or lease;
- (3) the moveable sign is related to a State or Commonwealth election and is displayed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling days.

Construction

7. This by-law is subject to any Act of Parliament and Regulations made thereunder.

The foregoing by-law was duly made and passed at a meeting of the District Council of Yankalilla held on 14 November 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. SWEETMAN, Chief Executive Officer

DISTRICT COUNCIL OF YANKALILLA

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3—Roads

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

Definitions

1. In this by-law:

- (1) 'authorised person' means a person appointed an authorised person pursuant to section 260 of the Local Government Act 1999;
- (2) 'electoral matter' has the same meaning as in the Electoral Act 1995 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- (3) 'Emergency Vehicle' has the same meaning as in the Australian Road Rules 1999 and the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999;
- (4) 'road' has the same meaning as in the Local Government Act 1999.

Activities requiring permission

2. No person shall without permission on any road:

Repairs to vehicles

- (1) perform the work of repairing, washing, painting, panel-beating or other work of any nature on or to any vehicle, provided that this paragraph shall not extend to running repairs in the case of breakdown;

Donations

- (2) ask for or receive or indicate that he or she desires a donation of money or any other thing;

Preaching

- (3) preach or harangue;

Amplification

- (4) use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements or advertisements;

Horses, cattle etc.

- (5) ride, lead or drive any horse, cattle or sheep, on any street or road in those areas that the Council has designated by resolution.

Posting of bills

3. No person shall, without the Council's permission, post any bills, advertisements or other papers or items on a building or structure on a road except for any electoral matter posted on a building or structure with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum.

Public exhibitions and displays

4. No person shall, without the Council's permission, allow any public exhibition or display to occur on a road.

Removal of animals and persons

5. (1) If any animal is found on part of a road in breach of a by-law any person in charge of the animal shall forthwith remove it from that part on the request of any authorised person; and

(2) An authorised person may direct any person who is considered to be committing or has committed a breach of this by-law to leave that part of the road. Failure to comply with that direction forthwith is a breach of this by-law.

Exemptions

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

Construction

7. This by-law is subject to any Act of Parliament and Regulations made thereunder.

Application of paragraph

8. Paragraph 2 (5) of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with section 246 (3) (e) of the Local Government Act 1999.

The foregoing by-law was duly made and passed at a meeting of the District Council of Yankalilla held on 14 November 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. SWEETMAN, Chief Executive Officer

DISTRICT COUNCIL OF YANKALILLA

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4—Local Government Land

FOR the management of all land vested in or under the control of the Council.

Definitions

1. In this by-law:

- (1) 'authorised person' means a person appointed an authorised person pursuant to Section 260 of the Local Government Act 1999;
- (2) 'electoral matter' has the same meaning as in the Electoral Act 1995, provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- (3) 'Emergency Vehicle' has the same meaning as in the Australian Road Rules 1999 and the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999;
- (4) 'Foreshore' means the area between the Low Water Mark on the seashore and the nearest boundary of:
 - (a) a road;
 - (b) a section;
 - (c) a public reserve; or
 - (d) land comprised in a land grant, Crown Land or Crown Licence;
- (5) 'Low Water Mark' means the lowest meteorological tide;
- (6) 'local government land' means all land vested in or under the control of the Council (except streets and roads);
- (7) 'vehicle' has the same meaning as in the Australian Road Rules 1999.

Activities requiring permission

2. No person shall without permission on any local government land:

Vehicles Generally

- (1) (a) being the driver of a vehicle, fail to obey the indications given by any sign erected by or with the authority of the Council, for regulating traffic or indicating the direction or route to be followed by traffic on that land;
- (b) drive or propel a vehicle on any part thereof where the Council has excluded vehicles generally (or of that class) pursuant to section 359 of the Local Government Act 1934;

Vehicles on foreshore

- (2) (a) drive or propel a vehicle onto or from the fore-shore other than by a ramp or thoroughfare constructed or provided by the Council for that purpose;

- (b) launch or retrieve a boat other than from a boat ramp constructed for that purpose;
- (c) allow any vehicle to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat;
- (d) drive or propel any vehicle on such a ramp or thoroughfare or elsewhere on the foreshore at a speed greater than 10 km/h;

Overhanging articles

- (3) suspend or hang any article or thing from any building, verandah, pergola, post or other structure where it might present a nuisance or danger to any person using local government land;

