



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 7 NOVEMBER 2002

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GOVERNMENT GAZETTE NOTICES

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

Department of the Premier and Cabinet
Adelaide, 7 November 2002

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

No. 27 of 2002—Parliamentary Committees (Presiding Members) Amendment Act 2002. An Act to amend the Parliamentary Committees Act 1991.

No. 28 of 2002—Criminal Law Consolidation (Territorial Application of the Criminal Law) Amendment Act 2002. An Act to amend the Criminal Law Consolidation Act 1935.

No. 29 of 2002—Constitution (Parliamentary Secretaries) Amendment Act 2002. An Act to amend the Constitution Act 1934 and to make related amendments to the Oaths Act 1935 and the Parliamentary Remuneration Act 1990.

No. 30 of 2002—Classification (Publications, Films and Computer Games) (On-Line Services) Amendment Act 2002. An Act to amend the Classification (Publications, Films and Computer Games) Act 1995.

No. 31 of 2002—Gaming Machines (Gaming Tax) Amendment Act 2002. An Act to amend the Gaming Machines Act 1992.

By command,

J. D. HILL, for Premier

DPC 02/0586

ADMINISTRATIVE ARRANGEMENTS ACT 1994 SECTION 5: ADMINISTRATION OF EMERGENCY SERVICES FUNDING ACT 1998 COMMITTED TO THE TREASURER

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

PURSUANT to section 5 of the *Administrative Arrangements Act 1994* and with the advice and consent of the Executive Council, I commit the administration of the *Emergency Services Funding Act 1998* to the Treasurer.

Given under my hand and the Public Seal of South Australia, at Adelaide, 7 November 2002.

By command,

J. D. HILL, for Premier

DPC 050/96PT11 CS

HARBORS AND NAVIGATION ACT 1993 SECTION 18: LAND AND STRUCTURES PLACED UNDER CARE, CONTROL AND MANAGEMENT OF MINISTER FOR TOURISM

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

Preamble

1. The following land is, for the purposes of section 18 of the *Harbors and Navigation Act 1993*, subjacent land belonging to the Minister that is not within the area of a council:

That portion of subjacent land in Gulf St. Vincent near Wirrina Cove bounded by a circle of radius 0.5 of a nautical mile centred on a point at latitude 35°28.9'S, longitude 138°09.5'E.

2. It is proposed that the land, and any structure belonging to the Minister on the land, be placed under the care, control and management of the Minister for Tourism.

Proclamation

PURSUANT to section 18 of the *Harbors and Navigation Act 1993* and with the advice and consent of the Executive Council, I place the land defined in the preamble, and any structure belonging to the Minister on that land, under the care, control and management of the Minister for Tourism.

Given under my hand and the Public Seal of South Australia, at Adelaide, 7 November 2002.

By command,

J. D. HILL, for Premier

CTSA 2002/10476

HIGHWAYS ACT 1926 SECTION 27AA: CLOSURE OF PORTION OF PUBLIC ROAD (OLD STURT HIGHWAY ALIGNMENT) AT PARINGA, HUNDRED OF PARINGA

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

PURSUANT to section 27AA of the *Highways Act 1926*, on the recommendation of the Commissioner of Highways made pursuant to that section and with the advice and consent of the Executive Council, I close that portion of public road delineated as allotment 1 in Plan No. FP 5145 lodged in the Lands Titles Registration Office.

Given under my hand and the Public Seal of South Australia, at Adelaide, 7 November 2002.

By command,

J. D. HILL, for Premier

CTSA 2002/07108

SHOP TRADING HOURS ACT 1977 SECTION 13: ALTERATION OF SHOP TRADING HOURS—DECEMBER 2002

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

PURSUANT to section 13 of the *Shop Trading Hours Act 1977* and with the advice and consent of the Executive Council—

1. I authorise the opening of all shops (other than those shops the business of which is solely or predominantly the retail sale of boats or motor vehicles) in the Metropolitan Shopping District from 7 p.m. until 9 p.m. on the following days, subject to the conditions specified in the Schedule:

Monday, 16 December 2002
Tuesday, 17 December 2002
Wednesday, 18 December 2002
Monday, 23 December 2002

2. I authorise the opening of all shops in the Metropolitan Shopping District from 7 p.m. until 9 p.m. on the following days, subject to the conditions specified in the Schedule:

Friday, 20 December 2002
Friday, 27 December 2002

3. I authorise the opening of all shops (other than those shops the business of which is solely or predominantly the retail sale of boats or motor vehicles) in the Metropolitan Shopping District from 11 a.m. until 5 p.m. on Sunday, 29 December 2002, subject to the conditions specified in the Schedule.

4. I require all shops (other than exempt shops) in the Central Shopping District and the Glenelg Tourist Precinct to remain closed from 6 p.m. until 9 p.m. on the following days:

Tuesday, 24 December 2002
Tuesday, 31 December 2002

5. I require all shops (other than exempt shops) in the Metropolitan Shopping District to remain closed from 6 p.m. until 7 p.m. on the following days:

Tuesday, 24 December 2002
Tuesday, 31 December 2002

SCHEDULE

This proclamation only authorises the opening of the shop if—

- (a) all relevant industrial awards, workplace agreements and enterprise agreements are observed by the shopkeeper and persons employed in the business of the shop during and in relation to the hours specified in this proclamation during which the shop is open; and
- (b) subject to an industrial award, workplace agreement or enterprise agreement to the contrary—a person who is employed in the business of the shop is entitled to refuse to work at the shop during the hours specified in this proclamation unless he or she has agreed with the shopkeeper to work during those hours.

Given under my hand and the Public Seal of South Australia, at Adelaide, 7 November 2002.

By command,

J. D. HILL, for Premier

MIR 02/029CS

SHOP TRADING HOURS ACT 1977 SECTION 13: ALTERATION OF SHOP TRADING HOURS—METROPOLITAN SHOPPING DISTRICT—NOVEMBER 2002

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

PURSUANT to section 13 of the *Shop Trading Hours Act 1977* and with the advice and consent of the Executive Council, I authorise the opening of all shops (other than those shops the business of which is solely or predominantly the retail sale of boats or motor vehicles) in the Metropolitan Shopping District from 11 a.m. until 5 p.m. on Sunday, 24 November 2002, subject to the conditions specified in the Schedule.

SCHEDULE

This proclamation only authorises the opening of the shop if—

- (a) all relevant industrial awards, workplace agreements and enterprise agreements are observed by the shopkeeper and persons employed in the business of the shop during and in relation to the hours specified in this proclamation during which the shop is open; and
- (b) subject to an industrial award, workplace agreement or enterprise agreement to the contrary—a person who is employed in the business of the shop is entitled to refuse to work at the shop during the hours specified in this proclamation unless he or she has agreed with the shopkeeper to work during those hours.

Given under my hand and the Public Seal of South Australia, at Adelaide, 7 November 2002.

By command,

J. D. HILL, for Premier

MIR 02/029CS

STATUTES AMENDMENT (STRUCTURED SETTLEMENTS) ACT 2002 (Act No. 16 of 2002): DAY OF COMMENCEMENT

Proclamation By The Governor

(L.S.) MARJORIE JACKSON-NELSON

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

Given under my hand and the Public Seal of South Australia, at Adelaide, 7 November 2002.

By command,

J. D. HILL, for Premier

AGO 0383/02CS

Department of the Premier and Cabinet
Adelaide, 7 November 2002

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Legal Practitioners Disciplinary Tribunal, pursuant to the provisions of the Legal Practitioners Act 1981:

Member: (from 7 November 2002 until 6 November 2005)
Heather Mack

By command,

J. D. HILL, for Premier

ATTG 0362/02CS

Department of the Premier and Cabinet
Adelaide, 7 November 2002

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Residential Tenancies Tribunal, pursuant to the provisions of the Residential Tenancies Act 1995:

Member: (from 1 December 2002 until 1 April 2003)

Jane Caroline Welch
Stuart Webb Andrew
Clive William Kitchin
Thomas Mark Rymill
Harrison Anderson
Adrian John Bradbrook
Anthony Moore
Douglas Wallace Stott
Andrew Henry Lenthal Swifte
Roger Thomas Vincent
Pamela Ann Wilkinson
Penelope Lesley Wright

Deputy Presiding Member: (from 1 December 2002 until 1 April 2003)

Jane Caroline Welch

By command,

J. D. HILL, for Premier

OCBA 013/02CS

Department of the Premier and Cabinet
Adelaide, 7 November 2002

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

Member: (from 7 November 2002 until 6 November 2006)
Peter Goldsworthy

Presiding Member: (from 7 November 2002 until 6 November 2006)

Peter Goldsworthy

By command,

J. D. HILL, for Premier

ASA 002/02CS

Department of the Premier and Cabinet
Adelaide, 7 November 2002

HER Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the State Opera of South Australia Board of Management, pursuant to the provisions of the State Opera of South Australia Act 1976:

Subscriber Representative: (from 7 November 2002 until 1 September 2005)

Christopher Stone

By command,

J. D. HILL, for Premier

ASA 016/02CS

Department of the Premier and Cabinet
Adelaide, 7 November 2002

HER Excellency the Governor in Executive Council has been pleased to appoint the Honourable Kevin Owen Foley, MP, Deputy Premier, Treasurer and Minister for Industry, Investment and Trade to be also Acting Premier, Acting Minister for Economic Development, Acting Minister for the Arts and Acting Minister for Volunteers for the period 8 November 2002 to 18 November 2002 inclusive, during the absence of the Honourable Michael David Rann, MP.

By command,

J. D. HILL, for Premier

DPC 030/96PT3CS

Department of the Premier and Cabinet
Adelaide, 7 November 2002

HER Excellency the Governor in Executive Council has been pleased to appoint Margaret Norma Heylen as a temporary Panel Member of the Equal Opportunity Tribunal for the purposes of finalising part-heard matters, commencing on 7 November 2002 and expiring on the completion of those part-heard matters, pursuant to the Equal Opportunity Act 1984 and the Acts Interpretation Act 1915.

By command,

J. D. HILL, for Premier

ATTG 0266/02CS

Department of the Premier and Cabinet
Adelaide, 7 November 2002

HER Excellency the Governor in Executive Council has removed Peter Michael Turner from the office of Justice of the Peace for South Australia, pursuant to the Justices of the Peace Act 1991.

By command,

J. D. HILL, for Premier

ATTG 0065/02CS

DEVELOPMENT ACT 1993

Lower Eyre Peninsula Aquaculture Plan Amendment Report by The Minister (Draft for Public Consultation)—Notice of Additional Venue for Public Hearing

NOTICE is hereby given that the Development Policy Advisory Committee intends to hold an additional forum, pursuant to regulation 12 (4) of the Development Regulations 1993, for hearing those persons wishing to be heard in relation to the draft Lower Eyre Peninsula Aquaculture Plan Amendment Report (PAR). This PAR was released for public consultation from 12 September to 12 November 2002.

Following the adjournment of the public hearing scheduled to be held in Port Lincoln on 28 November 2002 at the Hilton Motel (Conference Centre), King Street, Port Lincoln commencing at 7.30 p.m., the public hearing will reconvene in Adelaide on 3 December 2002 at the Corus Grosvenor Hotel, Pioneer Room, 125 North Terrace, Adelaide at 7.00 p.m.

Interested persons may appear to be heard in relation to the draft PAR and the submissions at one of the chosen venues at these times. An opportunity will not exist to be heard at both venues.

The public hearing will not be held if no submissions are received or no submission makes a request to be heard.

Any enquiries on the draft PAR should be directed to Planning SA on 8303 0742 or 8303 0655.

Dated 7 November 2002.

P. COCKRUM, Secretary Development Policy
Advisory Committee

DEVELOPMENT ACT 1993, SECTION 29 (2) (b): AMENDMENT TO THE COORONG DISTRICT COUNCIL DEVELOPMENT PLAN

Preamble

It is necessary to amend The Coorong District Council Development Plan dated 7 March 2002.

NOTICE

PURSUANT to section 29 (2) (b) of the Development Act 1993, I, Jay Weatherill, being the Minister administering the Act, amend The Coorong District Council Development Plan dated 7 March 2002, as follows:

On page 16, Principle of Development Control numbered 9, change the wording of 'sewage' to read 'sewerage'.

On Page 30, Principle of Development Control numbered 142, the wording 'SA Health Commission Standards' should be read as follows:

'SA Department of Human Services standards'

On page 37, Principle of Development Control numbered 180 (d), the wording 'common effluent drainage system' should be read as follows:

'Septic tank effluent drainage system'

On page 49, Principle 63 (b) the statement should be read as follows:

'...a lawful use being conducted from...'

On page 49, Principle of Development Control numbered 63, change the wording of the Land division cross reference from 'Principle 56' to read 'Principle 57'.

On page 50, Principle of Development Control numbered 65, from the passage 'Dwellings on allotments of 40 hectares or less Horse Keeping', the words 'Horse Keeping' relocated onto the next line as a separate form of development.

On page 53, principle of Development Control numbered 2 (b), the statement 'refer to Maps CooD/19, 43 and 44' needs to be amended to read as follows:

'refer to Map CooD/5'

On page 53, principle of Development Control numbered 2 (d), the statement 'refer to Maps CooD/44' needs to be amended to read as follows:

'refer to Map CooD/19'

On page 63, principle of Development Control numbered 30, the statement '...listed in Table CooD/4, together with the following...' needs to be amended to read as follows:

'...listed in Table CooD/4, other than non-complying, together with the following...'

On page 85, Principle of Development Control numbered 2, the wording 'common effluent disposal system' should be read as follows:

'Septic tank effluent drainage system'

On page 91, at the bottom of the page, the words 'State Heritage listed buildings such as the Post Office, the church' should be deleted and replaced with the following:

'State Heritage listed places such as the hall'

On page 142, in Table CooD/5, the heading 'Principle Purpose of Separation Distance' should be read as follows:

'Principal Purpose of Separation Distance'

Dated 7 November 2002.

J. WEATHERILL, Minister for Urban
Development and Planning

PLN 02/0364

NATIONAL ELECTRICITY (SOUTH AUSTRALIA)
ACT 1996

NOTICE UNDER SECTION 6 (2) OF THE NATIONAL ELECTRICITY
LAW AND NATIONAL ELECTRICITY CODE

*Stage 1 of integrating the energy market and network services
Code Changes*

NOTICE is hereby given pursuant to section 6 (2) of the National Electricity Law, which forms the Schedule to the National Electricity (South Australia) Act 1996 and clause 8.3.9 (d) of the National Electricity Code approved under section 6 of the National Electricity Law, that amendments are made to clause 3.6.3 (distribution losses), clauses 3.6.5 and 3.18.2 (settlements residue auction) and to Schedule 3.2 (transmission loss factors), and new and amended definitions are inserted in Chapter 10 of the National Electricity Code. These amendments to the National Electricity Code commence on 7 November 2002.

As required by clause 8.3.9 (d) of the National Electricity Code, a copy of the ACCC's letter granting final authorisation dated 3 October 2002 is set out below.

The amendments referred to above and a copy of the ACCC's letter dated 3 October 2002 can be viewed on the Internet website of National Electricity Code Administrator Limited (ACN 073 942 775) ('NECA') at www.neca.com.au under 'The Code—Gazette notices' section of that website.

NECA intends to gazette changes to improve market information (clauses 3.7.2, 3.7.3, 3.7A and 3.13.3) on 31 January 2003 and to implement forward looking loss factors (clauses 3.6.1, 3.6.2 and 3.6.2A and deletion of Schedule 3.2) on 1 January 2004.

The National Electricity Code can be viewed on the NECA Internet website at www.neca.com.au and at the offices of NECA and National Electricity Market Management Company Limited (ACN 072 010 327). A list of addresses where the Code can be viewed is available on the NECA website.

Dated 7 November 2002.

ACCC Letter of Authorisation

3 October 2002

Stephen Kelly
Managing Director
National Electricity Code Administrator Limited
Level 4, 41 Currie Street
ADELAIDE, S.A. 5000

Dear Stephen

*Determination—Stage 1 of integrating the energy market
and network services*

On 27 March 2002, the Australian Competition and Consumer Commission (Commission) received applications for authorisation (A90826, A90827, A90828) of National Electricity Code (Code) changes. The purpose of the Code changes is to implement the conclusions and recommendations of NECA's stage 1 report into the scope for integrating the energy market and network services. The applications were submitted by the National Electricity Code Administrator (NECA), under Part VII of the Trade Practices Act 1974 (TPA).

Please find enclosed a copy of the Commission's determination in respect of these applications for authorisation. The Commission's determination outlines its analysis and views on the proposed Code changes. The Commission has granted authorisation, conditional upon a number of amendments to the proposed Code changes being made. The conditions are specified in Chapter 8 of the determination.

In accordance with s.101 of the TPA, a person dissatisfied with the Commission's determination may apply to the Australian Competition Tribunal for a review of the determination. Each application must be lodged on the appropriate form within 21 days of the date of the determination, with the Registrar of the Tribunal. The Tribunal is located in the Office of the Registrar of the Federal Court in each State.

