



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 25 JULY 2024

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

STATE GOVERNMENT INSTRUMENTS

DISABILITY INCLUSION ACT 2018

Authorised Program Officer

I, Michelle Zub, exercising the delegated authority of the Senior Authorising Officer, hereby revoke authorisation for the following person to be an Authorised Program Officer with respect to Dynamic Care Pty Ltd for the purposes of the Disability Inclusion Act 2018 in accordance with section 23L (4) of that Act:

- Efrossini Karzis

Dated: 24 July 2024

MICHELLE ZUB
Authorising Officer
Department of Human Services

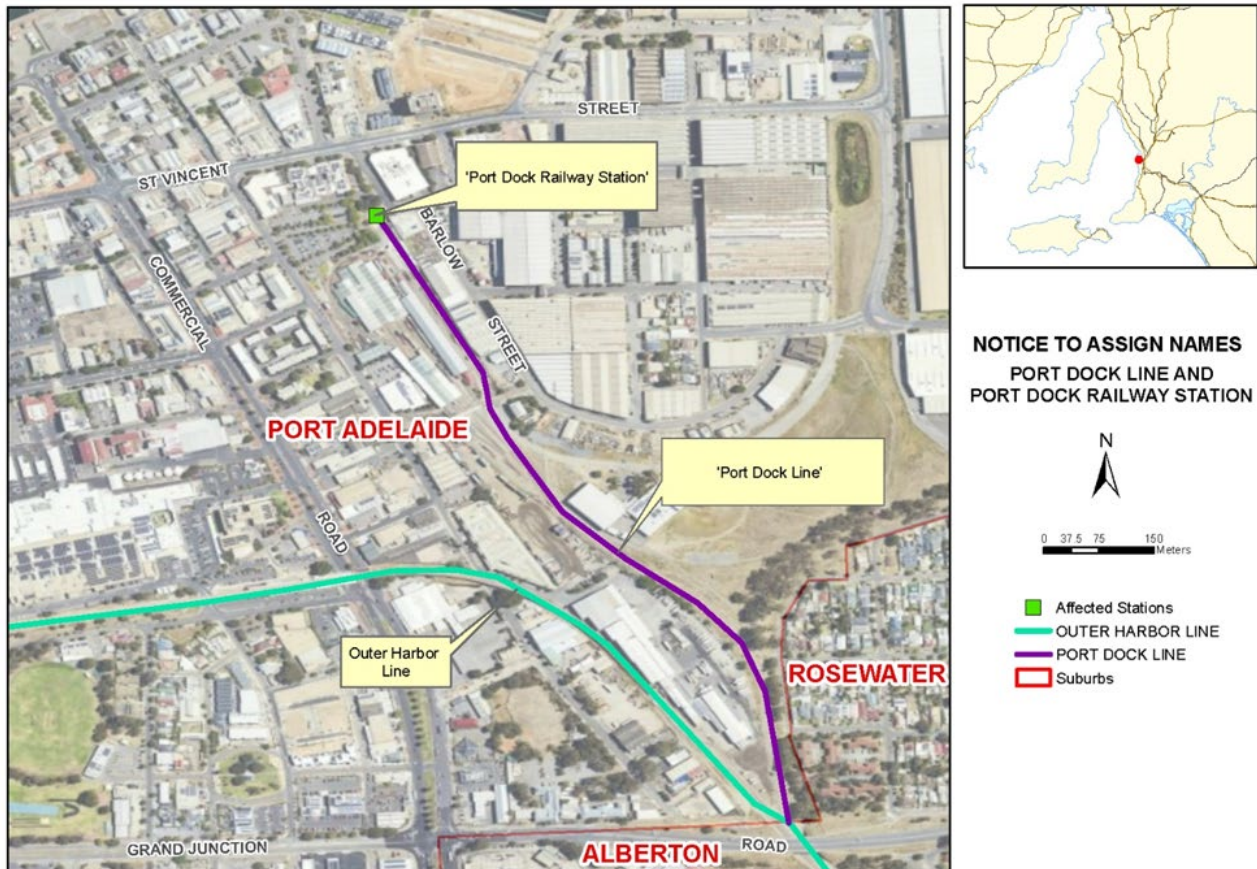
GEOGRAPHICAL NAMES ACT 1991

Notice to Assign a Name to a Feature

Notice is hereby given that, pursuant to section 11B(1)(a) of the Geographical Names Act 1991, I, the Honourable Nick Champion MP, Minister for Planning, Minister of the Crown to whom the administration of the Geographical Names Act 1991 is committed, DO HEREBY assign the following names in reference to the Port Dock Railway Line Project:

- Assign the name **PORT DOCK LINE** to be consistent with the naming standards for naming a railway line after the terminus station.
- Assign the name **PORT DOCK RAILWAY STATION** to the terminus railway station.

This notice is to take effect immediately upon its publication in the Government Gazette.



This naming proposal can be viewed at:

- www.sa.gov.au/placenameproposals

Dated: 22 July 2024

HON NICK CHAMPION MP
Minister For Planning

HOUSING IMPROVEMENT ACT 2016

Rent Control Revocations

In the exercise of the powers conferred by the Housing Improvement Act 2016, the Delegate of the Minister for Housing and Urban Development hereby revokes the maximum rental amount per week that shall be payable subject to Section 55 of the Residential Tenancies Act 1995, in respect of each premises described in the following table.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
8 Hambridge Road, Davoren Park SA 5113	Allotment 10 Deposited Plan 52407 Hundred Munno Para	CT 5674/180

Dated: 25 July 2024

CRAIG THOMPSON
Housing Regulator and Registrar
Housing Safety Authority
Delegate of the Minister for Human Services

JUSTICES OF THE PEACE ACT 2005

SECTION 4

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

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

For a period of ten years for a term commencing on 4 September 2024 and expiring on 3 September 2034:

Qi ZHOU
Denise Frances URQUHART
Sophie Laurence SAUTRIOT
Sukhanbir Singh PANNU
Daniel NIKOLOSKI
Sadanand Jagdish MORE
Nathan James LOBERT
Joanne Lee HINCHLIFFE
Shannon Marie DRIES
Stephen Wayne COPPINS
Mark Andrew Bedford BORCHARD
Donald Robert BARRETT
Chrisovalandis ANGELOPOULOS

Dated: 18 July 2024

MARTYN CAMPBELL
Commissioner for Consumer Affairs
Delegate of the Attorney-Genera

JUSTICES OF THE PEACE ACT 2005

SECTION 4

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

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

For a period of ten years for a term commencing on 28 August 2024 and expiring on 27 August 2034:

Ele WILDE
Stephen Leslie WALLACE
Ronald Mark SHANKS
Sandra Mary RUSSELL
Julie POTTS
Robert John NAPIER
Con LYGIZOS
George Ryszard KOZMINSKI
Gregory John HODDLE
Maurice Patrick HENDERSON
Lyle Keith GREEN
Nives GAZZOLA
Rino DI NINO
Graham John DAVIS
Robert John DALE
Chamnam CHAN
Geoffrey CANN
Nijole Joan BOULT
Kenneth Paul ANDERSON

Dated: 18 July 2024

MARTYN CAMPBELL
Commissioner for Consumer Affairs
Delegate of the Attorney-Genera

JUSTICES OF THE PEACE ACT 2005

SECTION 4

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

For a period of ten years for a term commencing on 21 August 2024 and expiring on 20 August 2034:

Vicki WILSON
Julie Anne WILLIAMS
Margaret Elizabeth WEBSTER
Marie SNOOK
Natale RUGARI
Joseph PAPARELLA
Stephen Peter O'MALLEY
Tung The NGO
Maria MORRIS
Matthew John MALONE
Edward Arnold LOWREY
Christopher HILDITCH
Elizabeth Ann GOOSSENS
Wayne Leslie GIBBS
Lindsay Eric FREUND
Edgar Godwin D'SYLVA
Peter Barry COOPER
Beverly CHRISTERSON
Michelle Catherine CALDWELL
Julie Patricia Ann BEBBINGTON
Karen ABBOTT-BANKS

Dated: 18 July 2024

MARTYN CAMPBELL
Commissioner for Consumer Affairs
Delegate of the Attorney-Genera

LAND ACQUISITION ACT 1969

SECTION 16

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

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an estate in fee simple in that piece of land being portion of Allotment 227 in Deposited Plan 115366 comprised in Certificate of Title Volume 6238 Folio 894, and being the whole of the land identified as Allotment 2272 in D133741 lodged in the Lands Titles Office subject to the easement(s) over the land marked 'A' on D115366 (RTC 13305219).

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

2. Compensation

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

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

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

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

3. Inquiries

Inquiries should be directed to: Petrula Pettas
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 7133 2457

Dated: 23 July 2024

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

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

File Reference: 2022/03045/01

LAND ACQUISITION ACT 1969

SECTION 16

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

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an encumbered estate in fee simple in that piece of land being portion of Allotment 229 in Deposited Plan 115367 comprised in Certificate of Title Volume 6213 Folio 366 and being the whole of the land identified as Allotment 2292 in D133740 lodged in the Lands Titles Office, subject to the easement(s) over the land marked A on D115367 (RTC 12984472).

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

2. Compensation

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

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

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

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

3. Inquiries

Inquiries should be directed to: Petrula Pettas
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 7133 2457

Dated: 23 July 2024

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

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

File Reference: 2022/03046/01

LAND ACQUISITION ACT 1969

SECTION 16

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

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an estate in fee simple in that piece of land being portion of Allotment 231 in Deposited Plan 115369 comprised in Certificate of Title Volume 6209 Folio 123, and being the whole of the land identified as Allotment 2312 in D133739 lodged in the Lands Titles Office, subject to easement(s) over the land marked A on D115369 to Commissioner of Highways (RTC 12932965).

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

2. Compensation

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

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

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

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

3. Inquiries

Inquiries should be directed to: Petrula Pettas
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 7133 2457

Dated: 23 July 2024

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

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

File Reference: 2022/03047/01

MINING ACT 1971

Application for a Miscellaneous Purposes Licence

Notice is hereby given in accordance with Section 56H of the *Mining Act 1971*, that an application for a Miscellaneous Purposes Licence over the undermentioned area has been received:

Applicant: Adbri Concrete and Quarries SA Pty Ltd (ACN 007 726 909)
Location: CT 6244/136—Sellicks Hill area, approximately 48km south of Adelaide.
Area: 1.11 hectares approximately
Purpose: Stockpiling of overburden. Extension of an existing bund along the western boundary of the tenements to improve visual screening of the quarry from external receptors using Main South Road. No infrastructure is proposed to be located within the MPL area during construction or upon the completion of these works.
Reference: 2023/000341

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

An electronic copy of the proposal can be found on the Department for Energy and Mining website:

<https://www.energymining.sa.gov.au/industry/minerals-and-mining/mining/community-engagement-opportunities>.

Written submissions in relation to this application are invited to be received at the Department for Energy and Mining, Mining Regulation, Attn: Business Support Officer, GPO Box 320, Adelaide SA 5001 or dem.miningregrehab@sa.gov.au by no later than **21 August 2024**.

The delegate of the Minister for Energy and Mining is required to have regard to these submissions in determining whether to grant or refuse the application and, if granted, the terms and conditions on which it should be granted.

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

Dated: 25 July 2024

C. ANDREWS
Mining Registrar
Delegate for the Minister for Energy and Mining
Department for Energy and Mining

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

SECTION 80

*Alterations to the Building Rules—Ministerial Building Standards**Preamble*

1. The *Planning, Development and Infrastructure Act 2016* (the Act) defines the Building Rules as meaning (amongst other things) the *Building Code*, being the Building Code of Australia published by the Australian Building Codes Board from time to time, and *Ministerial building standards* published by the Minister under the Act.
2. Under Section 80(1) of the Act, the Minister may, after consultation with the State Planning Commission (the Commission), publish *Ministerial building standards* that:
 - (a) relate to any aspect of building work (including the regulation, control, restriction or prohibition of building work);
 - (b) relate to any aspect of the design, construction, quality, safety, health, amenity, sustainability, adaptive re-use or maintenance of buildings; or
 - (c) modify the Building Code as it applies under the Act (including pursuant to Section 79(1)(b)).
3. Under Section 80(4) of the Act, the Minister may, after consultation with the Commission, vary or revoke a *Ministerial building standard*.
4. Pursuant to Section 80 of the Act, notice of publishing, varying, or revoking a *Ministerial building standard* must be placed in the *Government Gazette* before they can take effect.

NOTICE

Pursuant to Section 80(1) of the Act, I, Jodie Evans, A/Director, Building, give notice, having consulted with the Commission, that the following Ministerial building standard that modifies the Building Code (including further modifications to modifications that are made under Section 79(1)(a) of the Act) has been varied and is to commence from **1 October 2024**:

Ministerial Building Standard MBS 007—Modifications to the Building Code of Australia dated October 2024 as published on the PlanSA portal.

Dated: 23 July 2024

JODIE EVANS
A/Director, Building
Planning and Land Use Services
As delegate of the Minister for Planning

MINISTERIAL BUILDING STANDARD MBS 007
Modifications to the Building Code of Australia—October 2024
Published by the Minister for Planning

1. SCOPE AND APPLICATION

- 1.1** This Standard is published as a Ministerial Building Standard that forms part of the *Building Rules* under the Planning, Development and Infrastructure Act 2016 (PDI Act).
- 1.2** The *Building Code*, adopted as part of the *Building Rules* by the PDI Act, is modified in its application to *building work* in South Australia in accordance with the provisions of this Standard.
- 1.3** The *Building Code* (National Construction Code 2022) commenced in the *Building Rules* on 1 May 2023, with the parts relating to livable housing and improved energy efficiency and condensation deferred nationally until 1 October 2023. The modifications within this Standard apply to the *Building Code* (NCC 2022) from 1 October 2024 and must be read as if they are consolidated into the *Building Code*.

