



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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PUBLISHED BY AUTHORITY

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ADELAIDE, THURSDAY, 24 NOVEMBER 2011

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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@dpc.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. The *Government Gazette* is available online at: www.governmentgazette.sa.gov.au

Department of the Premier and Cabinet
Adelaide, 24 November 2011

HIS Excellency the Governor directs it to be notified for general information that he has in the name and on behalf of Her Majesty The Queen, this day assented to the undermentioned Acts passed by the Legislative Council and House of Assembly in Parliament assembled, viz.:

No. 45 of 2011—Local Government (Model By-laws) Amendment Act 2011. An Act to amend the Local Government Act 1999.

By command,

J. W. WEATHERILL, Premier

DPC06/0875

Department of the Premier and Cabinet
Adelaide, 24 November 2011

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Libraries Board of South Australia, pursuant to the provisions of the Libraries Act 1982:

Member: (from 24 November 2011 until 23 November 2014)
Lynn Marie Spurling

By command,

J. W. WEATHERILL, Premier

ASACAB003/10

Department of the Premier and Cabinet
Adelaide, 24 November 2011

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Pastoral Board, pursuant to the provisions of the Pastoral Land Management and Conservation Act 1989:

Member: (from 24 November 2011 until 11 August 2013)
Geoffrey Douglas Mills
Julie-Ann Mould

Deputy Member: (from 24 November 2011 until 11 August 2013)

Brenda Joan Anderson (Deputy to Mills)
Jock Hugh MacLachlan (Deputy to Mould)

Presiding Member: (from 24 November 2011 until 11 August 2013)

Geoffrey Douglas Mills

By command,

J. W. WEATHERILL, Premier

MEC11/0067CS

Department of the Premier and Cabinet
Adelaide, 24 November 2011

HIS Excellency the Governor in Executive Council has been pleased to appoint Hieu Van Le, AO, the Honourable Justice Margaret Nyland, AM, and the Honourable the Chief Justice John Jeremy Doyle, AC, as Governor's Deputy of South Australia for the periods set out below:

- Hieu Van Le for the period from 6 a.m. on Saturday, 26 November 2011 until 7.30 a.m. on Friday, 2 December 2011.
- The Honourable Justice Margaret Nyland, AM, for the period from 7.30 a.m. on Friday, 2 December 2011 until 10.30 p.m. on Saturday, 3 December 2011.
- The Honourable the Chief Justice John Jeremy Doyle, AC, for the period from 6 p.m. on Thursday, 8 December 2011 until 6 p.m. on Saturday, 10 December 2011.

By command,

J. W. WEATHERILL, Premier

Department of the Premier and Cabinet
Adelaide, 24 November 2011

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Gail Elizabeth Gago, MLC, Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development, Minister for Tourism and Minister for the Status of Women to be also Acting Minister for Police, Acting Minister for Correctional Services, Acting Minister for Emergency Services, Acting Minister for Road Safety and Acting Minister for Multicultural Affairs for the period from 2 December 2011 to 12 December 2011 inclusive, during the absence of the Honourable Jennifer Mary Rankine, MP.

By command,

J. W. WEATHERILL, Premier

MMA11/006SC

Department of the Premier and Cabinet
Adelaide, 24 November 2011

HIS Excellency the Governor in Executive Council has been pleased to appoint Panayiotis Tyllis to the position of Chief Psychiatrist, for a term commencing on 26 November 2011 and expiring on 25 May 2012, pursuant to Section 89 of the Mental Health Act 2009.

By command,

J. W. WEATHERILL, Premier

HEAC-2011-00059

ADMINISTRATIVE ARRANGEMENTS ACT 1994

Delegation by the Treasurer

PURSUANT to Section 9 (1) of the Administrative Arrangements Act 1994, I, John James Snelling, the Treasurer of the State of South Australia, hereby delegate all the functions and powers vested in me under Sections 25, 26, 27, 28 and 31 of the First Home Owner Grant Act 2000, to the Minister for Finance with effect from 24 November 2011.

JOHN JAMES SNELLING, Treasurer

ADMINISTRATIVE ARRANGEMENTS ACT 1994

Delegation by the Treasurer

PURSUANT to Section 9 (1) of the Administrative Arrangements Act 1994, I, John James Snelling, the Treasurer for the State of South Australia, hereby delegate all the functions and powers vested in me under the:

- Land Tax Act 1936;
- Pay-roll Tax Act 1971;
- Payroll Tax Act 2009;
- Stamp Duties Act 1923; and
- Succession Duties Act 1929,

to the Minister for Finance with effect from 24 November 2011.

JOHN JAMES SNELLING, Treasurer

ADMINISTRATIVE ARRANGEMENTS ACT 1994

Delegation by the Treasurer

PURSUANT to Section 9 (1) of the Administrative Arrangements Act 1994, I, John James Snelling, the Treasurer of the State of South Australia, hereby delegate all the functions and powers vested in me under Part 3, Division 1 and Part 5, other than Sections 33 and 33A, of the Emergency Services and Funding Act 1998 and Regulation 10 of the Emergency Services Funding (Remissions—Land) Regulations 2000, to the Minister for Finance with effect from 24 November 2011.

JOHN JAMES SNELLING, Treasurer

DEVELOPMENT ACT 1993

AMENDING A NOTICE

*Regulated Trees Development Plan Amendment—
Prepared by the Minister for Planning*

1. Correction for closing date for receiving written submissions:

Notice is given that on page 4535 of the *Government Gazette* dated 17 November 2011, written submissions for the Regulated Trees Development Plan Amendment were advised to be submitted 'no later than 5 p.m. on 25 January 2011', the correction *should* be read as 'no later than 5 p.m. on 25 January 2012'.

2. Correction to the date of the public meeting:

Notice is given that on page 4536 of the *Government Gazette* dated 17 November 2011, the date for the public meeting for Regulated Trees Development Plan Amendment was advised to be held on '17 February 2012', the correction *should* be read as '15 February 2012'.

JOHN RAU, Deputy Premier, Minister
for Planning

DEVELOPMENT ACT 1993

*Notice under Section 46 (4)**Preamble*

1. On 23 September 2010 the Minister for Urban Development and Planning, by notice in the *Gazette* (see *Gazette* 23, September 2010, page 4899) declared that Section 46 of the Development Act 1993, applied to a development of a kind specified in Schedule 1 of that notice. The declaration applied to activities and works associated with the construction and operation of a Rare Earths Complex at Whyalla.

2. It has been decided to vary the declaration.

NOTICE

PURSUANT to Section 46 (4) of the Development Act 1993, I vary the declaration referred to in the preamble, by deleting '(e) the division of land associated with the development' from Schedule 1 (Specified Kinds of Development).

Dated 2 November 2011.

JOHN RAU, Deputy Premier, Minister for
Urban Development, Planning and the
City of Adelaide

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under Section 79 of the Fisheries Management Act 2007, dated 21 December 2010, and published in the *South Australian Government Gazette* dated 6 January 2011, on page 3, being the fifth notice on that page, referring to the West Coast Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a West Coast Prawn Fishery Licence to use prawn trawl nets in the waters specified in Schedule 1, under the conditions specified in Schedule 2, during the period specified in Schedule 3.

SCHEDULE 1

The waters of the West Coast Prawn Fishery adjacent to Ceduna and Coffin Bay.

SCHEDULE 2

1. Each licence holder must ensure that a representative sample of the catch (a 'bucket count') is taken at least three times per night during the fishing activity.

2. Each 'bucket count' sample must be accurately weighed to 7 kg where possible and the total number of prawns contained in the bucket must be recorded on the daily catch and effort return.

3. Fishing must cease if one of the following limits are reached:

- (a) the average catch per vessel, per night (for all three vessels) drops below 300 kg for two consecutive nights;

(b) the average prawn 'bucket count' for all three vessels exceeds 270 prawns per bucket on any single fishing night in the Ceduna area; or

(c) the average prawn 'bucket count' for all three vessels exceeds 240 prawns per bucket on any single fishing night in the Coffin Bay area.

4. The fleet must nominate a licence holder to provide a daily update by telephone or SMS message to the PIRSA Fisheries Manager, to report the average prawn catch per vessel and the average prawn 'bucket count' information.

5. No fishing activity may be undertaken between 0630 hours and 2000 hours on any day during the period of this notice.

SCHEDULE 3

From 2000 hours on 20 November 2011 to 0630 hours on 30 November 2011 or until seven fishing nights is reached, whichever occurs first.

Dated 17 November 2011.

C. NOELL, Prawn Fisheries Manager

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE note that the notice made under Section 79 of the Fisheries Management Act 2007, dated 21 December 2010 and published in the *South Australian Government Gazette* dated 6 January 2011, on pages 2-3, being the fifth notice on page 2, referring to the Spencer Gulf Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a Spencer Gulf Prawn Fishery Licence to use prawn trawl nets in the areas specified in Schedule 1, during the period specified in Schedule 2, and under the conditions specified in Schedule 3.

SCHEDULE 1

The waters of the Spencer Gulf Prawn Fishery that are:

1. South of the following co-ordinates: Commencing at latitude 33°34.00'S, longitude 137°14.00'E, then to position latitude 33°34.00'S, longitude 137°34.00'E, then to position latitude 33°38.00'S, longitude 137°34.00'E, then to position latitude 33°46.00'S, longitude 137°44.00'E.

2. Except the waters contained within and bounded by adjacent land by the following co-ordinates:

(a) latitude 33°41.00'S, longitude 137°06.00'E, then to position latitude 33°52.00'S, longitude 137°15.00'E, then to position latitude 33°53.50'S, longitude 137°11.50'E, then to position latitude 33°58.00'S, longitude 137°15.00'E, then to position latitude 34°15.00'S, longitude 136°59.00'E, then to position latitude 34°25.00'S, longitude 136°59.00'E, then to position latitude 34°25.00'S, longitude 136°40.00'E, then to position latitude 34°07.00'S, longitude 136°47.00'E, then to position latitude 33°54.00'S, longitude 136°35.00'E, then to the position of commencement; and

(b) latitude 34°10.00'S, longitude 137°28.00'E, then to position latitude 34°21.00'S, longitude 137°12.00'E, then to position latitude 34°45.00'S, longitude 137°15.00'E, then to position latitude 34°54.00'S, longitude 137°01.00'E, then to the position of commencement.

SCHEDULE 2

From 2030 hours on 21 November 2011 to 0600 hours on 3 December 2011.

SCHEDULE 3

1. The co-ordinates in Schedule 1 are defined as degrees decimal minutes and based on the Australian Geodetic Datum 1966 (AGD 66).

2. No fishing activity may be undertaken during the daylight hours from 0600 hours to 2030 hours on any day during the period specified in Schedule 2.

Dated 21 November 2011.

C. NOELL, Prawn Fisheries Manager

HOUSING IMPROVEMENT ACT 1940

WHEREAS by notice published in the *Government Gazette* on the dates mentioned in the following table the South Australian Housing Trust Board delegate did declare the houses described in the said table to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940, the South Australian Housing Trust in the exercise of the powers conferred by the said Part, does hereby fix as the maximum rental per week which shall be payable subject to Section 55 of the Residential Tenancies Act 1995, in respect of each house described in the following table the amount shown in the said table opposite the description of such house and this notice shall come into force on the date of this publication in the *Gazette*.

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
28-30 Cameron Street, Gawler	Allotment 38 in Filed Plan 154439, Hundred of Mudla Wirra	5359	869	7.7.11, page 2980	300.00
Lot 1, Churchett Road (Detached granny flat), Highbury	Allotment 1 in Filed Plan 132581, Hundred of Yatala	5359	718	14.6.90, page 1623	90.00
12 Greenoch Street, Sellicks Beach	Allotment 173 in Deposited Plan 6906, Hundred of Willunga	5206	584	29.9.11, page 4100	140.00
Unit 3, 41 Hassell Street, Ferryden Park	Allotment 50 in Deposited Plan 3144, Hundred of Yatala	5429	446	29.9.11, page 4100	145.00
135 Mead Street, Peterhead	Allotment 4 in Deposited Plan 22262, Hundred of Yatala	5440	819	29.9.11, page 4100	160.00
Unit 1, 16 Meadow Avenue, Campbelltown	Allotment 123 in Deposited Plan 3766, Hundred of Adelaide	5661	971	15.9.11, page 4017	153.00
9 Melton Street, Somerton Park	Allotment 143 in Deposited Plan 2943, Hundred of Noarlunga	5380	368	15.9.11, page 4017	200.00
Unit 3, 45 Nelson Street, Valley View	Allotment 14 in Deposited Plan 7613, Hundred of Yatala	5561	442	7.7.11, page 2980	164.00
Unit 8, 6 Percy Street, Prospect	Unit 8 in Strata Plan 2037, Hundred of Yatala	5043	86	29.9.11, page 4100	157.00
17 Princess Street, Peterborough	Allotment 420 in Deposited Plan 3873, Hundred of Yongala	5951	991	29.9.11, page 4100	90.00
25 Small Crescent, Smithfield Plains	Allotment 7 in Deposited Plan 51167, Hundred of Munno Para	5631	580	7.7.11, page 2980	105.00
65 Witton Road, Christies Beach	Allotment 52 in Deposited Plan 2394, Hundred of Noarlunga	5323	240	29.9.11, page 4100	290.00

Dated at Adelaide, 24 November 2011.

