



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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PUBLISHED BY AUTHORITY

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

ADELAIDE, THURSDAY, 6 OCTOBER 2016

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GOVERNMENT GAZETTE NOTICES

Notices for publication in the *South Australian Government Gazette* should be emailed to GovernmentGazetteSA@sa.gov.au. Content should be sent as Word format attachment(s). Covering emails should include the date the notice is to be published and to whom the notice will be charged. **Closing time for lodgement is 4 p.m. on the Tuesday preceding the regular Thursday publication.** Gazette enquiries to: **Phone 8207 1045**. The *Government Gazette* is available online at: www.governmentgazette.sa.gov.au.

Department of the Premier and Cabinet
Adelaide, 6 October 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Child Death and Serious Injury Review Committee, pursuant to the provisions of the Children's Protection Act 1993:

Member: (from 6 October 2016 until 5 October 2018)
Kerrie Sellen

By command,

IAN KEITH HUNTER, for Premier

MECD16/074

Department of the Premier and Cabinet
Adelaide, 6 October 2016

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

Member: (from 6 October 2016 until 5 October 2019)
Robina Weir

By command,

IAN KEITH HUNTER, for Premier

ASACAB005-11

Department of the Premier and Cabinet
Adelaide, 6 October 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Ian Keith Hunter, MLC, Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray and Minister for Climate Change to be also Acting Minister for Health, Acting Minister for the Arts and Acting Minister for Health Industries for the period from 27 October 2016 to 31 October 2016 inclusive, during the absence of the Honourable John James Snelling, MP.

By command,

IAN KEITH HUNTER, for Premier

HEAC-2016-00075

Department of the Premier and Cabinet
Adelaide, 6 October 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Stephen Campbell Mullighan, MP, Minister for Transport and Infrastructure and Minister for Housing and Urban Development to be also Acting Minister for Investment and Trade, Acting Minister for Small Business, Acting Minister for Defence Industries and Acting Minister for Veterans' Affairs for the period from 6 October 2016 to 28 October 2016 inclusive, during the absence of the Honourable Martin Leslie James Hamilton-Smith, MP.

By command,

IAN KEITH HUNTER, for Premier

16MDI/198CS

Department of the Premier and Cabinet
Adelaide, 6 October 2016

HIS Excellency the Governor in Executive Council has revoked the appointment of the Honourable John James Snelling, MP, Minister for Health, Minister for the Arts and Minister for Health Industries as Acting Minister for Disabilities and Acting Minister for Mental Health and Substance Abuse for the period from 24 October 2016 to 4 November 2016 inclusive, during the absence of the Honourable Leesa Anne Vlahos, MP.

By command,

IAN KEITH HUNTER, for Premier

MDIS16-06SC

Department of the Premier and Cabinet
Adelaide, 6 October 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Ian Keith Hunter, MLC, Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray and Minister for Climate Change to be also Acting Minister for Disabilities and Acting Minister for Mental Health and Substance Abuse for the period from 24 October 2016 to 4 November 2016 inclusive, during the absence of the Honourable Leesa Anne Vlahos, MP.

By command,

IAN KEITH HUNTER, for Premier

MDIS16-06SC

Department of the Premier and Cabinet
Adelaide, 6 October 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint Francis Henry Lampard to the position of Commissioner for Aboriginal Engagement on a part time basis (0.6 FTE) for a term commencing on 6 October 2016 and expiring on 30 September 2017, pursuant to Section 68 of the Constitution Act 1934.

By command,

IAN KEITH HUNTER, for Premier

MAAR16/CS007

Department of the Premier and Cabinet
Adelaide, 6 October 2016

HIS Excellency the Governor in Executive Council has been pleased to appoint Rosaria Inawantji Scales to the position of Commissioner for Aboriginal Engagement on a part time basis (0.4 FTE) for a term commencing on 6 October 2016 and expiring on 30 September 2017, pursuant to Section 68 of the Constitution Act 1934.

By command,

IAN KEITH HUNTER, for Premier

MAAR16/CS007

Department of the Premier and Cabinet
Adelaide, 6 October 2016

HIS Excellency the Governor in Executive Council has revoked the appointment of the SafeWork SA officers listed, as Inspectors for the purposes of the Shop Trading Hours Act 1977, effective from 6 October 2016, pursuant to the Shop Trading Hours Act 1977 and Section 36 of the Acts Interpretation Act 1915.

Christine Ellen Baker
Glenn Stephen Farrell
Helen Marie Kelly
Colin Marsh
Shane Darrell Moss
Carl Steven Olson
Jacqui Quarton
Heidi Joy Rickard
Nicole Louise Sawyer
Beverley Joy Scarman
Marissa Jane Vinko
Beverly Ann Hodge
Annette Louise Kappler
Frances Vanessa Lloyd
Ekaterina Martch
Colin Robert Stephan

By command,

IAN KEITH HUNTER, for Premier

MIR0034/16CS

ASSOCIATIONS INCORPORATION ACT 1985

ORDER PURSUANT TO SECTION 42 (2)

Dissolution of Association

WHEREAS the Corporate Affairs Commission ('the Commission'), pursuant to Section 42 (1) of the Associations Incorporation Act 1985, ('the Act') is of the opinion that the undertaking or operations of Healthfirst Network Incorporated ('the Association') being an incorporated association under the Act are being carried on, or would more appropriately be carried on by a company limited by guarantee incorporated under the Corporations Act 2001, (Cth) and whereas the Commission was on 21 July 2016, requested by the Association to transfer its undertaking to GP Partners Australia (ACN 066 926 047), the Commission, pursuant to Section 42 (2) of the Act does hereby order that on 1 October 2016, the Association was dissolved, the property of the Association became the property GP Partners Australia and the rights and liabilities of the Association became the rights and liabilities of GP Partners Australia.

Given under the seal of the Commission at Adelaide, 30 September 2016.