2. MODIFICATIONS TO NCC 2022

2.1 Volume One

In South Australia, the *Building Code* (NCC 2022 Volume One) will be taken to be modified as set out below:

- 2.1.1 Modify **SA B1P4 Buildings in flood areas** to read as follows:

This clause has deliberately been left blank.

B1P4 does not apply in South Australia.

- 2.1.2 Modify **SA B1D6 Construction of buildings in flood hazard areas** to read as follows:

This clause has deliberately been left blank.

B1D6 does not apply in South Australia.

- 2.1.3 Modify the Notes after the 'Introduction to this Part' in **Part G7 Livable housing design** to insert the following:

Notes: South Australia Part G7 Livable housing design

Part G7 does not apply to a Class 2 building if a *development application* for the Class 2 building was lodged before 1 October 2024.

2.2 Volume Two

In South Australia, the *Building Code* (NCC 2022 Volume Two) will be taken to be modified as set out below:

- 2.2.1 Modify **SA H1P2 Buildings in flood areas** in **Performance Requirement H1P2 in Part H1 Structure** and **Schedule 8** to read as follows:

This clause has deliberately been left blank.

H1P2 does not apply in South Australia.

2.2.2 Modify **H1D10 Flood hazard areas** to read as follows:

This clause has deliberately been left blank.

H1D10 does not apply in South Australia.

2.2.3 Modify the Notes after the 'Introduction to this Part' in **Part H6 Energy efficiency** to read as follows:

Notes: South Australia Part H6 Energy efficiency - concessions

- (1) A Class 1 building that is the subject of *development application* lodged prior to 1 October 2024 may comply with **P2.6.1, P2.6.2, A2.2(3), A2.4(3)** (as applicable) and **Part 3.12** of **NCC 2019** (Amendment 1).
- (2) A Class 1 building that is the subject of an application for *building consent* lodged prior to 1 January 2027, on a *small* or *irregular allotment* for which a application for land division was lodged prior to 1 January 2024, may comply with:
 - (a) **P2.6.1, P2.6.2, A2.2(3), A2.4(3)** (as applicable), **Part 3.12.0(a)** of **NCC 2019** (Amendment 1) and **H6P2 – Energy usage** of **NCC 2022**; or
 - (b) achieve an energy rating, including the separate heating and cooling load limits, using *house energy rating software*, of greater than or equal to 6 stars and comply with **H6P2 – Energy usage** of **NCC 2022**.
- (3) A Class 1 building to be constructed on an existing *small* or *irregular allotment* as of 1 October 2024 may comply with:
 - (a) **P2.6.1, A2.2(3), A2.4(3)** (as applicable), **Part 3.12.0(a)** of **NCC 2019** (Amendment 1) and **H6P2 – Energy usage** of **NCC 2022**; or
 - (b) achieve an energy rating, including separate heating and cooling load limits, using *house energy rating software*, of greater than or equal to 6 stars and comply with **H6P2 – Energy usage** of **NCC 2022**.
- (4) A Class 1 building to be used as *workers' accommodation* or *tourist accommodation* may comply with **P2.6.1, P2.6.2, A2.2(3), A2.4(3)** (as applicable) and **Part 3.12** of **NCC 2019** (Amendment 1).
- (5) A Class 1 building that is the subject of an application for *building consent* lodged prior to 1 May 2026 within the Master Planned Neighbourhood Zone in the District Council of Mount Barker may comply with:
 - (a) **P2.6.1, A2.2(3), A2.4(3)** (as applicable), **Part 3.12.0(a)** of **NCC 2019** (Amendment 1) and **H6P2 – Energy usage** of **NCC 2022**; or

(b) Achieve an energy rating, including the separate heating and cooling load limits, using *house energy rating software*, of greater than or equal to 6 stars and comply with **H6P2 – Energy usage of NCC 2022**.

(6) A Class 1 building that is *manufactured off site* and with a *floor area* equal to or less than 60sqm may comply with the **P2.6.1, 3.12.0.1(a)(i), (ii) and (iii)** of **NCC 2019** (Amendment 1) and **H6P2 – Energy usage of NCC 2022**.

Note: SA3.12.0.1(a)(iv) and (v), SA3.12.0.1(b) and (c) and SA Table 3.12.0.1 cannot be used.

(7) A Class 1 building that is *manufactured off site* and located in *Climate Zone 4*, a local government area listed in **Table A**, or an area not located within a local government area, may comply with the **3.12.0.1(a)(i), (ii) and (iii)** of **NCC 2019** (Amendment 1) and **H6P2 – Energy usage of NCC 2022**.

Note: SA3.12.0.1(a)(iv) and (v), SA3.12.0.1(b) and (c) and SA Table 3.12.0.1 cannot be used.

Table A

Ceduna Council	Kangaroo Island Council	Peterborough Council
Cleve Council	Karoonda East Murray Council	Southern Mallee Council
Coorong District Council	Kimba Council	Streaky Bay Council
Elliston Council	Lower Eyre Peninsula Council	Tatiara Council
Flinders Ranges Council	Mid Murray Council	Tumby Bay Council
Franklin Harbour Council	Mount Remarkable Council	Wudinna Council
Goyder Council	Orroroo Carrieton Council	

2.2.4 Modify the Notes after the 'Introduction to this Part' in **Part H8 Livable housing design** to insert the following:

Notes: South Australia Part H8 Livable housing design - concessions

- (1) Subject to (2), **Part H8** does not apply to a Class 1a building if:
- (a) The Class 1a building was the subject of a *development application* lodged before 1 October 2024, or
 - (b) The Class 1a building was the subject of an application for *building consent* lodged prior to 1 January 2027 on a *small* or *irregular allotment* for which a application for land division was been lodged prior to 1 January 2024.
 - (c) The *allotment* on which the Class 1a building is to be constructed was a *small* or *irregular allotment* existing as of 1 October 2024, or

(d) The Class 1a building is *manufactured off site* and the *floor area* is equal to or less than 60sqm, or

(e) The Class 1a building is used as *workers' accommodation* or *tourist accommodation*.

(2) Class 1a buildings subject to **(1)(b)**, **(c)**, **(d)** and **(e)** must still comply with *Part 6-Reinforcement of bathroom and sanitary compartment walls* of the *Livable Housing Design Standard*.

2.2.5 Modify clause **H8D2** in **Part H8 Livable housing design** to insert **(5)**, **(6)** and **(7)** as follows:

(5) **Clause 2.2 Threshold** of the *ABCB Standard for Livable Housing Design* is varied in South Australia as follows:

The threshold of an entrance door that is subject to **Clause 2.1** must—

(a) be level; or

(b) have a sill height not more than 5 mm if the lip is rounded or bevelled; or

(c) have a ramped threshold that—

(i) does not extend internally beyond the depth of the door jamb; and

(ii) has a gradient not steeper than 1:8; and

(iii) is at least as wide as the minimum clear opening width of the entrance door; and

(iv) does not intrude into the minimum dimensions of a landing area that is required by **Clause 2.3**; or

(d) where the requirements of **(a)**, **(b)** or **(c)** cannot meet the weatherproofing requirements of the NCC, for external entrance doors containing a raised door or sill—

(i) have no lip or upstand greater than 15 mm within the sill profile; and

(ii) have no more than 5 mm height difference between the edge of the top surface of the sill and the adjoining finished surface.

(6) **Clause 4.1** of the *ABCB Standard for Livable Housing Design* is varied in South Australia as follows:

There must be at least one compliant *sanitary compartment* located on either:

(a) the ground or entry level; or

(b) the lowest level of the Class 1a building with a *habitable room*.

(7) **Clause 5.2** of the *ABCB Standard for Livable Housing Design* is varied in South Australia as follows:

- (a) At least one shower must have a hobless and step-free entry.
- (b) A hobless and step-free shower must have a:
 - (i) water bar with a maximum height of 5 millimetres installed above and sealed to the waterstop at the shower entry; or
 - (ii) linear drain at the shower entry in accordance with AS 3740

and be waterproofed in accordance with AS 3740 or **Part 10.2** of the **ABCB Housing Provisions**.

Note:

Figures have been provided in Appendix A and are for informative purposes only.

2.2.6 Modify **S42C4 (1) Additional Deemed-to-Satisfy Provisions** when using *house energy rating software* as follows:

- (1) To comply with **H6P1**, in addition to **S42C2**, a building must comply with **Section 13** of the **ABCB Housing Provisions** clauses—
 - (a) **13.2.2**, for building *fabric* thermal insulation; and
 - (b) **13.2.3(7)** and **13.2.5(5)**, for thermal breaks; and
 - (c) **13.2.3(5)**, for compensating for a loss of ceiling insulation, other than where the *house energy rating software* has compensated for a loss of ceiling insulation; and
 - (d) **13.2.6(4)**, **13.2.6(5)(a)(i)** and **13.2.6(6)** for slab edge insulation; and
 - (e) **Part 13.4**, for building sealing.

2.3 Housing Provisions

In South Australia, the *Building Code* (NCC 2022 Housing Provisions) will be taken to be modified as set out below:

2.3.1 Modify clause **SA 9.2.8(a) Open carports** to read as follows:

A Class 10a carport or verandah is exempt from complying with **9.2.4(1)** if—

- a) it has—
 - (i) two or more sides open and not less than one third of its perimeter open and, for the purpose of this clause, a side is considered to be open if the roof covering adjacent to that side is not less than 500mm from another building or allotment boundary; or
 - (ii) any part of the *external wall* of the Class 1 building located less than 2m from the allotment boundary or less than 4m from another Class 1 building on the same allotment is *fire-resisting* to the underside of a *non-combustible* roof covering or to the underside of a *non-combustible* ceiling lining (see **SA Figure 9.2.8a**, **SA Figure 9.2.8b** and **SA Figure 9.2.8c**); and

2.3.2 Modify clause **SA 10.2.1 Wet areas** to read as follows:

Building elements in *wet areas* within a building must—

- a) be *waterproof* or *water resistant* in accordance with **10.2.2** to **10.2.6**, except that—
 - (i) in any room containing a washing machine, the wall area from finished floor level to a minimum of 75mm above and 75mm each side of the washing machine tap outlets must be *water resistant*; and
 - (ii) where a *vessel* is inset into a bench top in a kitchen, bar area, kitchenette or domestic food and beverage preparation area—
 - (A) wall junctions and joints within 150mm above the *vessel* must be *water resistant* for the extent of the *vessel*; and
 - (B) the perimeter edges of the *vessel* must be *water resistant* for the extent of the *vessel* (see **SA Figures 10.2.1a, 10.2.1b** and **10.2.1c**); and
 - (C) penetrations in horizontal surfaces for tap and spout outlets in kitchens, bar areas, kitchenettes or domestic food and beverage preparation areas, must be *waterproof*; and
- b) have *floor wastes* provided in accordance with **SA 10.2.33**; and
- c) where *floor wastes* are provided for drainage of floors in bathrooms and laundries, the floors, floor/wall junction and penetration must be *waterproof*.

2.3.3 Modify clause **SA 10.2.33 Provision of floor wastes** to read as follows:

- (1) The floor of a *wet area* containing a *vessel* must be graded to a *floor waste* to permit drainage of water.
- (2) A floor need not be graded to a *floor waste* as required by (1) if—
 - (a) all *vessels* are provided with in-built overflow protection or have a permanent open trapped connection to the plumbing and drainage system (such as a WC pan); or
 - (b) the *floor waste* is provided solely for the connection of plumbing fixtures and all *vessels* in the *wet area* are provided with in-built overflow protection or have permanent open trapped connection to the plumbing and drainage system (such as a WC pan).
- (3) A floor of a *wet area* that is graded without ponding to a *floor waste* within the shower area will satisfy (1).
- (4) The fall of the floor surface graded to a *floor waste* in accordance with (1) or (3) must be in accordance with **10.2.12**.

3. INTERPRETATION

Allotment has the same meaning as defined in the PDI Act except for:

- A development lot and common property created by division under the *Community Titles Act 1996*,
- A lot, development lot and common property created by strata division under the *Community Titles Act 1996*,
- A unit and common property created by division under the *Strata Titles Act 1988*.

Building Code has the same meaning as defined in the PDI Act.

Building consent has the same meaning as defined in the PDI Act.

Building work has the same meaning as defined in the PDI Act.

Climate Zone has the same meaning as defined in the *Building Code*.

Development application means *building consent* or planning consent as defined in the PDI Act.

External wall has the same meaning as defined in the *Building Code*.

Fabric has the same meaning as defined in the *Building Code*.

Fire-resisting has the same meaning as defined in the *Building Code*.

Floor area has the same meaning as defined in the *Building Code*.

Floor waste has the same meaning as defined in the *Building Code*.

Habitable room has the same meaning as defined in the *Building Code*.

House energy rating software has the same meaning as defined in the *Building Code*.

Irregular allotment means an *allotment* with an area less than 300sqm and which is unable to contain a minimum 9m x 15m rectangle beyond the *primary street setback*.

Manufactured off site means a transportable building or a tiny house without wheels

Non-combustible has the same meaning as defined in the *Building Code*.

Primary street frontage has the same meaning as the Planning and Design Code.

Primary street setback has the same meaning as the Planning and Design Code.