R. HULM, Director, Corporate Services, Housing SA

HOUSING IMPROVEMENT ACT 1940

WHEREAS by notice published in the *Government Gazette* on the dates mentioned in the following table the South Australian Housing Trust Board delegate did declare the houses described in the said table to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940, and whereas the South Australian Housing Trust is satisfied that each of the houses described hereunder has ceased to be substandard, notice is hereby given that, in exercise of the powers conferred by the said Part, the South Australian Housing Trust does hereby revoke the said declaration in respect of each house.

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
34 Chillingworth Road, Elizabeth North	Allotment 6 in Deposited Plan 38746, Hundred of Munno Para	5166	910	27.10.11, page 4318
27 Clyde Street, Parkside	Allotment 128 in Filed Plan 14380, Hundred of Adelaide	5485	324	21.9.78, page 1004
26 (also known as 22-26) East Pallant Street, North Adelaide	Allotment 2 in Deposited Plan 73298, Hundred of Yatala	6008	399	27.3.03, page 1186
34 Pegasi Avenue, Hope Valley	Allotment 153 in Deposited Plan 7485, Hundred of Yatala	5422	644	14.8.08, page 3608
35 Rosewarne Crescent, Davoren Park	Allotment 162 in Deposited Plan 7522, Hundred of Munno Para	5595	471	9.12.10, page 5560

Dated at Adelaide, 24 November 2011.

R. HULM, Director, Corporate Services, Housing SA

HOUSING IMPROVEMENT ACT 1940

NOTICE is hereby given that the South Australian Housing Trust in the exercise of the powers conferred by the Housing Improvement Act 1940, does hereby declare the houses described in the table hereunder to be substandard for the purposes of Part 7 of the Housing Improvement Act 1940.

No. of House and Street	Locality	Allotment, Section, etc.	Certificate of Title	
			Volume	Folio
26 Hanson Road	Woodville Gardens	Allotment 24 in Deposited Plan 5101, Hundred of Yatala	5685	955
150 Ian Oliver Drive	Waikerie	Allotment 3 in Deposited Plan 22948, Hundred of Waikerie	5347	898
22 St John Street	Adelaide	Allotment 650 in Filed Plan 182302, Hundred of Adelaide	5894	515
2 Reynell Road	Rostrevor	Allotment 40 in Deposited Plan 6162, Hundred of Adelaide	5212	258

Dated at Adelaide, 24 November 2012.

R. HULM, Director, Corporate Services, Housing SA

HEALTH CARE ACT 2008

NOTICE BY THE MINISTER

Variation of Declaration of Authorised Persons made under Sub-section 64 (b) (i) of the Health Care Act 2008

TAKE notice that pursuant to sub-section 64 (8) of the Health Care Act 2008, I, Honourable John Hill, MP, Minister for Health and Ageing, do hereby vary the previous declaration made by me under sub-section 64 (b) (i) of the Health Care Act 2008, as published in the *South Australian Government Gazette* on 16 June 2011, by replacing the name of the group of persons described in the Schedule to the declaration as 'Mental Health Services Incident Review Panel' with the name 'Adelaide Metro Mental Health Directorate Incident Review Panel'.

Dated 21 November 2011.

JOHN HILL, Minister for Health and Ageing

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE Minister for Sustainability, Environment and Conservation (the 'Authority'), G.P.O. Box 1047, Adelaide, S.A. 5001, acquires the following interests in the following land:

Definition of Land Acquired

First: The right of way on foot only created by Instrument RTC 8702452 over that piece of land situated at Morphett Road, Oaklands Park, S.A. 5046, being that portion of Allotment 1 in Deposited Plan 59367 marked 'BB' on Deposited Plan 52571 and being part of the land in Certificate of Title Volume 5880 Folio 720 appurtenant to the land in Certificate of Title Volume 5848 Folio 470, Certificate of Title Volume 6073 Folio 695 and Certificate of Title Volume 6073 Folio 712.

Secondly: The right of way on foot only created by Instrument RTC 8702452 over that piece of land situated at Morphett Road, Oaklands Park, S.A. 5046, being that portion of Allotment 502 in Deposited Plan 52571 marked 'BB' on Deposited Plan 52571 and being part of the land in Certificate of Title Volume 5681 Folio 921 appurtenant to the land in Certificate of Title Volume 5848 Folio 470, Certificate of Title Volume 6073 Folio 695 and Certificate of Title Volume 6073 Folio 712.

Thirdly: The free and unrestricted rights of way created by Instrument RTC 8702452 over that piece of land situated at Milham Street, Oaklands Park, S.A. 5046, being that portion of Allotment 1 in Deposited Plan 59367 marked 'CC' on Deposited Plan 52571 and being part of the land comprised in Certificate of Title Volume 5880 Folio 720 appurtenant to the land in Certificate of Title Volume 5848 Folio 470, Certificate of Title Volume 6073 Folio 695 and Certificate of Title Volume 6073 Folio 712.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Carlene Russell,
G.P.O. Box 1533,
Adelaide, S.A. 5001
Phone (08) 8343 2454

Dated 17 November 2011.

The Common Seal of the Minister for Sustainability, Environment and Conservation was hereto affixed by authority of the Minister in the presence of:

FAY HART

DTEI: 2009/31669/01

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Copestick Murray Australia Pty Ltd has applied to the Licensing Authority for a Wholesale Liquor Merchant's Licence in respect of premises situated at 175 Fullarton Road, Dulwich, S.A. 5065 and known as Copestick Murray Australia.

The application has been set down for hearing on 20 December 2011 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 13 December 2011).

The applicant's address for service is c/o Philip Marshall, 175 Fullarton Road, Dulwich, S.A. 5065.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 10 November 2011.

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-Smith, C. A. and Krieg, M. A. R. have applied to the Licensing Authority for Redefinition and variation in respect of premises situated at 11-13 Frome Street, Adelaide, S.A. 5000 and known as Rhino Room.

The application has been set down for hearing on 21 December 2011 at 11.30 a.m.

Conditions

The following licence conditions are sought:

- Redefinition of the licensed area to include the footpath as shown on the plan.
- To vary Extended Trading Authorisation to include the new area during the Adelaide Fringe Festival and the Adelaide Comedy Festival as per existing licence Condition 2.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 14 December 2011).

The applicants' address for service is c/o Michael Krieg, 13 Frome Street, Adelaide, S.A. 5000.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 17 November 2011.

Applicants

The application has been set down for hearing on 21 December 2011 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 14 December 2011).

The applicant's address for service is c/o Nicholls Gervasi Lawyers, 82 Tasman Terrace, Port Lincoln, S.A. 5606 (Attention: Erica Nichols).

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 17 November 2011.

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 Port Germein Tennis Club has applied to the Licensing Authority for a Limited Club Licence in respect of premises situated at Main Street, Port Germein, S.A. 5495 and known as Port Germein Tennis Club.

The application has been set down for hearing on 21 December 2011 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 14 December 2011).

The applicant's address for service is c/o Michelle Jenkins, Port Germein Tennis Club, Main Street, Port Germein, S.A. 5495.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 18 November 2011.

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 Michael Goulden has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 185 Range Road South, Houghton, S.A. 5131 and to be known as Rusty Bike Wines.

The application has been set down for hearing on 21 December 2011 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 14 December 2011).

The applicant's address for service is c/o Michael Denys Goulden, 185 Range Road South, Houghton, S.A. 5131.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 16 November 2011.

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 Fiona Fu has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 153 O'Connell Street, North Adelaide, S.A. 5006 and known as Saizen Sushi Bar.

The application has been set down for hearing on 9 January 2012 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 2 January 2012).

The applicant's address for service is c/o Fiona Fu, 153 O'Connell Street, North Adelaide, S.A. 5006.

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 21 November 2011.

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 Frank Rerich has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 91 Tasman Terrace, Port Lincoln, S.A. 5606 and known as Eight Elephants and to be known as Peacock Garden Chinese Restaurant.

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to Section 52 (2) (b) of the Liquor Licensing Act 1997, that Jant Enterprises Pty Ltd as trustee for Jant Unit Trust has applied to the Licensing Authority for the transfer of a Special Circumstances Licence in respect of premises situated at 81 O'Connell Street, North Adelaide, S.A. 5006 and known as Paesano European Style.

The application has been set down for hearing on 9 January 2012 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 2 January 2012).

The applicant's address for service is c/o Bambrick Legal, P.O. Box 276, North Adelaide, S.A. 5006 (Attention: Adrian Bambrick).

The application and certain documents and material (including Plans) relevant to the application may be inspected without fee at a place and during a period specified by the Liquor and Gambling Commissioner, Chesser House, 3rd Floor, 91-97 Grenfell Street, Adelaide, S.A. 5000. Telephone: 131 882. Facsimile: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 18 November 2011.

Applicant

MINING ACT 1971

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

Applicant: George Kwitko

Location: Lake Harris area—Approximately 90 km south-east of Tarcoola.

Pastoral Lease: Kokatha

Term: 2 years

Area in km²: 164

Ref.: 2011/00013

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

J. MARTIN, 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 and Energy proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Kush Commodities Pty Ltd

Location: Bookabie area—Approximately 100 km north-west of Ceduna.

Term: 1 year

Area in km²: 93

Ref.: 2011/00060

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

J. MARTIN, 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 and Energy proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Mincor Iron Holdings Pty Ltd

Location: Hiltaba area—Approximately 135 km east of Ceduna.

Pastoral Leases: Yardea, Kondoolka, Yarna and Hiltaba.

Term: 2 years

Area in km²: 975

Ref.: 2011/00077

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

J. MARTIN, 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 and Energy proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Iluka Resources Limited

Location: Parcoola area—Approximately 75 km north-west of Renmark.

Pastoral Leases: Pine Valley, Canegrass and Parcoola.

Term: 2 years

Area in km²: 887

Ref.: 2011/00092

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

J. MARTIN, 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 and Energy proposes to grant an Exploration Licence over the undermentioned area:

Applicant: FMG Resources Pty Ltd

Location: Curdimurka area—Approximately 85 km north of Roxby Downs.

Pastoral Lease: Stuarts Creek.

Term: 2 years

Area in km²: 24

Ref.: 2011/00155

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

J. MARTIN, Mining Registrar

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Licence Condition**Extension of Licence Term**Petroleum Exploration Licence—PEL 111**Extension of Licence Term**Associated Activities Licence—AAL 151*

PURSUANT to Section 76A of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that Condition 1 of the abovementioned Petroleum Exploration Licence PEL 111 has been suspended for the period from and including 8 February 2012 until 13 July 2012, under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 1 October 2009.

The term of PEL 111 has been extended by a period corresponding to the period of suspension, such that the licence will now expire 13 February 2012.

As a consequence of the suspension and extension of PEL 111, the term of the adjunct Associated Activities Licence AAL 151 is extended, such that AAL 151 will now expire on 13 July 2012.

Dated 18 November 2012.

C. D. COCKSHELL,

Acting Executive Director,
Energy Resources Division
Department for Manufacturing, Innovation,
Trade, Resources and Energy
Delegate of the Minister for Mineral
Resources and Energy

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

Surrender of Geothermal Exploration Licences—GELs 505 and 506

NOTICE is hereby given that I have accepted surrender of the abovementioned Geothermal Exploration Licences under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 1 October 2009.

No. of Licence	Licensee	Locality	Date of Surrender	Reference
GEL 505	Earth Heat Australia Pty Ltd	Arrowie Basin, South Australia	3 November 2011	F2009/00045 7
GEL 506				

Description of Area—GEL 505

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

Commencing at a point being the intersection of latitude 32°06'00"S GDA94 and longitude 138°52'00"E GDA94, thence east to longitude 138°56'00"E GDA94, south to latitude 32°09'00"S GDA94, east to longitude 139°01'00"E GDA94, south to latitude 32°14'00"S GDA94, west to longitude 138°57'00"E GDA94, south to latitude 32°15'00"S GDA94, west to longitude 138°53'00"E GDA94, south to latitude 32°16'00"S GDA94, west to longitude 138°51'00"E GDA94, south to latitude 32°17'00"S GDA94, west to longitude 138°50'00"E GDA94, south to latitude 32°18'00"S GDA94, west to longitude 138°49'00"E GDA94, south to latitude 32°19'00"S GDA94, west to longitude 138°43'00"E GDA94, south to latitude 32°21'00"S GDA94, west to longitude 138°42'00"E GDA94, south to latitude 32°22'00"S GDA94, west to longitude 138°38'00"E GDA94, north to latitude 32°17'00"S GDA94, east to longitude 138°42'00"E GDA94, north to latitude 32°12'00"S GDA94, east to longitude 138°50'00"E GDA94, north to latitude 32°08'00"S GDA94, east to longitude 138°52'00"E GDA94 and north to the point of commencement.

Area: 456 km² approximately.

Description of Area—GEL 506

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

Commencing at a point being the intersection of latitude 31°59'00"S GDA94 and longitude 138°40'00"E GDA94, thence east to longitude 138°48'00"E GDA94, south to latitude 32°00'00"S GDA94, east to longitude 138°49'00"E GDA94, south to latitude 32°06'00"S GDA94, west to longitude 138°48'00"E GDA94, south to latitude 32°09'00"S GDA94, west to longitude 138°47'00"E GDA94, south to latitude 32°10'00"S GDA94, west to longitude 138°46'00"E GDA94, south to latitude 32°12'00"S GDA94, west to longitude 138°42'00"E GDA94, south to latitude 32°16'00"S GDA94, west to longitude 138°34'00"E GDA94, north to latitude 32°11'00"S GDA94, east to longitude 138°37'00"E GDA94, north to latitude 32°09'00"S GDA94, east to longitude 138°39'00"E GDA94, north to latitude 32°02'00"S GDA94, east to longitude 138°40'00"E GDA94 and north to the point of commencement.