R. ALOI, A delegate of the Corporate Affairs Commission

DANGEROUS SUBSTANCES ACT 1979

I, MARIE BOLAND, Executive Director, SafeWork SA, hereby revoke the appointment of the following person as an Authorised Officer for the purposes of the Dangerous Substances Act 1979, pursuant to Section 7 (4) of that Act:

- Colin Robert Stephan

Dated 4 October 2016.

M. BOLAND, Executive Director,
SafeWork SA

DEVELOPMENT ACT 1993, SECTION 25 (17): TOWN OF WALKERVILLE—WALKERVILLE TOWN CENTRE DEVELOPMENT PLAN AMENDMENT

Preamble

1. The Walkerville Town Centre Development Plan Amendment (the Amendment) by the Town of Walkerville has been finalised in accordance with the provisions of the Development Act 1993.

2. The Minister for Planning has decided to approve the Amendment.

NOTICE

PURSUANT to Section 25 of the Development Act 1993, I:

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

Dated 28 September 2016.

JOHN RAU, Deputy Premier,
Minister for Planning

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Jeremy Gramp (the 'exemption holder'), on behalf of the Adelaide and Mount Lofty Ranges Natural Resources Management Board—NRM Education Program, c/o Noarlunga Office, Ramsay Place, Noarlunga Centre, S.A. 5168, or a NRM Education Staff member acting as his agent, is exempt from the provision of Sections 70, 71 and 72 (2)(b) of the Fisheries Management Act 2007, and Regulations 7 and 10, Clauses 96, 114 of Schedule 6 of the Fisheries Management (General) Regulations 2007, but only in so far as the exemption holder may take native fish species for research purposes (the 'exempted activity') from the areas specified in Schedule 1, using gear specified in Schedule 2, subject to the conditions set out in Schedule 3, from 28 September 2016 until 31 August 2017, unless varied or revoked earlier.

SCHEDULE 1

The inland waters within the Adelaide and Mount Lofty Ranges Natural Resources Management Board boundary.

SCHEDULE 2

- 2 single winged fyke nets (5 metre total length including wing, 4 hoops with front 'D' 60 cm drop, 4 mm mesh).

SCHEDULE 3

1. The specimens collected by the exemption holder are for scientific and research purposes only and must not be sold.

2. All native fish must as soon as reasonably practicable be returned to the waters from which they were taken on completion of scientific evaluation.

3. At all times the fish must remain in the near vicinity of the area from which they were taken.

4. All non-native fish must be destroyed and disposed of appropriately.

5. Before conducting the exempted activity, the exemption holder must contact PIRSA Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. They will need to have a copy of their exemption with them at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved, the number of agents undertaking the exempted activity and other related issues. Exemption No. 9902878.

6. Within 14 days of the expiry of this notice, the exemption holder must provide a report in writing to the Director, Fisheries and Aquaculture Policy (G.P.O. Box 1625, Adelaide, S.A. 5001), of the results of the project to which this exemption is related.

7. While engaged in the exempted activity the exemption holder or a person acting as his agent must have in their possession a copy of this notice and such a notice must be produced to a Fisheries Officer if requested.

8. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under that Act or any condition of this notice, except where specifically exempted by this notice.

Dated 27 September 2016.

S. SLOAN, Director,
Fisheries and Aquaculture Policy

FISHERIES MANAGEMENT ACT 2007: SECTION 115

Ministerial Exemption No. ME9902891

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, all holders of a Blue Crab Fishery licence allowing access to the waters of Gulf St Vincent (the 'exemption holders'), and their registered masters are exempt from Section 70 of the Fisheries Management Act 2007, and Regulation 7, Clause 35 of Schedule 6 of the Fisheries Management (General) Regulations 2007, but only insofar as they may take prescribed crustacean species during the period commencing 12.01 a.m. on 1 November 2016 and ending 11.59 p.m. on 15 January 2017, excluding weekends and gazetted public holidays (the 'exempted activity') for the purpose of trade or business, in the waters described in Schedule 1 and subject to the conditions set out in Schedule 2 unless varied or revoked earlier.

SCHEDULE 1

1. The exempted activity may only be undertaken within the Gulf St Vincent Blue Crab Fishing Zone as prescribed under the Fisheries Management (Blue Crab Fishery) Regulations 2013 excluding the following areas:

- All waters east of the line commencing at the seaward end of the southern Outer Harbor breakwater closest to latitude 34°47.316'S, longitude 138°28.002'E, then westerly along the geodesic to the point near Entrance beacon closest to latitude 34°47.202'S, longitude 138°24.9'E, then south-south-easterly along the geodesic to a point closest to latitude 35°2.514'S, longitude 138°29.274'E, then east to Mean High Water Springs at latitude 35°2.514'S, longitude 138°30.624'E.

- (b) All waters east of the line commencing at the seaward end of the northern Outer Harbor breakwater closest to latitude 34°47.042'S, longitude 138°28.202'E, then north-westerly along the geodesic to the point near Spoil Ground Pole closest to latitude 34°44.851'S, longitude 138°26.680'E, then north-easterly along the geodesic to Mean High Water Springs between St Kilda and Gawler Point at latitude 34°41.614'S, longitude 138°28.406'E.
- (c) All waters landward of a line commencing closest to latitude 34°43.722'S, longitude 138°27.282'E following a line counter-clockwise around northern Gulf St Vincent extending 2 nautical miles to the seaward from Mean High Water Springs to a point closest to latitude 34°56.212'S, longitude 137°49.959'E, then westerly to along the geodesic to Mean High Water Springs at latitude 34°56.137'S, longitude 137°47.123'E.

SCHEDULE 2

2. The exemption holders may only take up to a maximum of fifteen (15) percent of the total of the 2016-17 annual quota entitlement endorsed on their licence in Gulf St Vincent.

3. Exemption holders must complete and submit the South Australian Blue Crab Fishery Catch and Effort Return forms for all crustaceans taken pursuant to this notice, consistent with the Fisheries Management (Blue Crab Fishery) Regulations 2013 and fill in any additional form provided by the Aquatic Sciences arm of the South Australian Research and Development Institute.

4. Exemption holders must comply with all licence conditions when undertaking the exempted activity, except where specifically exempted by this notice.