Sanitary compartment has the same meaning as defined in the *Building Code*.

Small allotment means an *allotment* with the *primary street frontage* less than 10m.

Tourist accommodation has the same meaning as Part 7- Land Use Definitions of the Planning and Design Code.

Vessel has the same meaning as defined in the *Building Code*.

Waterproof has the same meaning as defined in the *Building Code*.

Water resistant has the same meaning as defined in the *Building Code*.

Wet area has the same meaning as defined in the *Building Code*.

Workers' accommodation has the same meaning as Part 7- Land Use Definitions of the Planning and Design Code.

4. EXPLANATORY INFORMATION (INFORMATIVE ONLY)

The majority of the modifications within this Standard relate to the transitional concessions provided for the implementation of the Building Code (NCC 2022) livable housing design and upgraded energy efficiency and condensation provisions in South Australia.

Additional modifications have been made to correct issues associated with the South Australian variations for flood prone areas, wet areas and the fire safety concession for carports/verandahs.

Notes provide additional mandatory instructions pursuant to clause A1G4(3)(g) of the Building Code (NCC 2022). The amended Notes contained in this Standard may be relied upon for determining the applicable provisions in South Australia.

Copies of NCC 2022 can be downloaded or is available online from the Australian Building Codes Board's website at ncc.abcb.gov.au.

APPENDIX A (INFORMATIVE ONLY)

The figures below illustrate hobless and step-free showers and are for informative purposes only.

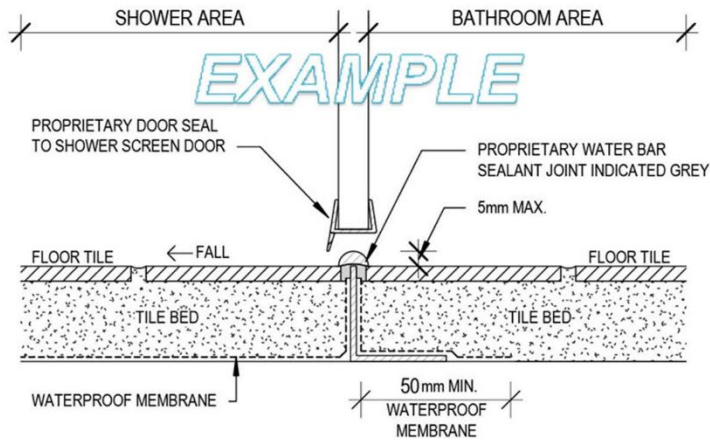


Figure A1

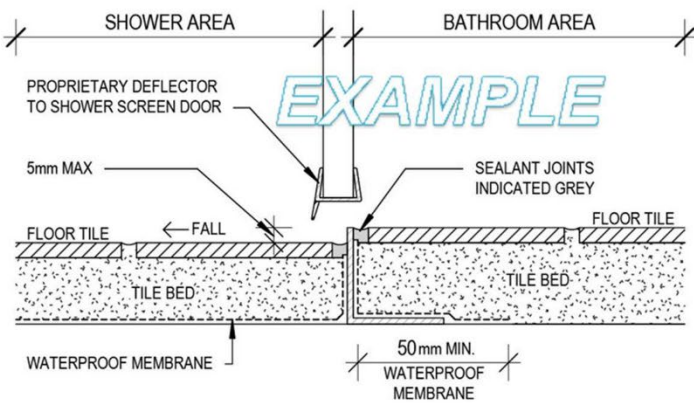


Figure A2

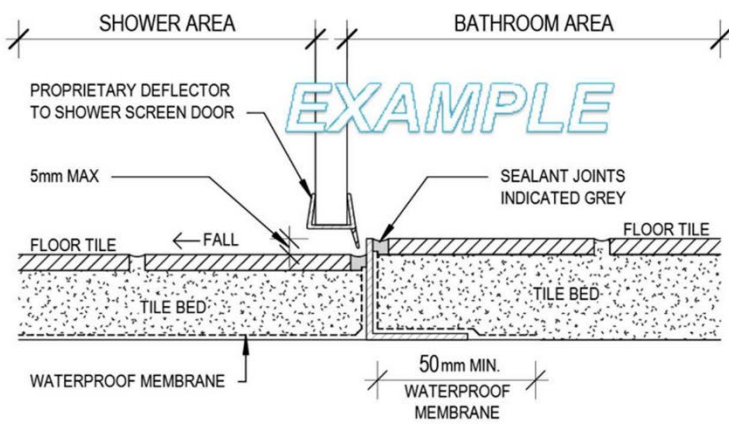


Figure A3

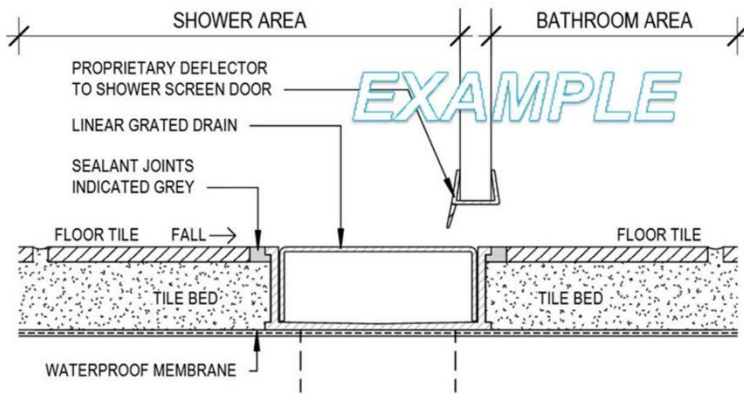


Figure A4

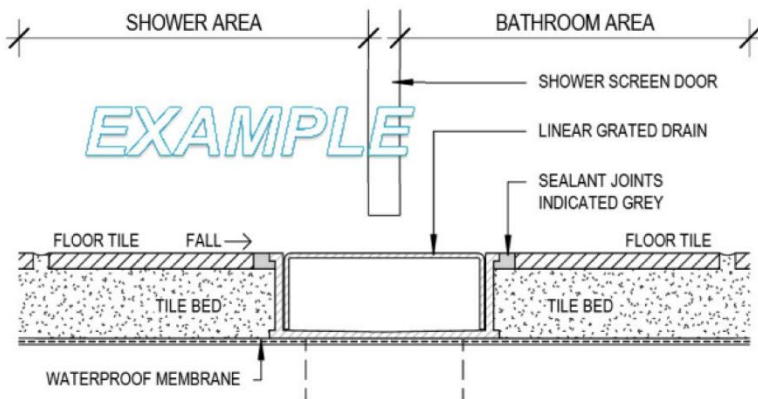


Figure A5

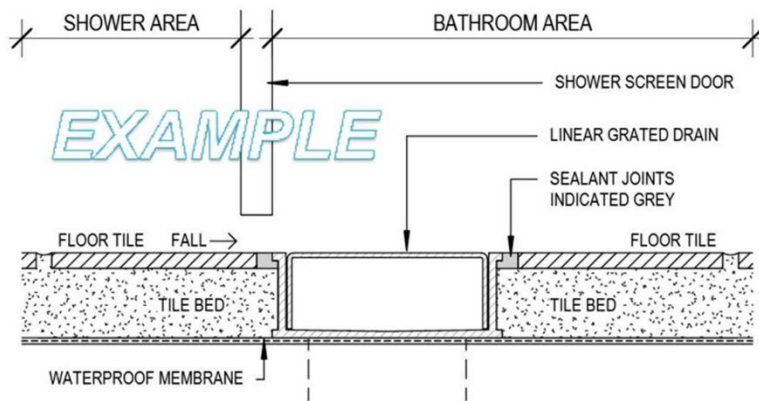


Figure A6

Source: Queensland Development Code Mandatory Part 4.5 – Livable dwellings and grading to floor wastes

SOUTH AUSTRALIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

SACAT REFERENCE NUMBER: 2024/SA001406

Notice of Exemption before Tribunal Member Estelle Frawley

I hereby certify that on the 4th July 2024, the South Australian Civil and Administrative Tribunal, on application of SAAB Australia Pty Ltd, made the following orders for an exemption:

1. Pursuant to Section 92 of the *Equal Opportunity Act 1984*, the Tribunal grants an exemption to SAAB Australia Pty Ltd for compliance with the provisions of Sections 52, 53, 54, 103(1) of the *Equal Opportunity Act 1984* with respect of nationality and country of origin for a period of three years.
2. On the 12-month anniversary of these orders, and every 12 months thereafter for the duration of this exemption, the Applicant must report to the Equal Opportunity Commissioner on their compliance with the orders and changes (if any) to their procedures. That report must include:
 - (a) The steps taken to ensure that the gathering, storage and use of nationality and country of origin information is appropriate and secure;
 - (b) The steps taken to ensure that nationality and country of origin information is only used for lawful purposes, including as permitted by the exemption;
 - (c) The training and education provided to new and existing employees on these orders and their implementation;
 - (d) The steps taken by the Applicant to implement these orders;
 - (e) How the Applicant monitors compliance with these orders;
 - (f) The number of persons affected by these orders and the nature of those effects;
 - (g) The steps taken by the Applicant to address any adverse effects on existing or future employees because of these orders;
 - (h) The steps taken by the Applicant to minimise the impact of these orders on current and future employees.

Dated: 18 July 2024

ANNE LINDSAY
Principal Registrar
South Australian Civil and Administrative Tribunal

SURVEY ACT 1992

Licensed and Registered Surveyors in South Australia at 25 July 2024

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

LIST OF LICENSED SURVEYORS

Licensed Surveyor's Name	Licensed Surveyor's Address	Date of Licence
Afnan, Ruhi	GPO Box 543, Adelaide SA 5001	9.4.1992
Allen, Scott Lewis – Non-Practicing	GPO Box 2471, Adelaide SA 5001	8.5.1986
Anderson, Ralph Ian	26 Evans Street, Renmark SA 5341	10.5.1990
Andrew, Robert Lindsay	PO Box 329, Seacliff Park SA 5049	23.10.1974
Arnold, Timothy	PO Box 27, Hove SA 5048	9.12.2010
Aslanidis, Nicholas Peter	3/2 Lydia Street, Plympton SA 5038	20.9.2012
Bacchus, Scott John	84 Sawpit Gully Road, Dawesley SA 5252	6.8.2003
Baker, Trevor John	PO Box 708, Stirling SA 5152	18.5.2017
Barnes, Lyall Bruce	7 Boronia Court, Paradise SA 5075	14.4.1994
Barwick, Craig	PO Box 1000, Kent Town SA 5071	15.11.2001
Bennett, Mark Nicholas	15 Military Road, Tennyson SA 5022	18.11.2004
Bested, Antony John	362 Magill Road, Kensington Park SA 5068	1.1.1992
Bevan, Matthew John	137 Days Road, Regency Park SA 5010	21.2.2013
Bleeze, Denis Robert	130 Range Road South, Houghton SA 5131	30.8.1981
Blok, Timothy	5 Seventh Avenue, Hove SA 5048	13.9.1990
Blundell, Marc John Pole	GPO Box 1815, Adelaide SA 5001	17.7.2003
Brinkley, Peter James	GPO Box 1815, Adelaide SA 5001	19.8.2010
Brogden, Damian John	176 Prospect Road, Prospect SA 5082	13.7.1989
Burgess, Gregory Stephen	18A Cameron Road, Mount Barker SA 5251	6.7.1995
Burgess, Kevin Trevor	46 Second Avenue, St Peters SA 5069	8.7.1982
Cameron, Michael Leigh	45 Helen Street, Mount Gambier SA 5290	20.4.2006
Castelanelli, Carmelo	25 Hardys Road, Underdale SA 5032	11.3.1993
Cavallo, Rocco	9 George Street, Hindmarsh SA 5007	19.9.1990
Christie, Brenton Andrew	23 Sydenham Road, Norwood SA 5067	21.7.2005
Ciccarello, Mark Alexander	2/10 Koonga Avenue, Rostrevor SA 5073	16.11.2015
Clarke, Matthew James	69 Heather Road, Heathfield SA 5153	19.11.2009
Cooper, Daniel Charles	226 Leslie Creek Road, Mylor SA 5153	20.6.2013
Crowe, Simon John	GPO Box 1815, Adelaide SA 5001	17.3.2012
D'Aloia, Giuseppe	9 Cassia Crescent, Kidman Park SA 5025	20.6.2002
Deane, Harry James	PO Box 1000, Kent Town SA 5071	20.8.2020
Dellatorre, Wade Christopher – Non-Practicing	9 Belmont Crescent, Mount Barker SA 5251	16.5.2002
Eiternick, Paul	5 Gulfview Road, Blackwood SA 5051	17.10.2013
Evans, Jesse Troy	185 Fairfield Road, Kadina, SA 5554	19.3.2020