Area: 454 km² approximately.

Dated 17 November 2011.

C. D. COCKSHELL,
Acting Executive Director,
Energy Resources Division
Department for Manufacturing, Innovation, Trade,
Resources and Energy
Delegate of the Minister for Mineral Resources and Energy



Christmas/New Year Holiday Publishing Information

Last Gazette for 2011 will be Thursday, 22 December 2011

Closing date for notices for publication will be
4 p.m. Tuesday, 20 December 2011

First Gazette for 2012 will be Thursday, 5 January 2012

Closing date for notices for publication will be
4 p.m. Tuesday, 3 January 2012

*(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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Plaza Level
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Attention: *Government Gazette* Section

Inquiries telephone: 8207 1045

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To apply from 1 July 2011

	\$		\$
Agents, Ceasing to Act as.....	45.50	Firms:	
Associations:		Ceasing to Carry on Business (each insertion)	30.25
Incorporation	23.00	Discontinuance Place of Business	30.25
Intention of Incorporation	57.00	Land—Real Property Act:	
Transfer of Properties	57.00	Intention to Sell, Notice of.....	57.00
Attorney, Appointment of.....	45.50	Lost Certificate of Title Notices	57.00
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Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	452.00
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Meeting')		First Name	90.50
First Name.....	45.50	Each Subsequent Name.....	11.60
Each Subsequent Name	11.60	Noxious Trade	33.75
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pany be wound up voluntarily and that a liquidator		Rate per page (in 8pt)	289.00
be appointed').....	57.00	Rate per page (in 6pt)	382.00
Release of Liquidator—Application—Large Ad	90.50	Sale of Land by Public Auction.....	57.50
—Release Granted	57.00	Advertisements	3.20
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Restored Name.....	42.50	Full page advertisement.....	529.00
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Summons in Action.....	67.50	column line, tabular one-third extra.	
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Register of Interests—Section 84 (1) Exempt.....	102.00	Councils to be charged at \$3.20 per line.	
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GOVERNMENT GAZETTE NOTICES

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@dpc.sa.gov.au*. Send as attachments in Word format. Please include date the notice is to be published and to whom the notice will be charged. **The Government Gazette is available online at: www.governmentgazette.sa.gov.au.**

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2011

Acts, Bills, Rules, Parliamentary Papers and Regulations

Pages	Main	Amends	Pages	Main	Amends
1-16	2.80	1.30	497-512	38.50	37.50
17-32	3.70	2.30	513-528	39.50	38.25
33-48	4.85	3.45	529-544	41.00	39.50
49-64	6.10	4.70	545-560	42.00	41.00
65-80	7.10	5.90	561-576	43.00	42.00
81-96	8.30	6.85	577-592	44.50	42.50
97-112	9.45	8.10	593-608	45.75	44.00
113-128	10.60	9.30	609-624	46.50	45.50
129-144	11.80	10.50	625-640	47.75	46.00
145-160	13.00	11.60	641-656	49.00	47.75
161-176	14.10	12.80	657-672	49.75	48.25
177-192	15.40	13.90	673-688	51.50	49.75
193-208	16.60	15.30	689-704	52.50	50.50
209-224	17.50	16.20	705-720	53.50	52.00
225-240	18.70	17.30	721-736	55.00	53.00
241-257	20.10	18.30	737-752	55.50	54.00
258-272	21.20	19.40	753-768	57.00	55.00
273-288	22.30	21.00	769-784	58.00	57.00
289-304	23.30	21.90	785-800	59.00	58.00
305-320	24.70	23.20	801-816	60.50	58.50
321-336	25.75	24.30	817-832	61.50	60.50
337-352	27.00	25.50	833-848	63.00	61.50
353-368	27.75	26.75	849-864	64.00	62.50
369-384	29.25	27.75	865-880	65.50	64.00
385-400	30.50	29.00	881-896	66.00	64.50
401-416	31.75	30.00	897-912	67.50	66.00
417-432	33.00	31.50	913-928	68.00	67.50
433-448	34.00	32.75	929-944	69.00	68.00
449-464	34.75	33.50	945-960	70.00	68.50
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South Australia

Public Sector (Reorganisation of Public Sector Operations) Notice 2011

under section 9(1) of the *Public Sector Act 2009*

1—Short title

This notice may be cited as the *Public Sector (Reorganisation of Public Sector Operations) Notice 2011*.

2—Commencement

This notice will come into operation on 1 December 2011.

3—Transfer of employees

Each of the following Department of Planning and Local Government employees is transferred to employment in the Department of Treasury and Finance on the same basis of engagement as applied before the transfer:

- (a) Bill Denny
- (b) Paul Sykes
- (c) Shane Metcalfe

Made by the Premier

on 24 November 2011

DPC11/047CS

TRAINING AND SKILLS DEVELOPMENT ACT 2008**Part 4—Apprenticeships/Traineeships**

Pursuant to the provision of the Training and Skills Development Act 2008, the Training and Skills Commission (TaSC) gives notice that determines the following Trades or Declared Vocations in addition to the Gazette notices of:

- | | | | |
|-----------------------|----------------------|-----------------------|-----------------------|
| 1. 25 September 2008 | 2. 23 October 2008 | 3. 13 November 2008 | 4. 4 December 2008 |
| 5. 18 December 2008 | 6. 29 January 2009 | 7. 12 February 2009 | 8. 5 March 2009 |
| 9. 12 March 2009 | 10. 26 March 2009 | 11. 30 April 2009 | 12. 18 June 2009 |
| 13. 25 June 2009 | 14. 27 August 2009 | 15. 17 September 2009 | 16. 24 September 2009 |
| 17. 9 October 2009 | 18. 22 October 2009 | 19. 3 December 2009 | 20. 17 December 2009 |
| 21. 4 February 2010 | 22. 11 February 2010 | 23. 18 February 2010 | 24. 18 March 2010 |
| 25. 8 April 2010 | 26. 6 May 2010 | 27. 20 May 2010 | 28. 3 June 2010 |
| 29. 17 June 2010 | 30. 24 June 2010 | 31. 8 July 2010 | 32. 9 September 2010 |
| 33. 23 September 2010 | 34. 4 November 2010 | 35. 25 November 2010 | 36. 16 December 2010 |
| 37. 23 December 2011 | 38. 17 March 2011 | 39. 7 April 2011 | 40. 21 April 2011 |
| 41. 19 May 2011 | 42. 30 June 2011 | 43. 21 July 2011 | 44. 8 September 2011 |
| 45. 10 November 2011 | | | |

**Trades or Declared Vocations and Required Qualifications and
Training Contract Conditions for the
Electrotechnology Training Package UEE07**

*Trade/ #Declared Vocation/ Other Occupation	Code	Title	Nominal Term of Training Contract	Probationary Period
# Advanced Technical Specialist	UEE61210	Advanced Diploma of Engineering—Explosion Protection	24 months	2 months

TRAINING AND SKILLS DEVELOPMENT ACT 2008**Part 4—Apprenticeships/Traineeships**

Pursuant to the provision of the Training and Skills Development Act 2008, the Training and Skills Commission (TaSC) gives notice that determines the following Trades or Declared Vocations in addition to the Gazette notices of:

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| 25. 8 April 2010 | 26. 6 May 2010 | 27. 20 May 2010 | 28. 3 June 2010 |
| 29. 17 June 2010 | 30. 24 June 2010 | 31. 8 July 2010 | 32. 9 September 2010 |
| 33. 23 September 2010 | 34. 4 November 2010 | 35. 25 November 2010 | 36. 16 December 2010 |
| 37. 23 December 2011 | 38. 17 March 2011 | 39. 7 April 2011 | 40. 21 April 2011 |
| 41. 19 May 2011 | 42. 30 June 2011 | 43. 21 July 2011 | 44. 8 September 2011 |
| 45. 10 November 2011 | | | |

**Trades or Declared Vocations and Required Qualifications and
Training Contract Conditions for the
Business Services Training Package TLI10**

*Trade/ #Declared Vocation/ Other Occupation	Code	Title	Nominal Term of Training Contract	Probationary Period
# Logistics Administration Officer	TLI21810	Certificate II in Logistics	12 months	1 month
	TLI32410	Certificate III in Logistics	18 months	1 month
	TLI42010	Certificate IV in Logistics	36 months	3 months
# Logistics Manager	TLI50410	Diploma of Logistics	48 months	3 months
# Rail Transport (Civil Infrastructure)	TLI21310	Certificate II in Rail Infrastructure	24 months	1 month
	TLI31810	Certificate III in Rail Track Surfacing	18 months	1 month
	TLI31910	Certificate III in Mechanical Rail Signalling	24 months	1 month
	TLI32110	Certificate III in Rail Structures	18 months	1 month
	TLI32510	Certificate III in Infrastructure	18 months	1 month
	TLI40710	Certificate IV in Transport and Logistics (Rail Infrastructure)	12 months	1 month

*Trade/ #Declared Vocation/ Other Occupation	Code	Title	Nominal Term of Training Contract	Probationary Period
# Rail Transport (Train Operations)	TLI20410	Certificate II in Transport and Logistics (Rail Operations)	18 months	1 month
	TLI30410	Certificate III in Transport and Logistics (Rail Operations)	36 months	1 month
	TLI31410	Certificate III in Rail Driving	18 months	1 month
	TLI32310	Certificate III in Electric Passenger Train Guard	18 months	1 month
	TLI40410	Certificate IV in Transport and Logistics (Rail Operations)	48 months	3 months
# Road Transport Operator	TLI21210	Certificate II in Driving Operations	18 months	1 month
	TLI21510	Certificate II in Furniture Removal	12 months	1 month
	TLI21710	Certificate II in Road Transport Yard Operations (Freight Handler)	18 months	1 month
	TLI31210	Certificate III in Driving Operations	24 months	1 month
	TLI31710	Certificate III in Mobile Crane Operations	18 months	1 month
	TLI41910	Certificate IV in Mobile Crane Operations	24 months	1 month
# Stevedoring Employee	TLI21410	Certificate II in Stevedoring	18 months	1 month
	TLI31510	Certificate III in Stevedoring	18 months	1 month
	TLI41710	Certificate IV in Stevedoring Operations	24 months	1 month
# Store worker	TLI21610	Certificate II in Warehousing Operations	18 months	1 month
	TLI31610	Certificate III in Warehousing Operations	24 months	1 month
	TLI41810	Certificate IV in Warehousing Operations	36 months	3 months

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24

**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER**

Road Closure—Deviation Road, Adelaide

BY Road Process Order made on 23 September 2011, The Corporation of the City of Adelaide ordered that:

1. The whole of Deviation Road situate between Port Road and James Congdon Drive and dividing allotment 12 in Deposited Plan 85638 from allotment 74 in Deposited Plan 56872, more particularly delineated and lettered 'A' on Preliminary Plan No. 09/0005 be closed.

2. Vest the whole of the land subject to closure in the Crown.

3. The following easement be granted over the whole of the land subject to that closure:

Grant to Envestra (SA) Ltd an easement for gas supply purposes.

On 16 November 2011 that order was confirmed by the Minister for Transport and Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 88255 being the authority for the new boundaries.

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

Dated 24 November 2011.

P. M. KENTISH, Surveyor-General

CITY OF MITCHAM

Mingbool Avenue, St Marys. p18
St Marys Street, St Marys. p18
Manse Terrace, St Marys. p18
In and across Burbank Avenue, Bedford Park. p39
In and across Kelvin Road, Bedford Park. p39
Letchford Street, Bedford Park. p39
Edison Road, Bedford Park. p39
Quinlan Avenue, St Marys. p44
In and across Thurles Street, St Marys. p44 and 45
Park Road, St Marys. p45
Tobruk Avenue, St Marys. p44
Osborne Street, St Marys. p44
Lloyd Street, St Marys. p45
Walsh Avenue, St Marys. p45

CITY OF PLAYFORD

Old Port Wakefield Road, Virginia. p1

CITY OF PORT ADELAIDE ENFIELD

Main North Road, Gepps Cross. p3
Folland Avenue, Northgate. p20
Tarpeena Avenue, Windsor Gardens. p41

CITY OF UNLEY

Wattle Street, Malvern. p16
Cambridge Terrace, Malvern. p16
Duthy Street, Malvern. p16

CITY OF WEST TORRENS

In and across Sandison Terrace, Novar Gardens. p21

TOWNSHIP OF CLARE WATER DISTRICT

CLARE AND GILBERT VALLEYS COUNCIL
Jonathon Street, Clare. p17

TOD RIVER COUNTRY LANDS WATER DISTRICT

DISTRICT COUNCIL OF LOWER EYRE PENINSULA
Easton Road, North Shields. p26

WHYALLA WATER DISTRICT

THE CORPORATION OF THE CITY OF WHYALLA

Lacey Street, Whyalla Playford. p6-8 and 12
In and across Peters Street, Whyalla Playford. p6, 8 and 9
In public utility reserve (lot 6996), Whyalla Playford. p6, 9-11 and 13

WATER MAINS ABANDONED

Notice is hereby given that the undermentioned water mains have been abandoned by the South Australian Water Corporation.