A copy of this letter together with the determination will be placed on the Public Register kept by the Commission.

If you have any queries or require further information please call Mrs Maxine Helmling on (02) 6243 1246.

Yours sincerely,

S. ROBERTS, General Manager Acting,
Regulatory Affairs—Electricity.

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

1 green Opera House yabbie trap.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at 512 km mark on the Murray River on 5 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

1 wire fish trap 500 mm wide x 1 000 mm length, constructed from chook mesh, with a length of blue rope attached.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at 524 km mark on the Murray River on 5 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

1 collapsible yabbie trap, green mesh with white rope.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Katarapko Creek on 6 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

- 2 collapsible shrimp traps, 1 with green rope, 1 with white rope.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession downstream at 474 km mark on the Murray River on 6 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

- 1 wire fish trap—70 cm chook wire, 1.5 m long, 80 cm diameter, 1 entrance funnel, blue cord attached.
- 1 wire fish trap—5 cm chook wire, 13 cm square fencing wire, 1.5 cm long, 70 cm diameter, 1 entrance funnel, blue/yellow rope attached.
- 1 shrimp trap—collapsible, brown mesh, green cord.
- 1 shrimp trap—collapsible, green mesh, green cord.
- 1 shrimp trap—black plastic mesh, yellow cord.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at 460 mark on the Murray River on 7 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

- 1 green Opera House yabbie trap with green rope and 2 L milk carton.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Pyap Lagoon, Murray River on 7 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

- 1 green Opera House yabbie trap with blue rope attached.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Moorook on 7 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

- 1 wire yabbie pot with blue cord.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Akuna on the Murray River on 8 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

1 black plastic mesh yabbie pot with black cord.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Overland Corner Gauging Station, Murray River on 5 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

1 green Opera House yabbie trap with black cord attached.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at 383 km mark on the Murray River on 10 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

1 wire shrimp trap 45 cm x 16 cm with 7 mm mesh and orange cord attached.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at 402 km mark Murray River on 9 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

1 fishtrap, 1 m length, 1 m diameter covered with a 5 cm multifilament twine on a plastic coated steel frame and orange rope.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at 350 km mark, Markaranka Station, Murray River on 11 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

1 wire fish trap, constructed from chook mesh 1 000 mm length x 700 mm diameter, with a length of blue rope attached.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at 380 km mark on the starboard side of the Murray River on 10 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

1 green Opera House yabbie trap with black cord.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at 361 km mark on Murray River on 11 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

- 1 fishtrap, 5 cm green plastic mesh on a steel frame, 1.25 m in length by 1 m diameter with yellow rope.
- 1 fishtrap, 5 cm green plastic mesh on a plastic coated steel and wooden frame, 1.1 m long, 80 cm diameter with yellow cord.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at 361 km mark, Port Bank on 11 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

- 1 triangular fish trap covered in 4 cm wire mesh, 1 m in length, 30 cm deep, 60 cm at entrance, fitted with a spring loaded entrance flap.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at 361 km mark on Murray River on 11 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

- 1 wire fish trap, triangular construction, 1.5 m long, entrance 90 cm, 4 cm chook wire, bamboo frame, purple string.
- 1 wire fish trap, cylindrical construction, 1.5 m long, 1 m diameter, 4 cm chook mesh, bamboo frame, yellow/blue rope.
- 1 wire fish trap, 4 cm chook mesh, bamboo frame, blue/yellow rope.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Qualco boat ramp on 11 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

- 1 yabbie trap, 80 cm length, 25 cm diameter covered with 2 cm black plastic mesh, complete with 2 entrances and orange cord.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at 361 km mark, Murray River on 11 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

- 1 green Opera House net, black cord.
- 1 fish corf—green shade cloth mesh, steel frame, 70 cm long, 50 cm diameter, hinged entrance, black twine.
- 1 fish corf—22 L white plastic drum with blue screw top lid, black cord.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Qualco on 11 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

- 1 drop net with orange cord.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Gerard, Murray River on 12 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

- 1 yabbie trap, black plastic mesh, 65 cm long, 30 cm diameter, 2 green mesh entrance funnels, white string.
- 1 green Opera House yabbie trap.
- 2 shrimp traps, collapsible, purple mesh.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Cobdogla/Gerard/Riellies Reserve on 12 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

DEPARTMENT OF PRIMARY INDUSTRIES AND
RESOURCES SA—FISHERIES DIVISION

NOTICE is hereby given pursuant to section 28 (10) of the Fisheries Act 1982, that the following items have been seized by officers of the Department of Primary Industries and Resources SA, Fisheries Division:

- 1 plastic fish trap, 70 cm diameter, 1.4 m in length, 2 metal rings and 2 metal stakes as weights and 1 entrance funnel with a length of blue cord attached.

The above items were suspected to have been used or intended to be used, in contravention of the Fisheries Act 1982, and were taken into possession at Gerard, Murray River on 12 October 2002.

After the expiration of one month from the date of this notice the items listed above shall, on the order of the Minister for Primary Industries, be forfeited to the Crown and shall be either disposed of by sale or destruction.

The above items may be viewed at the Loxton office of the Department of Primary Industries and Resources SA, Fisheries Division.

Dated 31 October 2002.

M. LEWIS, General Manager, Fisheries
Services

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2002

	\$		\$
Agents, Ceasing to Act as.....	34.10	Firms:	
Associations:		Ceasing to Carry on Business (each insertion)	22.70
Incorporation	17.40	Discontinuance Place of Business	22.70
Intention of Incorporation	43.00	Land—Real Property Act:	
Transfer of Properties	43.00	Intention to Sell, Notice of.....	43.00
Attorney, Appointment of.....	34.10	Lost Certificate of Title Notices	43.00
Bailiff's Sale	43.00	Cancellation, Notice of (Strata Plan).....	43.00
Cemetery Curator Appointed.....	25.50	Mortgages:	
Companies:		Caveat Lodgment.....	17.40
Alteration to Constitution	34.10	Discharge of	18.30
Capital, Increase or Decrease of	43.00	Foreclosures.....	17.40
Ceasing to Carry on Business	25.50	Transfer of	17.40
Declaration of Dividend.....	25.50	Sublet.....	8.75
Incorporation	34.10	Leases—Application for Transfer (2 insertions) each.....	8.75
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	25.50
First Name.....	25.50	Licensing	51.00
Each Subsequent Name	8.75	Municipal or District Councils:	
Meeting Final.....	28.75	Annual Financial Statement—Forms 1 and 2	481.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	341.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	68.00
First Name.....	34.10	Each Subsequent Name.....	8.75
Each Subsequent Name	8.75	Noxious Trade	25.50
Notices:		Partnership, Dissolution of.....	25.50
Call.....	43.00	Petitions (small)	17.40
Change of Name.....	17.40	Registered Building Societies (from Registrar-	
Creditors.....	34.10	General).....	17.40
Creditors Compromise of Arrangement	34.10	Register of Unclaimed Moneys—First Name.....	25.50
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name	8.75
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	43.00	Rate per page (in 8pt)	218.00
Release of Liquidator—Application—Large Ad.	68.00	Rate per page (in 6pt)	288.00
—Release Granted	43.00	Sale of Land by Public Auction.....	43.50
Receiver and Manager Appointed.....	39.75	Advertisements.....	2.40
Receiver and Manager Ceasing to Act	34.10	Advertisements, other than those listed are charged at \$2.40 per	
Restored Name.....	32.25	column line, tabular one-third extra.	
Petition to Supreme Court for Winding Up.....	59.50	Notices by Colleges, Universities, Corporations and District	
Summons in Action.....	51.00	Councils to be charged at \$2.40 per line.	
Order of Supreme Court for Winding Up Action.....	34.10	Where the notice inserted varies significantly in length from	
Register of Interests—Section 84 (1) Exempt.....	77.00	that which is usually published a charge of \$2.40 per column line	
Removal of Office.....	17.40	will be applied in lieu of advertisement rates listed.	
Proof of Debts	34.10	South Australian Government publications are sold on the	
Sales of Shares and Forfeiture.....	34.10	condition that they will not be reproduced without prior	
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Public Trustee, each Estate	8.75		

All the above prices include GST

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

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2002

Acts, Bills, Rules, Parliamentary Papers and Regulations

Pages	Main	Amends	Pages	Main	Amends
1-16	1.95	0.85	497-512	28.10	27.00
17-32	2.70	1.70	513-528	28.90	27.75
33-48	3.50	2.50	529-544	29.70	28.75
49-64	4.45	3.35	545-560	30.50	29.75
65-80	5.20	4.30	561-576	31.25	30.50
81-96	6.00	5.00	577-592	32.30	31.00
97-112	6.90	5.85	593-608	33.10	32.00
113-128	7.70	6.75	609-624	33.90	33.00
129-144	8.65	7.65	625-640	34.60	33.50
145-160	9.50	8.50	641-656	35.40	34.50
161-176	10.40	9.30	657-672	36.00	35.25
177-192	11.20	10.20	673-688	37.50	36.00
193-208	12.00	11.10	689-704	38.30	37.00
209-224	12.80	11.80	705-720	38.80	38.00
225-240	13.60	12.60	721-736	40.25	38.50
241-257	14.50	13.30	737-752	40.75	39.75
258-272	15.40	14.20	753-768	41.75	40.25
273-288	16.30	15.20	769-784	42.25	41.50
289-304	17.00	16.00	785-800	43.00	42.25
305-320	17.90	16.80	801-816	43.75	42.75
321-336	18.70	17.60	817-832	44.75	43.75
337-352	19.60	18.60	833-848	45.75	44.50
353-368	20.40	19.40	849-864	46.50	45.25
369-384	21.30	20.30	865-880	47.25	46.50
385-400	22.00	21.10	881-896	47.75	47.00
401-416	22.80	21.80	897-912	49.25	47.75
417-432	23.90	22.70	913-928	49.75	49.25
433-448	24.60	23.60	929-944	50.50	49.75
449-464	25.50	24.40	945-960	51.50	50.25
465-480	26.00	25.20	961-976	52.50	51.25
481-496	27.10	26.00	977-992	53.50	52.00

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GEOGRAPHICAL NAMES ACT 1991

Notice to Assign Boundaries and Names to a Place

CORRIGENDUM

IN the *Government Gazette*, 31 October 2002, page 3981 first notice appearing, the declared waterhole name shown as CLORDIA WATERHOLE, should have been shown as CLORIDA WATERHOLE.

Dated 1 November 2002.

M. VASSALLO for P. M. KENTISH, Surveyor-General, Department for Administrative and Information Services

04/0455

GEOGRAPHICAL NAMES ACT 1991

Notice of Intention to Assign Boundaries and Names to Places

NOTICE is hereby given pursuant to the provisions of the above Act, that the Minister for Administrative and Information Services seeks public comment on a proposal to:

1. Rename the area declared as **WALL** within the Rural City of Murray Bridge, as shown in the *Government Gazette* of 16 March 2002 and on Rack Plan 833, as **WALL FLAT**.

2. Assign the names **MAUDE, LINDLEY, BEATTY, BOWER, MOUNT MARY, EBA, MORGAN, NORTH WEST BEND, BEAUMONTS, MORPHETTS FLAT, BRENDA PARK, CLAYPANS, WOMBATS REST, STUART, CADELL LAGOON, TAYLORVILLE, CADELL, MURBKO, McBEAN POUND, BLANCHE-TOWN, BROWNLOW, STEINFELD, DUTTON EAST, FRANKTON, DUTTON, TRURO, ANNADALE, SANDLETON, KEYNETON, TOWITTA, SEDAN, FISHER, SWAN REACH, MARKS LANDING, LANGS LANDING, PUNYELROO, BIG BEND, GREENWAYS LANDING, NILDOTTIE, FORSTER, WONGULLA, SUNNYDALE, BLACK HILL, CAMBRAI, EDEN VALLEY, SPRINGTON, SANDERSTON, MOUNT PLEASANT, MILENDELLA, ANGUS VALLEY, PUNTHARI, WALKER FLAT, CAURNAMONT, PURNONG, BOWHILL, YOUNGHUSBAND, YOUNGHUSBAND HOLDINGS, TEAL FLAT, OLD TEAL FLAT, LAKE CARLET, ROCKY POINT, PELLARING FLAT, FIVE MILES, FRAHNS, COWIRRA, BOLTO, PORT MANNUM, MANNUM, FRAYVILLE, APAMURRA, PALMER, TUNGKILLO, BIRDWOOD, MOUNT TORRENS, ROCKLEIGH, TEPKO, CALOOTE, ZADOWS LANDING, PONDE, WALL FLAT, POMPOOTA and BURDETT** to those areas within the Mid Murray Council and shown numbered 1 to 83 on Rack Plan 844.

Copies of Rack Plan 844 can be viewed at the office of the Surveyor-General, 101 Grenfell Street, Adelaide, or at the offices of the Mid Murray Council.

Submissions in writing regarding this proposal may be lodged with the Secretary, Geographical Names Advisory Committee, G.P.O. Box 1354, Adelaide, S.A. 5001 within one month of the publication of this notice.

Dated 23 October 2002.

P. M. KENTISH, Surveyor-General, Department for Administrative and Information Services

04/0201

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

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

MICHAEL WRIGHT, Minister for Transport

TSA V20586

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee in respect of the M.V. 'Ausbulk 1'

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *Ausbulk 1* whilst operating within Partially Smooth Waters limits of South Australia as per Schedule 1 of the Harbors and Navigation Regulations 1994.

Minimum Complement

One person—Master

Minimum Qualifications of Crew

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

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

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

THE following determination made on 22 October 2002, by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

MICHAEL WRIGHT, Minister for Transport

TSA V28347

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee in respect of the M.V. 'Absolutely Farrbulous'

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993, in respect of the *Absolutely Farrbulous* whilst operating within Partially Smooth Waters limits of South Australia as per Schedule 1 of the Harbors and Navigation Regulations 1994.

Minimum Complement

One person—Master

Minimum Qualifications of Crew

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

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

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee

THE following determination made on 22 October 2002, by the State Crewing Committee is published pursuant to part 6, section 45 of the Harbors and Navigation Act 1993.

MICHAEL WRIGHT, Minister for Transport

TSA V28361

HARBORS AND NAVIGATION ACT 1993

Determination of the State Crewing Committee in respect of the M.V. 'Abracadabra 3'

THE following determination is made by the State Crewing Committee pursuant to part 6, section 45 of the Harbors and Navigation Act 1993 in respect of the *Abracadabra 3* whilst operating with the following limits:

Operational Limits

1. Within 15 nautical miles of the coast of South Australia.
2. Within 30 nautical miles of the coast of South Australia.
3. Within 100 nautical miles of the coast of South Australia.

Minimum Complement

1. For operations of 12 hours duration and less:
One person—Master
- For operations greater than 12 hours duration:
Two persons—Master and Mate
2. & 3. For operations 12 hours duration and less:
Two persons—Master and Mate
- For operations greater than 12 hours duration:
Two persons—Master and Mate

Minimum Qualifications of Crew

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

2. & 3. Master—Certificate of Competency as Master Class 5.

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

Note: Either the Masters or Mates must possess a Certificate of Competency as Marine Engine Driver Grade III.

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

LAND AND BUSINESS (SALE AND CONVEYANCING) ACT
1994

Exemption

TAKE notice that, pursuant to section 23 (3) of the Land and Business (Sale and Conveyancing) Act 1994, I, Michael John Atkinson, Minister for Consumer Affairs, do hereby exempt the persons named in Schedule 1 from the application of section 23 (2) of the Act in relation to the purchase of the land specified in Schedule 2.

SCHEDULE 1

Kenneth John Rejack and Margaret Maria Rejack officers/employees of K. J. & M. M. Rejack Pty Ltd.

SCHEDULE 2

The whole of the land described in certificate of title register book volume 5756, folio 176, situated at 6 Mackay Street, Port Augusta, S.A. 5700.

Dated 7 November 2002.

Signed for and on behalf of the Minister for Consumer Affairs by the Commissioner for Consumer Affairs:

M. BODYCOAT, Commissioner

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES
ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Lebel Pty Ltd (ACN 101 858 860), c/o Philip Foreman, 26 Mann Street, Mount Barker, S.A. 5251 has applied to the Licensing Authority for the transfer of a Hotel Licence and a Gaming Machine Licence in respect of premises situated at Main Road, Nairne, S.A. 5252 and known as District Hotel.

The applications have been set down for hearing on 10 December 2002, at 11 a.m.

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

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

Dated 30 October 2002.

Applicant

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES
ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that CLP & JF Pty Ltd (ACN 102 646 597) has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at Commercial Road, Port Adelaide, S.A. 5015 and known as Lighthouse Inn.

The applications have been set down for hearing on 9 December 2002.

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

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

Dated 30 October 2002.