Entertainers

- (4) sing, busk or play any recording or upon any musical instrument so as to appear to be for the purpose of entertaining other persons;

Donations

- (5) ask for or receive or indicate that he or she desires a donation of money or any other thing;

Preaching

- (6) preach or harangue;

Distribute

- (7) give out or distribute to any bystander or passer-by any handbill, book, notice, or other printed matter, provided that this restriction shall not apply to any handbill or leaflet given out or distributed by or with the authority of a candidate during the course of a Federal, State or Local Government Election or to a handbill or leaflet given out or distributed during the course and for the purpose of a Referendum;

Handbills on cars

- (8) place or put on any vehicle any handbill, advertisement, notice or printed matter except for any electoral matter placed on a vehicle with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum;

Amplification

- (9) use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements;

Removing soil etc.

- (10) carry away or remove any soil, clay, gravel, sand, timber, stones, pebbles or any part of the land;

Depositing Soil

- (11) Deposit any soil, clay, gravel, sand, timber, stones, pebbles or any other matter on the land;

Picking fruit etc.

- (12) pick fruit, nuts or berries from any trees or bushes thereon;

Games

- (13) (a) participate in any game, recreation or amusement which involves the use of a ball missile or other object which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land;
- (b) play any organised competition sport, as distinct from organised social play, in accordance with paragraph 8 of this by-law;

Athletic and ball sports

- (14) (a) to which this subparagraph applies, in accordance with paragraph 8 of this by-law, promote, organise or take part in any organised athletic sport;

- (b) to which this subparagraph applies, in accordance with paragraph 8 of this by-law, play or practice the game of golf;

Smoking

- (15) smoke tobacco or any other substance in any building or part thereof;

Closed lands

- (16) enter or remain on any part of local government land:
 - (a) at any time during which the Council has declared that the part shall be closed to the public, and which is indicated by a sign adjacent to the entrance to that part;
 - (b) where the land is enclosed with fences and/or walls, and gates have been closed and locked; or
 - (c) where admission charges are payable, for that person to enter that part without paying those charges;

Tents

- (17) (except with the Council or other Government authority) erect any tent or other structure of calico, canvass, plastic or similar material as a place of habitation;

Camping

- (18) camp or remain overnight;

Fauna

- (19) (a) take, interfere with or disturb any animal or bird or the eggs or young of any animal or bird;
- (b) disturb, interfere with or damage any burrow, nest or habitat of any animal or bird; or
- (c) use, possess or have control of any device for the purpose of killing or capturing any animal or bird;

Flora

- (20) (a) take, uproot or damage any plant;
- (b) remove, take or disturb any soil, stone, wood, timber or bark;
- (c) collect or take any dead wood or timber for the purpose of using the same to make or maintain a fire; or
- (d) ride or drive any vehicle or animal or run, stand or walk on any flowerbed or garden plot;

Animals

- (21) (a) allow any stock to stray into or depasture therein;
- (b) allow any animal to damage any flower bed, garden plot, tree, lawn or other item or place;

Fires

- (22) light any fire except:
 - (a) in a place provided by the Council for that purpose; or
 - (b) in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material;

Fireworks

- (23) use, discharge or explode any fireworks;

Swimming

- (24) swim or bathe in any pond or lake to which this subparagraph 24 applies;

Bridge jumping

- (25) jump or dive from any bridge;

Boat ramps

- (26) launch or retrieve a boat to or from any pond or lake to which this subparagraph 26 applies;

Use of boats

- (27) (a) hire out a boat or otherwise use it for commercial purposes in any pond or lake; or
 (b) hire out a boat on or from any part of the fore-shore;

Toilets

- (28) in any public convenience on local government land:
 (a) urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
 (b) smoke tobacco or any other substance;
 (c) deposit anything in a pan, urinal or drain that is likely to cause a blockage;
 (d) use it for a purpose for which it was not designed or constructed;
 (e) enter any toilet that is set aside for use of the opposite sex except where:
 (i) a child under the age of five years accompanied by an adult person of that other sex; and/or
 (ii) to provide assistance to a disabled person;

Cemeteries

- (29) comprising a cemetery:
 (a) bury or inter any human or animal remains;
 (b) erect any memorial.