ADELAIDE WATER DISTRICT

CAMPBELLTOWN CITY COUNCIL

Wilson Street, Magill. p38
Daly Street, Magill. p38

TOWN OF GAWLER

East Terrace, Gawler East. p24
In and across St Albans Road, Evanston Park. p40
Jersey Street, Evanston Park. p40

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 24 November 2011

WATER MAINS LAID

Notice is hereby given that the following main pipes or parts of main pipes have been laid down by the South Australian Water Corporation in or near the undermentioned water districts and are now available for a constant supply of water to adjacent land.

ADELAIDE WATER DISTRICT

CAMPBELLTOWN CITY COUNCIL

Wilson Street, Magill. p38
Daly Street, Magill. p38

TOWN OF GAWLER

East Terrace, Gawler East. p24
In and across St Albans Road, Evanston Park. p40
Jersey Street, Evanston Park. p40

CITY OF MARION

White Crescent, Seacombe Gardens. p19
Waratah Square, Seacombe Gardens. p19
Bluebell Avenue, Seacombe Gardens. p19
Rotorua Avenue, Park Holme. p22
Wallala Avenue, Park Holme. p22 and 23
Marion Road, Park Holme. p23
Marion Road, South Plympton. p42
Raglan Avenue, South Plympton. p42 and 43
Edgeworth Street, South Plympton. p42

CITY OF MARION

White Crescent, Seacombe Gardens. p19
Waratah Square, Seacombe Gardens. p19
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CITY OF MITCHAM

Mingbool Avenue, St Marys. p18
St Marys Street, St Marys. p18
Manse Terrace, St Marys. p18
In and across Burbank Avenue, Bedford Park. p39
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Park Road, St Marys. p45
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CITY OF PLAYFORD

Old Port Wakefield Road, Virginia. p1

CITY OF PORT ADELAIDE ENFIELD

Main North Road, Gepps Cross. p3
Folland Avenue, Northgate. p20
Tarpeena Avenue, Windsor Gardens. p41

CITY OF UNLEY

Wattle Street, Malvern. p16
Cambridge Terrace, Malvern. p16
Duthy Street, Malvern. p16

CITY OF WEST TORRENS

In and across Sandison Avenue, Novar Gardens. p21

MILLICENT WATER DISTRICT**WATTLE RANGE COUNCIL**

Waterworks land (section 481, hundred of Mount Muirhead), Salts Street, Millicent. p27, 28 and 32

PORT LINCOLN WATER DISTRICT**CITY OF PORT LINCOLN**

Hawson Square, Port Lincoln. p5

WHYALLA WATER DISTRICT**THE CORPORATION OF THE CITY OF WHYALLA**

Lacey Street, Whyalla Playford. p6-8 and 12
In and across Peters Street, Whyalla Playford. p6, 8 and 9
In public utility reserve (lot 6996), Whyalla Playford. p6, 9-11 and 13

WATER MAINS LAID

Notice is hereby given that the undermentioned water mains have been laid down by the South Australian Water Corporation and are not available for a constant supply of water to adjacent land.

MILLICENT WATER DISTRICT**WATTLE RANGE COUNCIL**

Waterworks land (section 481, hundred of Mount Muirhead), Salts Street, Millicent. p27, 28, 32 and 37
Across and in Salts Street Millicent. p27, 28 and 32
Rocky Camp Road, Millicent. p27, 28 and 32
Easements in drainage reserve (section 1043, hundred of Mount Muirhead), Rocky Camp Road, Millicent. p27-29
Public road south-west of lot 611 in LTRO FP 191983 and lot 612 in LTRO FP 191984, Millicent. p27, 29-31, 34 and 35

OUTSIDE MILLICENT WATER DISTRICT**WATTLE RANGE COUNCIL**

In and across Rocky Camp Road, Millicent. p27, 28, 32 and 33
Easement in drainage reserve (section 1043, hundred of Mount Muirhead), Rocky Camp Road, Millicent. p27, 28 and 32

OUTSIDE WATER DISTRICTS**OUTSIDE DISTRICT COUNCILS**

Easements in lot 79 and allotment piece 80 in LTRO DP 61915, Lincoln Highway, hundred of Randell. p15

SEWERS LAID

Notice is hereby given that the following sewers have been laid down by the South Australian Water Corporation in the undermentioned drainage areas and are now available for house connections.

ADELAIDE DRAINAGE AREA**CITY OF MARION**

Mulga Street, Seacombe Gardens. FB 1144 p48

CITY OF MITCHAM

In and across Shepherd Court, Coromandel Valley. FB 1212 p47
Easements in reserve (lot 23 in LTRO DP 10220), Shepherd Court and lot 400 in LTRO DP 21685, Coromandel Valley. FB 1212 p47

CITY OF ONKAPARINGA

Easements in lot 3216 in LTRO DP 86235, Grand Boulevard and lot 3212 in LTRO DP 85407, Sauerbiers Road, Seaford Meadows. FB 1215 p14-17
In and across Naval Road, Seaford Meadows. FB 1215 p14, 16 and 17
Pearl Road, Seaford Meadows. FB 1215 p14, 16 and 18
In and across Ship Street, Seaford Meadows. FB 1215 p14, 16 and 18
Orange Lane, Seaford Meadows. FB 1215 p14, 16 and 18
Waterloo Way, Seaford Meadows. FB 1215 p14, 16 and 18

CITY OF PORT ADELAIDE ENFIELD

Across and in South Road, Wingfield. FB 1212 p46
Easements in lot 22 in LTRO DP 84035, South Road, Wingfield. FB 1212 p46

PORT PIRIE COUNTRY DRAINAGE AREA**PORT PIRIE REGIONAL COUNCIL**

McDonald Court, Risdon Park South. FB 1212 p45

STIRLING COUNTRY DRAINAGE AREA**ADELAIDE HILLS COUNCIL**

Across and in Churinga Road, Aldgate—63 mm, 50 mm and 40 mm PE100 pressure sewer system mains. These mains are available on application only. FB 1212 p48-51

Lot 2 in LTRO FP 157848, Churinga Road, Aldgate—40 mm PE100 pressure sewer system main. This main is available on application only. FB 1212 p52

Lot 7 in LTRO FP 105221, Churinga Road, Aldgate—40 mm PE100 pressure sewer system main. This main is available on application only. FB 1212 p53

Lot 8 in LTRO DP 1748, Churinga Road, Aldgate—40 mm PE100 pressure sewer system main. This main is available on application only. FB 1212 p54

Lot 19 in LTRO FP 157865, Churinga Road, Aldgate—40 mm PE100 pressure sewer system main. This main is available on application only. FB 1212 p55

In and across Reserve Terrace, Aldgate—50 mm and 40 mm PE100 pressure sewer system mains. These mains are available on application only. FB 1212 p56 and 57

Lot 1 in LTRO DP 8457, Reserve Terrace, Aldgate—40 mm PE100 pressure sewer system main. This main is available on application only. FB 1212 p58

Lot 3 in LTRO DP 8457, Reserve Terrace, Aldgate—40 mm PE100 pressure sewer system main. This main is available on application only. FB 1212 p59

SEWERS ABANDONED

Notice is hereby given that the undermentioned sewers have been abandoned by the South Australian Water Corporation.

ADELAIDE DRAINAGE AREA**CITY OF MITCHAM**

Across and in Shepherd Court, Coromandel Valley. FB 1212 p47
Easements in reserve (lot 23 in LTRO DP 10220), Shepherd Court and lot 400 in LTRO DP 21685, Coromandel Valley. FB 1212 p47

CITY OF PORT ADELAIDE ENFIELD

South Road, Wingfield. FB 1212 p46
South Road, Wingfield—100 mm PVC pumping main. FB 1212 p46

A. J. RINGHAM, Chief Executive Officer,
South Australian Water Corporation.

South Australia

Environment Protection (Waste to Resources) Amendment Notice 2011

under section 32 of the *Environment Protection Act 1993*

Part 1—Preliminary

1—Short title

This notice may be cited as the *Environment Protection (Waste to Resources) Amendment Notice 2011*.

2—Commencement

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

3—Amendment provision

In this notice, a provision under a heading referring to the amendment of a specified policy under the *Environment Protection Act 1993* amends the policy so specified.

Part 2—Amendment of *Environment Protection (Waste to Resources) Policy 2010*

4—Amendment of Schedule 3—Waste excluded from application of clause 11

(1) Schedule 3—after paragraph (e) insert:

- (ea) waste collected by the Adelaide Hills Council by a kerbside waste collection service in the prescribed areas of the Adelaide Hills Council, where the Council also provides a separate kerbside waste collection service for recyclable waste;

(2) Schedule 3—after its present contents as amended by this notice (now to be designated as clause 1) insert:

2 For the purposes of this Schedule, the following are prescribed areas of the Adelaide Hills Council:

- (a) the Watershed (Primary Production) Zone;
- (b) the Hills Face Zone;
- (c) the Public Purpose Zone,

as defined in the relevant Development Plan under the *Development Act 1993*.

Made by the Minister for Environment and Conservation

on 24 November 2011

South Australia

Youth Court (Designation and Classification of Magistrates) Proclamation 2011

under section 9 of the *Youth Court Act 1993*

1—Short title

This proclamation may be cited as the *Youth Court (Designation and Classification of Magistrates) Proclamation 2011*.

2—Commencement

This proclamation will come into operation on 3 December 2011.

3—Designation and classification of Magistrates

The Stipendiary Magistrates named in Schedule 1 are—

- (a) designated as Magistrates of the Youth Court of South Australia; and
- (b) classified as members of the Court's principal judiciary; and
- (c) declared to be members of the Court's principal judiciary for a term of 1 year.

Schedule 1—Magistrates of the Court

Penelope Anne Eldridge

Lydia Martha Makiv

Made by the Governor

with the advice and consent of the Executive Council
on 24 November 2011

AGO0089/03CS

Development (Regulated Trees) Variation Regulations 2011

REGULATION NO. 237 OF 2011

Erratum

IN *Government Gazette* No. 79 on page 4620, under the heading:

Made by the Governor

with the advice and consent of the Executive Council
on 10 November 2011

No 237 of 2011

MUDP10/004CS

should have read:

Made by the Governor

with the advice and consent of the Executive Council
on 17 November 2011

No 237 of 2011

MUDP10/004CS

South Australia

Environment, Resources and Development Court Variation Regulations 2011

under the *Environment, Resources and Development Court Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Environment, Resources and Development Court Regulations 2005*

- 4 Variation of Schedule 1—Fees in general jurisdiction
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Environment, Resources and Development Court Variation Regulations 2011*.

2—Commencement

These regulations will come into operation on 12 December 2011.

3—Variation provisions

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

Part 2—Variation of *Environment, Resources and Development Court Regulations 2005*

4—Variation of Schedule 1—Fees in general jurisdiction

Schedule 1, item 1—delete "\$108.00" and substitute:

\$198.00

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 24 November 2011

No 242 of 2011

AGO0257/11CS

South Australia

Road Traffic (Miscellaneous) Variation Regulations 2011

under the *Road Traffic Act 1961*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Road Traffic (Miscellaneous) Regulations 1999*

- 4 Substitution of regulation 13
 - 13 Declaration of hospitals for compulsory blood testing
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Road Traffic (Miscellaneous) Variation Regulations 2011*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Road Traffic (Miscellaneous) Regulations 1999*

4—Substitution of regulation 13

Regulation 13—delete the regulation and substitute:

13—Declaration of hospitals for compulsory blood testing

The institutions declared to be hospitals for the purposes of section 47I(19) of the Act are—

- (a) Ardrossan Community Hospital Incorporated; and
- (b) Ashford Hospital; and
- (c) the following hospital facilities of Central Adelaide Local Health Network Incorporated:

- The Queen Elizabeth Hospital;
 - Royal Adelaide Hospital; and
- (d) the following hospital facilities of Country Health SA Local Health Network Incorporated:
- Angaston District Hospital;
 - Balaklava Soldiers' Memorial District Hospital;
 - Riverland Regional Health Service—Barmera Hospital;
 - Riverland Regional Health Service—Berri Hospital;
 - Booleroo Centre District Hospital and Health Service;
 - Bordertown Memorial Hospital;
 - Lower North Health—Burra Hospital;
 - Ceduna District Health Services;
 - Lower North Health—Clare Hospital;
 - Eastern Eyre Health & Aged Care—Cleve Campus;
 - Eastern Eyre Health & Aged Care—Cowell Campus;
 - Crystal Brook and District Hospital;
 - Cummins and District Memorial Hospital;
 - Coober Pedy Hospital and Health Services;
 - Elliston District Hospital;
 - Eudunda Hospital;
 - Gawler Health Service;
 - Gumeracha District Soldiers' Memorial Hospital;
 - Hawker Memorial Hospital;
 - Jamestown Hospital & Health Service;
 - Kangaroo Island Health Service;
 - Kapunda Hospital;
 - Karoonda and Districts Soldiers' Memorial Hospital;
 - Eastern Eyre Health & Aged Care—Kimba Campus;
 - Kingston Soldiers' Memorial Hospital;
 - Lamerook District Health Services;
 - Laura and District Hospital;
 - Leigh Creek Health Services;
 - Loxton Hospital Complex;
 - Central Yorke Peninsula Hospital (Maitland);
 - The Mannum District Hospital;