Applicant

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES
ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Taverner Hotel Group Pty Ltd (ACN 086 956 890) has applied to the Liquor and Gaming Commissioner for the transfer of a Hotel Licence and Gaming Machine Licence in respect of the premises situated at 157 The Esplanade, Henley Beach, S.A. 5022 and known as Henley Hotel.

The applications have been set down for hearing on 9 December 2002 at 9.30 a.m.

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

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

Applicant

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES
ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Blakdogg Pty Ltd (ACN 102 573 795), c/o Fisher Jeffries Solicitors, SGIC Building, Level 15, 211 Victoria Square, Adelaide, S.A. 5000 has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence and Variation to Conditions of Licence in respect of premises situated at 156 Smith Street, Naracoorte, S.A. 5271 and known as Kincaig Hotel.

The applications have been set down for hearing on 9 December 2002 at 11.30 a.m.

Conditions

The following licence conditions are sought:

The following varied condition is sought in respect of the provision of security at the premises as follows:

To delete:

Security will be employed from 10 p.m. until 1 hour after the premises have closed.

To be replaced with:

Security, on the occasions when a DJ or band performs at the premises, will be employed from 10 p.m. until 1 hour after the premises have closed.

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

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

Dated 31 October 2002.

Applicant

10 p.m. Sunday to Thursday; from opening until midnight Friday and Saturday

The applicant seeks to delete the condition that reads:

No loudspeaker shall be placed closer than 4 m from any entrance to or exit from the premises and at all times any such loudspeaker is to be directed away from the entrance to or exit from the premises and into the premises proper.

And

The applicant seeks an Extended Trading Authorisation with Entertainment Consent for the whole of the licensed premises excluding the outdoor courtyard area for consumption on the licensed premises on Friday and Saturday nights from midnight to 2 a.m. the following morning; Sunday from 8 a.m. to 11 a.m. and 8 p.m. to midnight; for consumption off the licensed premises from 8 a.m. to 11 p.m. and 8 p.m. to 9 p.m.

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

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

Dated 27 October 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Oriental Hotel Norwood Pty Ltd, c/o Duncan Basheer Hannon has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of the premises situated at 120 Magill Road, Norwood, S.A. 5067 and known as Osmonds Hotel Norwood.

The application has been set down for hearing on 2 December 2002 at 9.30 a.m.

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

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

Dated 29 October 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Kaltunga Estate Pty Ltd, c/o McDonald Steed Lawyers, 262-266 Pirie Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for a Producer's Licence in respect of the premises situated at Flaxman's Valley Road via Wilton, Angaston, S.A. 5353 and to be known as Kaltunga Estates.

The application has been set down for hearing on 6 December 2002 at 9 a.m.

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

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

Dated 29 October 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that ALH Group Pty Ltd, c/o Kelly & Co., Level 17, 91 King William Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for a Variation to Conditions of Licence and an Extended Trading Authorisation in respect of premises situated at the corner of Archer Street and O'Connell Street, North Adelaide and to be known as the Archer Hotel.

The application has been set down for hearing on 6 December 2002.

Conditions

The following licence conditions are sought:

Currently reads: The outdoor courtyard area shall be used only as a dining area and shall be available to the public for use only at the following times: from opening until 10 p.m. Sunday to Thursday; from opening until midnight Friday and Saturday.

To read: The outdoor courtyard area shall be available to the public for use only at the following times: from opening until

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that David William Palmer has applied to the Licensing Authority for a Residential Licence with Entertainment Consent in respect of premises situated at 1 Charles Street, Middleton, S.A. 5213 and to be known as Feta Mediterranean Cuisine.

The application has been set down for hearing on 6 December 2002.

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

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

Dated 30 October 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Sha Di J. Pty Ltd (ACN 098 002 665) and B.J.S.P. Pty Ltd (ACN 098 002 610) have applied to the Licensing Authority for a variation of the conditions of the Extended Trading Authorisation and Entertainment Consent in respect of premises situated at Semaphore Road, Semaphore and known as Federal Hotel.

The application has been set down for hearing on Friday, 6 December 2002 at 9 a.m.

Conditions

The following licence conditions are sought:

The application seeks approval for the Extended Trading Authorisation and Entertainment Consent to apply to the proposed new gaming room, to be relocated from the mezzanine to the ground floor in a section of the existing bottle shop, on the days and during the times currently approved for the mezzanine, namely:

Monday to Saturday inclusive from midnight to 2 a.m. the following morning. Sunday, from 8 a.m. to 11 a.m. and 8 p.m. to midnight and Christmas Day from midnight to 2 a.m.

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

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

Dated 29 October 2002.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Georgine Anne Duncan, Nicholas James Stock and Timothy Aaron Stock have applied to the Licensing Authority for the grant of a Producer's Licence in respect of premises situated at 142 Beulah Road, Norwood, S.A. 5067 and to be known as Stock Wines.

The application has been set down for hearing on 6 December 2002.

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

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

Dated 31 October 2002.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Duke Unley Pty Ltd, c/o Jane Angelopoulos of Griffins Solicitors, has applied to the Licensing Authority for a Retail Liquor Merchant's Licence in respect of premises situated at Shop 45, 204 Unley Road, Unley, S.A. 5061.

The application has been set down for hearing on 6 December 2002 at 9 a.m.

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

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

Dated 1 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that ALH Group Pty Ltd, c/o Kelly & Co., Level 17, 91 King William Street, Adelaide, S.A. 5000 has applied to the Licensing Authority for a variation to Conditions of Licence and a redefinition of the Licensed Premises in respect of premises situated at Ebenezer Place (Rear), 265-276 Rundle Street, Adelaide, S.A. 5000 and known as Oostende Belgian Beer Cafe.

The application has been set down for hearing on 6 December 2002.

Conditions

The following licence conditions are sought:

The application seeks to delete condition 4 on the licence which currently reads 'The predominant use of the premises shall be the provision of meals and receptions.' and replace it with 'Meals shall be available to the public at all times when the premises is open' and the applicant seeks to redefine the outdoor licensed area on the southern side of the premises to incorporate all of the red tiled area within the licensed area.

The Extended Trading Authorisation currently applying to the outdoor area will apply to the redefined area.

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

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

Dated 27 October 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that FACAC Pty Ltd (ACN 069 265 578), 123 Gouger Street, Adelaide has applied to the Licensing Authority for the transfer of a Hotel Licence from Alby Turner Nominees Pty Ltd and for the removal of the said licence from 185 Grote Street, Adelaide to 123 Gouger Street, Adelaide and for an Extended Trading Authorisation and Entertainment Consent in respect of premises known as Sportsman's Hotel.

The application has been set down for hearing on 6 December 2002 at 9 a.m.

Conditions

The following licence conditions are sought:

- For Extended Trading Authorisation to sell and supply liquor for consumption on the premises from Monday to Saturday from midnight to 5 a.m. and Sunday from 8 p.m. to 5 a.m.
- For an Entertainment Consent.
- The applicant shall be required to supply meals only during the following times:

Lunch on Wednesday, Thursday and Friday from noon to 2.30 p.m.

Dinner on Tuesday, Wednesday, Thursday and Friday from 6 p.m. until 8.30 p.m.

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

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

Dated 2 November 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Pak Hong Lam has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 167 Jenkins Avenue, Whyalla Norrie, S.A. 5608 and known as Lam Inn.

The application has been set down for hearing on 9 December 2002.

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

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

Dated 29 October 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Nebbiolo Nominees Pty Ltd as trustee for the Nebbiolo Service Trust, c/o Norman Waterhouse Lawyers has applied to the Licensing Authority for the transfer of a Hotel Licence in respect of the premises situated at Burra Street, Mintaro, S.A. 5415 and known as Magpie & Stump Hotel.

The application has been set down for hearing on 9 December 2002 at 10.30 a.m.

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

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

Dated 30 October 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Bayramic Pty Ltd, c/o David Robinson of Finance Lawyers has applied to the Licensing Authority for the transfer of a Hotel and Gaming Machines Licence in respect of the premises situated at Blacktop Road, One Tree Hill, S.A. 5114 and known as Blacksmiths Inn.

The application has been set down for hearing on 10 December 2002 at 11.30 a.m.

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

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

Dated 31 October 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Bittangabee Consulting Pty Ltd has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at 26 Porter Street, Parkside, S.A. 5063 and to be known as Naked Grape Wines.

The application has been set down for hearing on 6 December 2002 at 9 a.m.

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

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

Dated 29 October 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Brenness Pty Ltd, c/o Jeremy Moore & Associates, 10 Albyn Terrace, Strathalbyn, S.A. 5255 has applied to the Licensing Authority for a Direct Sales Licence in respect of premises situated at 380 Moritz Road, McLaren Flat, S.A. 5171 and to be known as Brenness Pty Ltd.

The application has been set down for hearing on 6 December 2002 at 9 a.m.

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

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

Dated 28 October 2002.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Broadview Tennis Club Inc., Myponga Terrace, Broadview, S.A. 5083 has applied to the Licensing Authority for a Limited Club Licence with Extended Trading Authorisation in respect of premises to be situated at Myponga Terrace, Broadview, S.A. 5083 and to be known as Broadview Tennis Club.

The application has been set down for hearing on 6 December 2002 at 9 a.m.

Conditions

The following licence conditions are sought:

Extended Trading Authorisation to apply to the area depicted in the plan lodged with this office:

Saturdays: Midnight to 1 a.m. the following morning.

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

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

Dated 30 October 2002.

Applicant

NOTICE TO MARINERS

No. 52 OF 2002

South Australia—Spencer Gulf—Port Lincoln—Boston Island—Kangaroo Reef Buoy Moved and Light Fitted

Former Notice No. 29 of 2002

MARINERS are advised that the port hand buoy marking the Kangaroo Reef to the north of Boston Island at Port Lincoln has been moved to the following approximate position—Latitude 34°40.03'S, longitude 135°55.39'E. The buoy has also been fitted with an occulting red light—2.5s on, 1.5s off (Occ R 4s).

Navy charts affected: Aus 134, 345, 444 and 776.

Adelaide, 28 October 2002.

M. WRIGHT, Minister for Transport

TSA 2002/00309

NOTICE TO MARINERS

No. 53 of 2002

South Australia—Gulf St Vincent—Department of Defence—Port Wakefield—Prohibited Area—Field Firing Exercise

MARINERS are advised that Artillery Gun Firing will be conducted from 0800 hours to 1700 hours on Tuesday, 12 November 2002, in the Port Wakefield Prohibited areas R295A, B, C, D, E and F as described in the Annual Notices to Mariners 2002 Edition.

The direction of fire will be generally south.

Mariners are advised that all vessels are prohibited from entering or remaining in the area during times of the exercise.

Charts affected: Aus 345, 444 and 781.

Publications affected: Annual Notice to Mariner, 2002 Edition. Notice No. 9, pages 59, 60, 75 and chartlet at page 86.

Australia Pilot Vol. 1, 1992, page 135.

Adelaide, 31 October 2002.

M. WRIGHT, Minister for Transport

TSA 2001/00309

NOTICE TO MARINERS

No. 54 OF 2002

South Australia—Gulf St Vincent—Development of Recreational Diving Site—Timing and route for towed voyage from Port Adelaide and scuttling of former man of war H.M.A.S. Hobart—Establishment of temporary moorings—Declaration and marking of temporary exclusion zone—Establishment of Isolated Danger Mark

Former Notice No. 50 of 2002

MARINERS are advised that from 3 November 2002, the decommissioned man of war H.M.A.S. *Hobart* will proceed under tow of the motor tug *Warren* from the Outer Harbour at Port Adelaide to the scuttling site off Wirrina Cove in position:

Latitude 35°28.9'S, longitude 138°09.5'E

The route taken will take the vessel clear of the main shipping lanes and will proceed approximately along a course of 197° True, as designated hereunder:

From: Latitude 34°49.0S', longitude 138°24.0'E

To: Latitude 35°28.9S', longitude 138°09.5'E

The vessel will display the appropriate International Collision Regulation Signals throughout the voyage and whilst at the mooring.

A temporary mooring, marked with a buoy flashing white every 5 seconds has been established at this location. The vessel will then be moored whilst preparations are made for scuttling.

An exclusion zone of 1 km radius from the scuttling site, 444 and 780 issued under the Harbors and Navigation Act 1993, will be in force for a period of 2 weeks. This site will be marked by unlit buoys and will be monitored by units of the South Australian Police Water Response Unit and Transport SA Marine Group personnel. Persons other than those authorised are prohibited from entering the area at all times from Monday, 4 October 2002 to Friday, 15 November 2002.

An isolated danger mark Gp. Fl (2) white every 10 seconds and topmark of two black balls will be installed after the *Hobart* has been scuttled.

Two red pyrotechnic rocket parachute flares will be displayed at the site five and one minutes respectively prior to scuttling.

Navy charts affected: Aus 444 and 780.

Adelaide, 31 October 2002.

M. WRIGHT, Minister for Transport

TSA 2002/00309

MINING ACT 1971

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

Applicant: Carbotech 2000 Pty Ltd

Location: Bookabie area—Approximately 85 km north-west of Ceduna.

Term: 1 year

Area in km²: 153

Ref: 119/02

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

H. TYRTEOS, Mining Registrar

MINING ACT 1971

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

Applicant: Alliance Craton Explorer Pty Ltd
 Location: Eurelyana Hill area—Approximately 90 km north-east of Coober Pedy.
 Term: 1 year
 Area in km²: 428
 Ref: 115/02

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

H. TYRTEOS, Mining Registrar

5. Transfer the whole of the land subject to closure lettered 'A' to WILLIAM JOHN TIMSBURY CLARKE in accordance with agreement for exchange dated 1 March 2001 entered into between the District Council of Grant and W. J. T. Clarke.

6. Transfer the whole of the land subject to closure lettered 'B' to RONALD ERIC COX in accordance with agreement for exchange dated 1 March 2001 entered into between the District Council of Grant and R. E. Cox and J. C. Cox.

On 17 July 2001 that order was confirmed by the Minister for Administrative and Information Services, conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

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

Dated 7 November 2002.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 34

ORDER BY THE MINISTER TO CLOSE ROAD

*Public Road Adjacent Section 416, Hundred of Louth
 District Council of Lower Eyre Peninsula, Deposited Plan 60720*

BY an Order made on 15 October 2002 under Sections 6 and 34 of the Roads (Opening and Closing) Act 1991, the Minister for Administrative Services ordered that the whole of the unnamed public road dividing Sections 416 and 417, in the Hundred of Louth be closed:

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

Notice of the Order is hereby published in accordance with Section 34 (7) of the said Act.

Dated 7 November 2002.

P. M. KENTISH, Surveyor-General

DAIS 02/0064

ROADS (OPENING AND CLOSING) ACT 1991
SECTION 24NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER

*Laslett and Post Office Roads and Trevor Clarke Drive, Hundred
 of MacDonnell—Deposited Plan 57230*

BY Road Process Order made on 2 May 2001, the District Council of Grant ordered that:

1. Portion of piece 1 in Filed Plan 147435 more particularly delineated and numbered '1' in Preliminary Plan No. 32/0611 be opened as road, forming a re-alignment of Laslett Road.

2. Portion of section 141 adjoining Post Office Road more particularly delineated and numbered '2' in Preliminary Plan No. 32/0611 be opened as road.

3. Portion of the public road (Laslett Road) dividing allotment 97 in Filed Plan 216154 from piece 1 in Filed Plan 147435 more particularly delineated and lettered 'A' in Preliminary Plan No. 32/0611 be closed.

4. Portion of the public road (Trevor Clarke Drive) dividing section 141 from piece 1 in Filed Plan 147435 more particularly delineated and lettered 'B' in Preliminary Plan No. 32/0611 be closed.

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER

*River Gum Drive, Hundred of Mobilong
 Deposited Plan 52080*

BY Road Process Order made on 3 June 1999, the Rural City of Murray Bridge ordered that:

1. Portion of section 1253 adjoining the western boundary of River Gum Drive more particularly delineated and numbered '1' in Preliminary Plan No. 32/0367 be opened as road.

2. Portion of the public road (River Gum Drive) adjoining the eastern boundary of section 1253 more particularly delineated and lettered 'A' in Preliminary Plan No. 32/0367 be closed and vested in the Crown.

On 9 June 1999, that order was confirmed by the Minister for Administrative Services conditionally on approval and deposit of the survey plan by the Registrar-General. The condition has now been fulfilled.

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

Dated 7 November 2002.

P. M. KENTISH, Surveyor-General

SOIL CONSERVATION AND LAND CARE ACT 1989

Appointment

I, JOHN DAVID HILL, Minister for Environment and Conservation in the State of South Australia to whom the administration of the Soil Conservation and Land Care Act 1989 has been committed, do hereby appoint the following person as a member of the Marla Oodnadatta Soil Conservation Board, pursuant to section 24 of the Act until 31 October 2004:

Randall Jeff Crozier

Dated 2 November 2002.