5. While engaged in the exempted activity, exemption holders must be in possession of a copy of this notice. This notice must be produced to a Fisheries Officer, if requested.

6. The exemption holders must not contravene or fail to comply with the Fisheries Management Act 2007 or any regulations made under that Act, except where specifically exempted by this notice.

This notice does not purport to override the provisions or operation of any other Act including, but not limited to, the Marine Parks Act 2007 and the Defence Act 1903 (Cwlth). The exemption holder and his/her agents must comply with any relevant prohibitions, restrictions, regulations, permits, requirements and directions from the Department of Environment, Water and Natural Resources when undertaking activities within a marine park.

Dated 30 September 2016.

S. SLOAN, Director,
Fisheries and Aquaculture Policy

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), of 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

Firstly, Mining Lease ML 390—granted under the Mining Act 1971, comprised in that piece of land being a portion of Allotment 101 in Deposited Plan 44233 comprised in Certificate of Title Volume 5707, Folio 129 and being the whole of the land numbered Allotments 13 and 15 in plan D112812 that has been lodged in the Lands Titles Office.

Secondly, Mining Lease ML 391—granted under the Mining Act 1971, comprised in that piece of land being a portion of Allotment 101 in Deposited Plan 44233 comprised in Certificate of Title Volume 5707, Folio 129 and being the whole of the land numbered Allotment 15 in plan D112812 that has been lodged in the Lands Titles Office.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Peter Jackel,
G.P.O. Box 1533,
Adelaide, S.A. 5001.
Telephone: (08) 8204 1223.

Dated 30 September 2016.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

M. ELGAZZAR, Manager,
Portfolio and Acquisition Services,
(Authorised Officer),
Department of Planning,
Transport and Infrastructure

DPTI 2015/16689/01

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 136 North Terrace, Adelaide, S.A. 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land, being portion of Allotment 802 in Deposited Plan No. 57017 comprised in Certificate of Title Volume 5870, Folio 446 and being the whole of the land identified as Allotment 805 in DP113845, lodged in the Land Titles Office.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Jason Kuusk,
G.P.O. Box 1533,
Adelaide, S.A. 5001.
Telephone: (08) 7424 7023

Dated 4 October 2016.

The Common Seal of the Commissioner of Highways was hereto affixed by authority of the Commissioner in the presence of:

M. ELGAZZAR, Manager,
Portfolio and Acquisition Services,
(Authorised Officer),
Department of Planning,
Transport and Infrastructure

DPTI: 2014/11101

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant Exploration Licences over the areas described below:

Applicant: Yunnan International Mining Investment Corp Pty Ltd

Location: Mount Lyndhurst South area—Approximately 30 km north-east of Leigh Creek.

Pastoral Lease: Burr Well, Mount Serle, Leigh Creek

Term: 2 years

Area in km²: 296

Reference number: 2016/00003

Plan and co-ordinates can be found on the Department of State Development website: http://www.minerals.statedevelopment.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from: http://www.minerals.statedevelopment.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant Exploration Licences over the areas described below:

Applicant: Yunnan International Mining Investment Corp Pty Ltd

Location: Mount Lyndhurst area—Approximately 50 km north-east of Leigh Creek.

Pastoral Lease: Mount Lyndhurst, Mundowdna, Mount Serle, Leigh Creek

Term: 2 years

Area in km²: 549

Reference number: 2016/00002

Plan and co-ordinates can be found on the Department of State Development website: http://www.minerals.statedevelopment.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from: http://www.minerals.statedevelopment.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant Exploration Licences over the areas described below:

Applicant: Ausmex Mining Pty Ltd

Location: Mount Bryan/Red Banks/Australia Plains area—Approximately 140 km north-north-east of Adelaide.

Term: 2 years

Area in km²: 970

Reference number: 2016/00079

Plan and co-ordinates can be found on the Department of State Development website: http://www.minerals.statedevelopment.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from: http://www.minerals.statedevelopment.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant Exploration Licences over the areas described below:

Applicant: Andrew Dowbnia

Location: Mutooroo area—Approximately 60 km east-south-east of Olary.

Pastoral Lease: Mutooroo, Pine Creek

Term: 2 years

Area in km²: 64

Reference number: 2016/00105

Plan and co-ordinates can be found on the Department of State Development website: http://www.minerals.statedevelopment.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from: http://www.minerals.statedevelopment.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant Exploration Licences over the areas described below:

Applicant: Razorback Iron Pty Ltd

Location: Pualco Range area—Approximately 100 km south-west of Olary.

Term: 2 years

Area in km²: 26

Reference number: 2016/00106

Plan and co-ordinates can be found on the Department of State Development website: http://www.minerals.statedevelopment.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from: http://www.minerals.statedevelopment.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant Exploration Licences over the areas described below:

Applicant: Rex Minerals (SA) Pty Ltd

Location: Crystal Brook area—Approximately 180 km north of Adelaide.

Term: 2 years

Area in km²: 29

Reference number: 2016/00111

Plan and co-ordinates can be found on the Department of State Development website: http://www.minerals.statedevelopment.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from: http://www.minerals.statedevelopment.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant Exploration Licences over the areas described below:

Applicant: Quasar Resources Pty Ltd
 Location: Arkaroola area—Approximately 120 km north-east of Leigh Creek.
 Pastoral Lease: Murnpeowie, Moolawatana, Mount Freeling, Arkaroola, Wooltana, Umberatana
 Term: 2 years
 Area in km²: 780
 Reference number: 2016/00114

Plan and co-ordinates can be found on the Department of State Development website: http://www.minerals.statedevelopment.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from: http://www.minerals.statedevelopment.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant Exploration Licences over the areas described below:

Applicant: Investigator Resources Limited
 Location: Kimba area—Approximately 120 km west-south-west of Whyalla.
 Term: 2 years
 Area in km²: 209
 Reference number: 2016/00117

Plan and co-ordinates can be found on the Department of State Development website: http://www.minerals.statedevelopment.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from: http://www.minerals.statedevelopment.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant Exploration Licences over the areas described below:

Applicant: FMG Resources Pty Ltd
 Location: Curdlawidny Lagoon area—Approximately 195 km south-east of Coober Pedy.
 Pastoral Lease: Billa Kalina
 Term: 2 years
 Area in km²: 83
 Reference number: 2016/00118

Plan and co-ordinates can be found on the Department of State Development website: http://www.minerals.statedevelopment.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from: http://www.minerals.statedevelopment.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with Section 28 (5) of the Mining Act 1971, that the delegate of the Minister for Mineral Resources and Energy intends to grant Exploration Licences over the areas described below:

Applicant: Meningie Gypsum Pty Ltd
 Location: Ashville area—Approximately 100 km south-east of Adelaide.
 Term: 3 years
 Area in km²: 22
 Reference number: 2016/00119

Plan and co-ordinates can be found on the Department of State Development website: http://www.minerals.statedevelopment.sa.gov.au/exploration/public_notices or by contacting Mineral Tenements on (08) 8463 3103.

Community information on mineral exploration licence processes and requirements under the Mining Act 1971 is available from: http://www.minerals.statedevelopment.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J. MARTIN, Mining Registrar

THE DISTRICT COURT OF SOUTH AUSTRALIA MOUNT GAMBIER CIRCUIT COURT

Sheriff's Office, Adelaide, 11 October 2016

IN pursuance of a precept from the District Court to me directed, I do hereby give notice that the said Court will sit as a Court of Oyer and Terminer and General Gaol Delivery at the Courthouse at Mount Gambier on the day and time undermentioned and all parties bound to prosecute and give evidence and all jurors summoned and all others having business at the said Court are required to attend the sittings thereof and the order of such business will be unless a Judge otherwise orders as follows:

Tuesday, 11 October at 10 a.m. on the first day of the sittings the only business taken will be the arraignment of prisoners in gaol and the passing of sentences on prisoners in gaol committed for sentence; the surrender of prisoners on bail committed for sentence; the surrender of persons in response to *ex officio* informations or of persons on bail and committed for trial who have signified their intentions to plead guilty and the passing of sentences for all matters listed for disposition by the District Court.

Juries will be summoned for Tuesday, 11 October 2016 and persons will be tried on this and subsequent days of the sittings.

Prisoners in H.M. Gaol and on bail for sentence and for trial at the sittings of the Mount Gambier Courthouse, commencing Tuesday, 11 October 2016.

Ainsworth, Steven Robert	Aggravated assault against child or spouse; aggravated threatening life; attempted rape	In gaol
Aranui, Benjamin Peter and Wiggins, Adam Gary	Aggravated kidnapping ; aggravated robbery (2); aggravated assault causing harm; attempting to dissuade a witness	In gaol In gaol
Ash, Brooke Louise and Davis Brodie	Aggravated cause serious harm; aggravated intentionally cause harm (2); assault	On bail
B, M Castle, Timothy Martin	Arson (6) Produce child exploitation material (aggravated)	In gaol On bail

Childs, Joshua James	Aggravated threatening to cause harm (2); aggravated assault	In gaol	Sumner, Christopher Granty	Threaten to kill or endanger life; aggravated cause serious harm; damage property	On bail
Clifford, Mark Daniel	Aggravated threaten to kill or endanger life; aggravated serious criminal trespass in a place of residence; damage property	In gaol	Thomas, Kate Louise	Aggravated serious criminal trespass; aggravated assault	On bail
Cooper, Harold Frederick	Aggravated indecent assault (3)	On bail	Tippins, Mark Charles	Traffic in a controlled drug (3); possess firearm without licence; fail to keep firearm secured; have possession	In gaol
Dunbar, Raymond James	Trafficking in a large quantity of a controlled drug; unlawful possession	On bail	Tirkkonen, Kari	Threaten to kill or endanger life—aggravated; aggravated assault	On bail
Foggo, Jeffrey David	Blackmail	On bail	Tzioutziouklaris, Giabcobbe	Application for enforcement of a breached bond	On bail
Grindley, Donald Stanley	Aggravated trespass; theft (2)	In gaol	Tzioutziouklaris, Giabcobbe	Fail to leave licenced premises; resist police	On bail
Haggett, Peter John	Unlawful sexual intercourse (3)	On bail	Vears, Charles	Aggravated causing serious harm with intent to cause serious harm; damaging property (2); assault causing harm	On bail
Hart, Darren Michael	Rape (3)	On bail	Albert, Vonstanke, Codye Bryce, and Vonstanke, Dermott		On bail
Hart, Darren Michael	Aggravated producing child exploitation material (10); indecent filming of a minor (9); possessing child exploitation material	In gaol	Waye, Michael Grant	Traffic in a commercial quantity of controlled drug	On bail
Hatch, Adrian	Public officer exercise power to secure benefit	On bail	Williams, Melanie	Application for enforcement of a breached bond	On bail
Hutchins, Neville Hamilton	Unlawful sexual intercourse (5); aggravated indecent assault (2)	On bail	Williams, Melanie	Drive motor vehicle with methamphetamine in fluid or blood	On bail
Jones, Ashley Frederick and Heffernan, Mollie Anne Veronica	Traffic in a controlled drug	In gaol On bail	Windlass, Cyril Arthur	Fail to comply with bail; aggravated serious criminal trespass in a place of residence; assault	On bail
Keenan, Gerald Bradley	Contravene a term of an intervention order (4); fail to comply with bail agreement (5); trespass in residence ; prevent person from giving evidence; carry an offensive weapon	In gaol	Wright, Lynette	Application for enforcement of a breached bond	On bail
Kotua, Samantha Jane	Traffic in a controlled drug	On bail	Prisoners on bail must surrender at 10 a.m. of the day appointed for their respective trials. If they do not appear when called upon their recognizances and those of their bail will be estreated and a bench warrant will be issued forthwith.		
Larkin, Jon William	Trafficking in a controlled drug	On bail	By order of the Court,		
Lindner, Gary Ian	Persistent sexual exploitation child—retrospective; persistent sexual exploitation of a child	On bail	M. STOKES, Sheriff		
Ludwig, Dwayne John	Commit assault; aggravated threaten to kill or endanger life (2); possess firearm without a licence; unlawful possession (2); fail to store ammunition	On bail	<p style="text-align: center;">COMMONWEALTH OF AUSTRALIA</p> <p style="text-align: center;">OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006</p> <p style="text-align: center;"><i>Delegation under Section 66 of the Offshore Petroleum and Greenhouse Gas Storage Act 2006 (The Act)</i></p>		
McCarthy, Garry Andrew	Persistent sexual exploitation of a child; supply or administer controlled drug to a child	On bail	<p>THE JOINT AUTHORITY in respect of the offshore area of the State of South Australia hereby revokes all existing delegations made pursuant to Section 66 of the Act and delegates all its functions and powers under the Act (other than the power to delegate), or under an Act that incorporates the Act, to the following two persons together:</p> <ul style="list-style-type: none"> • the person from time to time performing the duties of General Manager, Offshore Resources Branch, Resources Division, Department of Industry, Innovation and Science of the Commonwealth of Australia, as the person representing the Commonwealth Minister; and • the person from time to time holding, occupying or performing the duties of the office of Executive Director, Energy Resources Division, Department of State Development, as the person representing the State Minister. 		
McIntosh, Hayden	Traffic in a controlled drug (32)	In gaol	Dated 1 September 2016.		
Millard, Jacob Emmanuel	Aggravated threaten to cause harm to another	On bail	MATTHEW CANAVAN, Minister for Resources and Northern Australia		
Payne, Damien Ashley	Aggravated threaten to cause harm	On bail	Dated 25 September 2016.		
Perera-Cathcart, Pedro	Rape (4)	In gaol	TOM KOUTSANTONIS, Minister for Mineral Resources and Energy		
Peressin, Mark Christian	Aggravated assault (2); aggravated assault causing harm; aggravated threatening life	On bail			
Ratcliffe, Aaron John	Aggravated threatening to cause harm; threatening to cause harm	On bail			
Sleep, Scott Peter	Unlawful sexual intercourse (2)	On bail			
Stafford, John William	Assault; damage property; aggravated serious criminal trespass in a place of residence; assault; assault causing harm	On bail			
Stanton, Ayden Scott	Aggravated serious criminal trespass in a place of residence	On bail			
Stanton, Ayden Scott and Ghidarca, Jonathon Wayne	Aggravated serious criminal trespass in a place of residence (2); theft (2)	On bail			
Summers, Adam Troy	Serious criminal trespass in a non-residential building; robbery	In gaol			