Licensed Surveyor's Name	Licensed Surveyor's Address	Date of Licence
Filmer, Scott John	1 Railway Place, Mount Barker SA 5251	16.8.2007
Fritsch, Luke Ian	45 Helen Street, Mount Gambier SA 5290	1.12.2022
Fudge, Jeffrey Charles	202 Gordon Street, Naracoorte SA 5271	11.8.1978
Gathercole, Dylan Luke	255 Pulteney Street, Adelaide SA 5000	16.2.2012
Gehren, Noel Ralfe	PO Box 1000, Kent Town SA 5071	13.12.2007
Georgiou, Kristan Michael	2 Elm Grove, Lobethal SA 5241	19.6.2016
Gilbert, Peter Mark	7 Seaview Avenue, Middleton, SA 5213	8.9.1994
Gluis, Joel Mark	PO Box 182, Aldinga Beach SA 5173	17.3.2011
Goodwin, Daniel Lee	PO Box 1000, Kent Town SA 5071	16.11.2023
Gear, Michael Stuart	24b Willunga Street, Eden Hills SA 5050	1.1.1992
Harmer, Michael William	4 Tay Road, Woodforde SA 5072	18.11.2010
Heinrich, Chad Anthony	17B Whiteleaf Crescent, Glengowrie SA 5044	16.8.2018
Henley, John Edward	PO Box 2099, Magill North SA 5072	12.10.1989
Hillyard, Tyson Peter	PO Box 1000, Kent Town SA 5071	15.11.2012
Holland, Damian John	PO Box 1000, Kent Town SA 5071	1.12.2016
Hordacre, Glenn Ian	PO Box 1000, Kent Town SA 5071	12.11.1992
Hughes, James Edward	23 Sydenham Road, Norwood SA 5067	20.4.2023
Hynes, Matthew David	43 Edward Street, Norwood SA 5067	20.5.2004
Jeanes, Peter Ian	4/44 Ningana Avenue, Kings Park SA 5034	3.2.1982
Jeffrey, Thomas Samuel	6 Todd Street, Port Adelaide SA 5015	18.6.2013
Jericho, David Allan	48 Lawrence Street, Kadina SA 5554	11.3.1993
Johnson, Timothy Luke	PO Box 1000, Kent Town SA 5071	16.11.2023
Kennedy, Ross Alexander	20 Sizer Street, Lower Mitcham SA 5062	14.5.1992
Klau, Timothy David	7 Bunker Court, Port Hughes SA 5558	18.5.2006
Klitscher, Simon Martin	PO Box 226, Brooklyn Park SA 5032	15.6.2000
Kruimel, Daniel Nigel	189 Young Street, Redfern NSW 2016	22.4.2010
Lambis, Haralambos Michael	PO Box 358, Prospect SA 5082	21.4.2005
Langman, James Stephen	PO Box 1000, Kent Town, SA 5071	18.3.2010
Leaker, Martin John	24 Richardson Avenue, Glenelg North SA 5045	11.10.1994
Leith, Grantley David	PO Box 811, St Agnes SA 5097	10.5.1990
Liebelt, Michael John	6 Graves Street, Kadina SA 5554	11.6.1992
Light, Brenton Andrew	51 Bettes Road, Ward Hill SA 5522	21.1.2021
Linsell, John Thomas	GPO Box 1815, Adelaide SA 5001	20.8.2009
Lock, Craig James	5 Sturt Street, Glenelg North SA 5045	8.3.1984
Lock, Michael Grant	87 Springbank Road, Clapham SA 5062	13.2.1986
Mann, Grant Glenn	20 Rumbelow Crescent, Encounter Bay SA 5211	11.3.1993
Mattsson, Jeffrey Ian	10 Braeside Avenue, Seacombe Heights SA 5047	10.11.1985
Millett, Christopher John	124 South Terrace, Adelaide SA 5000	1.1.1992
Neale, Graeme Edward	27 Dover Street, Malvern SA 5061	15.5.1980
Nietschke, Michael Dean	PO Box 1000, Kent Town SA 5071	16.10.1997
North, Ashley Linton	178 Main Road, McLaren Vale SA 5171	20.8.2009
Paul, Gregory John	GPO Box 1815, Adelaide SA 5001	21.3.2013
Pennino, Damiano	PO Box 917, Salisbury SA 5108	20.6.2013
Petrilli, Kevin John	64 Gladstone Road, North Brighton SA 5048	19.7.1990
Phillips, Perry Mark	2/110 Victoria Street, Victor Harbor SA 5211	13.12.1984
Pittman, Mark Roger	Level 2/124 South Terrace, Adelaide SA 5000	21.8.1997
Pohl, Henry Michael	23 Sydenham Road, Norwood SA 5067	31.3.1983
Rea, Franco	PO Box 1000, Kent Town SA 5071	15.6.2000
Reddy, Max Charles	178 Main Road, McLaren Vale SA 5171	16.6.2022
Retallack, Richard Alan	25 Narinna Avenue, Cumberland Park SA 5041	9.4.1992
Richardson, Brett John	7 First Avenue, Tanunda SA 5352	17.3.2011
Rigon, Dario	19 Bankside Drive, Old Reynella SA 5161	10.3.1998
Ryan, Kane Benjamin	78 Goodwood Road, Wayville SA 5034	18.3.2010
Sayer, Max Alfred Michael	176 Prospect Road, Prospect SA 5082	12.10.1989
Seskis, Samuel Thomas	Level 2/124 South Terrace, Adelaide SA 5000	16.6.2015
Severns, Neil Robert	14 Eldridge Street, Shelly Beach Qld 4551	23.2.2023
Shepherd, Ben Christopher	PO Box 1000, Kent Town SA 5071	21.4.2016
Slape, Bradley James	GPO Box 1815, Adelaide SA 5001	20.4.2006
Stockley, Nathan James	PO Box 1000, Kent Town SA 5071	17.2.2021
Struthers, David Barrie	PO Box 1284, Strathalbyn SA 5255	16.4.2015
Summers, Clayton Myles	9 St Georges Street, Willunga SA 5172	12.6.1986
Thorley, Beau	PO Box 1000, Kent Town SA 5071	17.11.2011
Townsend, Steven James	8 Beaver Court, Port Lincoln SA 5606	18.8.2005
Tripodi, Alfredo	10 Paula Street, Athelstone SA 5076	15.3.2007

Licensed Surveyor's Name	Licensed Surveyor's Address	Date of Licence
Tucker, Nelson Lionel	PO Box 1000, Kent Town SA 5071	21.3.2024
Tucker, Paul	PO Box 445, Edithburgh SA 5583	31.5.1973
Turnbull, Shaun William	PO Box 320, Henley Beach SA 5022	15.2.2007
Turner, George Joseph – Non-Practicing	21 Nish Street, Echuca VIC 3564	19.5.2011
van Senden, Geoffrey Clifton	11 Chapel Street, Strathalbyn SA 5255	11.10.1990
Waye, Rowan Samuel	PO Box 1000, Kent Town SA 5071	19.6.2016
Weston, David Arthur Giles	78 Castle Street, Parkside SA 5063	12.3.1992
Whitford, Mark Kenneth	4 Wycliff Street, Fullarton SA 5063	21.11.2013
Wiggins, Adam Michael	2 Cardinal Street, St Clair SA 5011	16.6.2015
Williams, Mark Antony Peter	PO Box 1000, Kent Town SA 5071	17.6.2004
Window, Ashley Greg	362 Magill Road, Kensington Park SA 5068	13.3.2008
Wood, Adam Browning	24 Hakea Avenue, Athelstone SA 5076	17.8.2006

LIST OF REGISTERED SURVEYORS

Registered Surveyor's Name	Registered Surveyor's Address	Date of Registration
Chemny, Luke Vasyil	PO Box 1000, Kent Town SA 5071	19.3.2020
Grose, Michelle Elaine	63 May Street, Birkenhead SA 5015	19.7.2018
McFarlane, John Alexander	PO Box 1000, Kent Town SA 5071	19.7.2007
Pickett, Richard Bruce	3A Fuller Street, Parkside SA 5063	1.1.2000
Walker, Graham	2/1 North Esplanade, Glenelg SA 5045	5.12.2019

Dated: 25 July 2024

J. M. ODDY
Registrar

LOCAL GOVERNMENT INSTRUMENTS

CITY OF MITCHAM

Adoption of Valuations and Declaration of Rates

Notice is hereby given that at a meeting of the Council held on 16 July 2024, the Council resolved for the financial year commencing 1 July 2024 as follows:

Adoption of Assessment

To adopt the capital valuations made by the Valuer-General for the Council area, being \$30,929,401,000 in relation to the whole area of the Council (of which \$29,170,333,934 represents rateable land).

Declaration of Differential General Rates

To declare differential general rates, as follows:

- (a) 0.222650 cents in the dollar on the capital value of rateable land of Residential, Primary Production and Other land;
- (b) 0.519658 cents in the dollar on the capital value of rateable land of Commercial-Shop, Commercial—Office, Commercial—Other, Industrial—Light, Industrial—Other and Vacant land uses; and
- (c) To fix a minimum amount payable by way of the general rates of \$1,364.00.

Declaration of Landscape Levy

To declare a separate rate of 0.007315 cents in the dollar on the capital value of rateable land in the Council area within the Green Adelaide Board area.

Dated: 22 July 2024

M. PEARS
Chief Executive Officer

CITY OF VICTOR HARBOR

CORRIGENDUM

Adoption of Valuations and Declaration of Rates

By Notice published in the South Australian Government Gazette on 18 July 2024 at page 2208, the City of Victor Harbor gave notice of the Adoption of Valuations and Declaration of Rates.

The notice was incorrect in respect of the declaration date for Part 2 (Differential General Rates).

Notice is hereby given that at the Special Council meeting on 15 July 2024, Council declared differential general rates.

In respect of the declaration date of Part 1, 3 and 4, the Notice remains unchanged.

Dated: 25 July 2024

VICTORIA MACKIRDY
Chief Executive Officer

CITY OF WEST TORRENS

PERMITS AND PENALTIES BY-LAW 2024

By-law No. 1 of 2024

To provide for a permit system, to fix maximum penalties in Council by-laws, to clarify the construction of such by-laws, and to repeal certain by-laws.

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the Permits and Penalties By-law 2024.

2. Commencement

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

3. Definitions

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

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

3.2 In this by-law:

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

4. Construction

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

Part 2 – Permits

5. Council May Grant Permits

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

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

Part 3 – Enforcement

6. Penalties

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

7. Liability of Vehicles Owners and Expiation of Certain Offences

- 7.1 Without derogating from the liability of any other person, but subject to this paragraph, if a vehicle is involved in a prescribed offence, the owner of the vehicle is guilty of an offence and liable to the same penalty as is prescribed for the principal offence and the expiation fee that is fixed for the principal offence applies in relation to an offence against this paragraph.
- 7.2 The owner and driver of a vehicle are not both liable through the operation of this paragraph to be convicted of an offence arising out of the same circumstances, and consequently conviction of the owner exonerates the driver and conversely conviction of the driver exonerates the owner.
- 7.3 An expiation notice or expiation reminder notice given under the Expiation of Offences Act 1996 to the owner of a vehicle for an alleged prescribed offence involving the vehicle must be accompanied by a notice inviting the owner, if they were not the driver at the time of the alleged prescribed offence, to provide the Council or officer specified in the notice, within the period specified in the notice, with a nomination:
 - 7.3.1 setting out the name and address of the driver; or
 - 7.3.2 if they had transferred ownership of the vehicle to another prior to the time of the alleged offence and has complied with the Motor Vehicles Act 1959 in respect of the transfer - setting out details of the transfer (including the name and address of the transferee).
- 7.4 Before proceedings are commenced against the owner of a vehicle for an offence against this section involving the vehicle, the Informant must send the owner a notice:
 - 7.4.1 setting out particulars of the alleged prescribed offence; and
 - 7.4.2 inviting the owner, if they were not the driver at the time of the alleged prescribed offence, to provide the Informant, within 21 days of the date of the notice, with a nomination setting out the matters referred to in subparagraph 7.3.
- 7.5 Subparagraph 7.4 does not apply to:
 - 7.5.1 proceedings commenced where an owner has elected under the Expiation of Offences Act 1996 to be prosecuted for the offence; or
 - 7.5.2 proceedings commenced against an owner of a vehicle who has been named in a nomination under this paragraph 7 as the driver of the vehicle.

- 7.6 The Council, Informant or officer to whom a nomination is provided in response to a notice under subparagraphs 7.3 or 7.4 may require the person who made the nomination to verify the information contained in the nomination by statutory declaration.
- 7.7 If the Council, Informant or officer specified in the notice under subparagraphs 7.3 or 7.4 believes that a nomination made in response to the notice has been made in error, the Council, Informant or officer (as the case may be) may permit the nomination to be withdrawn and a new nomination to be made.
- 7.8 Subject to subparagraph 7.9, in proceedings against the owner of a vehicle for an offence against this paragraph, it is a defence to prove:
- 7.8.1 that, in consequence of some unlawful act, the vehicle was not in the possession or control of the owner at the time of the alleged prescribed offence; or
- 7.8.2 that the owner provided the Informant with a statutory declaration in accordance with an invitation under this paragraph.
- 7.9 The defence in paragraph 7.8.2 does not apply if it is proved that the owner made the declaration knowing it to be false in a material particular.
- 7.10 If:
- 7.10.1 an expiation notice is given to a person named as the alleged driver in a statutory declaration under this paragraph; or
- 7.10.2 proceedings are commenced against a person named as the alleged driver in such a nomination, the notice or Information, as the case may be, must be accompanied by a notice setting out particulars of the nomination that named the person as the alleged driver.
- 7.11 The particulars of the nomination provided to the person named as the alleged driver must not include the address of the person who provided the nomination.
- 7.12 A nomination made under this paragraph must be made in a manner and form approved by the Council.
- 7.13 A person must not, in making a nomination for the purposes of this paragraph, make a statement that is false or misleading in a material particular.
8. Evidence
- In proceedings for a prescribed offence, an allegation in an Information that:
- 8.1 a specified place was a road or local government land; or
- 8.2 a specified vehicle was driven, parked or left standing in a specified place; or
- 8.3 a specified vehicle was parked or left standing for the purposes of soliciting business from a person or offering or exposing goods for sale; or
- 8.4 a specified place was not formed or otherwise set aside by the Council for the purposes of the driving, parking or standing of vehicles; or
- 8.5 a specified person was an authorised person; or
- 8.6 a specified provision was a condition of a specified permit granted under paragraph 5 of this by-law; or
- 8.7 a specified person was the owner or driver of a specified vehicle; or
- 8.8 a person named in a statutory declaration under paragraph 7 of this by-law for the prescribed offence to which the declaration relates was the driver of the vehicle at the time at which the alleged offence was committed; or
- 8.9 an owner or driver of a vehicle for a prescribed offence was given notice under paragraph 7 of this by-law on a specified day, is proof of the matters so alleged in the absence of proof to the contrary.