J. HILL, Minister for Environment and Conservation

WATER RESOURCES ACT 1997

Water Allocation Plan

I, JOHN HILL, Minister for Environment and Conservation, hereby give notice for the purposes of the Water Allocation Plan for the Musgrave Prescribed Wells Area, prepared pursuant to Part 7, Division 3 of the Water Resources Act 1997, of the 'recent recharge rate of the lens' as set out below:

Quaternary Aquifer	Recent Recharge Rate of the Lens 2003-2004
Bramfield	25
Kappawanta	25
Polda	20
Polda North	18
Polda East	8
Sheringa A	21
Sheringa B	21
Talia	21
Tinline	23
Minor Lenses	19

Dated 29 October 2002.

J. HILL, Minister for Environment and Conservation

WATER RESOURCES ACT 1997

Water Allocation Plan

I, JOHN HILL, Minister for Environment and Conservation, hereby give notice for the purposes of the Water Allocation Plan for the Southern Basins Prescribed Wells Area, prepared pursuant to Part 7, Division 3 of the Water Resources Act 1997, of the 'recent recharge rate of the lens' as set out below:

Quaternary Aquifer	Recent Recharge Rate of the Lens 2003-2004
Coffin Bay A (West)	31
Coffin Bay B (Central)	8
Coffin Bay C (East)	12
Uley Wanilla	16
Wanilla	9
Uley East	28
Uley South	140
Lincoln A, B & C	52
Lincoln D	10
Lincoln D West	10
Minor Lenses	16

Dated 29 October 2002.

J. HILL, Minister for Environment and Conservation



Christmas/New Year Holiday Publishing Information

Last Gazette for 2002 will be Thursday, 19 December 2002

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

First Gazette for 2003 will be Thursday, 9 January 2003

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

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

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governmentgazette@saugov.sa.gov.au

When sending a document via Email please confirm your transmission with a faxed copy, including the date the notice is to be published.

REGULATIONS UNDER THE HARBORS AND NAVIGATION ACT 1993

No. 207 of 2002

At the Executive Council Office at Adelaide, 7 November 2002

PURSUANT to the *Harbors and Navigation Act 1993* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

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

M. J. WRIGHT, Minister for Transport

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of Sched. 4—Restricted Areas—Controls
4. Variation of Sched. 5—Restricted Areas—Delineation

Citation

1. The *Harbors and Navigation Regulations 1994* (see *Gazette* 20 October 1994 p. 987), as varied, are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of Sched. 4—Restricted Areas—Controls

3. Schedule 4 of the principal regulations is varied—

(a) by inserting after item 7 in clause 1(2) the following item:

- 7A. A person must not swim or bathe in the specified waters except for purposes connected with scuba diving or snorkelling.;

(b) by inserting after item 10 in clause 1(2) the following items:

- 10A. A person must not moor a vessel in the specified waters except at a permanent mooring facility established in the waters.

- 10B. A person must not remove or interfere with a wreck or any part of a wreck in the specified waters.;

(c) by inserting after the entry in the table in clause 2 relating to Fisherman Bay the following entry:

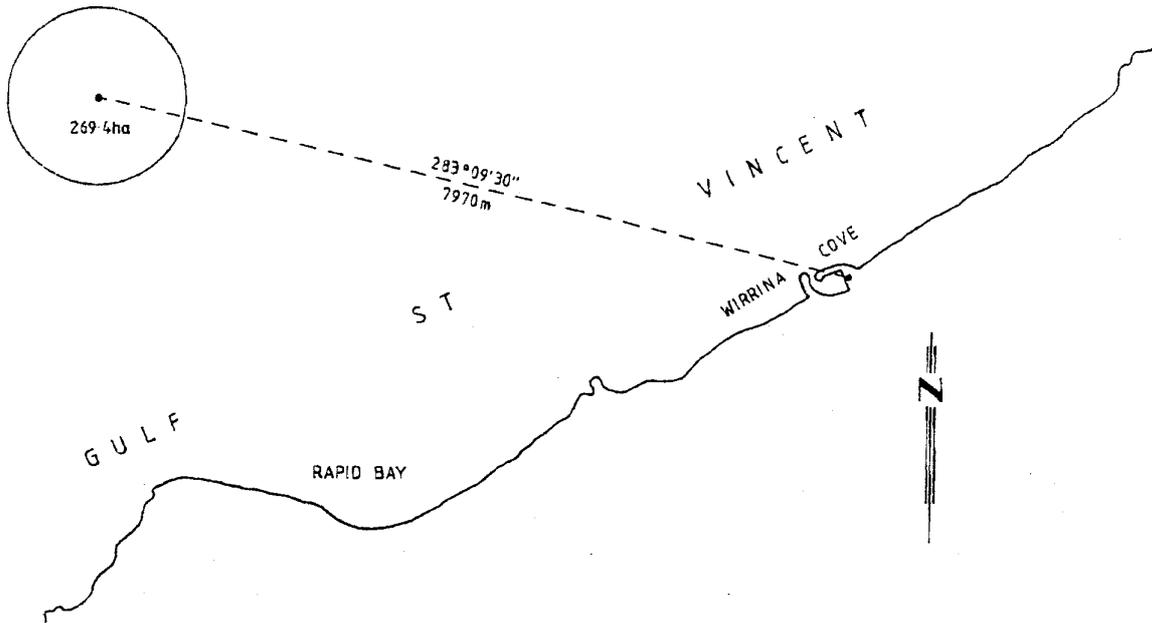
- | | |
|---------------|---------------------------------|
| Fleurieu Reef | Controls 3, 4, 7A, 10A and 10B. |
|---------------|---------------------------------|

Variation of Sched. 5—Restricted Areas—Delineation

4. Schedule 5 of the principal regulations is varied by inserting after the entry relating to Fisherman Bay the following entry:

Fleurieu Reef

The portion of the waters of Gulf St. Vincent off the coast of Wirrina Cove bounded by a circle of radius 0.5 of a nautical mile centred on a point at latitude 35° 28.9' south, longitude 138° 09.5' east.



REGULATIONS UNDER THE FISHERIES ACT 1982

No. 208 of 2002

At the Executive Council Office at Adelaide, 7 November 2002

PURSUANT to the *Fisheries Act 1982* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

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

PAUL HOLLOWAY, Minister for Agriculture, Food and Fisheries

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of Sched. 1—Fishing activities of a prescribed class for the purposes of s. 41 of the Act
4. Variation of Sched. 9—Expiation of offences (reg. 32)

Citation

1. The *Fisheries (General) Regulations 2000* (see *Gazette* 31 August 2000 p. 1235), as varied, are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of Sched. 1—Fishing activities of a prescribed class for the purposes of s. 41 of the Act

3. Schedule 1 of the principal regulations is varied by inserting after clause 122 the following clause:

122A. The taking of fish by any person within 0.5 of a nautical mile from the artificial reef known as the Fleurieu Reef laid near Wirrina Cove, position latitude 35° 28.9'S, longitude 138° 09.5'E.

Variation of Sched. 9—Expiation of offences (reg. 32)

4. Schedule 9 of the principal regulations is varied by inserting after the item relating to clause 122 of Schedule 1 of the principal regulations the following item:

122A *Taking fish near Fleurieu Reef*

\$100

CTSA 2002/10476

R. DENNIS, Clerk of the Council

REGULATIONS UNDER THE PUBLIC CORPORATIONS ACT 1993

No. 209 of 2002

At the Executive Council Office at Adelaide, 7 November 2002

PURSUANT to the *Public Corporations Act 1993* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

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

K. FOLEY, Treasurer

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Variation of reg. 7—Composition of board

Citation

1. The *Public Corporations (Australian Children's Performing Arts Company) Regulations 2001* (see *Gazette* 22 March 2001 p. 1043) are referred to in these regulations as "the principal regulations".

Commencement

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

Variation of reg. 7—Composition of board

3. Regulation 7 of the principal regulations is varied by striking out from subregulation (1) "eight" and substituting "nine".

ASA CAB 013/02

R. DENNIS, Clerk of the Council

REGULATIONS UNDER THE PRICES ACT 1948

No. 210 of 2002

*At the Executive Council Office at Adelaide, 7 November 2002*PURSUANT to the *Prices Act 1948* and with the advice and consent of the Executive Council, I make the following regulations.

MARJORIE JACKSON-NELSON, Governor

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

M. J. ATKINSON, Minister for Consumer Affairs

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Insertion of reg. 5
 5. Prohibition on return of unsold bread

Citation

1. The *Prices Regulations 2001* (see *Gazette* 30 August 2001 p. 3463) are referred to in these regulations as "the principal regulations".

Commencement

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

Insertion of reg. 5

3. The following regulation is inserted after regulation 4 of the principal regulations:

Prohibition on return of unsold bread

5. (1) Subject to subregulation (2), if bread supplied for sale by retail is not sold by retail—

- (a) the supplier of the bread must not take back the bread or cause, suffer or permit another to take back the bread on the supplier's behalf; and
- (b) the retailer of the bread must not return the bread to the supplier or cause, suffer or permit the bread to be returned to the supplier or to be delivered to another on the supplier's behalf,

whether or not financial relief or compensation is directly or indirectly given or received in respect of that bread.

Maximum penalty: \$750.

(2) Subregulation (1) does not apply if the bread is returned because it does not conform to the type or quality for which the retailer contracted with the supplier.

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CITY OF UNLEY

Exclusion of Land from Classification as Community Land

NOTICE is hereby given that in August 2001, the Corporation of the City of Unley resolved pursuant to Section 193 (6) of the Local Government Act 1999 to exclude the following land from classification as community land:

The land situated at 1 Boffa Street, Goodwood, being the land comprised in Certificate of Title 5120/12.

Dated 5 November 2002.

R. J. GREEN, Chief Executive Officer

CITY OF VICTOR HARBOR

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1—Permits and Penalties

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

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

1. *Permits*

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

2. *Penalties*

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

3. *Construction*

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

The foregoing by-law was duly made and passed at a meeting of the City of Victor Harbor held on 28 October 2002 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

G. MAXWELL, City Manager

CITY OF VICTOR HARBOR

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2—Moveable Signs

TO protect visual amenity and public safety on roads and footpaths by setting standards for moveable signs and regulating their placement in a manner which recognises the advertising needs of businesses to maximise economic viability.

1. *Definitions*

In this by-law:

- 1.1 'footpath area' means that part of a street or road between the property boundary of the street or road and the edge of the carriageway on the same side as that boundary;
- 1.2 'moveable sign' has the same meaning as in the Local Government Act 1999;
- 1.3 'authorised person' means a person appointed as an authorised person pursuant to section 260 of the Local Government Act 1999;
- 1.4 'business premises' means the premises from which a business, trade or calling is conducted;
- 1.5 'road' means public streets and public roads.

2. *Construction and design*

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

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

3. *Placement*

A moveable sign shall only be positioned on a public street or road on the footpath area subject to the following conditions. The moveable sign:

- 3.1 must be adjacent to the premises of the business to which it relates;

- 3.2 where there is no kerb to define the footpath, must allow a set back of 400 mm from the edge of the carriageway;
- 3.3 in the case of a flat sign, must be in line with and against the property boundary of the street or road;
- 3.4 must be placed no less than 2 m away from any structure, fixed object, tree, bush or plant (including another moveable sign);
- 3.5 must not, without council's permission, be fixed, tied or chained to or, leaned against any other structure, fixed object, tree, bush or plant (including another moveable sign);
- 3.6 must not be placed on a sealed part of any footpath area, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 m wide;
- 3.7 must not be placed within 1 m of the corner of a street or road;
- 3.8 must not be placed on a landscaped area;
- 3.9 must not be placed on a designated parking area or within 1 m of an entrance to or exit from premises;
- 3.10 must not be placed within 6 m of an intersection;
- 3.11 must not unreasonably restrict the use of the footpath or road or endanger the safety of members of the public.

4. Restrictions

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

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

5. Exemptions

- 5.1 Paragraph 3.1 and paragraph 4.1 do not apply to a moveable sign which is used:
 - 5.1.1 to advertise a garage sale taking place from residential premises;
 - 5.1.2 as a directional sign to an event run by an incorporated association or a charitable body;
 - 5.1.3 with permission.
- 5.2 Paragraphs 4.1 and 4.2 do not apply to a flat sign, the message of which only contains newspaper head-lines and the name of a newspaper.
- 5.3 This by-law does not apply to:
 - 5.3.1 a moveable sign that is placed on a public street or road pursuant to an authorisation under another Act; or
 - 5.3.2 a moveable sign that is designed to direct people to the open inspection of any land or building that is available for purchase or lease; or
 - 5.3.3 a moveable sign that is related to a State or Commonwealth election and is displayed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling days.

6. Removal of unauthorised moveable signs

- 6.1 If a moveable sign has been placed on any public street, road or footpath in contravention of this by-law or of Section 226 of the Local Government Act 1999, an authorised person may direct the owner of the sign to remove the moveable sign from the street, road or footpath.
- 6.2 If the authorised person cannot find the owner, or the owner fails to comply immediately with the order, the authorised person may remove the sign.
- 6.3 If a moveable sign that is removed is not claimed within 30 days of such removal the authorised person may sell, destroy or otherwise dispose of moveable sign as the authorised person thinks fit.
- 6.4 Any person who displays an unauthorised moveable sign or who is the owner of an unauthorised moveable sign which has been removed 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.

7. Removal of authorised moveable sign

- 7.1 A moveable sign must be removed or relocated by the person who placed the moveable sign on a street, road or footpath or the owner of the moveable sign, at the request of an authorised officer if, in the opinion of the authorised person, and notwithstanding compliance with this by-law, there is any hazard or obstruction or there is likely to a hazard or obstruction arising out of the location of the moveable sign.
- 7.2 A moveable sign must be removed or relocated by the person who placed the moveable sign on a street, road or public place or the owner of the sign, at the request of an authorised person if so required by the authorised person for the purpose of special events, parades, road or footpath works or any other circumstances which, in the opinion of the authorised person, requires relocation of the moveable sign.

The foregoing by-law was duly made and passed at a meeting of the City of Victor Harbor held on 28 October 2002 by an absolute majority of the Members for the time being constituting the council, there being at least two-thirds of the members present.

G. MAXWELL, City Manager

CITY OF VICTOR HARBOR

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3—Local Government Land

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

1. Definitions

In this by-law:

- 1.1 'local government land' means land owned by the Council or under the Council's care, control and management;
- 1.2 'foreshore' means the area between the low water mark on the seashore and the nearest boundary of:
 - 1.2.1 a road;
 - 1.2.2 a section;
 - 1.2.3 a public reserve; or
 - 1.2.4 land comprised in a land grant, Crown Land or Crown Licence;
- 1.3 'low water mark' means the lowest meteorological tide;
- 1.4 'liquor' has the same meaning as defined in the Liquor Licensing Act 1997;

- 1.5 'sand dune' and 'coastal slope or cliff' mean the sand dunes, coastal slopes, cliffs and other geomorphological coastal forms under the care, control and management of the Council;
- 1.6 'open container' means a container which:
- 1.6.1 after the contents thereof have been sealed at the time of manufacture and:
- (a) being a bottle, has had its cap, cork or top removed (whether or not it has since been replaced);
- (b) being a can, it has been opened or punctured;
- (c) being a cask, has had its tap placed in a position to allow it to be used;
- (d) 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
- 1.6.2 is a flask, glass or mug or other container used for drinking purposes;
- 1.7 'electoral matter' has the same meaning as in the Electoral Act 1985 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 1.8 'camping' means the occupation of a sleeping bag, tent, vehicle, caravan or other makeshift structure as temporary accommodation, but does not include a situation where a person is resting in a vehicle during a journey;
- 1.9 'authorised person' means a person appointed an authorised person pursuant to section 260 of the Local Government Act 1999;
- 1.10 'public place' means a place (including a place on private land) to which the public has access (except a street or road) but does not include any part of a community parcel divided by a plan of community division under the Community Titles Act 1996;
- 1.11 'park' means community land reserved or delineated as a park or designated by the Council as a park;
- 1.12 'reserve' means community land reserved or dedicated as a reserve or designated by the Council as a reserve.
2. *Activities requiring permission*
- No person shall without permission on any local government land:
- 2.1 *Vehicles generally*
- 2.1.1 being the driver of a vehicle, fail to obey the indications given by any sign erected by or with the authority of the Council, for regulating traffic or indicating the direction or route to be followed by traffic on that land;
- 2.1.2 drive or propel a vehicle where the Council has excluded vehicles generally or of that class, pursuant to section 359 of the Local Government Act 1934;
- 2.2 *Vehicles on parks etc.*
- 2.2.1 drive, park or propel a motor vehicle unless on an area or road constructed or set aside by the Council for the parking or travelling of motor vehicles;
- 2.2.2 except on a properly constructed area for the purpose, promote, organise or take part in any race, test or trial of any kind in which motor vehicles, motor cycles, motor scooters, or bicycles take part;
- 2.3 *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;
- 2.4 *Entertaining*
- sing, busk or play a musical instrument for the purpose of, or so as to appear to be for the purpose of entertaining others whether or not receiving money;
- 2.5 *Preaching*
- preach or harangue;
- 2.6 *Horses, cattle etc.*
- ride, lead or drive any horse, cattle, sheep and other like animal except where the Council has set aside a track or other area for use by or in connection with the animal of that kind;
- 2.7 *Donations*
- ask for or receive or indicate that he or she desires a donation of money or any other valuable item or thing;
- 2.8 *Amplification*
- use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound;
- 2.9 *Distributing*
- give out or distribute to any bystander or passer-by any handbill, book, notice, or other printed matter, provided that this restriction shall not apply to any handbill or leaflet given out or distributed by or with the authority of a candidate during the course of a Federal, State or Local Government Election or to a handbill or leaflet given out or distributed during the course and for the purpose of a Referendum;
- 2.10 *Handbills on Cars*
- place or put on any vehicle any handbill, advertisement, notice or printed matter except for any electoral matter posted on a vehicle with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum;
- 2.11 *Canvassing*
- convey any advertising, religious or other message to any bystander, passer-by or person;
- 2.12 *Advertising*
- display any sign for the purpose of commercial advertising, other than a moveable sign which is displayed in accordance with Council's moveable sign by-law;
- 2.13 *Fires*
- light any fires except:
- 2.13.1 in a place provided by the Council for that purpose; or
- 2.13.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material; and
- 2.13.3 in accordance with the provision of the Country Fires Act 1989;
- 2.14 *Fireworks*
- ignite, discharge or use any fireworks thereon;
- 2.15 *Attachments to trees*
- attach, hang or fix any rug, blanket, sheet, rope or other material to any tree, shrub, plant, tree guard, notice board, seat, fence, post or other item or structure which is the property of the Council except for any electoral matter posted on a structure with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum;
- 2.16 *Overhanging articles*
- suspend or hang any article or thing from any building, verandah, pergola, post or other structure where it might present a nuisance or danger to any person using local government land;