Posting of bills

3. No person shall without the Council's permission post any bills, advertisements or other papers or items on a building or structure on local government land or other public place except for any electoral matter posted on a building or structure with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum.

Prohibited activities

4. No person shall on any local government land:

Use of equipment

- (1) use any form of equipment or property belonging to the Council other than in the manner and for the purpose for which it was designed or set aside;

Repairs to vehicles

- (2) perform the work of repairing, washing, painting, panel-beating or other work of any nature on or to any vehicle, provided that this paragraph shall not extend to running repairs in the case of breakdown;

Annoyances

- (3) annoy or unreasonably interfere with any other person's use of the land by making a noise or creating a disturbance that has not been authorised by the Council;

Directions

- (4) fail to comply with any reasonable direction or request from an authorised person of the Council relating to:
 (a) that person's use of the land;
 (b) that person's conduct and behaviour on the land;
 (c) that person's safety on the land; or
 (d) the safety and enjoyment of the land by other persons.

Missiles

- (5) throw, roll or discharge any stone, substance or missile to the danger of any person or animal therein;

Glass

- (6) wilfully break any glass, china or other brittle material;

Defacing property

- (7) deface, paint, write, cut names or make marks on or fix bills or advertisements to any tree, rock, gate, fence, building, sign or other property of the Council therein except for any electoral matter posted on a building or structure with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum;

Horses, cattle and sheep

- (8) (a) send, drive, lead, ride or take any horse, cattle or sheep or permit any horse, cattle or sheep to be sent, driven, led, ridden or taken on any land which the Council has, by resolution, declared to be prohibited for such purpose;
 (b) allow any horse, cattle or sheep to be let loose or left unattended on any land which the council has, by resolution, declared to be prohibited for such purpose.

Removal of animals and persons

5. (1) If any animal is found on any part of local government land in breach of a by-law:

- (a) any person in charge of the animal shall forthwith remove it from that part on the request of an authorised person; and
 (b) any authorised person may remove it therefrom if the person fails to comply with the request, or if no person is in charge of the animal.

(2) An authorised person may direct any person who is considered to be committing or has committed a breach of this by-law to leave that part of the local government land. Failure to comply with that direction forthwith is a breach of this by-law.

Sand dunes, coastal slopes and cliffs

6. No person shall:

- (1) destabilise sand on a sand dune, by any means so as to cause it to unnecessarily mass waste down slope;
 (2) use a sand board or any other object or equipment on a sand dune;
 (3) No person shall destroy, remove or cause interference to live or dead vegetation within a sand dune, coastal slope or coastal cliff;
 (4) No person shall introduce non-indigenous flora or fauna or dump any material on a sand dune;
 (5) No person shall carry out any other activity that may damage or threaten the integrity of sand dunes, coastal slopes or cliffs.

Exemptions

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

Application of paragraphs

8. Any of subparagraphs 2 (13) (b), 2 (14), 2 (24) and 2 (26) of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with Section 246 (3) (e) of the Local Government Act 1999.

Construction

9. This by-law is subject to any Act of Parliament and Regulations made thereunder.

The foregoing by-law was duly made and passed at a meeting of the District Council of Yankalilla held on 14 November 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. SWEETMAN, Chief Executive Officer

DISTRICT COUNCIL OF YANKALILLA
 BY-LAW MADE UNDER THE DOG AND CAT MANAGEMENT ACT
 1995 AND THE LOCAL GOVERNMENT ACT 1999

By-law No. 5—Dogs and Cats

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

Definitions

1. In this by-law unless the context otherwise requires:

- (1) 'Act' means the Dog and Cat Management Act 1995;
- (2) 'approved kennel establishment' means a building, structure or area approved by the relevant authority, pursuant to the Development Act 1993, for the keeping of cats and/or dogs on a temporary or permanent basis;
- (3) 'cat' means an animal of the species *felis catus*;
- (4) 'council land' means all parklands, reserves, ornamental grounds, streets, roads, jetties, bridges, foreshore, public places and other land vested in or under the control of the Council;
- (5) 'dog' means an animal of the species *canis familiaris* but does not include a dingo or cross of a dingo;
- (6) 'premises' means any domestic and non-domestic premises, except a kennel establishment in respect of which a development authorisation is in force under the Development Act 1993.

Dog Free Areas

2. No person shall on any Council land to which this paragraph applies, in accordance with paragraph 7 of this by-law cause, suffer or permit any dog under that person's control, charge or authority to be, or remain in that place.