Part 4 – Miscellaneous

9. Revocation

Council's By-law No. 1 – Permits and Penalties, published in the Gazette on 9 May 2017, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of West Torrens held on the 16th day of July 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MR ANGELO CATINARI
Chief Executive Officer

CITY OF WEST TORRENS
LOCAL GOVERNMENT LAND BY-LAW 2024
By-law No. 2 of 2024

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

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the Local Government Land By-law 2024.

2. Commencement

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

3. Definitions

In this by-law:

3.1 animal includes birds, insects and fish;

3.2 boat includes a raft, canoe, personal watercraft or any other similar device;

- 3.3 camp includes setting up a camp, or cause a tent, caravan or motorhome to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 3.4 children's playground means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within 10 metres of such devices if there is no enclosed area);
- 3.5 community garden means an area of land set aside by the Council for the purposes of being gardened collectively by a group of people;
- 3.6 domestic animal includes any duck, reptile or fish;
- 3.7 e-cigarette means:
- 3.7.1 a device that is designed to generate or release an aerosol or vapour for inhalation by its user in a manner similar to the inhalation of smoke from an ignited tobacco product; or
- 3.7.2 a device of a kind resolved by the Council and notified by notice in the Gazette to be an e-cigarette;
- 3.8 electoral matter has the same meaning as in the Electoral Act 1985 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 3.9 emergency worker has the same meaning as in the Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014;
- 3.10 foreshore means the area between the low water mark on the seashore and the nearest boundary of:
- 3.10.1 a road;
- 3.10.2 a section;
- 3.10.3 a public reserve; or
- 3.10.4 land comprised in a land grant, Crown Land or Crown License;
- 3.11 funeral ceremony means a ceremony only (ie, a memorial service) and does not include a burial;
- 3.12 inflatable castle includes a bouncy castle, jumping castle and any other inflatable structure used for recreational purposes;
- 3.13 liquor has the same meaning as defined in the Liquor Licensing Act 1997;
- 3.14 livestock has the same meaning as defined in the Livestock Act 1997 but does not include a dog or cat;
- 3.15 local government land has the same meaning as in the Local Government Act 1999 and includes the foreshore but does not include any road;
- 3.16 low water mark means the lowest meteorological tide;
- 3.17 model aircraft includes a drone;
- 3.18 open container means a container which:
- 3.18.1 after the contents thereof have been sealed at the time of manufacture and:
- 3.18.1.1 being a bottle, has had its cap, cork or top removed (whether or not it has since been replaced);
- 3.18.1.2 being a can, it has been opened or punctured;
- 3.18.1.3 being a cask, has had its tap placed in a position to allow it to be used;
- 3.18.1.4 being any form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to the contents thereof; or
- 3.18.2 is a flask, glass or mug or other container used for drinking purposes;
- 3.19 personal watercraft means a device that:
- 3.19.1 is propelled by a motor; and
- 3.19.2 has a fully enclosed hull; and
- 3.19.3 is designed not to retain water if capsized; and
- 3.19.4 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;
- 3.20 smoke means:
- 3.20.1 in relation to a tobacco product, smoke, hold, or otherwise have control over, an ignited tobacco product; or
- 3.20.2 in relation to an e-cigarette, to inhale from, hold or otherwise have control over, an e-cigarette that is in use;
- 3.21 special events means an organised gathering of 50 persons or more relating to a sporting, educational, recreational, political, artistic, cultural, religious or social purposes;
- 3.22 traffic control device has the same meaning as in the Road Traffic Act 1961;
- 3.23 variable message sign includes a permanent, portable or vehicle mounted electronic sign (except when the sign is used as a traffic control device);
- 3.24 waters mean any body of water including a pond, lake, river, creek or wetlands under the care, control and management of Council;
- 3.25 wheeled recreational device has the same meaning as contained in the Road Traffic Act 1961.

Part 2 – Management of Local Government Land

4. Activities Requiring Permission

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

4.1 Access to Waters

subject to the provisions of the Harbors and Navigation Act 1993 and the Marine Safety (Domestic Commercial Vessel) National Law enter any waters, or swim or use a boat in or on waters except:

- 4.1.1 in an area where a nearby sign erected by the Council states that one or more of these activities is permitted; and
- 4.1.2 in accordance with any condition stated in the sign;
- 4.2 Advertising & Signage
 - 4.2.1 display any sign for the purpose of commercial advertising, other than a moveable sign that is displayed in accordance with the Moveable Signs By-law 2024;
 - 4.2.2 erect, install, place or display a variable message sign;
- 4.3 Aircraft
 - Subject to the Civil Aviation Act 1988 (Cth), land or take off any aircraft on or from the land;
- 4.4 Alteration to Local Government Land
 - make an alteration to the land, including:
 - 4.4.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property; or
 - 4.4.2 erecting or installing a structure (including pipes, wires, cables, pavers, fixtures, fittings and other objects) in, on, across, under or over the land; or
 - 4.4.3 changing or interfering with the construction, arrangement or materials of the land; or
 - 4.4.4 changing, interfering with or removing a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the land; or
 - 4.4.5 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land;
 - 4.4.6 erect, place, use or allow any object to remain;
- 4.5 Amplification
 - use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound to the public;
- 4.6 Animals
 - 4.6.1 other than the foreshore:
 - 4.6.1.1 ride, lead or drive any livestock, except on any track or car park on local government land that the Council has set aside (through the erection of signage) for the use by, or in connection with that animal;
 - 4.6.1.2 cause or allow any livestock to stray onto, move over, graze or be left unattended on any land;
 - 4.6.1.3 cause or allow any animal under their control to swim or bathe in the any waters to which the Council has resolved this subparagraph shall apply;
 - 4.6.2 release or leave any domestic animal;
- 4.7 Attachments
 - attach anything to:
 - 4.7.1 a tree or plant; or
 - 4.7.2 a structure or fixture;
- 4.8 Aquatic Life
 - take, interfere with, introduce or disturb any aquatic life in any waters to which the Council has resolved this subparagraph shall apply;
- 4.9 Bees
 - place, or allow to remain, any bee hive;
- 4.10 Boats
 - subject to the provisions of the Harbors and Navigation Act 1993 and the Marine Safety (Domestic Commercial Vessel) National Law:
 - 4.10.1 hire or offer for hire a boat, raft, pontoon or other watercraft;
 - 4.10.2 launch or retrieve a boat, raft, pontoon or other watercraft to or from any waters;
 - 4.10.3 propel, float, install, maintain or otherwise use any boat, raft, pontoon, steps, jetty or other watercraft or similar structure on any waters;
 - 4.10.4 launch or operate a model boat on any waters;
 - 4.10.5 moor a boat on any waters or to a pontoon attached to local government land, to which the Council has resolved this subparagraph shall apply;
- 4.11 Boat Ramps
 - 4.11.1 allow any vehicle or boat to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat;
 - 4.11.2 launch or retrieve a boat from or on to any boat ramp on local government land to which the Council has determined this subparagraph applies other than in accordance with the conditions determined by the Council, including any condition specified on a sign displayed on or in the vicinity of the boat ramp;
 - 4.11.3 launch or retrieve a boat from or to any local government land other than a boat ramp constructed for that purpose;
- 4.12 Buildings & Structures
 - 4.12.1 erect or install a building;
 - 4.12.2 use a building or structure other than for its intended purpose;
- 4.13 Camping
 - 4.13.1 erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation;

- 4.13.2 camp or sleep overnight;
except where a sign or signs erected by the Council indicate that camping on the land is permitted or where the person is in a caravan park (the proprietor of which has been given permission to operate the caravan park on that land);
- 4.14 Cemeteries
Comprising a cemetery:
- 4.14.1 bury or inter any human or animal remains;
- 4.14.2 erect any memorial;
- 4.15 Closed Lands
enter or remain on any part of the land:
- 4.15.1 at any time during which the Council has declared that it shall be closed to the public, and which is indicated by a sign to that effect; or
- 4.15.2 where the land is enclosed with fences and/or walls and gates, at any time when the gates have been closed and locked;
- or
- 4.15.3 where admission charges are payable, without paying those charges;
- 4.16 Distribution
place on a vehicle, without the consent of the owner of the vehicle, or distribute anything to any bystander, passerby or other person;
- 4.17 Filming
conduct any commercial filming;
- 4.18 Fires
light any fire except:
- 4.18.1 in a place provided by the Council for that purpose; or
- 4.18.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four metres; and
- 4.18.3 in accordance with the Fire and Emergency Services Act 2005;
- 4.19 Fireworks
ignite or discharge any fireworks;
- 4.20 Fishing
- 4.20.1 fish in any waters on local government land to which the Council has resolved this subparagraph shall apply; or
- 4.20.2 fish from any bridge or other structure on local government land to which the Council has resolved this subparagraph shall apply;
- 4.21 Flora, Fauna and Other Living Things
subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:
- 4.21.1 except in a community garden, damage, pick, or interfere with any plant, fungi or lichen thereon; or
- 4.21.2 tease, remove or cause harm to any animal or bird or the eggs or young of any animal or bird or aquatic creature;
- 4.21.3 use, possess or have control of any device for the purpose of killing or capturing any animal or bird;
- 4.22 Foreshore
on local government land comprising the foreshore:
- 4.22.1 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;
- 4.22.2 allow a vehicle to remain stationary on the foreshore;
- 4.22.3 drive or propel a vehicle on the foreshore except on an area that is constructed or set aside by the Council for that purpose;
- 4.23 Funerals, Burials and Scattering Ashes
- 4.23.1 bury, inter or scatter the ashes of any human or animal remains;
- 4.23.2 erect any memorial;
- 4.23.3 conduct or participate in a funeral ceremony;
- 4.24 Interference with Local Government Land
interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:
- 4.24.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
- 4.24.2 erecting or installing a structure in, on, across, under or over the land;
- 4.24.3 changing or interfering with the construction, arrangement or materials of the land;
- 4.24.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
- 4.24.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used;
- 4.25 Lighting
- 4.25.1 use or operate any fixed floodlight;
- 4.25.2 use or operate any portable floodlight between sunrise and sunset on land to which the Council has resolved this subparagraph shall apply;

4.26 Liquor

4.26.1 consume, carry or be in possession or charge of any liquor on any local government land to which the Council has resolved this subparagraph shall apply (provided the land constitutes a park or reserve);

4.26.2 excepting sealed containers, consume, carry or be in possession or charge of any liquor in an open container on any local government land to which the Council has resolved this subparagraph shall apply (provided the land constitutes a park or reserve);

4.27 Marine Life

introduce any aquatic flora or fauna to any waters;

4.28 Model Aircraft, Boats and Cars

4.28.1 subject to the Civil Aviation Act 1988, fly or operate a model aircraft, model boat or model/remote control car which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of local government land or detract from or be likely to detract from another person's lawful use and enjoyment of the land;

4.28.2 fly or operate a model aircraft, model boat or model/remote control car on land to which the Council has resolved this subparagraph shall apply;

4.29 Overhanging Articles

suspend or hang an article or object from a building, veranda, pergola, post or other structure where it might present a nuisance or danger to a person using the land or be of an unsightly nature;

4.30 Picking of Fruit, Nuts or Berries

except in any community garden, pick fruit, nuts, seeds or berries from any plant;

4.31 Playing Areas

use of or occupy a playing area:

4.31.1 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);

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

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

4.32 Playing Games

4.32.1 play or practice a game in any area where a sign indicates that the game is prohibited;

4.32.2 promote, organise or take part in any organised athletic sport in any area to which the Council has resolved this subparagraph shall apply;

4.32.3 play any organised competition sport, as distinct from organised social play, in any area to which the Council has resolved this subparagraph shall apply;

4.33 Pontoons

install or maintain a pontoon, steps, jetty or similar structure in any waters;

4.34 Preaching and Canvassing

preach, canvass, harangue or otherwise solicit for religious purposes except on any land or part thereof where the Council has, by resolution, determined this restriction shall not apply;

4.35 Public Exhibitions and Displays

4.35.1 sing, busk or play a musical instrument for the apparent purpose of either entertaining others or receiving money;

4.35.2 conduct or hold any concert, festival, show, public gathering, circus, performance or any other similar activity;

4.35.3 erect or inflate any inflatable castle;

4.35.4 cause any public exhibitions or displays;

4.36 Removing and Depositing

carry away or deposit any earth, rocks, minerals, plant material (dead or living), animal remains (including shells and fossils) or any part of the land;

4.37 Ropes

place a buoy, cable, chain, hawser, rope or net in or across any waters;

4.38 Rubbish and Rubbish Dumps

4.38.1 interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on local government land;

4.38.2 remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a bin on any local government land, or placed on local government land for collection by the Council (or its agent);

4.39 Sand Dunes

4.39.1 use a sand board or other item to slide down a sand dune, coastal slope, or cliff;

4.39.2 ride a horse on a sand dune or coastal slope;