2.17 *Removing soil*

carry away or remove any soil, sand, timber, stones, pebbles, other organic or inorganic materials or any part of the land;

2.18 *Picking fruit*

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

2.19 *Flora and fauna*

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

2.19.1 damage, pick, or interfere with any plant or flower thereon; or

2.19.2 tease, or cause harm to any animal, bird or marine creature;

2.20 *Games*

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

2.20.2 fly any model aircraft or operate any power model boat from or on any local government land;

2.21 *Athletic and ball sports*

2.21.1 promote, organise or take part in any organised athletic sport;

2.21.2 play any organised competition sport, as distinct from organised social play;

2.21.3 play or practice the game of golf;

2.22 *No liquor*

2.22.1 consume, carry or be in possession or charge of any liquor between the hours of 9 p.m. on any day and 9 a.m. on the day immediately following (provided the land constitutes a park or reserve) save and except on premises in respect of which a licence is in force pursuant to the Liquor Licensing Act 1997;

2.22.2 excepting sealed containers, consume, carry, be in possession or charge of any liquor in an open container between the hours of 9 p.m. on any day and 9 a.m. on the day immediately following (provided the land constitutes a park or reserve) save and except on premises in respect of which a licence is in force pursuant to the Liquor Licensing Act 1997;

2.23 *Weddings*

conduct or participate in a marriage ceremony;

2.24 *Encroachment*

erect or place any fencing, posts or other structures or any other items or substance such as to encroach onto the land;

2.25 *Closed lands*

enter or remain on any part of local government land:

2.25.1 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;

2.25.2 where land is enclosed with fences and/or walls, and gates, at any time when the gates have been closed and locked; or

2.25.3 where admission charges are payable, to enter without paying those charges;

2.26 *Rubbish and rubbish dumps*

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

2.26.2 remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a Council rubbish bin on local government land;

2.27 *Cemeteries*

comprising a cemetery:

2.27.1 bury or inter any human or animal remains;

2.27.2 erect any memorial;

2.27.3 drive or propel any vehicle except on paths or roads constructed and set aside for that purpose and in compliance with any signs that have been erected;

2.28 *Camping and tents*

camp or stay overnight or erect any tent, booth, marquee or other structure (except entities authorised to do so under section 209 of the Act);

2.29 *Smoking*

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

2.30 *Toilets*

in any public convenience:

2.30.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;

2.30.2 smoke tobacco or any other substance;

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

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

2.30.5 enter any toilet that is set aside for use of the opposite sex except where:

(a) a child under the age of five years accompanied by an adult person of that other sex; and/or

(b) to provide assistance to a disabled person;

2.31 *Swimming and aquatic activity*

enter, swim or engage in any aquatic activity in or on any body of water except:

2.31.1 a body of water that the Council has set aside for that purpose; or

2.31.2 in an area where a nearby sign states that such activity is allowed and, in accordance with any conditions stated in the sign;

2.32 *Mooring*

2.32.1 moor any boat, house boat, raft or other water craft on or to local government land or in any area that the Council has not set aside for the mooring of any boat, raft or other water craft; or

2.32.2 obstruct any boat, raft or other water craft or any mooring place, or any access to any boat, raft, object (either floating or sunk) whether that access is by water or by land;

2.33 *Use of boats and boat ramps*

2.33.1 use or launch a boat or other object in any body of water except:

(a) a body of water that the Council has set aside for that purpose; or

- (b) in an area where a nearby sign states that such activity is allowed and, in accordance with any conditions stated in the sign;
- 2.33.2 launch or retrieve a boat other than from a boat ramp constructed for that purpose;
- 2.33.3 allow any vehicle to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat;
- 2.33.4 drive or propel any vehicle on such a ramp or thoroughfare at a speed greater than 25 km/h;
- 2.33.5 hire out a boat on or from any part of a body of water;
- 2.34 *Foreshore*
- 2.34.1 drive or propel a vehicle onto, from or along the foreshore other than by a ramp or thoroughfare constructed or provided by the council for that purpose and for a purpose designated or approved by Council;
- 2.34.2 launch or retrieve a boat other than from a boat ramp constructed for that purpose;
- 2.34.3 allow any vehicle to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat;
- 2.34.4 drive or propel any vehicle on such a ramp or thoroughfare or elsewhere on the foreshore at a speed greater than 25 km/h;
- 2.34.5 hire out a boat on or from any part of the foreshore;
- 2.34.6 ride, lead or drive any horse, cattle, sheep and other like animal on the foreshore except where the council has set aside a track or other area for use by or in connection with the animal of that kind.

3. *Posting of bills etc.*

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

4. *Prohibited activities*

No person shall on local government land:

4.1 *Use of equipment*

use any item of equipment and/or facilities or other Council property:

- 4.1.1 other than in the manner and for the purpose for which it was designed or set aside; and
- 4.1.2 where any nearby sign states the conditions of use, except in accordance with such conditions;

4.2 *Annoyances*

- 4.2.1 annoy, commit any nuisance or unreasonably interfere with any other person's use of local government land by making a noise or by creating a disturbance that has not been authorised by the Council;
- 4.2.2 spit, urinate or defecate other than in toilets provided on any local government land;

4.3 *Interference with permitted use*

interrupt or disrupt or interfere with any person's use of parks or reserves for which permission has been granted;

4.4 *Obstruction*

- obstruct:
- 4.4.1 any path in or on any local government land;
- 4.4.2 any door entrance stairway or aisle in any building in or on any local government land; or
- 4.4.3 any gate or entrance to, in or on local government land;

4.5 *Interference with land*

- 4.5.1 interfere with the land such as levelling or flattening sand hills, planting grass, lawn or other vegetation, paving the land, or otherwise use the land in a manner contrary to the purpose for which the land was designed to be used; or
- 4.5.2 destroy, damage or deface or cause or permit to be destroyed, damaged or defaced any article, structure, building or thing fixed to local government land;

4.6 *Defacing land*

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

4.7 *Sand dunes*

- 4.7.1 use a sand board or other item to slide down a sand dune, coastal slope or cliff;
- 4.7.2 destabilise sand on a sand dune, coastal slope or cliff so as to cause it to unnecessarily mass waste down slope;
- 4.7.3 ride a horse within the sand dunes or on a coastal slope at locations other than permitted by the Council;
- 4.7.4 destroy, remove or cause interference to live or dead vegetation within a sand dune, coastal slope or coastal cliff;
- 4.7.5 light or cause to be lit or permit to remain alight any fire within a sand dune or on a coastal slope or coastal cliff;
- 4.7.6 ride or operate a bicycle, motorcycle, vehicle or other mechanised apparatus in the sand dunes or on a coastal slope without the written prior approval of the Chief Executive Officer, who may provide approval upon such terms and conditions and at such times and places as he or she thinks proper;
- 4.7.7 introduce non-indigenous flora and fauna or dump any material in the sand dunes or down coastal slopes or coastal cliffs;
- 4.7.8 carry out other activity which may threaten the integrity of sand dunes, coastal slopes and cliffs in the area;

4.8 *Missiles*

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

4.9 *Glass*

wilfully break any glass, china or other brittle material.

5. *Removal of encroachment or interference*

Any person who encroaches onto or interferes with local government land contrary to this by-law must at the request in writing of an authorised person, cease the encroachment or interference and remove the source of the encroachment or interference, and reinstate the land to the same standard as the state of the land prior to the encroachment or interference.

6. *Council may do work*

If a person fails to remove an encroachment or interference on local government land in accordance with a request of an authorised officer pursuant to Clause 5 of this by-law, then the Council may:

- 6.1 undertake the work itself; and
- 6.2 recover the cost of doing so from that person.

7. *Directions*

Any person on local government land must comply with any reasonable direction or request from an authorised person relating to:

- 7.1 that person's use of the land;

- 7.2 that person's conduct and behaviour on the land;
- 7.3 that person's safety on the land;
- 7.4 the safety and enjoyment of the land by other persons.

8. *Removal of animals and persons*

- 8.1 If any animal is found on local government land in breach of a by-law:
 - 8.1.1 any person in charge of the animal shall remove it on the request of an authorised person; and
 - 8.1.2 an authorised person may remove the animal if a person fails to comply with the request, or if no person is in charge of the animal.
- 8.2 An authorised person may direct any person found committing a breach of these by-laws to cease the action or to take specified action to remedy the breach.

9. *Exemptions*

- 9.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor or volunteer while performing work for the Council and while acting under the supervision of a Council Officer, or to the drivers of Emergency Vehicles (as defined in the Road Traffic (Road Rules—Ancillary & Miscellaneous Provisions) Regulations 1999 and the Australian Road Rules 1999) while driving that vehicle in relation to an emergency.
- 9.2 Paragraphs 2.21 and 2.31 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with section 246 (3) (e) of the Local Government Act 1999.

The foregoing by-law was duly made and passed at a meeting of the City of Victor Harbor held on 28 October 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

G. MAXWELL, City Manager

CITY OF VICTOR HARBOR

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4—Roads

FOR the management, control and regulation of activities on roads.

1. *Definitions*

In this by-law:

- 1.1 'road' has the same meaning as in the Local Government Act 1999;
- 1.2 'authorised person' means a person appointed an authorised person pursuant to section 260 of the Local Government Act 1999;
- 1.3 'electoral matter' has the same meaning as in the Electoral Act 1995 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 1.4 'camping' means the occupation of a sleeping bag, tent, vehicle, caravan or other makeshift structure as temporary accommodation, but does not include a situation where a person is resting in a vehicle during a journey.

2. *Activities requiring permission*

No person shall without permission on any road:

- 2.1 *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 break-down;
- 2.2 *Preaching*
preach or harangue;

2.3 *Horses, cattle etc.*

- 2.3.1 ride, lead or drive any horse, cattle, sheep and other like animal, except where the Council has set aside a track or other area for use by or in connection with the animal of that kind;
- 2.3.2 stand, draw up or allow to remain stationary any horse, cattle, sheep and other like animal whether attached to a vehicle or not;

2.4 *Donations*

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

2.5 *Amplification*

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

2.6 *Canvassing*

convey any advertising, religious or other message to any bystander, passer-by or other person;

2.7 *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 Council's moveable signs by-law.

2.8 *Camping*

camp or remain overnight;

2.9 *Exhibition or Display*

conduct any public exhibition or display.

3. *Posting of bills etc.*

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

4. *Removal of animals and persons*

- 4.1 If any animal is found on a road in breach of a by-law:
 - 4.1.1 any person in charge of the animal shall remove it on the request of an authorised person; and
 - 4.1.2 an authorised person may remove the animal if a person fails to comply with the request, or if no person is in charge of the animal.
- 4.2 an authorised person may direct any person found committing a breach of these by-laws to cease the action or to take specified action to remedy the breach.

5. *Exemptions*

- 5.1 The Restrictions in this by-law do not apply to any Police Officer, Council officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council officer, or to the driver of an emergency vehicle (within the meaning of the Australian Road Rules 1999 and the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999) while driving that vehicle in relation to an emergency.
- 5.2 Paragraph 2.3 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with section 246 (3) (e) of the Local Government Act 1999.

The foregoing by-law was duly made and passed at a meeting of the City of Victor Harbor held on 28 October 2002 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

G. MAXWELL, City Manager

CITY OF VICTOR HARBOR

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

By-law No. 5—Dogs

TO limit the number of dogs kept in premises and to provide for the control of dogs on local government land.

1. *Definitions*

In this by-law:

- 1.1 'dog' means a dog of the age of three months or older;
- 1.2 'small dwelling' means the premises of a self-contained dwelling either:
 - 1.2.1 commonly known as a flat, service flat, home unit or the like; or
 - 1.2.2 on an allotment less than 560 m² in area.
- 1.3 'public place' means all streets, roads, parklands, reserves, open space and all other land in the ownership of the council or under the care, control and management of the council;
- 1.4 'approved kennel establishment' means a building, structure or area approved by the relevant authority, pursuant to the Development Act 1993, for the keeping of dogs on a temporary or permanent basis.
- 1.5 'foreshore' means the area between the low water mark on the seashore and the nearest boundary of:
 - 1.5.1 a road;
 - 1.5.2 a section;
 - 1.5.3 a public reserve; or
 - 1.5.4 land comprised in a land grant, Crown Land or Crown Licence;
 - 1.5.5 'low water mark' means the lowest meteorological tide;
 - 1.5.6 'the Council' means the City of Victor Harbor.

2. *Limit on dog numbers*

- 2.1 The limit on the number of dogs kept:
 - 2.1.1 in a small dwelling, shall be one dog; and
 - 2.1.2 on premises other than a small dwelling, shall be two dogs.
- 2.2 A person must not without council permission keep any dog on any premises where the number of dogs being kept on those premises exceeds the limit unless the premises are an approved kennel establishment.

3. *Dogs to be on a leash in a public place*

No person shall in a public place cause, suffer or permit any dog (except guide dogs guiding a person who is wholly or partially blind, or wholly or partially deaf), under that person's control, charge or authority to be or remain in that place unless such dog is restrained by a strong leash not exceeding 2 m in length and either tethered securely to a fixed object or held by a person capable of controlling the dog and preventing it from being a nuisance or danger to other persons.

4. *Exempt public places*

Paragraph 3 does not apply to a public place or part of a public place which the council has, by resolution, declared to be exempt from the operation of this by-law.

5. *Dog free areas*

No person shall in any public place to which this paragraph applies, cause, suffer or permit any dog (except guide dogs in training or a guide dog guiding a person who is wholly or partially blind, or wholly or partially deaf) under that person's control, charge or authority to be in, or remain in that public place.

6. *Dogs on foreshore*

To which this paragraph applies, between the hours of 10 a.m. and 8 p.m. on any day during the period of daylight saving cause, suffer or permit any dog under that person's control, charge or authority to be or remain on the foreshore unless such dog is restrained by a strong leash not exceeding 2 m in length and either tethered securely to a fixed object or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons;

7. *Signs*

Signs shall be erected to denote the land to which clause 6 applies, and information shall be provided to the public in a manner determined by the Council's Chief Executive Officer to inform the public about such land.

8. *Application of paragraphs*

Any of the paragraphs 3, 4, 5 or 6 of this by-law shall apply only in such portion or portions of the area as the council may determine from time to time (in accordance with section 246 (3) (e) of the Local Government Act 1999).

The foregoing by-law was duly made and passed at a meeting of the City of Victor Harbor held on 28 October 2002 by an absolute majority of the Members for the time being constituting the council, there being at least two-thirds of the members present.

G. MAXWELL, City Manager

CITY OF VICTOR HARBOR

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 6—Vehicles Kept Or Let For Hire

TO provide for the licensing of vehicles that are used to ply for hire and the drivers of such vehicles for the convenience and safety of the inhabitants.