TATTOOING INDUSTRY CONTROL ACT 2015

Exemption

TAKE notice that, pursuant to Section 23 of the Tattooing Industry Control Act 2015, I, Hon. John Rau, MP, Attorney-General, do hereby exempt the participants of the convention named in Schedule 1 from the application of Section 13 of the above Act, in relation to the convention subject to the conditions specified in Schedule 2.

SCHEDULE 1

3 Eyes Convention Inkjecta International Invitational

SCHEDULE 2

1. This exemption is limited to participants of the convention named in Schedule 1, to be held on 10-12 February 2017. The exemption applies only to the particular convention held on these dates.

2. In respect of overseas participants, an exemption from Sections 13 (3) (b) (i) and 13 (3) (c) is granted and will have the effect of the participants only being required to provide their passport and contact details to the Commissioner for Consumer Affairs at least 30 days before commencing to carry on the business.

3. In respect of participants from New South Wales and Queensland, an exemption from Sections 13 (3) (b) (i) and 13 (3) (c) is granted and will have the effect of the participants only being required to provide a valid interstate licence number at least 30 days before commencing to carry on the business.

4. In respect of all other participants of the convention named in Schedule 1, an exemption from Section 13 (3) (b) (i) is granted and will have the effect of the participants not being required to provide a notice to the Commissioner for Consumer Affairs at least 90 days before commencing to carry on the business, on the basis that participants provide this notice at least 30 days prior to commencement of the business.

Dated 30 September 2016.

JOHN RAU, Deputy Premier,
Attorney-General

WILDERNESS PROTECTION ACT 1992

Inspection and purchase of Annual Report, 2015-16

I, IAN HUNTER, Minister for Sustainability, Environment and Conservation, hereby give notice under provisions of Section 7 of the Wilderness Protection Act 1992, that copies of the Annual Report for 2015-16 are available for inspection or purchase at:

Department of Environment, Water and Natural Resources
81-95 Waymouth Street,
Adelaide, S.A. 5000.

Phone: (08) 8463 6923.

Dated 29 September 2016.

IAN HUNTER, Minister for Sustainability,
Environment and Conservation

HOUSING IMPROVEMENT ACT 1940

Sub-Standard Declaration

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

Address of House	Allotment, Section, etc.	Certificate of Title	
		Volume	Folio
6 Walkerville Terrace, Gilberton, S.A. 5081	Allotment 1 in Deposited Plan 92123, Hundred of Yatala	6138	527
7 Birks Street, Parkside, S.A. 5063	Allotment 3 in Filed Plan 7972, Hundred of Adelaide	5798	358
Unit 1/21 Peace Avenue, Victor Harbor, S.A. 5211	Allotment 70 in Filed Plan 218176, Hundred of Encounter Bay	5824	361
2/109 Springs Road, Mount Barker, S.A. 5251	Allotment 51 in Filed Plan 160228, Hundred of Macclesfield	5776	800

Dated at Adelaide, 6 October 2016.