- Meningie & Districts Memorial Hospital and Health Services;
- Millicent and District Hospital and Health Services;
- Mt Barker District Soldiers' Memorial Hospital;
- Mt Gambier and Districts Health Service;
- Mount Pleasant District Hospital;
- The Murray Bridge Soldiers' Memorial Hospital;
- Naracoorte Health Service;
- Oodnadatta Health Service;
- Orroroo and District Health Service;
- Penola War Memorial Hospital;
- Peterborough Soldiers' Memorial Hospital and Health Service;
- Pinnaroo Soldiers' Memorial Hospital;
- Port Augusta Hospital and Regional Health Service;
- Port Broughton District Hospital & Health Service;
- Port Lincoln Health Services;
- Port Pirie Regional Health Service;
- Quorn Health Services;
- Renmark Paringa District Hospital;
- Riverton District Soldiers' Memorial Hospital;
- Roxby Downs Health Service;
- Lower North Health—Snowtown Hospital;
- Strathalbyn & Districts Health Service;
- Streaky Bay District Hospital;
- Tailem Bend District Hospital;
- Tanunda War Memorial Hospital;
- Tumby Bay Hospital and Health Services;
- South Coast District Hospital (Victor Harbor);
- Waikerie Health Services;
- Northern Yorke Peninsula Health Service (Wallaroo);
- The Whyalla Hospital & Health Service;
- Woomera Hospital;

- Central Eyre Peninsula Hospital (Wudinna);
 - Southern Yorke Peninsula Hospital (Yorketown); and
- (e) Keith and District Hospital Incorporated; and
- (f) McLaren Vale & Districts War Memorial Hospital Incorporated; and
- (g) Moonta Health and Aged Care Service Incorporated; and
- (h) the following hospital facilities of Northern Adelaide Local Health Network Incorporated:
- Lyell McEwin Hospital;
 - Modbury Hospital; and
- (i) the following hospital facilities of Southern Adelaide Local Health Network Incorporated:
- Flinders Medical Centre;
 - Noarlunga Hospital;
 - Repatriation General Hospital; and
- (j) St. Andrew's Hospital Incorporated; and
- (k) Stirling District Hospital Incorporated; and
- (l) Wakefield Hospital; and
- (m) The Women's and Children's Hospital facility of the Women's and Children's Health Network Incorporated.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 24 November 2011

No 243 of 2011

MTR/11/095

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CITY OF MOUNT GAMBIER

DEVELOPMENT ACT 1993

*City of Mount Gambier Development Plan Gateway Precincts
Development Plan Amendment—Draft For Public Consultation*

NOTICE is hereby given that the City of Mount Gambier has prepared a draft Development Plan Amendment (DPA) to amend its Development Plan.

The Amendment will change the Development Plan by introducing new planning policy relating to the northern, western and eastern gateway precincts of the City of Mount Gambier. This will include new urban design principles, amended desired character statements, amended concept plans and a new landscaping schedule, but will not include any rezoning of land.

The DPA report will be on public consultation from Thursday, 24 November 2011 until Thursday, 2 February 2012.

Copies of the DPA will be available for public inspection during normal office hours at the Council Offices, 10 Watson Terrace, Mount Gambier and will be available on Council's website at www.mountgambier.sa.gov.au.

Written submissions regarding the DPA should be submitted no later than 5 p.m. on Thursday, 2 February 2012. All submissions should be addressed to the Chief Executive Officer, City of Mount Gambier, P.O. Box 56, Mount Gambier, S.A. 5290 and should clearly indicate whether or not you wish to be heard in support of your submission at the public meeting. If you wish to lodge your submission electronically, please email it to:

city@mountgambier.sa.gov.au.

Copies of all written submissions received will be available for inspection by interested persons at Council's offices from Monday, 6 February 2012 until the public meeting.

A public meeting will be held at the City of Mount Gambier Council Chambers on Monday, 13 February 2012, commencing at 5.30 p.m. The public meeting will not be held if no submissions are received or if no submission makes a request to be heard.

If you would like more information about the DPA, please contact Simon Wiseman on 8721 2555 or by email at swiseman@mountgambier.sa.gov.au.

Dated 24 November 2011.

G. MULLER, Chief Executive Officer

CITY OF ONKAPARINGA

*Results of Supplementary Election for Councillor in
Mid South Coast Ward*

Conducted on Monday, 14 November 2011

Formal Ballot Papers: 3 348

Informal Ballot Papers: 22

Quota: 1 675

Candidates	First Preference Votes	Result after Distribution of Preferences
Francis, Janette (Jenny) Gail	313	
Carr, Cheryl	131	
Pridham, Paul	233	
Wellington, Kingsley	350	
Ferguson, Artie	540	
Jones, Natalie Marie	203	
Taylor, Jane	324	
Robertshaw, David Jonathan	237	
Gunn, John	701	Elected
Reilly, Ronald Mark	10	
Holdback, Peter	111	
Campbell, Bob	83	
Ung, Fong	112	

K. MOUSLEY, Returning Officer

ADELAIDE HILLS COUNCIL

Change to Road Name—Forrest Road, Carey Gully

ERRATUM

NOTICE is hereby given that a notice published in the *Government Gazette* on 17 November 2011, page 4636, concerning the above Change to Road Name incorrectly indicated that the private road from Smiths Gully Road, Montacute, commonly known as Trebilcock Road, be named Trebilcock Road. The correct name is Trebilcock Gully Road.

P. MULLER, Technical Officer

ALEXANDRINA COUNCIL

LOCAL GOVERNMENT ACT 1934

*Road Closure—Government Road ('Regulator Road'),
Hindmarsh Island*

NOTICE is hereby given, that in accordance with Section 359 of the Local Government Act 1934, as amended, Council, excludes all vehicles, with the exception of Council vehicles, emergency services vehicles, vehicles owned or operated by or on behalf of CATCON Civil & Allied Technical Construction Pty Ltd, vehicles authorised by Council and vehicles operated by the land owners of Section 126, Government Road, LTO Plan H150800, Certificate of Title Volume 5531, Folio 702, Hundred of Nangkita and the land owners of Section 130, Government Road, LTO Plan F125770, Certificate of Title Volume 5226, Folio 651, Hundred of Nangkita, from Government Road (known locally as 'Regulator Road') Hindmarsh Island, following the Council meeting held on Monday, 7 November 2011.

P. DINNING, Chief Executive

ALEXANDRINA COUNCIL

LOCAL GOVERNMENT ACT 1934

*Road Closure—Byrnes Road between New Orleans Street and
Boston Street, Goolwa North*

NOTICE is hereby given, that in accordance with Section 359 of the Local Government Act 1934, as amended, Council excludes all vehicles, with the exception of Council vehicles, emergency services vehicles and service provider vehicles approved by Council from that portion of Byrnes Road between New Orleans Street and Boston Street, following the Council meeting held on Monday, 7 November 2011.

P. DINNING, Chief Executive

DISTRICT COUNCIL OF CLEVE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1 of 2011—Permits and Penalties

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

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Permits and Penalties By-law 2011 and is By-law No. 1 of the District Council of Cleve.

2. *Authorising Law*

This by-law is made under Section 246 of the Act and Sections 667 (1) 3.LIV and 9.XVI of the Local Government Act 1934, as amended.

3. *Purpose*

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

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

4. *Commencement, Revocation and Expiry*

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

4.1.1 By-Law No. 1—Permits and Penalties 2004.²

4.2 This by-law will expire on 1 January 2019.³

Note:

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

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

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

5. *Application*

5.1 This by-law applies throughout the Council area.

6. *Interpretation*

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

6.1 *Act* means the Local Government Act 1999;

6.2 *Council* means the District Council of Cleve;

6.3 *person* includes a body corporate.

Note:

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

7. *Construction of By-laws Generally*

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

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

PART 2—PERMITS AND PENALTIES

8. *Permits*

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

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

8.3 A person granted permission must comply with every such condition.

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

9. *Offences and Penalties*

9.1 A person who commits a breach of any by-law of the Council is guilty of an offence and is liable to a maximum penalty being the maximum penalty referred to in the Act that may be fixed by a by-law for any breach of a by-law.

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

Note:

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

This by-law was duly made and passed at a meeting of the District Council of Cleve held on 9 November 2011, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. CAMERON, Chief Executive Officer

DISTRICT COUNCIL OF CLEVE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2 of 2011—Moveable Signs By-Law

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

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Moveable Signs By-law 2011 and is By-law No. 2 of the District Council of Cleve.

2. *Authorising Law*

This by-law is made under Sections 238, 239 and 246 of the Act, and Sections 667 (1), 4.1 and 9.XVI of the Local Government Act 1934, as amended.

3. *Purpose*

The objectives of this by-law is to set standards for moveable signs on roads and on Local Government land:

3.1 to protect the comfort and safety of road users and members of the public;

3.2 to enhance the amenity of roads and surrounding parts of the Council area;

3.3 to prevent nuisances occurring on roads;

3.4 to prevent unreasonable interference with the use of a road; and

3.5 for the good rule and government of the Council area.

4. *Commencement, Revocation and Expiry*

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

4.1.1 By-law No. 2—Moveable Signs 2004.²

4.2 This by-law will expire on 1 January 2019.³

Note:

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

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

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

5. *Application*

5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2011.

5.2 This by-law applies throughout the Council area.

6. *Interpretation*

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

6.1 *Act* means the Local Government Act 1999;

6.2 *business premises* means premises from which a business is being conducted;

6.3 *Council* means the District Council of Cleve;

6.4 *footpath area* means:

6.4.1 that part of a road between the property boundary of the road and the edge of the carriageway on the same side as that boundary;

6.4.2 a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;

- 6.5 *Local Government land* means land owned by the Council or under the Council's care, control and management;
- 6.6 *road* has the same meaning as in the Act;
- 6.7 *vehicle* has the same meaning as in the Road Traffic Act 1961.

Note:

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

PART 2—MOVEABLE SIGNS

7. *Construction and Design*

A moveable sign placed on a footpath area must:

- 7.1 be of kind known as an 'A' frame or sandwich board sign, an inverted 'T' sign, or a flat sign or, with the permission of the Council, a sign of some other kind;
- 7.2 be designed, constructed and maintained in good quality and condition;
- 7.3 be of strong construction and sufficiently stable or securely fixed so as to keep its position in adverse weather conditions;
- 7.4 have no sharp or jagged edges or corners;
- 7.5 not be unsightly or offensive in appearance or content;
- 7.6 be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 7.7 not exceed 1.2 m in height, 800 mm in width and 800 mm in depth;
- 7.8 in the case of an 'A' frame or sandwich board sign:
- 7.8.1 be hinged or joined at the top; and
- 7.8.2 be of such construction that its sides are securely fixed or locked in position when erected;
- 7.9 in the case of an inverted 'T' sign, not contain struts or members that run between the display area and the base of the sign;
- 7.10 not rotate or contain flashing parts.

8. *Placement*

A moveable sign must not be:

- 8.1 placed on any part of a road apart from the footpath area at least 500 mm from the edge of the kerb (or, if there is no kerb, to the edge of the carriageway of a road or the shoulder of a road, whichever is the greater);
- 8.2 placed on a footpath that is less than 2.5 m wide;
- 8.3 placed closer than 1.2 m from another structure, fixed object, tree, bush or plant;
- 8.4 placed within 1 m of an entrance to any business premises;
- 8.5 placed on the sealed part of a footpath, if there is an unsealed part on which the sign can be placed in accordance with this by-law;
- 8.6 placed so as to interfere with the reasonable movement of persons or vehicles using the footpath or road in the vicinity of where the moveable sign is placed;
- 8.7 placed within 10 m of an intersection of two or more roads;
- 8.8 placed on a footpath area with a minimum height clearance from a structure above it of less than 2 m;
- 8.9 placed on a designated parking area or within 1 metre of an entrance to premises;
- 8.10 tied, fixed or attached to, or placed closer than 2 metres to any other structure, object or thing (including another moveable sign);
- 8.11 displayed during the hours of darkness unless it is clearly lit; or
- 8.12 placed in such a position or in such circumstances that the safety of a user of the footpath area or road is at risk.

9. *Banners*

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

Note:

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

10. *Restrictions*

- 10.1 The owner or operator of a business must not cause or allow more than one moveable sign for each business premises to be displayed on the footpath area of a road at any time.
- 10.2 A person must not, without the Council's permission, display a moveable sign on or attached to or adjacent to a vehicle that is parked on Local Government land or a road primarily for the purpose of advertising or offering for sale a product (including the vehicle) or business to which the sign relates.
- 10.3 For the purposes of Clause 10.2, the definition of a 'moveable sign on or attached to or adjacent to a vehicle' does not apply to:
- 10.3.1 a sign that is required by-law to be on or attached to or adjacent to a vehicle;
- 10.3.2 any sign which is permanently attached to the chassis or roof of the vehicle; or
- 10.3.3 any moveable sign in respect of which an authorisation or permit has been issued by the Council.
- 10.4 A person must not cause or allow a moveable sign to be placed on a footpath area unless:
- 10.4.1 it only displays material which advertises a business being conducted on premises adjacent to the moveable sign or the goods and services available from that business; and
- 10.4.2 the business premises to which it relates is open to the public.
- 10.5 If in the opinion of the Council a footpath area is unsafe for a moveable sign to be displayed, the Council may prohibit or restrict the display of a moveable sign on such conditions as the Council thinks fit.

11. *Exemptions*

- 11.1 Subclauses 10.1 and 10.4 of this by-law do not apply to a moveable sign which:
- 11.1.1 advertises a garage sale taking place from residential premises;
- 11.1.2 is a directional sign to an event run by a community organisation or charitable body;
- 11.2 Subclauses 10.1 and 10.4 of this by-law do not apply to a flat sign which only contains a newspaper headline and the name of a newspaper or magazine.
- 11.3 A requirement of this by-law will not apply where the Council has granted permission for the moveable sign to be displayed contrary to that requirement.