4.39.3 carry out an activity on a sand dune, coastal slope or cliff that may threaten its integrity;

4.40 Selling, Hiring, Leasing

sell, offer or display anything for sale, hire or lease;

4.41 Skateboards and Small Wheeled Devices

subject to the Road Traffic Act 1961, and the Local Government Act 1999, ride on a skateboard, e-scooters, segways, other motorised transport or use roller skates or roller blades on land to which the Council has resolved this subparagraph will apply;

4.42 Soliciting

ask for or receive or indicate that they desire a donation of money or any other thing;

4.43 Swimming

subject to the provisions of the Harbors and Navigation Act 1993, enter, swim in, bathe or engage in any aquatic activity in any waters except:

4.43.1 in an area which the Council has determined may be used for such purposes; and

4.43.2 in accordance with any conditions that the Council may have determined by resolution apply to such use;

4.44 Trading and Touting

4.44.1 sell, buy, offer, tout or display anything for sale or hire or lease any goods, merchandise, commodity, article or thing;

4.44.2 set up a van or other vehicle, stall, stand, table or other structure, tray, carpet or device for the apparent purpose of buying, selling, offering, displaying or exposing for sale or the hiring or leasing of any goods merchandise, commodity, article, service or thing;

4.45 Vehicles

4.45.1 drive or propel a motor vehicle thereon, unless on an area or road constructed or set aside by the Council for the parking or travelling of motor vehicles;

4.45.2 take part in any race, test or trial of any kind utilising a motor vehicle except in an area that has been properly constructed or set aside by the Council for that purpose; or

4.45.3 promote or organise any race, test or trial of any kind in which motor vehicles take part unless the race, test or trial is to take place on an area that has been properly constructed or set aside by the Council for that purpose;

4.46 Weddings, Functions and Special Events

4.46.1 hold, conduct or participate in a marriage ceremony, funeral or special event;

4.46.2 erect a marquee, stage or structure,

on land to which the Council has resolved this subparagraph will apply;

4.47 Wetlands

Subject to the Natural Resources Management Act 2004, where that land constitutes a wetland:

4.47.1 operate a model boat;

4.47.2 fish, or take any aquatic creature;

4.47.3 introduce any fish or aquatic creature;

4.47.4 take or draw water;

4.48 Wheeled Recreational Devices

subject to the Road Traffic Act 1961, ride a wheeled recreational device to which the Council has determined this subparagraph applies;

4.49 Working on Vehicles

perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.

5. Prohibited Activities

A person must not, on any local government land:

5.1 Animals

5.1.1 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;

5.1.2 allow an animal in that person's control, charge or ownership to damage Council property;

5.1.3 lead, drive, or exercise any horse or other animal in such a manner as to endanger the safety of any other person;

5.2 Annoyances

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

5.3 Bridge Jumping

jump from or dive from a bridge or jetty;

5.4 Children's Playgrounds

use any device, equipment or apparatus installed in a children's playground if that person is of or over the age indicated by sign or notice as the age limit for using such equipment, apparatus or other installed device;

5.5 Defacing Property

deface, paint, write, cut marks or affix bills or advertisements to any tree, rock, gate, fence, building, sign or property of the Council;

5.6 Fishing

5.6.1 fish, including with a hand spear or spear gun in any waters to which the Council has determined this subparagraph applies;

5.6.2 deposit or leave any dead fish (in part or whole) or offal;

5.7 Glass

wilfully break any glass, china or any other brittle material;

5.8 Golf

play or practice golf;

5.9 Interference with Permitted Use

interrupt, disrupt or interfere with any other person's use of local government land which is permitted or for which permission has been granted;

5.10 Smoking

smoke any substance:

5.10.1 in any building or part of any building; or

5.10.2 within 10 metres of a building;

5.11 Toilets

in any public convenience:

5.11.1 smoke any substance;

5.11.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;

5.11.3 use it for a purpose or manner for which it was not designed or constructed;

5.11.4 subject to subparagraph 5.11.5, enter the public convenience unless the person is of the gender indicated in writing or on a sign located on the public convenience;

5.11.5 subparagraph 5.11.4 does not apply –

5.11.5.1 in a genuine emergency; or

5.11.5.2 to a vulnerable person being assisted by the vulnerable person's caregiver, parent or guardian; or

5.11.5.3 to a person that is intersex, transgender or gender diverse; or

5.11.5.4 to a person with a disability; or

5.11.5.5 to a person assisting a person with a disability;

5.12 Use of Council Rubbish Bins

deposit any residential or commercial waste or other rubbish emanating from residential or commercial premises in any Council rubbish bin;

5.13 Use of Equipment

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

Part 3 – Miscellaneous

6. Directions

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

6.1 that person's use of the land;

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

6.3 that person's safety on the land;

6.4 the safety and enjoyment of the land by other persons.

7. Removal of Animals and Exclusion of Persons

7.1 If any animal is found on local government land in breach of this by-law:

7.1.1 any person in charge of the animal shall forthwith remove it from that land on the reasonable request of an authorised person; and

7.1.2 any authorised person may remove any animal from the land if the person fails to comply with the request, or if the authorised person reasonably believes that no person is in charge of the animal.

7.2 An authorised person may direct any person who is reasonably considered to be committing, or has committed, a breach of this by-law to leave local government land.

8. Removal of Encroachment or Interference

Any person who encroaches onto, interferes with, or alters local government land contrary to this by-law must at the request in writing of an authorised person:

8.1 cease the encroachment or interference; and

8.2 remove the source of the encroachment or interference; and

8.3 reinstate the land to the same standard it was prior to the encroachment, interference or alteration.

9. Council May do Work

If a person:

9.1 fails to remove an encroachment or interference on local government land in accordance with a request of an authorised person pursuant to paragraph 8 of this by-law; or

9.2 intentionally or negligently damages local government land,

an authorised person may:

9.3 undertake the work to comply with the request pursuant to paragraph 8 and/or repair the damage; and

9.4 recover the cost of completing the work from the person.

10. Exemptions

- 10.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to an emergency worker performing emergency duties.
- 10.2 The restrictions in paragraph 4.2.2, 4.7.2, 4.16, 4.34, 4.35.1, 4.35.2 and 4.35.4 of this by-law do not apply to:
- 10.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing at 5:00pm on the day before on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 10.2.2 matters which relate to, and occur during the course of and for the purpose of a referendum.

11. Application

Any of paragraphs 4.6.1.3, 4.8, 4.10, 4.11.2, 4.20, 4.25.2, 4.26, 4.28.2, 4.32.2, 4.32.3, 4.41, 4.46, 4.48 of this by law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246(3)(e) of the Local Government Act 1999.

12. Revocation

Council's By-law No. 2 – Local Government Land, published in the Gazette on 9 May 2017, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of West Torrens on the 16th day of July 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MR ANGELO CATINARI
Chief Executive Officer

CITY OF WEST TORRENS

ROADS BY-LAW 2024

By-law No. 3 of 2024

For the management of public roads.

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the Roads By-law 2024.

2. Commencement

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

3. Definitions

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

- 3.1 animal includes birds and poultry but does not include a dog;
- 3.2 camp includes setting up a camp, or causing a tent, caravan or motorhome to remain on the road for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the road;
- 3.3 dog has the same meaning as in the Dog and Cat Management Act 1995;
- 3.4 electoral matter has the same meaning as in the Electoral Act 1985 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 3.5 emergency vehicle means a vehicle driven by a person who is an emergency worker;
- 3.6 emergency worker has the same meaning as in the Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014;
- 3.7 road has the same meaning as in the Local Government Act 1999.

Part 2 – Management of Roads

4. Activities Requiring Permission

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

4.1 Advertising

display any sign for the purpose of commercial advertising, other than a moveable sign which is displayed on a public road in accordance with the Council's Moveable Signs By-law 2024;

4.2 Amplification

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

4.3 Animals

- 4.3.1 cause or allow any animal, to stray onto, graze, wander on or be left unattended on any road except where the Council has set aside a track or other area for use by or in connection with an animal of that kind and, then only if under the effective control of a person;
- 4.3.2 lead, drive or exercise any animal in such a manner as to endanger the safety of any person;

4.4 Bicycles

chain, lock or affix a bicycle to any pole, fence or other structure on a Road where the bicycle may cause an obstruction or damage the structure, other than on a structure specifically designed and set aside by the Council for that purpose;

4.5 Bridge Jumping

jump or dive from any bridge or other structure;

4.6 Camping

- 4.6.1 erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation;
- 4.6.2 camp or sleep overnight;
- 4.6.3 camp or sleep overnight in a motorhome, except where a sign or signs erected by the Council indicate that camping on the road in such a vehicle is permitted;

4.7 Canvassing

convey any advertising, religious or other message to any bystander, passerby or other person;

4.8 Donations

ask for or receive or indicate that they desire a donation of money or any other thing;

4.9 Preaching

preach, canvass, harangue or otherwise solicit for religious purposes except on any road or part thereof where the Council has, by resolution, determined this restriction shall not apply;

4.10 Public Exhibitions and Displays

- 4.10.1 sing, busk or play a musical instrument for the apparent purpose of either entertaining others or receiving money;
- 4.10.2 conduct or hold any concert, festival, public gathering, show, street party, circus, performance or any other similar activity;
- 4.10.3 erect a stage or structure for the purpose of conducting or holding a concert, festival, show, circus, performance or a similar activity;
- 4.10.4 cause any public exhibitions or displays;

4.11 Soliciting

ask for or receive or do anything to indicate a desire for a donation of money or any other thing;

4.12 Trading and Touting

- 4.12.1 sell, buy, offer, tout or display anything for sale or hire or lease any goods, merchandise, commodity, article or thing;
- 4.12.2 set up a van or other vehicle, stall, stand, table or other structure, tray, carpet or device for the apparent purpose of buying, selling, offering, displaying or exposing for sale or the hiring or leasing of any goods merchandise, commodity, article, service or thing;

4.13 Use of Council Rubbish Bins

deposit any residential or commercial waste or other rubbish emanating from residential or commercial premises in any Council rubbish bin;

4.14 Working on Vehicles

perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.

Part 3 – Miscellaneous

5. Directions

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

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

6. Removal of Animals

If any animal is found on a road in breach of this by-law:

- 6.1 any person in charge of the animal shall forthwith remove it from that land on the reasonable request of an authorised person; and
- 6.2 any authorised person may remove any animal from the road if the person fails to comply with the request, or if no person is in charge of the animal.

7. Exemptions

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

7.2 The restrictions in paragraph 4.7, 4.9 and 4.10 of this by-law do not apply to:

- 7.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 7.2.2 matters which relate to, and occur during the course of and for the purpose of a referendum.

8. Revocation

Council's By-law No. 3 – Roads, published in the Gazette on 9 May 2017, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of West Torrens held on the 16th day of July 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MR ANGELO CATINARI
Chief Executive Officer

CITY OF WEST TORRENS
MOVEABLE SIGNS BY-LAW 2024
By-law No. 4 of 2024

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

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the Moveable Signs By-law 2024.

2. Commencement

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

3. Definitions

3.1 ‘A’ frame sign means a moveable sign that is hinged or joined at the top and is of such construction that its sides are securely fixed or locked in position when in position, and includes a sandwich board sign or inverted ‘T’ sign;

3.2 banner means a moveable sign constituted of a strip of cloth, plastic or other material hung or attached to a pole, fence or other structure, but does not include an ‘A’ frame sign;

3.3 event has the same meaning as in Section 33 of the Road Traffic Act 1961;

3.4 footpath means:

3.4.1 a footway, lane or other place made or constructed for the use of pedestrians; or

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

3.5 local government land has the same meaning as in the Local Government Act 1999;

3.6 moveable sign has the same meaning as the Local Government Act 1999;

3.7 road has the same meaning as in the Local Government Act 1999;

3.8 road related area has the same meaning as in the Road Traffic Act 1961;

3.9 vehicle has the same meaning as in the Road Traffic Act 1961.

Part 2 – Moveable Signs on Roads

4. ‘A’ Frame Signs

A person may, without permission, display an ‘A’ frame sign on a road provided that it complies with subparagraphs 4.1, 4.2, 4.3, and 4.4 of this by-law.

4.1 Design and Construction

An ‘A’ frame sign displayed on a road must:

4.1.1 be constructed so as not to present a hazard to any member of the public;

4.1.2 be constructed so as to be stable when in position and to be able to keep its position in adverse weather conditions;

4.1.3 not be unsightly or offensive in appearance;

4.1.4 not contain flashing or moving parts;

4.1.5 be not more than 100cm high, 60cm in width or 60cm in depth;

4.1.6 in the case of an inverted ‘T’ sign, contain no struts or members that run between the display area of the sign and the base of the sign.

4.2 Placement

An ‘A’ frame sign displayed on a road must:

4.2.1 not be placed anywhere except on the footpath;

4.2.2 not be placed on a sealed footpath, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.8 metres wide;

4.2.3 be placed at least 50cm from the kerb (or if there is no kerb, from the edge of the roadway);

4.2.4 not be placed on a landscaped area, other than on landscaping that comprises only lawn;

4.2.5 not be placed on a designated parking area;

4.2.6 not be placed within 1 metre of an entrance to any premises;

4.2.7 not be fixed, tied or chained to, leaned against or placed closer than 2 metres to any other structure, object or plant (including another moveable sign);

4.2.8 not be placed in a position that puts the safety of any person at risk;

4.2.9 not be placed on a median strip, roundabout, traffic island or on a carriageway; and

4.2.10 not be placed within 10 metres of an intersection of a road.