P. REARDON, Director, Property and Contract Management, Housing SA (Delegate SAHT)

HOUSING IMPROVEMENT ACT 1940

Sub-Standard Revocations

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
33 Connie Street, Modbury, S.A. 5092	Allotment 1 and 2 in Deposited Plan 113015, Hundred of Yatala	5599 6180 6180	308 857 858	9.10.2014, Page 6085
13 Rockbourne Street, Elizabeth North, S.A. 5113	Allotment 58 in Deposited Plan 50161, Hundred of Munno Para	5618	859	16.06.2016, Page 2105
Unit 3/9 Beatty Avenue, Hillcrest, S.A. 5086	Allotment 285 in Deposited Plan 3275, Hundred of Yatala	5173	808	26.02.2009, Page 751
24 Brown Street, Semaphore, S.A. 5019	Allotment 278 in Filed Plan 16223, Hundred of Port Adelaide	5452 5452 5991 5991	62 63 275 276	28.09.1972, Page 1785
315 Gorge Road, Athelstone, S.A. 5076	Allotment 33 in Filed Plan 133323, Hundred of Adelaide	4094 5774	994 206	13.04.1989, Page 1053
12 Bolingbroke Avenue, Devon Park, S.A. 5008 (also known as 10-12)	Allotment 701 in Deposited Plan 113864, Hundred of Yatala	4017 5739 6081 6180	206 762 279 779	6.11.1975, Page 2407
10 Bolingbroke Avenue, Devon Park, S.A. 5008 (also known as 10-12)	Allotment 702 in Deposited Plan 113864, Hundred of Yatala	4017 5739 6081 6180	206 762 279 780	6.11.1975, Page 2407
17640 Sturt Highway, Barmera, S.A. 5345 (also known as Section 194, PKA Gordon Road)	Section 194, Hundred of Cobdogla Irrigation Area (Nook)	670	67	8.11.2007, Page 4183

Dated at Adelaide, 6 October 2016.

P. REARDON, Director, Property and Contract Management, Housing SA (Delegate SAHT)

HOUSING IMPROVEMENT ACT 1940

Rent Control

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
204 Gorge Road, Newton, S.A. 5074	Allotment 15 in Deposited Plan 19950, Hundred of Adelaide	5351	762	19.5.2016, page 1470	250.00
12 Calendar Place, Woodville West, S.A. 5011	Allotment 282 in Deposited Plan 4593, Hundred of Yatala	5684	556	11.8.2016, page 3157	196.00
17 Culross Avenue, Myrtle Bank, S.A. 5064	Allotment 309 in Filed Plan 15854, Hundred of Adelaide	5158	224	19.5.2016, page 1470	275.00

Dated at Adelaide, 6 October 2016.

P. REARDON, Director, Property and Contract Management, Housing SA (Delegate SAHT)

South Australia

Liquor Licensing (Dry Areas) Notice 2016

under section 131(1a) of the *Liquor Licensing Act 1997*

1—Short title

This notice may be cited as the *Liquor Licensing (Dry Areas) Notice 2016*.

2—Commencement

This notice comes into operation on 26 December 2016.

3—Interpretation

(1) In this notice—

principal notice means the *Liquor Licensing (Dry Areas) Notice 2015* published in the *Gazette* on 5.1.15, as in force from time to time.

(2) Clause 3 of the principal notice applies to this notice as if it were the principal notice.

4—Consumption etc of liquor prohibited in dry areas

- (1) Pursuant to section 131 of the Act, the consumption and possession of liquor in the area described in the Schedule is prohibited in accordance with the provisions of the Schedule.
- (2) The prohibition has effect during the periods specified in the Schedule.
- (3) The prohibition does not extend to private land in the area described in the Schedule.
- (4) Unless the contrary intention appears, the prohibition of the possession of liquor in the area does not extend to—
 - (a) a person who is genuinely passing through the area if—
 - (i) the liquor is in the original container in which it was purchased from licensed premises; and
 - (ii) the container has not been opened; or
 - (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
 - (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area.