Note:

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

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

PART 3—ENFORCEMENT

12. *Removal of Moveable Signs*

- 12.1 A person must immediately comply with the order of an authorised person to remove a moveable sign made pursuant to Section 227 (1) of the Act.
- 12.2 The owner of or other person entitled to recover a moveable sign removed by an authorised person pursuant to Section 227 (2) of the Act, may be required to pay to the Council any reasonable costs incurred by the Council in removing, storing, and/or disposing of the moveable sign before being entitled to recover the moveable sign.
- 12.3 The owner, or other person responsible for a moveable sign must remove or relocate the moveable sign at the request of an authorised person:
- 12.3.1 if, in the opinion of an authorised person, and not withstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign; or
- 12.3.2 for the purpose of special events, parades, roadworks or in any other circumstances which, in the opinion of the authorised person, require relocation or removal of the moveable sign to protect public safety or to protect or enhance the amenity of a particular locality.

This by-law was duly made and passed at a meeting of the District Council of Cleve held on 9 November 2011, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. CAMERON, Chief Executive Officer

DISTRICT COUNCIL OF CLEVE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3 of 2011—Roads By-Law

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

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Roads By-law 2011 and is By-law No. 3 of the District Council of Cleve.

2. *Authorising Law*

This by-law is made under Sections 239 and 246 of the Act, Regulation 13 (1) (c) of the Local Government (Implementation) Regulations 1999, Regulation 18A of the Local Government (General) Regulations 1999 and Sections 667 (1), 4.I, and 9.XVI of the Local Government Act 1934, as amended.

3. *Purpose*

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

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

4. *Commencement, Revocation and Expiry*

- 4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:
- 4.1.1 By-law No. 3—Roads 2004.²
- 4.2 This by-law will expire on 1 January 2019.³

Note:

- ¹ Generally a by-law comes into operation four months after the day on which it is *gazetted*: Section 249 (5) of the Act.
- ² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.
- ³ Pursuant to Section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the *gazetted* of the by-law.

5. *Application*

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2011.
- 5.2 Subject to Clause 5.3, this by-law applies throughout the Council area.
- 5.3 Clause 7.2.3 of this by-law only applies in such part or parts of the Council area as the Council may, by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. *Interpretation*

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *animal* does not include a dog or a cat;
- 6.3 *camp* includes setting up a camp, or causing a tent, caravan or motor home to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 6.4 *Council* means the District Council of Cleve;
- 6.5 *effective control* means a person exercising effective control of an animal either:
- 6.5.1 by means of a physical restraint; or
 - 6.5.2 by command, the animal being in close proximity to the person, and the person being able to see the animal at all times;
- 6.6 *electoral matter* has the same meaning as in the Electoral Act 1995, provided that such electoral matter is not capable of causing physical damage or injury to a person within its immediate vicinity;
- 6.7 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999;
- 6.8 *road* has the same meaning as in the Act;
- 6.9 *vehicle* has the same meaning as in the Road Traffic Act 1961.

Note:

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

PART 2—USE OF ROADS

7. *Activities Requiring Permission*

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

7.1 *Amplification*

Subject to Clause 11.3, use an amplifier or other device whether mechanical or electrical for the purpose of broadcasting announcements or advertisements.

7.2 *Animals*

7.2.1 Cause or allow an animal to stray onto, move over, or graze on a road except where the Council has set aside a track or other area for use by or in connection with an animal of that kind, and provided the animal or animals are under effective control.

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

7.2.3 Lead, herd or drive any horse, cattle or sheep on any road to which the Council has determined this clause applies.

7.3 *Camping and Tents*

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

7.3.2 Camp or sleep overnight.

7.3.3 Park a motor home or caravan on any road for the purposes of camping or sleeping overnight other than:

- (a) on any area of road which has been designated or set aside by the Council for that purpose; and
- (b) in accordance with any conditions determined by the Council and contained in any signage erected thereon.

7.4 *Obstructions*

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

7.5 *Posting of Bills*

Subject to Clause 11, post or allow or cause to be posted any bills, advertisements, or other papers or items on a building or structure on a road.

7.6 *Public Exhibitions and Displays*

7.6.1 Sing, busk, play a recording or use a music instrument, or perform similar activities.

7.6.2 Conduct or hold a concert, festival, show, circus, performance or a similar activity.

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

7.6.4 Cause any public exhibitions or displays.

7.7 *Soliciting for Religious or Charitable Purposes*

Ask for or receive or indicate a desire for a donation of money or any other thing, or otherwise solicit for religious or charitable purposes.

7.8 *Vehicles*

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

Note:

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

PART 3—ENFORCEMENT

8. *Directions*

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

9. *Orders*

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

Note:

Section 262 (1) of the Act states:

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

- (a) if the conduct is still continuing—to stop the conduct; and

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

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

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

10. *Removal of Animals and Objects*

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

PART 4—MISCELLANEOUS

11. *Exemptions*

11.1 The restrictions in this by-law do not apply to a Police Officer, Emergency Worker, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a Contractor while performing work for the Council and while acting under the supervision of a Council Officer.

11.2 The restrictions in Clause 7.5 of this by-law do not apply to electoral matter authorised by a candidate and which is:

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

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

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

11.3 The restriction in Clauses 7.1 and 7.5 of the by-law do not apply to any form of lawful communication on government and political matters, and are not intended to restrict communication in relation to such matters.

This by-law was duly made and passed at a meeting of the District Council of Cleve held on 9 November 2011, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. CAMERON, Chief Executive Officer

DISTRICT COUNCIL OF CLEVE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4 of 2011—Local Government Land By-Law

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

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Local Government Land By-law 2011 and is By-law No. 4 of the District Council of Cleve.

2. *Authorising Law*

This by-law is made under Sections 238 and 246 of the Act and Sections 667 (1) 4.1 and 9.XVI of the Local Government Act 1934, as amended.

3. *Purpose*

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

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

4. Commencement, Revocation and Expiry

- 4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:
 - 4.1.1 By-law No. 4—Local Government Land 2004.²
- 4.2 This by-law will expire on 1 January 2019.³

Note:

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

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

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

5. Application

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2011.
- 5.2 Subject to Clause 5.3, this by-law applies throughout the Council area.
- 5.3 Clauses 9.3, 9.8.6, 9.24.3, 10.1, 10.3, and 10.9.3 of this by-law only apply in such part or parts of the Council area as the Council may, by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. Interpretation

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

- 6.1 *ablutionary facility* means washing and toilet facilities provided for camping purposes;
- 6.2 *Act* means the Local Government Act 1999;
- 6.3 *animal or animals* does not include a dog or a cat;
- 6.4 *boat* includes a raft, pontoon or personal watercraft or other similar device;
- 6.5 *boat harbour* means a facility constructed, maintained and operated by the Council for the launching, mooring or landing of boats;
- 6.6 *camp* includes setting up a camp, or causing a tent, caravan or motor home to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 6.7 *children's playground* means an enclosed area in which there is equipment or other devices installed for the purpose of children's play (or within 3 m of such devices if there is no enclosed area);
- 6.8 *Council* means the District Council of Cleve;
- 6.9 *electoral matter* has the same meaning as in the Electoral Act 1985 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 6.10 *effective control* means a person exercising effective control of an animal either:
 - 6.10.1 by means of a physical restraint; or
 - 6.10.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
- 6.11 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999;
- 6.12 *foreshore* means land extending from the edge of any navigable waterway or body of water in the Council's area to the nearest road or section boundary or for a distance of 50 metres (whichever is the lesser);

- 6.13 *funeral ceremony* means a ceremony only (i.e. a memorial service) and does not include a burial;
- 6.14 *liquor* has the same meaning as in the Liquor Licensing Act 1997;
- 6.15 *Local Government land* means all land owned by the Council or under the Council's care, control and management (except roads);
- 6.16 *motor home* means a recreational self-contained vehicle which is not a caravan but includes electrical and plumbing facilities;
- 6.17 *offensive* includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;
- 6.18 *open container* means a container which:
 - 6.18.1 after the contents of the container have been sealed at the time of manufacture:
 - (a) being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
 - (b) being a can, it has been opened or punctured;
 - (c) being a cask, it has had its tap placed in a position to allow it to be used;
 - (d) being any other form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to its contents; or
 - (e) is a flask, glass, mug or other container able to contain liquid.
- 6.19 *personal watercraft* means a device that:
 - 6.19.1 is propelled by a motor;
 - 6.19.2 has a fully enclosed hull;
 - 6.19.3 is designed not to retain water if capsized; and
 - 6.19.4 is designed to be operated by a person who sits astride, stands, or kneels on the device, and includes the device commonly referred to as a jet ski;
- 6.20 *tobacco product* has the same meaning as in the Tobacco Products Regulation Act 1997;
- 6.21 *vehicle* has the same meaning as in the Road Traffic Act 1961;
- 6.22 *waters* includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council.

Note:

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

PART 2—ACCESS TO LOCAL GOVERNMENT LAND

7. Access

Note:

Pursuant to Section 238 (7) of the Act, if a Council makes a by-law about access to or use of a particular piece of Local Government land (under Section 238), the Council must erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the by-law applies.

The Council may:

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

8. Closed Lands

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

- 8.1 which has been closed, or in respect of which access by the public is regulated or restricted in accordance with Clause 7.1;

8.2 where entry fees or charges are payable, without paying those fees or charges; or

8.3 where the land has been enclosed by fences and/or walls and gates that have been closed and locked.

PART 3—USE OF LOCAL GOVERNMENT LAND

9. Activities Requiring Permission

Note:

Pursuant to Section 238 (7) of the Act, if a Council makes a by-law about access to or use of a particular piece of Local Government land (under Section 238), the Council must erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the by-law applies.

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

9.1 Advertising

Subject to Clause 14, display, paint or erect any sign or hoarding for the purpose of commercial advertising or any other purpose.

9.2 Aircraft

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

9.3 Alcohol

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

9.4 Amplification

Use an amplifier or other mechanical or electrical device for the purpose of broadcasting sound, or magnifying sound, to an audience.

9.5 Animals

9.5.1 On Local Government land other than the foreshore:

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

9.5.2 On Local Government land comprising the foreshore:

- (a) cause or allow a sheep, cow, goat or horse to enter, swim, bathe or remain in any waters; or
- (b) lead, herd or exercise a sheep, cow, goat or horse.

9.6 Annoyance

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

- (a) using that land; or
 - (b) occupying nearby premises,
- by making a noise or creating a disturbance.

9.7 Attachments

Subject to Clause 14, attach anything to a tree, plant, equipment, fence, pergola, post, structure or fixture on Local Government land.

9.8 Boats and Mooring

9.8.1 launch or retrieve a boat to or from any waters where the Council has determined that this sub-clause applies;

9.8.2 launch or retrieve a boat other than from a boat ramp constructed for that purpose;

9.8.3 propel, float or otherwise use a boat on or in any waters;

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

9.8.5 moor a boat on any waters or to Local Government land:

- (a) without having first made payment of the prescribed mooring fee determined by the Council; and
- (b) other than in accordance with any conditions determined by resolution of the Council and contained in any signage erected thereon;

9.8.6 moor a boat on any waters or to Local Government land to which the Council has determined this sub-clause applies.

9.9 Boat Ramps

Use a Council owned and/or operated boat ramp without having first made payment of the prescribed fee determined by the Council.

9.10 Boat Harbour

Subject to the provisions of the Harbors and Navigation Act 1993:

9.10.1 interfere with any of the moorings in a boat harbour;

9.10.2 anchor or moor a boat in the vicinity of the entrance to a boat harbour so as to obstruct the entrance;

9.10.3 remain or sleep overnight on any boat in a boat harbour for more than three consecutive nights;

9.10.4 throw, discharge or place any marine offal or waste, sewerage, food waste or other rubbish of any kind, into waters or surrounds of a boat harbour;

9.10.5 fish, swim, dive, scuba dive or snorkel in a boat harbour or conduct or participate in any water sport in a boat harbour;

9.10.6 handle any fuel or dangerous or flammable substance in such a manner that may expose a person or property to damage; or

9.11 Bridge Jumping

Jump or dive from a bridge on Local Government land.

9.12 Buildings

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

9.13 Burials and Memorials

9.13.1 Bury, inter or spread the ashes of any human or animal remains.

9.13.2 Erect any memorial.

9.14 Camping and Tents

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

9.14.2 Camp or sleep overnight except for in a caravan park on Local Government land, the proprietor of which has been given permission to operate the caravan park on that land.

9.14.3 Camp including in a motor home on Local Government land other than:

- (a) on an area which has been designated and set aside by the Council for that purpose; and
- (b) in accordance with any conditions determined by resolution of the Council and contained in the signage erected thereon.

9.14.4 use ablutionary facilities provided on Local Government land for a purpose other than for which they were designed or constructed.

9.15 *Canvassing*

Subject to Clause 14, convey any advertising, religious or other message to any bystander, passer-by or other.

9.16 *Distribution*

Subject to Clause 14, place on a vehicle (without the consent of the owner of the vehicle), or give out or distribute any hand bill, book, notice, leaflet, or other printed matter to any bystander, passer-by or other person.

9.17 *Donations*

Ask for or receive or indicate that he or she desires a donation of money or any other thing.