Dogs on Leash Areas

3. No person shall on any Council land to which this paragraph applies, in accordance with paragraph 7 of this by-law, cause, suffer or permit any dog under that person's control, charge or authority to be or remain in that public place unless such dog is restrained by a strong leash not exceeding 2 m in length and either tethered securely to a fixed object or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

Dog Exercise Areas

4. (1) Any person may enter upon any part of Council land to which this paragraph applies in accordance with paragraph 7 of this by-law, for the purpose of exercising a dog under his or her control.

(2) Where a person enters upon such part of Council land for that purpose, he or she shall ensure that the dog or dogs under his or her control remain under effective control (within the meaning of the Dog and Cat Management Act 1995) while on the land.

(3) Signs shall be erected to denote the land to which this paragraph applies, and information shall be provided to the public in a manner determined by the Council's Chief Executive Officer to inform the public about such land.

Limit on Dog Numbers

5. (1) The limit on the number of dogs kept shall be:

- (a) in a township:
 - (i) in a small dwelling, one dog; and
 - (ii) in premises other than a small dwelling, two dogs;
- (b) outside of a township, three dogs (other than working dogs).

(2) No person shall, without obtaining the written permission of the Council, keep any dog on any premises where the number of dogs on those premises exceeds the limit unless the premises are an approved kennel establishment.

Limit on Cat Numbers

6. (1) The limit on the number of cats kept on premises shall be two.

(2) No person shall, without obtaining the written permission of the Council, keep any cat on any premises where the number of cats on those premises exceeds the limit unless the premises are an approved kennel establishment.

Application of Paragraphs

7. Any of paragraphs 2, 3 and subparagraph 4 (1) of this by-law shall apply only in such portion or portions of Council land as the Council may by resolution direct in accordance with section 246 (3) (e) of the Local Government Act 1999.

Construction

8. This by-law is subject to any Act of Parliament and Regulations made thereunder.

The foregoing by-law was duly made and passed at a meeting of the District Council of Yankalilla held on 14 November 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. SWEETMAN, Chief Executive Officer

DISTRICT COUNCIL OF YORKE PENINSULA

Exclusion of Land from Classification as Community Land

NOTICE is hereby given pursuant to section 193 of the Local Government Act 1999, that at the general meeting of Council held on 4 November 2002, Council resolved that the following land be excluded from the classification as Community Land:

Asset No.	Section/Lot	Street Address	Town/Hundred	Current Use
597	21	7 Main Street	Arthurton	Former Depot
495	3013	Black Point Drive	Black Point	Vacant Land
1313	88	Main Street, Curramulka	Curramulka	Vacant Land
559	755	Gardiner Terrace	Maitland	Former Council Depot
574	740	8 Elizabeth Street	Maitland	Council Office
528	633	22A Elizabeth Street	Maitland	Council Depot
530	587	28 Elizabeth Street	Maitland	Council Depot
534	586	28 Elizabeth Street	Maitland	Council Depot
185	161	18 Main Street	Minlaton	Council Office
100	109	Park Terrace	Minlaton	Council Depot
191	841	First Street	Minlaton	Vacant Land
314	22, 27, 28	8 Wandilta Street	Port Clinton	Vacant Land
326	1	Hundred of Cunningham	Price	Former Refuse Site
1117	P/L 6	Fifth Street	Warooka	Council Depot
1148	39	Player Street	Warooka	Vacant Land
1066	502	Edwards Street	Yorke town	Former Weighbridge
1088	12	Warooka Road	Yorke town	Vacant Land
1087	1	Victoria Street	Yorke town	Vacant Land
979	530	Hundred of Melville	Yorke town	Vacant Land (Mannings)
316	19	Manwurtta Street	Port Clinton	Vacant Land
1	343		Hundred of Curramulka	Rubble Pit
117	747	Yorke town Road	Minlaton	Weighbridge
226	100		Hundred of Ramsay	Ramsay Refuse Centre
362	838		Hundred of Cunningham	Old Refuse Centre
575	Lot A		Hundred of Maitland	Closed Road
576	Lot 1		Hundred of Maitland	CYP Refuse Centre
1103	135		Hundred of Moorowie	Water Reserve (Bilney Corner)
1216	Road Plan 8751, Portion A	Corny Point Road	Hundred of Carribie	Closed Road
1235	1		Hundred of Carribie	Refuse Site
408286	2201 in DP 5703		Hundred of Moorowie	Future Warooka Refuse Depot
618	Lot 1		Balgowan	CFS Station & Tennis Courts
627	Lot 1	Moody Road	Balgowan	Former Refuse Site
632	Lots 503 and 504	South Terrace	Balgowan	Vacant Land
931	Lot 5	Anstey Terrace	Edithburgh	Vacant Land
938	Lot 24	Mary Street	Edithburgh	Drainage Reserve
609	Section 325		Hundred of Tiparra	Tea Tree Glen School Site