Schedule—Beachport Area 1

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

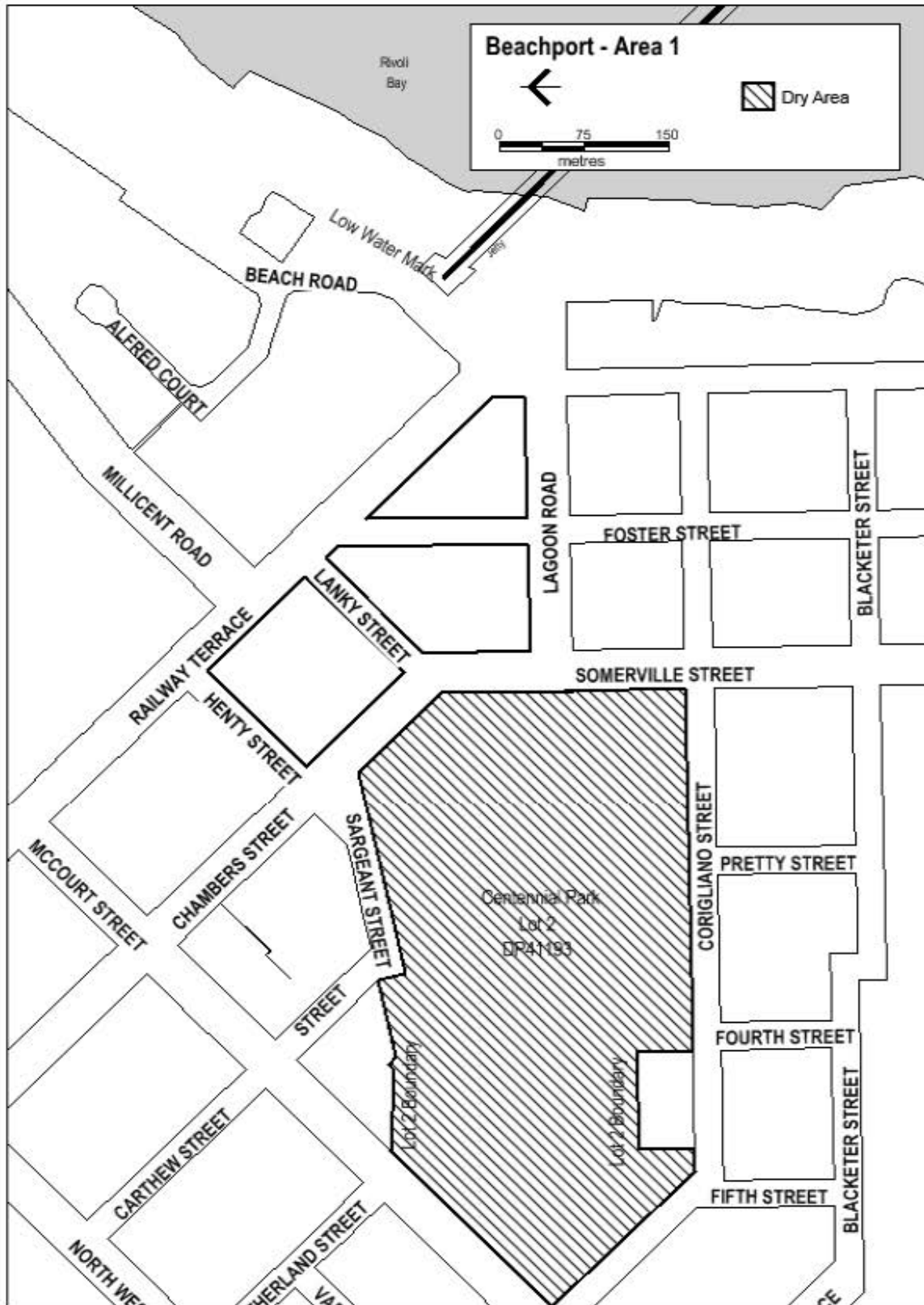
2—Period of prohibition

(a) From 12.01 am to 7 am on each day, from 26 December 2016 to 31 December 2016 (inclusive);

(b) From 12 noon on 31 December 2016 to 12 noon on 2 January 2017.

3—Description of area

The area in Beachport, generally known as Centennial Park, comprising Lot 2 DP 41193.



Made by the Liquor and Gambling Commissioner
on 29 September 2016.

Schedule—Beachport Area 2

1—Extent of prohibition

The consumption of liquor is prohibited and the possession of liquor is prohibited.

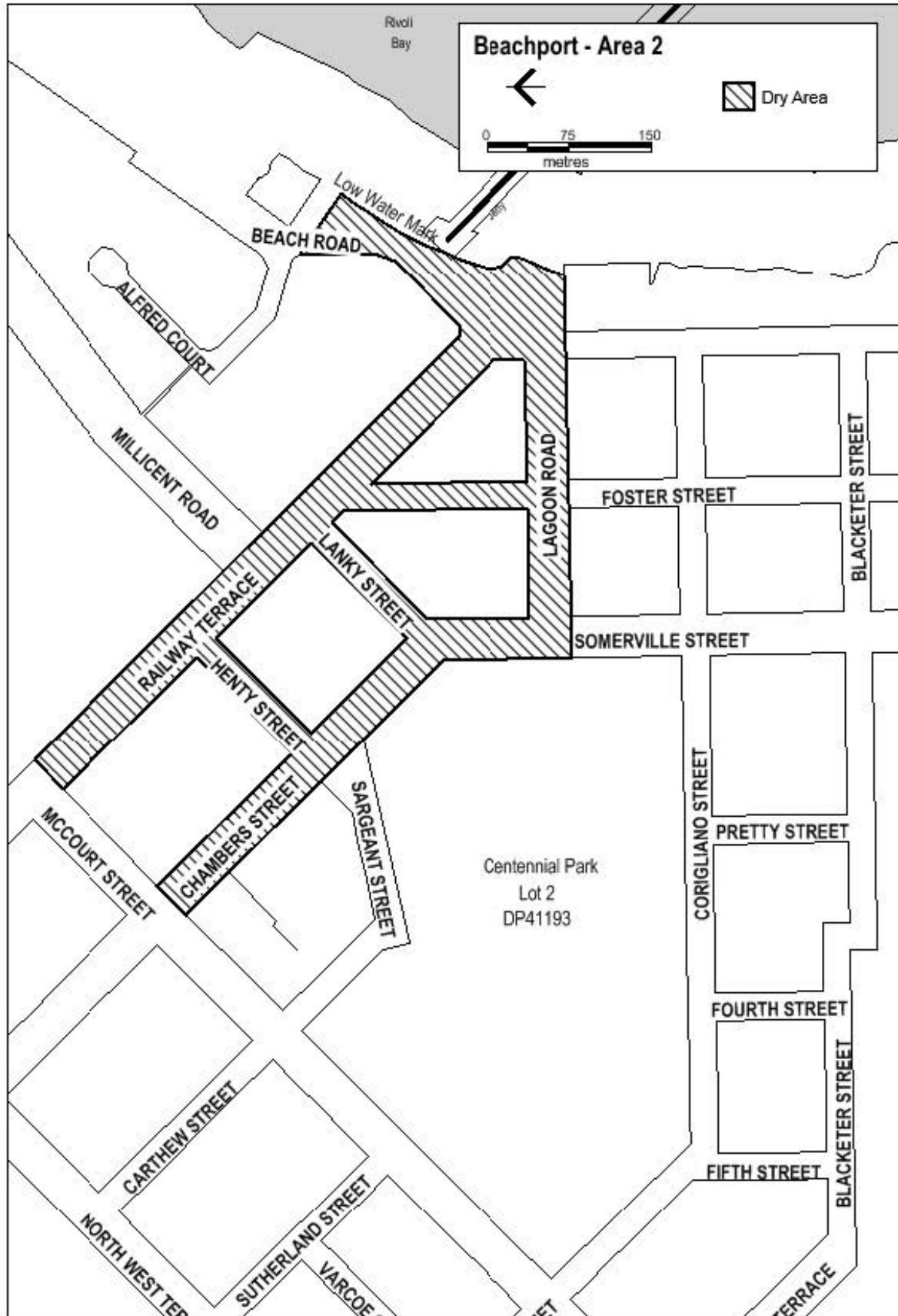
2—Period of prohibition

From 12 noon on 26 December 2016 to 12 noon on 2 January 2017.