4.3 Restrictions

An ‘A’ frame sign displayed on a road must:

4.3.1 only contain material which advertises a business being conducted on commercial premises adjacent to the sign, or the goods and services available from that business;

4.3.2 be limited to one per business premises;

- 4.3.3 not be displayed unless the business to which it relates is open to the public;
- 4.3.4 be securely placed in position such that it cannot be blown over or swept away;
- 4.3.5 not be displayed during the hours of darkness unless it is clearly visible.

4.4 Appearance

An 'A' frame sign displayed on a road must:

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

5. Banners and Signs

A person must not, without permission, display a banner or sign on any road or road related area.

5.1 Design and Construction

A banner or sign must:

- 5.1.1 only be displayed on a road or road related area;
- 5.1.2 be securely fixed to a pole, fence or other structure so that it does not hang loose or flap;
- 5.1.3 not be attached to any building, structure, fence, vegetation or other item owned by the Council on a road, or other improvement to a road owned by the Council;
- 5.1.4 be constructed so as not to present a hazard to any member of the public;
- 5.1.5 not be unsightly or offensive in appearance;
- 5.1.6 not contain flashing or moving parts;
- 5.1.7 not exceed 2m² in size;

5.2 Placement

A banner or sign displayed on a road must:

- 5.2.1 be placed at least 50cm from the kerb (or if there is no kerb, from the edge of the roadway);
- 5.2.2 not be placed on a landscaped irrigated area;
- 5.2.3 not be placed on a designated parking area;
- 5.2.4 not be placed within 1 metre of an entrance to any premises;
- 5.2.5 not be placed in a position that puts the safety of any person or road user at risk;
- 5.2.6 not be placed on a median strip, roundabout, traffic island or on a carriageway;
- 5.2.7 not be displayed more than 21 days before and two days after the event it advertises.

5.3 Appearance

A banner or sign displayed on a road must:

- 5.3.1 be printed or otherwise detailed in competent and professional manner;
- 5.3.2 be legible and simply worded to convey a precise message;
- 5.3.3 not have any balloons, flags, streamers or other things attached to it.

Part 3 – Moveable Signs on Local Government Land

6. Requirement to Obtain Permission

A person must not, without the Council's permission display or cause to be displayed a moveable sign on any local government land or resting on or attached to a vehicle on any local government land except a moveable sign:

- 6.1 attached to a licensed taxi;
- 6.2 on or attached to a vehicle belonging to any Council and which has been placed on or attached to the vehicle with the consent of the Council to which the vehicle belongs;
- 6.3 on or attached to a bus greater than 6 metres in length;
- 6.4 on or attached to a vehicle which only has a sign or signs painted on or glued to it the main purpose of which is to identify it as belonging to a business; and
- 6.5 comprising a sunscreen on a vehicle, where any message or trade name or mark on the sunscreen does not advertise a business being carried on in the vicinity of the place the vehicle.

Part 4 – Enforcement

7. Removal of Unauthorised Moveable Signs

7.1 If:

- 7.1.1 a moveable sign has been placed on any road or footpath in contravention of this by-law or of Section 226 of the Local Government Act 1999, an authorised person may order the owner of the sign to remove the moveable sign from the road or footpath;
- 7.1.2 the authorised person cannot find the owner, or the owner fails to comply immediately with the order, the authorised person may remove and dispose of the sign;

7.1.3 a moveable sign is removed under subparagraph 7.1.2 of this by-law and is not claimed within 30 days of such removal the authorised person may sell, destroy or otherwise dispose of the moveable sign as the authorised person thinks fit.

7.2 Any person who displays an unauthorised moveable sign or who is the owner of an unauthorised moveable sign which has been removed under subparagraph 7.1 of this by-law must pay the Council any reasonable costs incurred in removing, storing or attempting to dispose of the moveable sign before being entitled to recover the moveable sign.

8. Removal of Authorised Moveable Signs

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

8.1 in the reasonable opinion of the authorised person, and notwithstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign; or

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

Part 5 – Miscellaneous

9. Specified Exemptions

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

9.1.1 is a moveable sign that is placed on a public road pursuant to an authorisation under the Local Government Act 1999 or another Act;

9.1.2 directs people to the open inspection of any land or building that is available for purchase or lease;

9.1.3 directs people to a garage sale that is being held on residential premises;

9.1.4 is related to a State or Commonwealth election and is displayed during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day;

9.1.5 is related to a referendum and is displayed during the course and for the purpose of that referendum;

9.1.6 is displayed with permission of the Council and in accordance with any conditions attached to that permission;

9.1.7 is a sign of a class prescribed in regulations; or

9.1.8 directs people to a charitable function.

9.2 Paragraphs 4.2.6, 4.3.2, 4.3.3 and 5.2.4 of this by-law do not apply to a flat sign containing only the banner or headlines of a newspaper or magazine.

10. Revocation

Council's By-law No. 4 – Moveable Signs, published in the Gazette on 9 May 2017, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of West Torrens on the 16th day of July 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MR ANGELO CATINARI
Chief Executive Officer

CITY OF WEST TORRENS

DOGS BY-LAW 2024

By-law No. 5 of 2024

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

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the Dogs By-law 2024.

2. Commencement

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

3. Definitions

In this by-law:

3.1 approved kennel establishment means a building, structure or area approved by the relevant authority, pursuant to the Development Act 1993 or Planning, Development and Infrastructure Act 2016 for the keeping of dogs on a temporary or permanent basis;

3.2 assistance dog means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled and includes a dog undergoing training of a kind approved by the Board for assistance dogs;

3.3 Board has the same meaning as in the Dog and Cat Management Act 1995;

3.4 children's playground means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within 10 metres of such devices if there is no enclosed area);

3.5 control, in relation to a dog, includes the person having ownership, possession or charge of, or authority over, the dog;

3.6 dog has the same meaning as in the Dog and Cat Management Act 1995;

3.7 effective control means a person exercising effective control of a dog either:

3.7.1 by means of a physical restraint;

3.7.2 by command, the dog being in close proximity to the person, and the person being able to see the dog at all times;

- 3.8 keep includes the provision of food or shelter;
- 3.9 local government land has the same meaning as in the Local Government Act 1999;
- 3.10 shared path has the same meaning as in the Australian Road Rules;
- 3.11 wetland area includes any park, reserve, scrub, trail or other land adjacent to a wetland.

Part 2 – Dog Management and Control

4. Dog Free Areas

- 4.1 A person must not on any local government land to which this paragraph applies allow a dog in that person's control to be in or remain in that place unless the dog is an assistance dog;

5. Dog on Leash Areas

A person must not allow a dog under that person's control to be or remain:

- 5.1 on local government land or public place to which the Council has resolved that this subparagraph applies;
- 5.2 on any park or reserve during times when organised sport is being played;
- 5.3 within 10 metres of children's playground equipment;
- 5.4 within 10 metres of any outdoor fitness equipment;
- 5.5 on a shared path;
- 5.6 in any wetland area;

unless the dog is secured by a strong leash not exceeding 2 metres 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.

6. Dog Exercise Areas

- 6.1 A person may enter upon any part of local government land identified by the Council as a dog exercise area in accordance with paragraph 8 for the purpose of exercising a dog under his or her control.
- 6.2 Where a person enters upon such part of local government land for that purpose, they must ensure that the dog under their control remains under effective control while on that land.

7. Limit on Dog Numbers

- 7.1 The limit on the number of dogs kept on any premises shall be two dogs.
- 7.2 A person must not, without obtaining written permission of the Council, keep any dog on any premises where the number of dogs exceeds the limit unless the premises is an approved kennel establishment.

Part 3 – Miscellaneous

8. Application

Any of paragraphs 4.1, 5.1 and 6.1 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246 of the Local Government Act 1999 and as are denoted by signs erected by the Council and information provided to the public in a manner determined by the Council's Chief Executive Officer.

9. Revocation

Council's By-law No. 5 – Dogs, published in the Gazette on 9 May 2017, is revoked on the day on which this by-law comes into operation. The foregoing by-law was duly made and passed at a meeting of the Council of the City of West Torrens held on the 16th day of July 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MR ANGELO CATINARI
Chief Executive Officer

CORPORATION OF THE TOWN OF WALKERVILLE

Adoption of Valuation and Declaration of Rates 2024/25

Notice is hereby given that the Council of the Corporation of the Town of Walkerville at its Ordinary Meeting of 15 July 2024, and in relation to the 2024/25 financial year, in exercise of the powers contained in the Local Government Act 1999:

1. Adopted the most recent valuations of the Valuer-General available to the Council of the capital value of land in its area totalling \$5,726,079,240.
2. Declared differential general rates as follows:
 - 2.1 Residential: a rate of 0.00168621 in the dollar on the capital value of such rateable land;
 - 2.2 Commercial—Shop: a rate of 0.00278224 in the dollar on the capital value of such rateable land;
 - 2.3 Commercial—Office: a rate of 0.00278224 in the dollar on the capital value of such rateable land;
 - 2.4 Commercial—Other: a rate of 0.00278224 in the dollar on the capital value of such rateable land;
 - 2.5 Industry—light: a rate of 0.00278224 in the dollar on the capital value of such rateable land;
 - 2.6 Industry—other: a rate of 0.00278224 in the dollar on the capital value of such rateable land;
 - 2.7 Primary production: a rate of 0.00278224 in the dollar on the capital value of such rateable land;
 - 2.8 Vacant land: a rate of 0.00328810 in the dollar on the capital value of such rateable land;
 - 2.9 Other: a rate of 0.00278224 in the dollar on the capital value of such rateable land.

3. Declared a minimum amount payable by way of general rates of \$1,441.
4. Declared a separate rate of 0.00007136 in the dollar on the capital valuation of all rateable land in the area of the Council and the Green Adelaide Board.

Payment of rates

Rates can be paid in one payment by 11 September 2024 or in four equal, or approximately equal, parts which, pursuant to Section 181 (2) of the Local Government Act 1999, will fall due on the following dates:

- 1st payment: 11 September 2024
- 2nd payment: 11 December 2024
- 3rd payment: 11 March 2025
- 4th payment: 11 June 2025

A copy of the 2024/25 Annual Community Plan can be viewed at the Civic and Community Centre, 66 Walkerville Terrace, Gilberton, SA 5081, during business hours, or from www.walkerville.sa.gov.au.

Dated: 19 July 2024

ANDREW MACDONALD PSM
Chief Executive Officer

DISTRICT COUNCIL OF CEDUNA*Adoption of Annual Business Plan*

Notice is hereby given that the District Council of Ceduna at its Special Council Meeting held on 17 July 2024 resolved the following charges for the year ending 30 June 2025:

1. Adopted Capital Valuation to apply in its area for rating purposes supplied by the Valuer-General, being the most recent valuations available to council totalling \$ 846,612,060 effective 1 July 2024.
2. Rateable Land within the localities of the Employment (Bulk Handling) and Deferred Urban Zones as defined by the Planning and Design Code in force as at the date of this declaration and with the land use:
 - a. Residential: 0.450372 cents in the dollar;
 - b. Commercial – Shop or Commercial - Office: 0.585484 cents in the dollar;
 - c. Commercial – Other: 1.634367 cents in the dollar;
 - d. Industry – Light or Industry - Other: 0.695200 cents in the dollar;
 - e. Primary Production: 0.544789 cents in the dollar;
 - f. Vacant Land: 0.900744 cents in the dollar;
 - g. Other: 0.450372 cents in the dollar.
3. Rateable Land within all other localities, being all other zones as defined by the Planning and Design Code in force as at the date of this declaration and with the land use:
 - a. Residential: 0.450372 cents in the dollar;
 - b. Commercial – Shop, Commercial – Office or Commercial - Other: 0.585484 cents in the dollar;
 - c. Industry – Light or Industry - Other: 0.695200 cents in the dollar;
 - d. Primary Production: 0.544789 cents in the dollar;
 - e. Vacant Land: 0.900744 cents in the dollar;
 - f. Other: 0.450372 cents in the dollar.
4. Declared that the fixed charge payable by way of general rates in respect of all rateable land within Council's area is \$770
5. Imposed an Annual Service Charge on all land to which the Council provides or makes available within the townships of Ceduna, Thevenard and Smoky Bay for its Community Wastewater Management System of \$568.80
6. Imposed an Annual Service charge of \$214.84 on all land to which the Council provides or makes available its Waste Management service for the collection, treatment and disposal of waste.
7. Imposed an Annual Service Charge on all land to which the Council provides or makes available the service of the supply of potable water on the Ceduna Water West Scheme as follows:
 - a. All rateable land with a land use of Residential, Vacant Land or Commercial – Other: \$476.60 per water meter per assessment
 - b. All rateable land with any other land use: \$814.60 per water meter per assessment.
8. Declared Separate Rates varying accordance to Land Use, for the recovery on Council's contribution to the Eyre Peninsula Regional Landscapes Board as follows:
 - a. A fixed charge of \$92.35 per assessment for residential, other and vacant land uses,
 - b. A fixed charge of \$138.53 per assessment for commercial and industrial land uses, and
 - c. A fixed charge of \$184.70 per assessment for primary production properties.

Dated: 24 July 2024

TIM COOTE
Chief Executive Officer

DISTRICT COUNCIL OF CEDUNA

Aerodrome Fees Act 1998

Notice is hereby given that, pursuant to the Aerodrome Fees Act 1998, the District Council of Ceduna hereby advises that Arrival and Departure Fees at the Ceduna Airport are fixed as follows and are effective from 1 July 2024

Landing Fees

General Aviation Landing Fee - \$20.86/tonne for all aircraft (including helicopters) except Regular Passenger Transport.