S. P. GRIFFITHS, Chief Executive Officer

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

- Air, Bessie*, late of 19 Aldersey Street, McLaren Vale, of no occupation, who died on 25 September 2002.
- Baker, Hazel Mavis*, late of 342 Marion Road, North Plympton, retired cashier, who died on 29 September 2002.
- Crane, Melva Gweneth*, late of 276 Portrush Road, Beulah Park, retired telephonist, who died on 10 June 2002.
- Fishwick, Nora Margaret*, late of 809 Torrens Road, Alberton, home duties, who died on 6 October 2002.
- Histed, Helene Joan*, late of 26 Gloucester Street, Prospect, of no occupation, who died on 21 July 2002.
- Jenkins, Hilda Louisa*, late of 24-34 Avenue Road, Glynde, widow, who died on 14 September 2002.
- Kossiedowski, Lynette Grace*, late of 1 Tully Crescent, Port Pirie West, home duties, who died on 11 September 2002.
- Lane, Colin*, late of 49 Baldock Road, Ingle Farm, retired public servant, who died on 23 September 2002.
- Nicholls, Maxwell Graham*, late of 5 Woodforde Drive, Wallaroo, retired farmer, who died on 12 September 2002.
- Olexyn, Maria*, late of 52 Cornhill Road, Victor Harbor, home duties, who died on 6 July 2002.
- Perry, Veronica Jean Mavis*, late of 57 Ashley Street, Torrensville, home duties, who died on 25 September 2002.
- Poole, Rose*, late of 48 Sturt Road, Brighton, of no occupation, who died on 18 August 2002.
- Porter, Kathleen Grace*, late of 6 Avenue Road, Highgate, home duties, who died on 8 September 2002.
- Rogers, Frank Hedley Gilbert*, late of 66 Hayward Avenue, Torrensville, retired tunnel kiln burner, who died on 8 September 2002.
- Russell, Francis Pearce*, late of 60 States Road, Morphett Vale, widow, who died on 2 June 2002.
- Symons, Gwendoline Edith*, late of 68 Daniel Avenue, Globe Derby Park, widow, who died on 24 September 2002.
- Tait, Mavis Marjorie*, late of 342 Marion Road, North Plympton, of no occupation, who died on 21 September 2002.
- Thamm, Joyce Wynne Mavis*, late of 50 Commercial Street, Burra, home duties, who died on 8 October 2002.
- Thomas, Betty Margaret*, late of 342 Marion Road, North Plympton, of no occupation, who died on 18 September 2002.

Ullucci, Geraldo, late of 2 Maurice Road, Murray Bridge, labourer, who died on 27 September 2001.

Wicking, Frank Arthur, late of 147 St Bernard's Road, Rostrevor, retired car detailer, who died on 26 July 2002.

Wood, Elsie Ivy, late of 30 Sussex Terrace, Westbourne Park, of no occupation, who died on 21 September 2002.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 20 December 2002, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 21 November 2002.

C. J. O'LOUGHLIN, Public Trustee

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

Bowman, Edmond Percival, late of Mount View Homes, Arthur Street, Booleroo Centre, retired farmer, who died on 12 September 2002.

Notice is hereby given pursuant to the Trustee Act 1936, the Inheritance (Family Provision) Act 1972 and the Family Relationships Act 1975, that all creditors, beneficiaries and other persons having claims against the above estate are directed to send full particulars and evidence of such claims to the undersigned on or before 20 December 2002, otherwise they will be excluded from the distribution of the estate; and notice is also hereby given that all persons who are indebted to the above estate are required to pay the amount of their debt to the undersigned or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estate are forthwith to deliver the same to the undersigned.

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