1. *Definitions*

In this by-law:

- 1.1 unless the context otherwise requires or some other meaning is clearly indicated, words and phrases shall have the same meaning respectively as they have in the Local Government Act 1934, as amended, Local Government Act 1999 and the Road Traffic Act 1961;
- 1.2 'authorised officer' means a person appointed as such by the Council and any member of the South Australian Police Force;
- 1.3 'driver's licence' has the same meaning as in the Road Traffic Act 1961;
- 1.4 'flag fall' means the amount of the fare recorded by a taxi meter immediately upon it being set in motion at the commencement of hiring;
- 1.5 'hire car' means any vehicle capable of seating not more than 8 persons in which a taxi meter is not installed;
- 1.6 'licensee' means the holder of a licence in respect of a licensed vehicle;
- 1.7 'licensed vehicle' means a licensed hire-car or taxi-cab which is:
 - 1.7.1 used for the purpose of plying for hire; or
 - 1.7.2 kept or let or used for hire either for the conveyance of passengers or goods;
- 1.8 'plying or letting for hire' means that a person shall be deemed to ply or let for hire a licensed vehicle when that person:
 - 1.8.1 drives it in a street while the taxi cab sign thereon displays the word 'vacant';

- 1.8.2 carries any passenger therein for hire;
- 1.8.3 drives it or places it on a taxi zone;
- 1.8.4 drives it to any place to pick up passengers to be carried for hire, or to any taxi zone or depot upon the completion of the journey for hire; or
- 1.8.5 causes or permits any other person to do any of the acts mentioned herein;
- 1.9 'sign' or 'taxi cab sign' means a sign that is placed on a licensed vehicle;
- 1.10 'taxi cab' means any vehicle capable of seating no more than 8 persons in which a taxi meter is installed;
- 1.11 'taxi cab licence' means a licence for the operation of a vehicle as a taxi cab;
- 1.12 'taxi meter' means a mechanical, electrical or electronic instrument or device approved by the Council which calculates the charge for hire of a vehicle for distance travelled, and waiting time, and upon which the charge is progressively displayed;
- 1.13 'taxi driver's licence' means a licence permitting the holder to ply for or let his licensed vehicle;
- 1.14 'taxi zones' means those areas designated as such by the Council.
- 2. Taxi cab and hire car licences**
- 2.1 The Council shall determine the maximum number of taxi cab and hire car licences that may be issued at any one time.
- 2.2 The Council shall not issue a licence in respect of a vehicle that is more than 5 years old other than by a special endorsement of approval of Council.
- 2.3 Every application for a licence or a renewal of licence shall be in the form approved by the Council and shall be accompanied by the prescribed fee.
- 2.4 The Council, on consideration of an application for a renewal of a licence, shall be satisfied that:
- 2.4.1 the applicant is a fit and proper person to be the holder of a licence and is at least 17 years of age; and
- 2.4.2 the vehicle complies with the requirements of road worthiness in accordance with the Road Traffic Act 1961 and any other requirements it determines;
- 2.5 The Council may subsequently:
- 2.5.1 grant the licence;
- 2.5.2 grant the licence on such terms and conditions as it deems necessary and as are endorsed thereon; or
- 2.5.3 refuse the licence and give reasons for so doing.
- 2.6 A licence shall relate to one vehicle only and shall be in the form approved by Council.
- 2.7 Each licence shall be numbered and such number shall be clearly displayed on the front and rear of the vehicle.
- 2.8 Council may issue a temporary licence to operate another vehicle as a substitute upon such conditions and for such period as it deems fit and Council may authorise the transfer of signs from the licensed vehicle to the substitute vehicle for the defined period.
- 2.9 Every licence shall expire on the 30th June next occurring.
- 2.10 Every licence shall specify the maximum number of passengers that may be carried.
- 3. Prohibition on plying for hire**
- 3.1 No vehicle whatsoever shall be used in plying for hire for the conveyance of passengers within the Council area unless such motor vehicle has first been licensed by Council to carry passengers as a taxi cab or hire car, as the case may be.
- 3.2 No taxi cab or hire car shall be used in plying for hire for the conveyance of passengers within the Council area except in accordance with the licence applicable to such taxi cab or hire car and the conditions attached thereto.
- 4. Taxi drivers' licences**
- 4.1 An application for a taxi driver's licence (or for the renewal of a taxi driver's licence) shall:
- 4.1.1 be in the prescribed form;
- 4.1.2 be made in writing and signed by the applicant;
- 4.1.3 be accompanied by the prescribed fee; and
- 4.1.4 if required, permit the Council access to records held by the South Australian Police Commissioner.
- 4.2 Before granting a licence the Council shall be satisfied that the applicant:
- 4.2.1 is the holder of a driver's licence in accordance with the Motor Vehicles Act 1959;
- 4.2.2 is a fit and proper person of good repute;
- 4.2.3 is at least 17 years of age;
- 4.2.4 is aware of his or her duties and responsibilities as a taxi driver; and
- 4.2.5 has a knowledge of the streets within the Council area sufficient for his work as a taxi driver.
- 4.3 On receipt of an application, Council may:
- 4.3.1 grant the licence;
- 4.3.2 grant the licence under such terms and conditions as it deems necessary (and such terms and conditions shall be endorsed thereon); or
- 4.3.3 refuse the licence and give reasons for so doing.
- 4.4 Only a person holding a taxi driver's licence shall drive a licensed vehicle whilst the same is being used to ply for hire.
- 4.5 A licensee shall not cause or permit any unlicensed person to act as the driver of any licensed vehicle whilst the same is being used to ply for hire.
- 4.6 No person shall act as a taxi driver unless licensed to do so.
- 5. Powers and duties of authorised officers**
- An authorised officer:
- 5.1 May require the driver of any licensed vehicle to stop.
- 5.2 May direct the driver of any licensed vehicle to forthwith produce any licence, certificate, identification or other document which he or she is required to keep or maintain.
- 5.3 May question the driver of any licensed vehicle as to:
- 5.3.1 his or her name and address;
- 5.3.2 the name and address of the owner of the licensed vehicle;
- 5.3.3 the journeys taken by the licensed vehicle;
- 5.3.4 the number of passengers carried;
- 5.3.5 the signs displayed on the licensed vehicle;
- 5.3.6 the use and operation of the licensed vehicle generally.
- 5.4 May enter and inspect any licensed vehicle.
- 5.5 May inspect any taxi meter of any taxi cab and direct that such taxi cab be submitted for testing and resealing of the taxi meter.
- 5.6 Shall report all offences against this by-law to Council.
- In this paragraph, 'licensed vehicle' includes any vehicle which the authorised officer suspects on reasonable grounds as being driven for the purpose of carrying passengers for hire or reward though not licensed to do so.

6. *Inspection of taxi cabs and hire cars*

- 6.1 Every applicant, or his or her agent, for a taxi cab or hire car licence shall present the vehicle the subject of an application for examination prior to the issue of the licence to such place as the authorised officer shall determine.
- 6.2 An authorised officer may at any time direct a licensee to present his licensed vehicle or cause his licensed vehicle to be presented for an inspection at such time and place as the authorised officer directs.
- 6.3 If, upon inspection by an authorised officer, a licensed vehicle is found to be unfit for use by the public or that the fittings, mechanism, body, furnishings or seat accommodation is insufficient or is defective, or that the body work has become unsightly because of dents or worn paintwork or any other cause, the Council may cancel or suspend the licence of such vehicle for such period as it may determine or until such vehicle complies with any reasonable direction of the Council.

7. *Taxi meters*

- 7.1 Every licensed taxi cab shall be fitted with a taxi meter approved by Council which shall be located in the front portion of the vehicle interior so as to be clearly visible to any person in the vehicle.
- 7.2 Every taxi meter shall be adjusted so as to register flag fall fares as prescribed by Council.
- 7.3 Every taxi meter shall be approved and sealed by an authorised officer.
- 7.4 A person shall not ply for hire with a taxi cab if the seal on the taxi meter is broken or hidden from view.
- 7.5 Where a taxi meter becomes defective, the holder of the taxi cab licence shall immediately prevent the vehicle from plying for hire and notify an authorised officer and such taxi cab shall not ply for hire until the taxi meter has been repaired and the authorised officer has checked and resealed it.
- 7.6 No person shall cause or permit a taxi meter affixed to a taxi cab to be interfered with so as to prevent the proper and efficient function of the taxi meter.
- 7.7 If any wheels are attached to a taxi cab in substitution for the wheels which were attached thereto at the time that the taxi meter was tested and sealed, the taxi cab may not be used to ply for hire until the taxi meter has again been checked and resealed.

8. *Conduct of taxi drivers*

A taxi driver shall:

- 8.1 within 7 days after change of his or her place of residence, give written notice to the Council of his or her new address;
- 8.2 obtain a printed copy of this by-law;
- 8.3 at all times when he or she is in charge of a licensed vehicle, carry with him or her his or her taxi driver's licence and a copy of this by-law;
- 8.4 at all times comply with the requirements of the Road Traffic Act 1961 and the regulations pursuant thereto;
- 8.5 present himself or herself in a clean and well groomed manner wearing appropriate footwear (which excludes sandals, thongs and the like);
- 8.6 when required, assist each passenger entering or leaving the licensed vehicle by opening and closing the door or doors from the outside;
- 8.7 assist with the loading and unloading of passengers' luggage;
- 8.8 answer truthfully any questions by a passenger regarding this by-law and fares chargeable thereunder;
- 8.9 keep his or her licensed vehicle clean and tidy both inside and out;
- 8.10 if requested to do so provide the person paying for the hiring of a licensed vehicle with a receipt for such payment clearly stating the name of the licensee, the name of the driver and the item for which a charge is made, the total amount of payment and the date of the payment;

A taxi driver shall not:

- 8.11 leave a licensed vehicle for the purpose of soliciting persons to hire the vehicle;
- 8.12 wrongfully or forcibly prevent the driver of another licensed vehicle from obtaining a hiring;
- 8.13 sleep or eat food in the licensed vehicle whilst he or she is plying or letting that vehicle for hire;
- 8.14 whilst carrying passengers, smoke without their consent;
- 8.15 consume any alcohol whilst plying or letting for hire;
- 8.16 carry or permit to be carried any petrol or other fuel in the licensed vehicle other than in its fuel tank;
- 8.17 leave his or her taxi cab unattended for the purpose of carrying out any private business not connected with his or her duty as a taxi cab driver (unless the taxi cab is clearly displaying the 'not for hire' sign during the whole of that time);
- 8.18 cause his or her taxi cab to stand on any approved taxi zone, if the zone is already occupied by the approved number of taxi cabs for that zone.

9. *Conduct of passengers*

- 9.1 Unless it has been otherwise agreed, a person who has hired a licensed vehicle and has been carried therein as a passenger shall forthwith pay the legal fare to the licensed driver on the termination of the hiring.
- 9.2 If two or more passengers have been carried in the taxi cab, any passenger to whom the demand is made shall, unless otherwise agreed, pay the legal fare on the demand by the licensed driver on the termination of the hiring.
- 9.3 A person who has hired or used a licensed vehicle and refuses to pay the legal fare shall, upon request, give his or her true name and address to the licensed driver and to any authorised officer.
- 9.4 Where a dispute arises between the licensed driver and a person who has hired a taxi cab, the hirer shall upon request give his or her true name and address to the licensed driver and the licensed driver shall upon request give his or her true name and address to the hirer.
- 9.5 Subject to any Federal or State discrimination legislation to the contrary, no person suffering from any infectious or contagious disease shall ride in a licensed vehicle.
- 9.6 Subject to any Federal or State discrimination legislation to the contrary, no person shall cause or permit a person suffering from any infectious or contagious disease to ride in a licensed vehicle.
- 9.7 If the driver of a licensed vehicle becomes aware that any person in the vehicle is suffering from an infectious or contagious disease he or she shall immediately upon the termination of the journey, give notice of that fact to the holder of the taxi cab or hire car licence, who upon becoming aware of such situation, shall immediately report such fact to the Council and shall cause such vehicle to be cleaned and thoroughly disinfected and shall not use the vehicle for the carriage of passengers until it has been so cleaned and disinfected to the satisfaction of the Council.

10. General

- 10.1 A licensee shall not transfer his or her licence to any other person but may, with the approval of the Council, transfer the licence to another vehicle which meets the requirements of a taxi cab or hire car as the case may be.
- 10.2 The Council may cancel or suspend for such period as it deems fit any taxi driver's licence at any time during the currency thereof if it is satisfied:
- 10.2.1 that the holder of such licence is not a fit and proper person to be the holder of a licence;
- 10.2.2 that the holder of such licence is not capable of passing a driving test to the satisfaction of the Council; or
- 10.2.3 that the holder of such licence is no longer eligible to be granted a licence.
- 10.3 Before cancelling or suspending a licence pursuant to paragraph 10.2, the licensed driver shall be given the opportunity to state why such licence should not be cancelled or suspended.
- 10.4 The Council may cancel, or suspend for such periods as it sees fit, any taxi cab or hire car licence at any time during the currency thereof if it is satisfied that the licensee is:
- 10.4.1 not a fit and proper person to be the holder of a taxi cab or hire car licence;
- 10.4.2 not maintaining an adequate and satisfactory service to the public; or
- 10.4.3 no longer eligible to be granted a taxi cab or hire car licence.
- 10.5 Before cancelling or suspending a licence pursuant to paragraph 10.4, the holder of a taxi cab or hire car licence shall be given the opportunity to state why such licence should not be cancelled or suspended.
- 10.6 Every taxi cab shall have an illuminated sign affixed to the roof thereof which shall display the words:
- 10.6.1 'taxi'; and
- 10.6.2 'vacant' or 'not for hire', as the case may be, or such other signs as may be approved in writing by the Council.
- 10.7 Council may direct a licensee to remove from his licensed vehicle signs, words, figures, letters, plates, crests or designs which are distasteful or are not permitted to be displayed by this or any other by-law or regulation.
- 10.8 A taxi cab driver, whilst seeking hire by hail, shall not drive his taxi cab or station so as to interfere with the orderly movement of people or traffic.
- 10.9 Subject to any Federal or State discrimination legislation to the contrary, a licensed driver shall not be obliged to carry any person:
- 10.9.1 who is intoxicated;
- 10.9.2 when he or she has reasonable cause to believe that the hiring fee will not be paid; or
- 10.9.3 who he or she has reasonable cause to believe may be carried for illegal purposes.
- 10.10 The driver of a licensed vehicle may refuse to carry any animal, bird or reptile except a guide dog for the blind.
- 10.11 Unless the hirer otherwise requests, a licensed driver shall proceed along the shortest practical route to the place specified by the hirer and shall punctually carry out any direction of the hirer.
- 10.12 The driver of a taxi cab shall at any time at the direction of the licensed driver deliver him or her to any place within a 10 km radius of the Victor Harbor Post Office at the metered charge and he or she shall retain the right to discharge the taxi cab at any time.
- 10.13 Where the taxi cab is hired for a distance in excess of a 10 km radius of the Victor Harbor Post Office the fare charged may be subject to negotiation between the taxi cab driver and the hirer.
- 10.14 When requested by the hirer, a licensed driver shall be obliged to wait for a period not exceeding 15 minutes and the hirer shall pay waiting time in accordance with the prescribed fee.
- 10.15 No person shall use threatening, abusive or offensive language or cause bodily harm to any authorised officer who is carrying out his or her duties.
- 10.16 Except with the approval of the hirer, a licensed driver shall not permit any other person to be carried in the licensed vehicle during the hiring thereof.
- 10.17 The driver of a taxi cab may ply for hire by hail in any street or public place or on any taxi zone provided that:
- 10.17.1 he or she shall approach the taxi zone in an orderly manner and upon entering the zone take his place thereon in order of priority of his or her approach thereto; and
- 10.17.2 he or she shall not leave his or her taxi cab unattended on any taxi zone.
- 10.18 The driver of a hire car shall not ply for hire by hail in any street or public place or on any taxi zone.
- 10.19 In addition to the licensee displaying relevant taxi signs on the taxi cab, the licensee may display signs on the vehicle for the purpose of advertising goods and services provided that:
- 10.19.1 he or she restricts such advertising to no more than 10% of the exterior body work of the vehicle;
- 10.19.2 the advertising is restricted to the rear and front of the vehicle and rear bumper bar; and
- 10.19.3 no advertisements shall be displayed on or restrict the view from any window on such vehicle.
- 10.20 The owner and driver of a hire car shall not permit the display of any sign or advertisement, including any sign identifying the vehicle as a hire car or identifying the owner and his or her telephone number, on the hire car.
- 10.21 When a licensed vehicle is involved in an accident the licensee shall:
- 10.21.1 within one working day report in the prescribed form such accident to the Council;
- 10.21.2 when the vehicle is damaged, whether in an accident or otherwise, so that the chassis or the body work thereof or licensing plates require repairs or replacement, not ply for hire until all necessary repairs and replacements have been completed to the satisfaction of the Council.
- 10.22 Any lost property found in a licensed vehicle shall be dealt with as follows:
- 10.22.1 Any property found in a licensed vehicle shall be returned to the owner thereof by the said driver within 24 hours of finding or receiving the property or if the owner cannot be found within the said time, he or she shall deposit the said property at the Council office within 2 working days of the finding or receiving thereof.
- 10.22.2 The Council, upon receiving such property, shall make a record thereof in a register to be kept for that purpose. The property shall be delivered to any person who proves ownership thereto to the satisfaction of the Council.
- 10.22.3 If the aforementioned property is of a perishable nature the Council may, at its discretion, return such property to the person who delivered it or if the property becomes offensive may cause it to be destroyed.