Passenger Fees

Regular Passenger Transport operations:

Arrival Fees - \$20.86 per person

Departure Fees - \$20.86 per person

Charter Fees:

Arrival Fees - \$20.86 per person

Departure Fees - \$20.86 per person

Note - all above fees are GST inclusive

Dated: 24 July 2024

TIM COOTE
Chief Executive Officer

KANGAROO ISLAND COUNCIL

Adoption of Valuations and Declaration of Rates 2024-2025

Notice is hereby given that at its meeting held on 9 July 2024, and in relation to the 2024-2025 financial year, the Kangaroo Island Council in exercising of the powers contained in Chapter 10 of the *Local Government Act 1999*:

Adopted for rating purposes the Valuer-General's valuations of capital values applicable to land within the Council area totalling \$3,530,651,640.

1. Declared differential general rates based upon the use of the land as follows:
 - 1.1 Residential: 0.2268 cents in the dollar
 - 1.2 Commercial—Shop: 0.2404 cents in the dollar
 - 1.3 Commercial—Office: 0.2404 cents in the dollar
 - 1.4 Commercial—Other: 0.2404 cents in the dollar
 - 1.5 Industrial—Light: 0.2404 cents in the dollar
 - 1.6 Industrial—Other: 0.2404 cents in the dollar
 - 1.7 Primary Production: 0.2268 cents in the dollar
 - 1.8 Vacant Land: 0.4536 cents in the dollar
 - 1.9 Other: 0.2404 cents in the dollar
2. Imposed a fixed charge of \$340.00 in respect of each separate piece of rateable land in the Council area.
3. Declared a separate rate of a fixed amount of \$91.43 per assessment on all rateable land in the Council area to recover the amount of \$472,602.00 payable to the Kangaroo Island Landscape Board.
4. Imposed annual service charges as follows:
 - 4.1 In respect of land serviced by the Council's waste management (collection and recycling) service, \$285.00 for treatment and disposal, and \$124.00 for collection.
 - 4.2 In respect of land serviced by the Community Wastewater Management system \$699.00 for occupied land and \$699.00 for vacant land within the following townships and settlement scheme areas: Kingscote and Brownlow, Parndana, Parndana East, American River and Penneshaw.
5. Determined that rates will be payable in four quarterly instalments, with instalments due on 5 September 2024, 5 December 2024, 6 March 2025 and 5 June 2025.

Dated: 23 July 2024

DARYL BUCKINGHAM
Chief Executive Officer

KANGAROO ISLAND COUNCIL
LOCAL GOVERNMENT ACT 1999—SECTION 246

Notification of Application of By-Law

Notice is hereby given pursuant to Section 246(4a) of the *Local Government Act 1999* that at its meeting of 9 July 2024 Kangaroo Island Council determined, in accordance with Section 246(3)(e) of the *Local Government Act 1999* and Clause 9.9.2(a) of Council's Local Government Land By-Law 2024, that Clause 9.9.2(a) of Council's Local Government Land By-Law 2024 shall apply to the following areas:

- (a) The area being part of Section 356 Hundred of Haines, American River delineated and shaded blue on the plan entitled "Designated Camping Area—American River Campground" included within the report to Council on 9 July 2024 entitled Determination of Camping Areas under Local Government Land By-law 2024.
- (b) The area comprised of:
 - (i) the whole of Section 474 Hundred of Dudley, Brown Beach;
 - (ii) part of Section 521 Hundred of Dudley, Brown Beach;
 - (iii) part of Section 522 Hundred of Dudley, Baudin Beach;
 - (iv) the whole of Section 419 Hundred of Dudley, Brown Beach;
 - (v) the whole of the unmade road reserve located between Sections 474 and 419, Brown Beach; and
 - (vi) part of the Hog Bay Road road reserve, Brown Beach delineated and shaded blue on the plan entitled "Designated Camping Area—Brown Beach Campground" included within the report to Council on 9 July 2024 entitled Determination of Camping Areas under Local Government Land By-law 2024.
- (c) The area being part of Section 421 Hundred of Menzies, Cygnet River delineated and shaded blue on the plan entitled "Designated Camping Area—Duck Lagoon Campground" included within the report to Council on 9 July 2024 entitled Determination of Camping Areas under Local Government Land By-law 2024.
- (d) The area comprised of:
 - (i) the whole of Section 384 Hundred of Menzies, Emu Bay;
 - (ii) the whole of Section 388 Hundred of Menzies, Emu Bay;
 - (iii) part of the Bates Road, road reserve located adjacent to Sections 384 and 388, Emu Bay; delineated and shaded blue on the plan entitled "Designated Camping Area—Emu Bay Campground" included within the report to Council on 9 July 2024 entitled Determination of Camping Areas under Local Government Land By-law 2024.
- (e) The area comprised of:
 - (i) part of Section 93 Hundred of Duncan, Cassini;
 - (ii) part of Allotment 3 Deposited Plan 79919, Cassini; and
 - (iii) part of the North Coast Road road reserve located adjacent to Allotment 3 and Allotment 50 Deposited Plan 95788, Cassini delineated and shaded blue on the plan entitled "Designated Camping Area—Stokes Bay Campground" included within the report to Council on 9 July 2024 entitled Determination of Camping Areas under Local Government Land By-law 2024.
- (f) The area comprised of:
 - (i) The whole of Section 101 Hundred of Newland, Vivonne Bay; and
 - (ii) part of Section 115 Hundred of Newland, Vivonne Bay delineated and shaded blue on the plan entitled "Designated Camping Area—Vivonne Bay Campground" included within the report to Council on 9 July 2024 entitled Determination of Camping Areas under Local Government Land By-law 2024.
- (g) The area being part of Allotment 50 Deposited Plan 92364, Western River delineated and shaded blue on the plan entitled "Designated Camping Area—Western River Campground" included within the report to Council on 9 July 2024 entitled Governance—Determination of Camping Areas under Local Government Land By-law 2024.

All maps referring to designated areas listed above as well as Council's By-laws 2024 are available for inspection on the Council's website www.kicouncil.sa.gov.au and at the Council's offices at 43 Dauncey Street, Kingscote during business hours.

This determination will take effect from 20 October 2024.

Dated: 24 July 2024

DARYL BUCKINGHAM
Chief Executive Officer

PUBLIC NOTICES

NATIONAL ELECTRICITY (SOUTH AUSTRALIA) ACT 1996

Notice of Making National Electricity (Victoria) (Regulated Stand-alone Power Systems) Regulations 2024

Notice is hereby given that the Victorian Minister for Energy and Resources, the Hon Lily D'Ambrosio MP, has, pursuant to Section 6B(1) of the *National Electricity Law*, made the *National Electricity (Victoria) (Regulated Stand-alone Power Systems) Regulations 2024*, which provides that stand-alone power systems owned, operated or controlled by the following Victorian Distribution Network Service Providers are "regulated stand-alone power systems" for the purposes of Section 6B(1) of the *National Electricity Law*:

- Citipower Pty Ltd (ACN 064 651 056)
- Ausnet Electricity Services Pty Ltd (ACN 064 651 118)
- Jemena Electricity Networks (Vic) Ltd (ACN 064 651 083)
- Powercor Australia Ltd (ACN 064 651 109)
- United Energy Distribution Pty Ltd (ACN 064 651 029)

The Regulations were published by the Victorian Department of Premier and Cabinet on 16 July 2024 and took effect the same day. They have been published on Victoria's legislation website (www.legislation.vic.gov.au).

Queries may be directed to the Victorian Department of Energy, Environment and Climate Action via email at energyretail@deeca.vic.gov.au.

Dated: 23 July 2024

KIM LE CERF
Acting Executive Director
Consumer, Communities and First Peoples' Energy Transition
Department of Energy, Environment and Climate Action

Authorised Version No. 001
**National Electricity (Victoria) (Regulated
Stand-alone Power Systems)
Regulations 2024**

S.R. No. 69/2024

Authorised Version as at
16 July 2024

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Authorised Version No. 001
**National Electricity (Victoria) (Regulated
Stand-alone Power Systems)
Regulations 2024**

S.R. No. 69/2024

Authorised Version as at
16 July 2024

1 Objective

The objective of these Regulations is to provide for particular stand-alone power systems to be regulated stand-alone power systems for the purposes of the National Electricity (Victoria) Law.

2 Authorising provision

These Regulations are made under section 12A of the **National Electricity (Victoria) Act 2005**.

3 Definition

In these Regulations—

stand-alone power system has the meaning given by section 6B(6) of the National Electricity (Victoria) Law.

4 Regulated stand-alone power systems

A stand-alone power system which consists of a distribution system that is owned, controlled or operated, or proposed to be owned, controlled or operated, by any of the following entities forms part of the national electricity system and is a regulated stand-alone power system for the purposes of the National Electricity (Victoria) Law—

(a) Citipower Pty Ltd (ACN 064 651 056);

National Electricity (Victoria) (Regulated Stand-alone Power Systems)
Regulations 2024
S.R. No. 69/2024

- (b) Ausnet Electricity Services Pty Ltd
(ACN 064 651 118);
- (c) Jemena Electricity Networks (Vic) Ltd
(ACN 064 651 083);
- (d) Powercor Australia Ltd (ACN 064 651 109);
- (e) United Energy Distribution Pty Ltd
(ACN 064 651 029).

Note

See also the definition of *regulated stand-alone power system* in section 2 of the National Electricity (Victoria) Law and section 6B of that Law.

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Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

The National Electricity (Victoria) (Regulated Stand-alone Power Systems) Regulations 2024, S.R. No. 69/2024 were made on 16 July 2024 by the Governor in Council under section 12A of the **National Electricity (Victoria) Act 2005**, No. 8/2005 and came into operation on 16 July 2024.

The National Electricity (Victoria) (Regulated Stand-alone Power Systems) Regulations 2024 will sunset 10 years after the day of making on 16 July 2034 (see section 5 of the **Subordinate Legislation Act 1994**).

INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided regulation, rule or clause of a Schedule is amended by the insertion of one or more subregulations, subrules or subclauses the original regulation, rule or clause becomes subregulation, subrule or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original regulation, rule or clause.

Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any heading inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. This includes headings to Parts, Divisions or Subdivisions in a Schedule; Orders; Parts into which an Order is divided; clauses; regulations; rules; items; tables; columns; examples; diagrams; notes or forms. See section 36(1A)(2A)(2B).

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- **Examples, diagrams or notes**

All examples, diagrams or notes included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any examples, diagrams or notes inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, form part of that Statutory Rule. See section 36(3A).

- **Punctuation**

All punctuation included in a Statutory Rule which is made on or after 1 January 2001 forms part of that Statutory Rule. Any punctuation inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. See section 36(3B).

- **Provision numbers**

All provision numbers included in a Statutory Rule form part of that Statutory Rule, whether inserted in the Statutory Rule before, on or after 1 January 2001. Provision numbers include regulation numbers, rule numbers, subregulation numbers, subrule numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of a Statutory Rule is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of a Statutory Rule. See section 36(3)(3D)(3E).

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2 Table of Amendments

There are no amendments made to the National Electricity (Victoria) (Regulated Stand-alone Power Systems) Regulations 2024 by statutory rules, subordinate instruments and Acts.

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3 Explanatory details

No entries at date of publication.

NATIONAL ELECTRICITY LAW

*Notices of Extension for Final Determinations
Notice of Making of Draft Rule Determination and Draft Rule*

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

Under s 107, the time for the making of the final determination on the *Bringing early works forward to improve transmission planning* (Ref. ERC0380) proposal has been extended to **5 September 2024**.

Under s 107, the time for the making of the final determination on the *Integrating price-responsive resources into the NEM* (Ref. ERC0352) proposal has been extended to **19 December 2024**.

Under s 99, the making of a draft determination and related draft rule on the *Integrating price-responsive resources into the NEM* proposal (Ref. ERC0352). Submissions must be received by **12 September 2024**.

Submissions can be made via the AEMC's website. Before making a submission, please review the AEMC's privacy statement on its website, and consider the AEMC's Tips for making a submission. The AEMC publishes all submissions on its website, subject to confidentiality.

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

Australian Energy Market Commission
Level 15, 60 Castlereagh St
Sydney NSW 2000
Telephone: (02) 8296 7800
www.aemc.gov.au

Dated: 25 July 2024

NATIONAL ENERGY RETAIL LAW

*Notice of Extension for Final Determination
Notice of Making of Draft Rule Determination*

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

Under s 266, the time for the making of the final determination on the *Integrating price-responsive resources into the NEM* (Ref. RRC0051) proposal has been extended to **19 December 2024**.

Under s 256, the making of a draft determination on the *Integrating price-responsive resources into the NEM* proposal (Ref. RRC0051). Submissions must be received by **12 September 2024**.

Submissions can be made via the AEMC's website. Before making a submission, please review the AEMC's privacy statement on its website, and consider the AEMC's Tips for making a submission. The AEMC publishes all submissions on its website, subject to confidentiality.

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

Australian Energy Market Commission
Level 15, 60 Castlereagh St
Sydney NSW 2000
Telephone: (02) 8296 7800
www.aemc.gov.au

Dated: 25 July 2024

NOTICE SUBMISSION

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Notices must be emailed by 4 p.m. Tuesday, the week of publication.

Submissions are formatted per the gazette style and a proof will be supplied prior to publication, along with a quote if applicable. Please allow one day for processing notices.

Alterations to the proof must be returned by 4 p.m. Wednesday.

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- Body—structured text, which can include numbered lists, tables, and images
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