9.18 *Entertainment and Busking*

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

9.18.2 Conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.

9.19 *Equipment*

Use an item of equipment, facilities or property belonging to the Council if that person is of or over the age indicated by a sign or notice as the age limit for using such equipment, facility or property.

9.20 *Fires*

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

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

9.20.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four metres.

9.21 *Fireworks*

Ignite or discharge any fireworks.

9.22 *Flora and Fauna*

Subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:

9.22.1 damage, pick, disturb, interfere with or remove any plant or flower thereon;

9.22.2 cause or allow an animal to stand or walk on any flower bed or garden plot;

9.22.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;

9.22.4 take, interfere with, tease, harm or disturb any animal, bird or marine creature or the eggs or young of any animal, bird or marine creature;

9.22.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;

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

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

9.22.8 burn any timber or dead wood.

9.23 *Foreshore*

On Local Government land comprising the foreshore:

9.23.1 drive or propel a vehicle onto or from the foreshore other than by a ramp or thoroughfare constructed or set aside by the Council for that purpose;

9.23.2 drive or propel a vehicle on the foreshore except on an area or road that is constructed or set aside by the Council for that purpose;

9.23.3 launch or retrieve a boat from the foreshore without using a boat ramp or thoroughfare constructed or set aside by the Council for that purpose;

9.23.4 allow a vehicle to remain stationary on a boat ramp longer than is necessary to launch or retrieve a boat;

9.23.5 hire out a boat or other personal watercraft on or from the foreshore;

9.23.6 charge admission for entering the foreshore; or

9.23.7 use any change rooms other than for the purposes of changing into or from bathing garments, or remain there for longer than is necessary for that purpose.

9.24 *Games*

9.24.1 Participate in, promote or organise any organised competition or sport, as distinct from organised social play.

9.24.2 Play or practise any game which involves kicking, hitting or throwing a ball or other object on Local Government land which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land.

9.24.3 Play or practise the game of golf on Local Government land to which the Council has resolved this sub-clause applies.

9.25 *Litter*

9.25.1 Throw, cast, place, deposit or leave any rubbish, dirt or refuse of any kind whatsoever except in a garbage container provided for that purpose.

9.25.2 Deposit any soil, clay, stone, gravel, green waste or other putrescible waste or any other matter.

9.26 *Marine Life*

Introduce any marine life to any waters located on Local Government land.

9.27 *Model Aircraft, Boats and Cars*

Fly or operate a model aircraft, boat or model or remote control vehicle in a manner which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of the land or detract from or be likely to detract from another person's lawful use of and enjoyment of the land.

9.28 *Overhanging Articles or Displaying Personal Items*

Suspend or hang an article or object from a building, verandah, pergola, post or other structure on Local Government land where it might present a nuisance or danger to a person using the land or be of an unsightly nature.

9.29 *Playing Area*

Use or occupy a playing area:

9.29.1 in such a manner as to damage or be likely to damage the surface of the playing area or infrastructure (above and under ground level);

9.29.2 in a manner contrary to the purpose for which the playing area was intended to be used or occupied; or

9.29.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area.

9.30 *Pontoons*

Install or maintain a pontoon or jetty in any waters.

- 9.31 *Posting of Bills*
Subject to Clause 14, post or allow or cause to be posted any bills, advertisements or other papers or items on a building or structure on Local Government land or in a public place.
- 9.32 *Preaching*
Subject to Clause 14, preach, harangue or solicit for religious purposes.
- 9.33 *Ropes*
Place a buoy, cable, chain, hawser, rope or net in or across any waters.
- 9.34 *Swimming*
- 9.34.1 Subject to the provisions of the Harbors and Navigation Act 1993 swim in, bathe or enter any waters except:
- (a) in an area which the Council has determined may be used for such purposes; and
- (b) in accordance with any conditions that the Council may have determined by resolution apply to such use.
- 9.35 *Trading*
Sell, buy, offer or display anything for sale.
- 9.36 *Vehicles*
- 9.36.1 Drive or propel a vehicle except on an area or road constructed and set aside by the Council for that purpose.
- 9.36.2 Promote, organise or take part in a race, test or trial of any kind in which vehicles take part, except on an area properly constructed for that purpose.
- 9.36.3 Repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown.
- 9.37 *Weddings, Functions and Special Events*
- 9.37.1 Hold, conduct or participate in a marriage ceremony, funeral or special event.
- 9.37.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral or special event.
- 9.37.3 Hold or conduct any filming where the filming is for a commercial purpose.
10. *Prohibited Activities*
A person must not do any of the following on Local Government land.
- 10.1 *Animals*
- 10.1.1 Cause or allow any animal to enter, swim, bathe or remain in any waters to the inconvenience, annoyance or danger of any other person bathing or swimming.
- 10.1.2 Cause or allow an animal to damage a flowerbed, garden plot, tree, lawn or like thing or place.
- 10.1.3 Lead, herd or exercise a horse or other animal in such manner as to cause a nuisance or endanger the safety of a person.
- 10.2 *Defacing Property*
Deface, paint, spray, write, cut names, letters or make marks on any tree, rock, gate, fence, building, sign, bridge or property of the Council.
- 10.3 *Equipment*
Use any item of equipment, facilities or property belonging to the Council other than in the manner and for the purpose for which it was designed, constructed or intended to be used or in such manner as is likely to damage or destroy it.
- 10.4 *Fishing*
Fish in any waters to which the Council has determined this sub-clause applies.
- 10.5 *Glass*
Wilfully break any glass, china or other brittle material.
- 10.6 *Interference with Land*
Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:
- 10.6.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
- 10.6.2 erecting or installing a structure in, on, across, under or over the land;
- 10.6.3 changing or interfering with the construction, arrangement or materials of the land;
- 10.6.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
- 10.6.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.
- 10.7 *Interference with Permitted Use*
Interrupt, disrupt or interfere with any other person's use of Local Government land which is permitted or for which permission has been granted.
- 10.8 *Nuisance*
Behave in such a manner as to cause discomfort, inconvenience, annoyance or offence to any other person.
- 10.9 *Playing Games*
Play or practise a game:
- 10.9.1 which is likely to cause damage to the land or anything on it;
- 10.9.2 in any area where a sign indicates that the game is prohibited.
- 10.10 *Sand Dunes, Coastal Slopes and Cliffs*
No person shall:
- 10.10.1 destabilise sand on a sand dune, by any means so as to cause it to unnecessarily mass waste down slope;
- 10.10.2 destroy, remove or cause interference to live or dead vegetation within a sand dune, coastal slope or coastal cliff;
- 10.10.3 introduce non-indigenous flora or fauna or dump any material in a sand dune;
- 10.10.4 carry out any other activity that may damage or threaten the integrity of sand dunes, coastal slopes or cliffs.
- 10.11 *Smoking*
Smoke, hold or otherwise have control over an ignited tobacco product:
- 10.11.1 in any building;
- 10.11.2 in any children's playground; or
- 10.11.3 on any land to which the Council has determined this sub-clause applies.
- 10.12 *Solicitation*
Tout or solicit customers for the parking of vehicles or for any other purpose whatsoever.
- 10.13 *Throwing Objects*
Throw, roll, project or discharge a stone, substance or other missile, excluding sport and recreational equipment designed to be used in that way.

10.14 *Toilets*

In any public convenience on Local Government land:

- 10.14.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
- 10.14.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 10.14.3 use it for a purpose for which it was not designed or constructed;
- 10.14.4 enter a toilet that is set aside for use of the opposite sex except:
- (a) where a child under the age of eight years is accompanied by an adult parent or guardian of that sex; or
 - (b) to provide assistance to a disabled person; or
 - (c) in the case of a genuine emergency.

10.15 *Waste*

- 10.15.1 Deposit or leave thereon:
- (a) anything obnoxious or offensive;
 - (b) any offal, dead animal, dung or filth; or
 - (c) any mineral, mineral waste, industrial waste or bi-products.
- 10.15.2 Foul or pollute any waters situated thereon.
- 10.15.3 Deposit any rubbish other than in receptacles provided by the Council for that purpose.
- 10.15.4 Deposit in a receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.

PART 4—ENFORCEMENT

11. *Directions*

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

12. *Orders*

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

Note:

Section 262 (1) of the Act states:

- (1) If a person (*the offender*) engages in conduct that is a contravention of this Act or a by-law under this Act, an authorised person may order the offender:
- (a) if the conduct is still continuing—to stop the conduct; and
 - (b) whether or not the conduct is still continuing—to take specified action to remedy the contravention.

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

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

13. *Removal of Animals and Objects*

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

PART 5—MISCELLANEOUS

14. *Exemptions*

- 14.1 The restrictions in this by-law do not apply to a police officer, emergency worker, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a Contractor while performing work for the Council and while acting under the supervision of a Council Officer.
- 14.2 The restrictions in Clauses 9.1, 9.7, 9.16 and 9.31 of this by-law do not apply to electoral matter authorised by a candidate and which is:
- 14.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
 - 14.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
 - 14.2.3 related to, and occurs during the course of and for the purpose of a referendum.
- 14.3 The restrictions in Clauses 9.1, 9.7, 9.15, 9.16, 9.31 and 9.32 of this by-law do not apply to any form of lawful communication on government and political matters, and are not intended to restrict communication in relation to such matters.

This by-law was duly made and passed at a meeting of the District Council of Cleve held on 9 November 2011, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. CAMERON, Chief Executive Office

DISTRICT COUNCIL OF CLEVE

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

By-law No. 5 of 2011—Dogs By-Law

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

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Dog By-law 2011 and is By-law No. 5 of the District Council of Cleve.

2. *Authorising Law*

This by-law is made under Section 90 (5) of the Dog and Cat Management Act 1995, Sections 238 and 246 of the Act, and Sections 667 (1), 9.XVI of the Local Government Act 1934, as amended.

3. *Purpose*

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

- 3.1 to reduce the incidence of environmental nuisance caused by dogs;

- 3.2 to promote responsible dog ownership;
- 3.3 to protect the convenience, comfort and safety of members of the public; and
- 3.4 for the good rule and government of the Council area.

4. Expiry

- 4.1 This by-law will expire on 1 January 2019.¹

Note:

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

5. Application

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2011.
- 5.2 Subject to Clauses 5.3 and 5.4, this by-law applies throughout the Council area.
- 5.3 Clauses 9.1.2 and 10.1.2 of this by-law only apply in such part or parts of the Council area as the Council may, by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. Interpretation

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *approved kennel establishment* means a building, structure or area approved by a relevant authority, pursuant to the Development Act 1993, for the keeping of dogs on a temporary or permanent basis;
- 6.3 *children's playground* means an enclosed area in which there is equipment or other installed devices for the purpose of children's play (or within 3 m of such devices if there is no enclosed area);
- 6.4 *Council* means the District Council of Cleve;
- 6.5 *detached dwelling*, *row dwelling* and *semi-detached dwelling* have the same meanings as in the Development Act 1993;
- 6.6 *dog* (except for in Clause 7.1) has the same meaning as in the Dog and Cat Management Act 1995;
- 6.7 *effective control* means a person exercising effective control of a dog either:
 - 6.7.1 by means of a physical restraint; or
 - 6.7.2 by command, the dog being in close proximity to the person and the person being able to see the dog at all times;
- 6.8 *keep* includes the provision of food or shelter;
- 6.9 *premises* includes land, whether used or occupied for domestic or non-domestic purposes, except an approved kennel establishment;
- 6.10 *working dog* means a dog used principally for droving or tending livestock.

Note:

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

PART 2—LIMITS ON DOG NUMBERS

7. Limits on Dog Numbers in Private Premises

- 7.1 Subject to Clauses 7.3 and 7.5, a person must not, without the Council's permission keep:
 - 7.1.1 in a township, more than two dogs in premises;
 - 7.1.2 outside of a township, more than three dogs (other than working dogs);
- 7.2 For the purposes of Clause 7.1, 'dog' means a dog that is three months of age or older or, a dog that has lost its juvenile teeth.
- 7.3 Clause 7.1 does not apply to:
 - 7.3.1 approved kennel establishments operating in accordance with all required approvals and consents; or

- 7.3.2 any business involving dogs provided that the business is registered in accordance with the Dog and Cat Management Act 1995.

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

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

PART 3—DOG CONTROLS

8. Dog Exercise Areas

- 8.1 Subject to Clauses 9 and 10 of this by-law, a person may enter a park in the Council area for the purpose of exercising a dog under his or her effective control.
- 8.2 A person entering a dog exercise area designated by the Council must ensure that any dog under that person's control, charge or authority is under effective control at all times.

9. Dog on Leash Areas

- 9.1 A person must not, without the Council's permission, allow a dog under that person's control, charge or authority (except an accredited guide dog, hearing dog or disability dog that is required to remain off-lead in order to fulfil its functions) to be or remain:
 - 9.1.1 on Local Government land or public place to which the Council has resolved that this subclause applies; and
 - 9.1.2 on any park or reserve during times when organised sport is being played;
 unless the dog is secured by a strong leash not exceeding 2 m in length which is either tethered securely to a fixed object capable of securing the dog or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

10. Dog Prohibited Areas

- 10.1 A person must not allow a dog under that person's control, charge or authority (except an accredited guide dog, hearing dog or disability dog) to enter or remain:
 - 10.1.1 on any children's playground on Local Government land;
 - 10.1.2 on any other Local Government land or public place to which the Council has determined that this subclause applies.