10.22.4 If the aforementioned property is not claimed by the owner or the finder within one month of being deposited with the Council, the Council may sell the property by auction or tender under such terms and conditions as it sees fit, provided that the Council may, at its discretion otherwise dispose of any property which it considers to be of insufficient value to be auctioned or tendered for as aforesaid.

10.22.5 The proceeds of the disposal of the property shall be applied firstly towards the payment of expenses associated with the disposal of the property and secondly to the general funds of the Council.

The foregoing by-law was duly made and passed at a meeting of the City of Victor Harbor held on 28 October 2002 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

G. MAXWELL, City Manager

CITY OF VICTOR HARBOR

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 7—Nuisances Caused By Building Sites

TO prevent and suppress certain kinds of nuisance caused by rubbish escaping from land on which building work is being undertaken.

1. Definitions

- 1.1 'building work' has the same meaning as in the Development Act 1993.
- 1.2 'authorised person' means a person appointed an authorized person pursuant to section 260 of the Local Government Act 1999.

2. No unauthorized discharge

- 2.1 The person in charge of building work on land shall take whatsoever steps necessary to ensure that all paper, plastic, or other building materials (not including soil, sand or stones) on the land associated with the building work is secure so that the same does not blow from the land in a wind.
- 2.2 The means of containing rubbish shall be a recognized rubbish receptacle of sufficient capacity to meet the rubbish disposal needs of the building site.
- 2.3 The obligation at Clause 2.1 above does not extend to the prevention of such things blowing from land in a wind of such velocity and nature that material from other properties in the area generally are blown from such land.

3. Removal of discharge

- 3.1 If paper, plastic or other building materials (not including soil, sand or stones) blows from the land, the person in charge of the building work must remove all such materials from adjacent land at the request in writing of an authorized person.
- 3.2 If the person in charge of building work on land fails to comply with Clause 3.1, then the council may undertake the work itself and, recover the cost of doing so from that person.

The foregoing by-law was duly made and passed at a meeting of the City of Victor Harbor held on 28 October 2002, by an absolute majority of the Members for the time being constituting the council, there being at least two-thirds of the members present.

G. MAXWELL, City Manager

CITY OF WEST TORRENS

Periodical Review

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

Pursuant to the provisions of section 12 (13) (a) of the said Act, the Electoral Commissioner has certified that the review undertaken by council satisfied the requirements of section 12, and therefore may now be put into effect, as from the day of the first general election held after the expiration of five months from the publication of this notice.

The findings of the review are as follows:

1. The existing ward structure, which divides the council area into seven wards, is to be retained, with only minor adjustments to the existing boundaries.
2. The wards will continue to be entitled as follows:
Ward 1—Keswick
Ward 2—Hilton
Ward 3—Plympton
Ward 4—Lockleys
Ward 5—Airport
Ward 6—Morphett
Ward 7—Thebarton
3. The number of elected members is to remain at fifteen, these being the Mayor and fourteen Councillors.
4. Each of the wards is to be represented by two Councillors.

T. STARR, Chief Executive Officer

ALEXANDRINA COUNCIL

Change of Council Meeting Date

NOTICE is hereby given, that the Alexandrina Council resolved at its meeting held on Monday, 28 October 2002, to cancel the council meeting scheduled for Monday, 4 November 2002 and hold only one meeting in November, which will be held on Monday, 18 November 2002, and that this meeting be held in the Strathalbyn Town Hall commencing at 1.30 p.m. This meeting will be a combined meeting with all departments being represented.

J. L. COOMBE, Chief Executive Officer

ALEXANDRINA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1—Permits and Penalties

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

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

1. Permits

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

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

2. Penalties

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

3. Construction

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

The foregoing by-law was duly made and passed at a meeting of the Alexandrina Council held on 28 October 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

J. COOMBE, Chief Executive Officer

ALEXANDRINA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2—Moveable Signs

TO protect visual amenity and public safety on roads and footpaths by setting standards for moveable signs and regulating their placement in a manner which recognises the advertising needs of businesses to maximise economic viability.

1. Definitions

In this by-law:

- 1.1 'footpath area' means that part of a street or road between the property boundary of the street or road and the edge of the carriageway on the same side as that boundary;
- 1.2 'moveable sign' has the same meaning as in the Local Government Act 1999;
- 1.3 'authorised person' means a person appointed as an authorised person pursuant to Section 260 of the Local Government Act 1999;
- 1.4 'business premises' means the premises from which a business, trade or calling is conducted;
- 1.5 'road' means public streets and public roads;
- 1.6 'the Council' means the Alexandrina Council.

2. Construction and design

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

- 2.1 be of a kind known as an 'A' Frame or Sandwich Board sign, an 'inverted "T"' sign, or a flat sign;
- 2.2 be well constructed and maintained in good condition so as not to present a hazard to any member of the public using the footpath upon which the moveable sign has been placed;
- 2.3 be of strong construction so as to be stable when in position and to be able to keep its position in adverse weather conditions;
- 2.4 not contain sharp or jagged edges or corners;
- 2.5 not be unsightly or offensive in appearance or content;
- 2.6 be of such design and contain such colours which are compatible with the architectural design of the premises adjacent to the sign, and which relate well to the townscape and overall amenity of the locality in which it is situated;

- 2.7 contain combinations of colour and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated;

2.8 not contain flashing parts;

2.9 be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;

2.10 not exceed 900 mm in perpendicular height, or have a base with any side exceeding 600 mm in length;

2.11 not have a display area exceeding 1 m² in total or, if the sign is two-sided, 1 m² on each side;

2.12 in the case of an 'A' Frame or Sandwich Board sign:

2.12.1 be hinged or joined at the top;

2.12.2 be of such construction that its sides shall be securely fixed or locked in position when erected;

2.13 in the case of an 'inverted "T"' sign, contain no struts or supports that run between the display area and the base of the sign.

3. Placement

A moveable sign shall only be positioned on a public street or road on the footpath area subject to the following conditions. The moveable sign:

3.1 must be outside the premises of the business to which it relates, and aligned approximately 450 mm (but no closer) to the carriageway;

3.2 where there is no kerb to define the footpath, must allow a set back of 450 mm from the edge of the carriageway;

3.3 in the case of a flat sign, must be in line with and against the property boundary of the street or road;

3.4 must be placed no less than 2 m away from any structure, fixed object, tree, bush or plant (including another moveable sign);

3.5 must not, without council's permission, be fixed, tied or chained to or, leaned against any other structure, fixed object, tree, bush or plant (including another moveable sign);

3.6 must not be placed on a sealed part of any footpath area, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 m wide;

3.7 must not be placed within 1 m of the corner of a building on the corner of a street or road;

3.8 must not be placed on a landscaped area;

3.9 must not be placed on a designated parking area or within 1 m of an entrance to or exit from premises;

3.10 must not be placed within 6 m of an intersection;

3.11 must not unreasonably restrict the use of the footpath or road or endanger the safety of members of the public.

4. Restrictions

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

4.1 display material which advertises a business being conducted on commercial premises adjacent to the sign, or the products available from that business;

4.2 be limited to one per business premises;

4.3 only be displayed when the business is open to the public;

4.4 be securely fixed in position such that it cannot be blown over or swept away;

4.5 not be in such a position or in such circumstances that the safety of any user of the street or road is at risk;

4.6 not be displayed during the hours of darkness unless it is clearly visible;

4.7 not to be displayed on a medium strip, traffic island or on a carriage way of a street or road.

5. Exemptions

- 5.1 Paragraph 3.1 and paragraph 4.1 do not apply to a moveable sign which is used:
- 5.1.1 to advertise a garage sale taking place from residential premises;
 - 5.1.2 as a directional sign to an event run by an incorporated association or a charitable body;
 - 5.1.3 with permission.
- 5.2 Paragraphs 4.1 and 4.2 do not apply to a flat sign, the message of which only contains newspaper headlines and the name of a newspaper.

6. Application

This by-law does not apply to:

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

7. Removal of unauthorised moveable signs

- 7.1 If a moveable sign has been placed on any public street, road or footpath in contravention of this by-law or of Section 226 of the Local Government Act 1999, an authorised person may direct the owner of the sign to remove the moveable sign from the street, road or footpath.
- 7.2 If the authorised person cannot find the owner, or the owner fails to comply immediately with the order, the authorised person may remove the sign.
- 7.3 If a moveable sign that is removed is not claimed within 30 days of such removal the authorised person may sell, destroy or otherwise dispose of moveable sign as the authorised person thinks fit.
- 7.4 Any person who displays an unauthorised moveable sign or who is the owner of an unauthorised moveable sign which has been removed 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 sign

- 8.1 A moveable sign must be removed or relocated by the person who placed the moveable sign on a street, road or footpath or the owner of the moveable sign, at the request of an authorised officer if, in the opinion of the authorised person, and notwithstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign.
- 8.2 A moveable sign must be removed or relocated by the person who placed the moveable sign on a street, road or public place or the owner of the sign, at the request of an authorised person if so required by the authorised person for the purpose of special events, parades, road or footpath works or any other circumstances which, in the opinion of the authorised person, requires relocation of the moveable sign.

9. Construction

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

The foregoing by-law was duly made and passed at a meeting of the Alexandrina Council held on 28 October 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

J. COOMBE, Chief Executive Officer

ALEXANDRINA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3—Local Government Land

FOR the management and regulation of the use of and access to local government land vested in or under the control of council, including the prohibition and regulation of particular activities on local government land.

1. Definitions

In this by-law:

- 1.1 'local government land' means land owned by the Council or under the Council's care, control and management;
- 1.2 'foreshore' means the area between the low water mark on the seashore and the nearest boundary of:
 - 1.2.1 a road;
 - 1.2.2 a section;
 - 1.2.3 a public reserve; or
 - 1.2.4 land comprised in a land grant, Crown Land or Crown Licence;
- 1.3 'low water mark' means the lowest meteorological tide;
- 1.4 'liquor' has the same meaning as defined in the Liquor Licensing Act 1997;
- 1.5 'sand dune' and 'coastal slope or cliff' mean the sand dunes, coastal slopes, cliffs and other geomorphological coastal forms under the care, control, and management of the Council;
- 1.6 'open container' means a container which:
 - 1.6.1 after the contents thereof have been sealed at the time of manufacture and:
 - (a) being a bottle, has had its cap, cork or top removed (whether or not it has since been replaced);
 - (b) being a can, it has been opened or punctured;
 - (c) being a cask, has had its tap placed in a position to allow it to be used;
 - (d) 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
 - 1.6.2 is a flask, glass or mug or other container used for drinking purposes;
- 1.7 'electoral matter' has the same meaning as in the Electoral Act 1985 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 1.8 'the Council' means the Alexandrina Council;
- 1.9 'authorised person' means a person appointed an authorised person pursuant to Section 260 of the Local Government Act 1999;
- 1.10 'permission' means the permission of the Council given in writing;
- 1.11 'public place' means a place (including a place on private land) to which the public has access (except a street or road) but does not include any part of a community parcel divided by a plan of community division under the Community Titles Act 1996;
- 1.12 'park' means community land reserved or delineated as a park or designated by the Council as a park;
- 1.13 'reserve' means community land reserved or dedicated as a reserve or designated by the Council as a reserve.

2. Activities requiring permission

No person shall without permission on any local government land:

2.1 *Vehicles generally*

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

2.2 *Vehicles on parks etc.*

- 2.2.1 drive, park or propel a motor vehicle unless on an area or road constructed or set aside by the Council for the parking or travelling of motor vehicles;
- 2.2.2 except on a properly constructed area for the purpose, promote, organise or take part in any race, test or trial of any kind in which motor vehicles, motor cycles, motor scooters, or bicycles take part;

2.3 *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 break-down;

2.4 *Entertaining*

sing, busk or play a musical instrument for the purpose of, or so as to appear to be for the purpose of, entertaining others whether or not receiving money;

2.5 *Preaching*

preach or harangue;

2.6 *Horses, cattle etc.*

ride, lead or drive any horse, cattle, sheep and other like animal except where the Council has set aside a track or other area for use by or in connection with the animal of that kind;

2.7 *Donations*

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

2.8 *Amplification*

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

2.9 *Distributing*

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

2.10 *Handbills on cars*

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

2.11 *Canvassing*

convey any advertising, religious or other message to any by-stander, passer-by or person;

2.12 *Advertising*

display any sign for the purpose of commercial advertising, other than a moveable sign which is displayed in accordance with council's moveable sign by-law;

2.13 *Fires*

light any fires except:

- 2.13.1 in a place provided by the Council for that purpose; or
- 2.13.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material; and
- 2.13.3 in accordance with the provision of the Country Fires Act 1989;

2.14 *Fireworks*

ignite, explode or use any fireworks;

2.15 *Attachments to trees*

attach, hang or fix any rug, blanket, sheet, rope or other material to any tree, shrub, plant, tree guard, notice board, seat, fence, post or other item or structure which is the property of the Council;

2.16 *Overhanging articles*

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

2.17 *Removing soil or other materials*

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

2.18 *Picking fruit*

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

2.19 *Flora and fauna*

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

- 2.19.1 damage, pick, or interfere with any plant or flower thereon; or
- 2.19.2 tease, interfere or cause harm to any animal, bird or marine creature, or any burrow, nest or habitat of such animal;

2.20 *Games*

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

2.20.2 fly any model aircraft or operate any power model boat from or on any local government land;

2.21 *Athletic and ball sports*

to which this subparagraph applies, in accordance with paragraph 9 of this by-law:

- 2.21.1 promote, organise or take part in any organised athletic sport;
- 2.21.2 play any organised competition sport, as distinct from organised social play;
- 2.21.3 play or practice the game of golf;

2.22 *No liquor*

2.22.1 consume, carry or be in possession or charge of any liquor (provided the land constitutes a park or reserve);

2.22.2 excepting sealed containers, consume, carry, be in possession or charge of any liquor in an open container (provided the land constitutes a park or reserve);

- 2.23 *Weddings*
conduct or participate in a marriage ceremony;
- 2.24 *Encroachment*
erect or place any fencing, posts or other structures or any other items or substance such as to encroach onto the land;
- 2.25 *Closed lands*
enter or remain on any part of local government land:
- 2.25.1 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;
- 2.25.2 where land is enclosed with fences and/or walls, and gates, at any time when the gates have been closed and locked; or
- 2.25.3 where admission charges are payable, to enter without paying those charges;
- 2.26 *Rubbish and rubbish dumps*
- 2.26.1 interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on local government land;
- 2.26.2 remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a Council rubbish bin on local government land;
- 2.27 *Cemeteries*
comprising a cemetery:
- 2.27.1 bury or inter any human or animal remains;
- 2.27.2 erect any memorial;
- 2.27.3 drive or propel any vehicle except on paths or roads constructed and set aside for that purpose and in compliance with any signs that have been erected;
- 2.28 *Camping and tents*
- 2.28.1 camp or stay overnight; or
- 2.28.2 erect any tent, booth, marquee or other structure (except entities authorised to do so under Section 209 of the Act);
- 2.29 *Smoking*
smoke tobacco or any other substance in any building or part of any building;
- 2.30 *Toilets*
in any public convenience:
- 2.30.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
- 2.30.2 smoke tobacco or any other substance;
- 2.30.3 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 2.30.4 use it for a purpose for which it was not designed or constructed;
- 2.30.5 enter any toilet that is set aside for use of the opposite sex except where:
- (a) a child under the age of five years accompanied by an adult person of that other sex; and/or
- (b) to provide assistance to a disabled person;
- 2.31 *Swimming and aquatic activity*
to which this subparagraph applies, in accordance with paragraph 9 of this by-law enter, swim or engage in any aquatic activity in or on any body of water except:
- 2.31.1 a body of water that the Council has set aside for that purpose; or
- 2.31.2 in an area where a nearby sign states that such activity is allowed and, in accordance with any conditions stated in the sign;
- 2.32 *Mooring*
- 2.32.1 moor any boat, house boat, raft or other water craft on or to local government land or in any area that the Council has not set aside for the mooring of any boat, raft or other water craft; or
- 2.32.2 obstruct any boat, raft or other water craft or any mooring place, or any access to any boat, raft, object (either floating or sunk) whether that access is by water or by land;
- 2.33 *Use of boats and boat ramps*
- 2.33.1 use or launch a boat or other object in any body of water except:
- (a) a body of water that the Council has set aside for that purpose; or
- (b) in an area where a nearby sign states that such activity is allowed and, in accordance with any conditions stated in the sign;
- 2.33.2 launch or retrieve a boat other than from a boat ramp constructed for that purpose;
- 2.33.3 allow any vehicle to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat;
- 2.33.4 drive or propel any vehicle on such a ramp or thoroughfare at a speed greater than 25 km/h;
- 2.33.5 hire out a boat on or from any part of a body of water;
- 2.34 *Foreshore*
- 2.34.1 drive or propel a vehicle onto or from the foreshore other than by a ramp or thoroughfare constructed or provided by the Council for that purpose;
- 2.34.2 launch or retrieve a boat other than from a boat ramp constructed for that purpose;
- 2.34.3 allow any vehicle to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat;
- 2.34.4 drive or propel any vehicle on such a ramp or thoroughfare or elsewhere on the foreshore at a speed greater than 25 km/h;
- 2.34.5 hire out a boat on or from any part of the foreshore;
- 2.34.6 ride, lead or drive any horse, cattle, sheep and other like animal on the foreshore except where the Council has set aside a track or other area for use by or in connection with the animal of that kind;
3. *Posting of bills etc.*
No person shall without the Council's permission post any bills, advertisements or other papers or items on a building or structure on local government land or other public place except for any electoral matter posted on a building or structure with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum.
4. *Prohibited activities*
No person shall on local government land:
- 4.1 *Use of equipment*
use any item of equipment and/or facilities or other council property:

- 4.1.1 other than in the manner and for the purpose for which it was designed or set aside; and
- 4.1.2 where any nearby sign states the conditions of use, except in accordance with such conditions;
- 4.2 *Annoyances*
- 4.2.1 annoy, commit any nuisance or unreasonably interfere with any other person's use of local government land by making a noise or by creating a disturbance that has not been authorised by the Council;
- 4.2.2 spit, urinate or defecate other than in toilets provided on any local government land;
- 4.3 *Interference with permitted use*
interrupt or disrupt or interfere with any person's use of parks or reserves for which permission has been granted;
- 4.4 *Obstruction*
obstruct:
- 4.4.1 any path in or on any local government land;
- 4.4.2 any door entrance, stairway or aisle in any building in or on any local government land; or
- 4.4.3 any gate or entrance to, in or on local government land;
- 4.5 *Interference with land*
- 4.5.1 interfere with the land such as levelling or flattening sand hills, planting grass, lawn or other vegetation, paving the land, or otherwise use the land in a manner contrary to the purpose for which the land was designed to be used; or
- 4.5.2 destroy, damage or deface or cause or permit to be destroyed, damaged or defaced any article, structure, building or thing fixed to local government land;
- 4.6 *Defacing land*
Deface, paint, write, make marks on or fix bills or advertisements to any tree, rock, gate, fence, building, sign or other property except for any electoral matter posted on a building or structure with the authority of a candidate during the course of a Federal, State or Local Government election or Referendum;
- 4.7 *Missiles*
throw, roll or discharge any stone, substance or missile to the danger of any person or animal therein;
- 4.8 *Glass*
wilfully break any glass, china or other brittle material;
- 4.9 *Sand dunes*
- 4.9.1 use a sand board or other item to slide down a sand dune, coastal slope or cliff;
- 4.9.2 destabilise sand on a sand dune, coastal slope or cliff so as to cause it to unnecessarily mass waste down slope;
- 4.9.3 ride a horse within the sand dunes or on a coastal slope at locations other than permitted by the Council;
- 4.9.4 destroy, remove or cause interference to live or dead vegetation within a sand dune, coastal slope or coastal cliff;
- 4.9.5 light or cause to be lit or permit to remain alight any fire within a sand dune or on a coastal slope or coastal cliff;
- 4.9.6 ride or operate a bicycle, motorcycle, vehicle or other mechanised apparatus in the sand dunes or on a coastal slope without the written prior approval of the Chief Executive Officer, who may provide approval upon such terms and conditions and at such times and places as he or she thinks proper;
- 4.9.7 introduce non-indigenous flora and fauna or dump any material in the sand dunes or down coastal slopes or coastal cliffs;
- 4.9.8 carry out other activity which may threaten the integrity of sand dunes, coastal slopes and cliffs in the area.
5. *Removal of encroachment or interference*
Any person who encroaches onto or interferes with local government land contrary to this by-law must at the request in writing of an authorised person, cease the encroachment or interference and remove the source of the encroachment or interference, and reinstate the land to the same standard as the state of the land prior to the encroachment or interference.
6. *Council may do work*
If a person fails to remove an encroachment or interference on local government land in accordance with a request of an authorised officer pursuant to Clause 5 of this by-law, then the Council may:
- 6.1 undertake the work itself; and
- 6.2 recover the cost of doing so from that person.
7. *Directions*
Any person on local government land must comply with any reasonable direction or request from an authorised person relating to:
- 7.1 that person's use of the land;
- 7.2 that person's conduct and behaviour on the land;
- 7.3 that person's safety on the land;
- 7.4 the safety and enjoyment of the land by other persons.
8. *Removal of animals and persons*
- 8.1 If any animal is found on local government land in breach of a by-law:
- 8.1.1 any person in charge of the animal shall remove it on the request of an authorised person; and
- 8.1.2 an authorised person may remove the animal if a person fails to comply with the request, or if no person is in charge of the animal.
- 8.2 Any authorised person may direct any person found committing a breach of these by-laws to cease the action or to take specified action to remedy the breach.
9. *Exemptions*
- 9.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or an emergency worker when driving an Emergency Vehicle in an emergency situation.
10. *Application*
- 10.1 Paragraphs 2.6, 2.21, 2.31 and 2.34.6 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with Section 246 (3) (e) of the Local Government Act 1999.
11. *Construction*
This by-law is subject to any Act of Parliament or Regulation made thereunder.
The foregoing by-law was duly made and passed at a meeting of the Alexandrina Council held on 28 October 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

J. COOMBE, Chief Executive Officer

ALEXANDRINA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-Law No. 4—Roads

FOR the management, control and regulation of activities on roads.

1. *Definitions*

In this by-law:

- 1.1 'road' has the same meaning as in the Local Government Act 1999;
- 1.2 'authorised person' means a person appointed an authorised person pursuant to section 260 of the Local Government Act 1999;
- 1.3 'electoral matter' has the same meaning as in the Electoral Act 1995 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 1.4 'the Council' means the Alexandrina Council.

2. *Activities requiring permission*

No person shall without permission on any road:

2.1 *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 break-down;

2.2 *Horses, cattle etc.*

2.2.1 ride, lead or drive any horse, cattle, sheep and other like animal, except where the Council has set aside a track or other area for use by or in connection with the animal of that kind;

2.2.2 stand, draw up or allow to remain stationary any horse, cattle, sheep and other like animal whether attached to a vehicle or not;

2.3 *Preaching*

preach or harangue;

2.4 *Donations*

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

2.5 *Amplification*

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

2.6 *Canvassing*

convey any advertising, religious or other message to any by-stander, passer-by or other person;

2.7 *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 Council's moveable signs by-law.

2.8 *Camping*

camp or remain overnight;

2.9 *Exhibition or display*

conduct any public exhibition or display.

3. *Posting of bills etc.*

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

4. *Removal of animals and persons*

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

4.1.1 any person in charge of the animal shall remove it on the request of an authorised person; and

4.1.2 an authorised person may remove the animal if a person fails to comply with the request, or if no person is in charge of the animal.

4.2 An authorised person may direct any person found committing a breach of these by-laws to cease the action or to take specified action to remedy the breach.

5. *Exemptions*

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

6. *Application*

Paragraph 2.2 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with section 246 (3) (e) of the Local Government Act 1999.

7. *Construction*

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

The foregoing by-law was duly made and passed at a meeting of the Alexandrina Council held on 28 October 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

J. COOMBE, Chief Executive Officer

ALEXANDRINA COUNCIL

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

By-law No. 5—Dogs

FOR the control of dogs within the area, to limit the number of dogs kept in premises and for the management of dogs in the Council's area.

1. *Definitions*

In this by-law:

1.1 'dog' means an animal of the species *canis familiaris* but does not include a dingo;

1.2 'small dwelling' means a flat, a service flat, home unit, or a suite of rooms which is wholly occupied, or designed or intended or adapted to be occupied, as a separate dwelling, but does not include a detached, semi-detached or row dwelling-house;

1.3 'premises' means any domestic and non-domestic premises, except an approved kennel establishment;

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

1.5 'public place' means all streets, roads, parklands, reserves, open space, jetties, bridges, foreshore and all other land in the ownership of the Council or under the care, control and management of Council; and

1.6 'the Council' means the Alexandrina Council.

2. *Limit on Dog Numbers*

2.1 The limit on the number of dogs within a township shall be:

2.1.1 in a small dwelling, one dog;

2.1.2 in premises other than a small dwelling, two dogs; and

2.1.3 outside of a township it shall be two dogs, other than working dogs.

2.2 No person shall, without obtaining written permission of the Council, keep any dog on any premises where the number of dogs exceeds the limit:

2.2.1 unless the premises is an approved kennel establishment; or

2.2.2 the Council has exempted any premises from compliance with Clause 2 of this by-law by the granting of an exemption.

3. Dog Free Areas

No person shall in a public place to which this paragraph applies cause, suffer or permit any dog (except guide dogs guiding a person who is wholly or partially blind; or wholly or partially deaf), under that person's control, charge or authority to be in, or remain in that place.

4. Dogs on Leashes

No person shall in a public place to which this paragraph applies cause, suffer or permit any dog (except guide dogs guiding a person who is wholly or partially blind; or wholly or partially deaf), under that person's control, charge or authority to be or remain in that place unless such dog is restrained by a strong leash not exceeding 2 m in length and either tethered securely to a fixed object or held by a person capable of controlling the dog and preventing it from being a nuisance or danger to other persons.

5. Dog Exercise Areas

5.1 Any person may enter upon any public place to which this paragraph applies for the purpose of exercising a dog under his or her control;

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

5.3 Signs shall be erected to denote land to which this paragraph applies.

6. Application

Paragraphs 3, 4 and 5 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct (in accordance with Section 246 (3) (e) of the Local Government Act 1999).

The foregoing by-law was duly made and passed at a meeting of the Alexandrina Council held on 28 October 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

J. COOMBE Chief Executive Officer

ALEXANDRINA COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 6—Nuisances Caused By Building Sites

TO prevent and suppress certain kinds of nuisance caused by rubbish escaping from land on which building work is being undertaken.

1. Definitions

1.1 'building work' has the same meaning as in the Development Act 1993;

1.2 'authorised person' means a person appointed an authorised person pursuant to Section 260 of the Local Government Act 1999;

1.3 'Council' means the Alexandrina Council.

2. No unauthorised discharge

2.1 The person in charge of building work on land shall take whatsoever steps necessary to ensure that all paper, plastic, or other building materials (not including soil, sand or stones) on the land associated with the building work is secure so that the same does not blow from the land in a wind.

2.2 The obligation at Clause 2.1 above does not extend to the prevention of such things blowing from land in a wind of such velocity and nature that material from other properties in the area generally are blown from such land.

3. Removal of discharge

3.1 If paper, plastic or other building materials (not including soil, sand or stones) blows from the land in a wind, the person in charge of the building work must remove all such materials from adjacent land at the request in writing of an authorised person.

3.2 If the person in charge of building work on land fails to comply with Clause 3.1, then the Council may undertake the work itself and, recover the cost of doing so from that person.

The foregoing by-law was duly made and passed at a meeting of the Alexandrina Council held on the 28 October 2002, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

J. COOMBE, Chief Executive Officer

CLARE AND GILBERT VALLEYS COUNCIL

Periodical Review

NOTICE is hereby given that the Clare and Gilbert Valleys Council has reviewed its composition and elector representation arrangements, in accordance with the provisions of section 12 (4) of the Local Government Act 1999.

Pursuant to section 12 (13) (a) of the said Act, the Electoral Commissioner has certified that the review undertaken by council satisfies the requirements of section 12 of the Local Government Act 1999, and may therefore be put into effect as from the day of the first general election held after the expiration of 5 months from the publication of this notice.

The revised representation arrangements are as follows:

The Council of the Clare and Gilbert Valleys Council will comprise the Mayor (as the principal member) and 9 Area Councillors.

The council area will not be divided into wards.

M. A. GOLDSTONE, Chief Executive Officer

KANGAROO ISLAND COUNCIL

Airport Fees

NOTICE is hereby given that, pursuant to section 6 of the Aerodrome Fees Act 1998, the council has determined the following increased charges for the Kingscote, Kangaroo Island Airport to take effect from 1 April 2003.

Weight based charges per movement calculated on certified maximum take-off weight of the aircraft with a movement defined as a departure:

From \$6 to \$7.50 per 1 000 kg *pro rata*, with a minimum charge from \$6 to \$7.50 plus GST.

Nominated charge per movement defined as a departure:

From \$10 to \$12.50 plus GST for all helicopters.

Passenger levy based charges for regular passenger transport and tourist charter operations:

Adults—from \$4 to \$5 per head per each way passenger movement plus GST.

Children—from \$2 to \$2.50 per head per each way passenger movement plus GST.

Training flights—by prior arrangement.

Itinerant aircraft apron parking on sealed apron by prior arrangement or a \$100/per day or part thereof parking fee may be incurred.

R. RATTRAY, Chief Executive Officer

DISTRICT COUNCIL OF LE HUNTE

Proposed Land Acquisition

NOTICE is hereby given that in accordance with section 193 (6) of the Local Government Act 1999, the council at an ordinary meeting held on Monday, 28 October 2002, resolved to exclude from classification as community land the following land parcel that is to be acquired as local government land. The exclusion is to apply to any legal estate or interest or right which may subsequently be registered in respect of this land pending its disposal by the council:

Allotment 104, Heath Road, Township of Wudinna, C/T 5442/931.

A. F. MCGUIRE, Chief Executive Officer

DISTRICT COUNCIL OF LOXTON WAIKERIE

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—River Drive, Blanchetown

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that the District Council of Loxton Waikerie proposes to make a Road Process Order to close and transfer to T. and R. A. Grant, portions of the public road (River Drive) adjoining the caravan park at Blanchetown (allotment 200 in Deposited Plan 49295), shown more particularly delineated and lettered 'A' and 'B' respectively on Preliminary Plan No. 02/0074.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the council, 29 East Terrace, Loxton, S.A. 5333 and the Adelaide office of the Surveyor-General during normal office hours.

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

The application for easement or objection must be made in writing to the Council, P.O. Box 409, Loxton, S.A. 5333 within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the council will give notification of a meeting at which the matter will be considered.

Dated 23 August 2002.

T. BURGEMEISTER, District Manager

DISTRICT COUNCIL OF ORROROO/CARRIETON

Periodical Review

NOTICE is hereby given that the District Council of Orroroo/Carrieton has reviewed its elector representation arrangements in accordance with the provisions of section 12 of the Local Government Act 1999.

Pursuant to section 12 (13) (a) of the Local Government Act 1999, the Electoral Commissioner has certified that the periodical review has complied with the requirements of section 12 of the said Act. The review recommended that the *status quo* remain, i.e. nine Councillors including a Chairman and no wards. No written submissions were received during the review process and a copy of the review report is available at the council office.

T. D. BARNES, Chief Executive Officer

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

Almond, Barry William, late of 3 Mitford Court, Port Augusta West, retired company director, who died on 10 August 2002.

Barreau, Beryl Victoria, late of 4 Sylvan Way, Grange, of no occupation, who died on 24 September 2002.

Goddard, Joyce Olive, late of 17 Hill Street, Kingswood of no occupation, who died on 2 October 2002.

Henningesen, Harold Oscar, late of 48 Howard Street, Beulah Park, retired carpenter, who died on 10 September 2002.

Ridley, Mavis Edith, late of 15 Halliday Street, Risdon Park, retired bookbinder who died on 1 September 2002.

Roberts, Marguerita Minna, late of 342 Marion Road, North Plympton, retired clerk, who died on 2 September 2002.

Rowlands Yvonne Margaret, late of 160 Walkerville Terrace, Walkerville, retired dental assistant, who died on 27 August 2002.

Smith, John Ernest, late of 11 Preston Street, Hillcrest, retired railway employee, who died on 4 September 2002.

Spence, Louise, late of 23 First Street, Nuriootpa, widow, who died on 30 August 2002.

Wright, John Leslie, late of 17 Robsart Street, Parkside, retired clerk, who died on 14 September 2002.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 6 December 2002, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 7 November 2002.

C. J. O'LOUGHLIN, Public Trustee

IN the matter of the undermentioned deceased person:

Chant, Norma Margaret, late of Masonic Homes Inc., 91 Diagonal Road, Somerton Park, S.A. 5044, formerly of 25 Masonic Memorial Village, Petersen Street, Somerton Park, S.A. 5044, who died on 10 July 2002.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972-1975 and the Family Relationships Act 1975, that all creditors beneficiaries and other persons having claims against the abovenamed estate are directed to send full particulars of such claims to the undersigned on or before 1 December 2002, otherwise they will be excluded from the distribution of the said estate.

PERPETUAL TRUSTEES SA LIMITED (ACN 008 273 916), c/o Ground Floor, 39 Hunter Street, Sydney, N.S.W. 2000.

ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform **Government Publishing SA** of any subsequent corrections by **10 a.m. on Thursday**, which is our publication deadline.

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