11. Dogs on Foreshore Areas

Between the hours of 6 a.m. and 9 p.m. on any day, in a place to which this subparagraph applies as determined by the Council, cause, suffer or permit any dog under that person's control, charge or authority to be or remain on the foreshore unless such dog is restrained by a leash not exceeding 2 m in length held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

12. Dog Faeces

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

PART 4—ENFORCEMENT

13. Orders

- 13.1 If a person engages in conduct that is in contravention of this by-law, an authorised person may order that person:
 - 13.1.1 if the conduct is still continuing—to stop the conduct; and
 - 13.1.2 whether or not the conduct is still continuing—to take specified action to remedy the contravention.

- 13.2 A person must comply with an order under this clause.
- 13.3 If a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may recover its costs of any action so taken from the person to whom the order was directed.
- 13.4 However, an authorised person may not use force against a person under this section.

Note:

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

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

This by-law was duly made and passed at a meeting of the District Council of Cleve held on 9 November 2011, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. CAMERON, Chief Executive Officer

DISTRICT COUNCIL OF CLEVE

BY-LAW MADE UNDER DOG AND CAT MANAGEMENT ACT 1995
AND THE LOCAL GOVERNMENT ACT 1999*By-law No. 6 of 2011—Cats By-Law*

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

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Cats By-law 2011 and is By-law No. 6 of the District Council of Cleve.

2. *Authorising Law*

This by-law is made under Section 90 (5) of the Dog and Cat Management Act 1995, Section 246 of the Act and Sections 667 (1), 4.1 and 9.XVI of the Local Government Act 1934, as amended.

3. *Purpose*

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

- 3.1 to promote responsible cat ownership;
- 3.2 to reduce the incidence of the public and environmental nuisance caused by cats;
- 3.3 to protect the comfort and safety of members of the public; and
- 3.4 for the good rule and government of the Council area.

4. *Expiry*

- 4.1 This by-law will expire on 1 January 2019.¹

Note:

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

5. *Application*

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2011.
- 5.2 This by-law applies throughout the Council area.

6. *Interpretation*

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *approved cattery* means a building, structure or area approved by a relevant authority, pursuant to the Development Act 1993, for the keeping of cats on a temporary or permanent basis;
- 6.3 *cat* means an animal of the species *felis cactus* which is three months of age or has lost its juvenile canine teeth;
- 6.4 *Council* means the District Council of Cleve;
- 6.5 *effectively controlled* in relation to a cat means keeping a cat in a manner that ensures the cat does not create a nuisance;

6.6 *identified cat* means a cat identified in the manner set out in Regulation 8 of the Dog and Cat Management Regulations 2010;

6.7 *keep* includes the provision of food or shelter;

6.8 *nuisance* means:

- 6.8.1 unreasonably interfering with the peace, comfort or convenience of a person including as a result of the aggressive nature, or noise or odour created by the cat (or cats); or
- 6.8.2 injurious to a person's real or personal property; or
- 6.8.3 obnoxious, offensive or hazardous to health including but not limited to defacing or urinating; or
- 6.8.4 wandering onto public or private land without the consent of the owner or occupier of the land;

6.9 *premises* includes land whether used or occupied for domestic or nondomestic purposes except an approved cattery.

Note:

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

PART 2—LIMITS ON CAT NUMBERS

7. *Limits on Cat Numbers*

7.1 Subject to Clause 7.2, a person must not, without the Council's permission keep in any premises:

- 7.1.1 more than two cats; or
- 7.1.2 a cat of or over the age of three months, or which has lost its juvenile canine teeth, unless the cat is an identified cat.

7.2 Clause 7.1.1 does not apply if the person has the permission of the Council in writing, after inspection by an authorised person. Such permission may be given if the Council is satisfied that:

- 7.2.1 no insanitary condition exists on the premises as a result of the keeping of cats on the premises;
- 7.2.2 a nuisance is not caused to any neighbour as a result of the keeping of cats on the premises, and
- 7.2.3 all cats kept on the premises over the age of six months are desexed unless the person obtains a letter signed by a veterinary surgeon indicating that the health of the cat will be jeopardised if it is desexed before a stated age. If such a letter is produced the owner of the cat will undertake to have an appropriately qualified person to desex the cat when it reaches the stated age.

7.3 Clause 7.1 does not apply to approved catteries operating in accordance with all required approvals and consents.

8. *Cats not to be a Nuisance*

8.1 An owner or occupier of premises acts in breach of this by-law and is guilty of an offence if a cat (or cats) kept or allowed to remain on the premises is not effectively controlled such that the cat (or cats) causes a nuisance.

PART 3—ENFORCEMENT

9. *Orders*

9.1 If a person engages in conduct that is a contravention of this by-law, an authorised person may order that person:

- 9.1.1 if the conduct is still continuing—to stop the conduct; and
- 9.1.2 whether or not the conduct is still continuing—to take specified action to remedy the contravention.

9.2 A person must comply with an order under this clause.

9.3 If a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may recover its costs of any action so taken from the person to whom the order was directed.

9.4 However, an authorised person may not use force against a person under this section.

Note:

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

- cease keeping more than the permitted number of cats on that person's premises; or
- take the necessary steps to mitigate a nuisance caused by howling cats.

This by-law was duly made and passed at a meeting of the District Council of Cleve held on 9 November 2011, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

P. CAMERON, Chief Executive Officer

DISTRICT COUNCIL OF GRANT

DEVELOPMENT ACT 1993

District Council of Grant Development Plan Gateway Precincts Development Plan Amendment—Draft for Public Consultation

NOTICE is hereby given that the District Council of Grant has prepared a draft Development Plan Amendment (DPA) to amend its Development Plan.

The Amendment will change the Development Plan by introducing new planning policy relating to the northern, western and eastern gateway precincts including new urban design principles and a landscaping schedule. The Amendment will rezone the Deferred Urban (Northern Gateway) Zone to a new Commercial Zone and part to be included in the existing Rural Living Zone. It also rezones Primary Industry Zone land within the western gateway precinct to a Rural Living Zone.

The DPA report will be on public consultation from Thursday, 24 November 2011 until Thursday, 2 February 2012.

Copies of the DPA will be available for public inspection during normal office hours at the Council Offices, 324 Commercial Street West, Mount Gambier and will be available on Council's website at www.dccgrant.sa.gov.au.

Written submissions regarding the DPA should be submitted no later than 5 p.m. on Thursday, 2 February 2012. All submissions should be addressed to the Chief Executive Officer, District Council of Grant, P.O. Box 724, Mount Gambier, S.A. 5290 and should clearly indicate whether or not you wish to be heard in support of your submission at the public meeting. If you wish to lodge your submission electronically, please email it to info@dccgrant.sa.gov.au.

Copies of all written submissions received will be available for inspection by interested persons at Council's offices from Monday, 6 February 2012 until the public meeting.

A public meeting will be held at the District Council of Grant Council Chambers on Tuesday, 14 February 2012, commencing at 5.30 p.m. The public meeting will not be held if no submissions are received or if no submission makes a request to be heard.

If you would like more information about the DPA, please contact Leith McEvoy on 8721 0444 or by email at mcevoyl@dccgrant.sa.gov.au.

Dated 24 November 2011.

R. PEATE, Chief Executive Officer

DISTRICT COUNCIL OF KIMBA

Temporary Road Closure

NOTICE is hereby given that at a Council meeting held on 10 November 2010, Council resolved the following:

That:

- (1) The District Council of Kimba exercise the power subject to Section 33 of the Road Traffic Act 1961 and Clause F of the instrument of general approval of the Minister dated 27 April 2010 to make an order that High Street from Martin Terrace to the southern side of North Terrace be closed

between 4.45 p.m. and 8.30 p.m. and that High Street between Cross Street and the southern side of North Terrace remain closed between 8.30 p.m. and 10.30 p.m. on Saturday, 17 December 2011 for the purpose of holding Kimba's Christmas pageant and festivities.

- (2) Pursuant to Section 33 (1) (b) of the Road Traffic Act 1961, make 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.

D. A. CEARNS, Chief Executive Officer

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

Donnelly, Marjorie, late of 138 Lipsett Terrace, Brooklyn Park, home duties, who died on 19 September 2011.

Erickson, Knut Wilhelm, late of 56 High Street, Grange, retired field officer, who died on 1 August 2011.

Freak, Maxwell William, late of Leighton Avenue, Klemzig, retired wood machinist, who died on 9 July 2011.

Goldfinch, Beverley Mabel, late of 29 Austral Terrace, Morphettville, of no occupation, who died on 14 September 2011.

Hewett, Margaret Jean, late of 109 Broadbent Terrace, Whyalla, home duties, who died on 16 May 2011.

Higgins, Paul James, late of 435 Nelson Road, Para Hills, labourer, who died on 16 January 2010.

Hudson, Sally Margaret Anne, late of 10 Morton Road, Christie Downs, of no occupation, who died on 15 October 2011.

Kasehagen, Arthur Stanley, late of 7 Jackson Court, St Agnes, retired messenger, who died on 10 September 2011.

Kennedy, Kym Raymond, late of 19 Down Crescent, Salisbury Downs, of no occupation, who died on 3 September 2009.

Liddiard, Florence Lorraine, late of 160 Walkerville Terrace, Walkerville, of no occupation, who died on 9 August 2011.

Madigan, Florence Clare, late of 7 Railway Terrace, Balaklava, widow, who died on 13 August 2011.

Nicolescu, Dumitru, late of 110 Strathfield Terrace, Largs North, retired crane driver, who died on 15 September 2011.

Obst, Douglas Ronald, late of 150 Adams Road, Craigmore, retired woodworker, who died on 14 September 2011.

Paull, Nancy, late of 43 Marlborough Street, Malvern, of no occupation, who died on 28 September 2011.

Pratt, Doreen Frances, late of 7 Partridge Street, Goolwa, of no occupation, who died on 15 October 2011.

Sorrell, Eleanor Jean, late of 580 Brighton Road, South Brighton, of no occupation, who died on 1 August 2011.

Weeks, Gladys Mary, late of 580 Brighton Road, South Brighton, of no occupation, who died on 31 July 2011.

Weinbergs, Ewalds, late of 60 Fraser Crescent, Wantirna South, Victoria, retired engine driver, who died on 29 August 2011.

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 Office of Public Trustee, G.P.O. Box 1338, Adelaide, S.A. 5001, full particulars and proof of such claims, on or before 23 December 2011, otherwise they will be excluded from the distribution of the said estates; and notice is also hereby given that all persons indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver same to the Public Trustee.

Dated 24 November 2011.

D. A. CONTALA, Public Trustee

PARTNERSHIP ACT 1891-1975

Notice of Discontinuance of a Partnership

TAKE notice that as from 3 November 2011 the partnership of Andrea Jane Jones, 13 Curlew Street, Sheidow Park, S.A. 5158 and Shawn Thomas Jones, 3 Harrow Street, Dover Gardens, S.A. 5048, who traded as Glitz Dance Studio, 475A Brighton Road, Brighton, S.A. 5048, was dissolved.

Andrea Jane Jones has retired from the partnership.

Shawn Thomas Jones will continue to operate the business under the name of Glitz Dance Studio and shall be responsible for all the debts and liabilities thereof.

Dated 3 November 2011.

ANDREA JANE JONES

SHAWN THOMAS JONES

SALE OF PROPERTY

Auction Date: Friday, 9 December 2011 at 12 noon.

Location: 18 Wangianna Street, Roxby Downs.

NOTICE is hereby given that on the above date at the time and place stated, by virtue of the Warrant of Sale issued out of the District Court, Action No. 1830 of 2007, directed to the Sheriff of South Australia in an action wherein Robert Terry Hutchinson is the Plaintiff and Christine Kay Ellis is the Defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Griffin Real Estate, make sale of the estate, right, title or interest whatsoever it may be of the Defendant Christine Kay Ellis as the registered proprietor of an estate in fee simple in the following:

That piece of land situated in the area named Roxby Downs, being 18 Wangianna Street, Roxby Downs, in the area named Allotment 44, Town of Roxby Downs, Out of Hundreds (Andamooka), being the property comprised in Certificate of Title Register Book Volume 5199, Folio 848.

Further particulars from the auctioneers:

Raine & Horne,
Roxby Downs,
Shop 4, 14 Tutop Street,
Roxby Downs, S.A. 5725
Telephone (08) 8671 3355.

SALE OF PROPERTY

Auction Date: Friday, 16 December 2011 at 11.30 a.m.

Location: 30A Eleventh Street, Bowden.

NOTICE is hereby given that on the above date at the time and place stated, by virtue of the Warrant of Sale issued out of the District Court, Action No. 1400 of 2003, directed to the Sheriff of South Australia in an action wherein Peter Tsoukalas is the Plaintiff and Robert Sean Pickersgill and Jennifer Harvey are the Defendants, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Griffin Real Estate, make sale of the estate, right, title or interest whatsoever it may be of the Defendants Robert Sean Pickersgill and Jennifer Harvey as the registered proprietors of an estate in fee simple in the following:

That piece of land situated in the area named Bowden, being 30A Eleventh Street, Bowden, in the Area named Bowden, Hundred of Yatala, being the property comprised in Certificate of Title Register Book Volume 5877, Folio 949.

Further particulars from the auctioneers:

Griffin Real Estate
8 Greenhill Road,
Wayville, S.A. 5034
Telephone: (08) 8372 7872

ATTENTION

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

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before** 4 p.m. on Wednesday.

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Phone: 8207 1045

Fax: 8207 1040

Email: governmentgazette@dpc.sa.gov.au