3—Description of area

The area in and adjacent to Beachport comprising the following roads and other areas:

- (a) Railway Terrace between the south-eastern boundary of McCourt Street and the north-western boundary of Beach Road;
- (b) Chambers Street and Somerville Street between the south-eastern boundary of McCourt Street and the southern boundary of Lagoon Road;
- (c) Lagoon Road between the eastern boundary of Somerville Street and the western boundary of Beach Road;
- (d) Henty Street;
- (e) Lanky Street;
- (f) Foster Street between Railway Terrace and the southern boundary of Lagoon Road;
- (g) the area commencing at the point at which the prolongation in a straight line of the southern boundary of Lagoon Road intersects the low water mark on the western side of Rivoli Bay, then westerly along that prolongation to the western boundary of Beach Road, then generally northerly, north-easterly and northerly along that boundary of Beach Road to the southern boundary of Alfred Court, then along the prolongation in a straight line of that southern boundary of Alfred Court to the low water mark on the western side of Rivoli Bay, then generally south-westerly along the low water mark to the point of commencement.



Made by the Liquor and Gambling Commissioner
on 29 September 2016.

South Australia

Riverbank (Declaration of Designated Project) Notice 2016

under Schedule 1 clause 1(2) of the *Riverbank Act 1997*

1—Short title

This notice may be cited as the *Riverbank (Declaration of Designated Project) Notice 2016*.

2—Commencement

This notice comes into operation immediately after the commencement of the *ASER (Restructure) (Facilitation of Riverbank Development) Amendment Act 2016* (No 40 of 2016).

3—Declaration of designated project

The Festival Plaza Redevelopment Project described in Schedule 1, and any works or other activities associated with the project, is declared to be a designated project for the purposes of Schedule 1 clause 1(2) of the *Riverbank Act 1997*.

Schedule 1—Festival Plaza Redevelopment Project

1—Festival Plaza Redevelopment Project

- (1) The Festival Plaza Redevelopment Project comprises all projects, schemes, undertakings and works associated with the redevelopment of the Festival Plaza in the designated area, including works carried out from time to time by or on behalf of, or pursuant to any contract with, the State in relation to the Festival Plaza Redevelopment, including—
 - (a) demolition of existing buildings and structures; and
 - (b) construction of a new plaza and pedestrian access ways; and
 - (c) construction of a new car park and parliamentary gardens; and
 - (d) construction of new buildings for retail, hospitality, cultural, tourism, entertainment and commercial purposes; and
 - (e) development and landscaping of public realm associated with the above; and
 - (f) excavation and preparatory works associated with the above.
- (2) Without limiting the generality of subclause (1), the Festival Plaza Redevelopment Project includes works or other activities (including early works) undertaken pursuant to any 1 of the following contracts:
 - (a) the contract between the Minister for Transport and Infrastructure and SkyCity Adelaide Pty Ltd;
 - (b) the contract between the Minister for Transport and Infrastructure and Lend Lease Building Contractors Pty Ltd;
 - (c) the development agreement between the Minister for the Arts and various Walker Corporation entities.

Made by the Governor

with the advice and consent of the Executive Council
on 6 October 2016

MHUD/16/033

SOUTH AUSTRALIAN PUBLIC HEALTH ACT 2011*Notice by the Minister*

I, JACK SNELLING, Minister for Health, pursuant to Section 53 of the South Australian Public Health Act 2011, do hereby declare the South Australian Public Health (Clandestine Drug Laboratories) Policy 2016 to be a State Public Health Policy.

Dated 15 September 2016.

JACK SNELLING, Minister for Health

South Australia

South Australian Public Health (Clandestine Drug Laboratories) Policy 2016

under the South Australian Public Health Act 2011

Contents

- 1 Title
- 2 Interpretation
- 3 Clandestine drug laboratory management objectives
- 4 Clandestine drug laboratory to constitute a risk to public health
- 5 Application of the general duty
- 6 Procedures to manage a clandestine drug laboratory

1 Title

This Policy is made pursuant to Part 5 of the Act and shall be cited as the *South Australian Public Health (Clandestine Drug Laboratories) Policy 2016*.

2 Interpretation

Act means the *South Australian Public Health Act 2011*;

Clandestine drug laboratory means a premises or vehicle in which:

- (a) any controlled drug is or was unlawfully manufactured or in which there has been an attempt to unlawfully manufacture a controlled drug; or
- (b) shall include any place or area where chemicals, equipment or waste materials used to unlawfully manufacture a controlled drug have been located;

Controlled drug means

- (a) a drug of dependence; or
- (b) a substance declared by the Controlled Substances (Controlled Drugs, Precursors and Plants) Regulations 2000 to be a controlled drug for the purposes of the *Controlled Substances Act 1984*;

Drug of dependence has the same meaning as in the *Controlled Substances Act 1984*;

General duty means the duty specified under Part 6 of the Act to take all reasonable steps to prevent or minimise any harm to public health;

Guidelines means the *Practice Guideline for the Management of Clandestine Drug Laboratories under the South Australian Public Health Act 2011*; a guideline prepared by the Chief Public Health Officer and published on the Department for Health and Ageing website;

Manufacture, in relation to a controlled drug means—

- (a) undertake any process by which the drug is extracted, produced or refined; or
- (b) take part in the process of manufacture of the substance;

National guidelines means the Clandestine Drug Laboratory Remediation Guidelines published by the Australian Government;

Relevant authority has the definition given by Part 12 of the Act.

3 Clandestine drug laboratory management objectives

The objective of this Policy is to apply the objects and principles of the Act through the assessment and remediation of a clandestine drug laboratory.

4 Clandestine drug laboratory to constitute a risk to public health

A clandestine drug laboratory constitutes a risk to public health for the purposes of the Act.

5 Application of the general duty

A clandestine drug laboratory constitutes harm to public health for the purposes of the general duty in Part 6 of the Act.

6 Procedures to manage a clandestine drug laboratory

In order to identify and manage the public health risks of a clandestine drug laboratory the relevant authority shall where applicable have regard to the procedures set out in the Guidelines and appendix 1 of the National Guidelines.

IN *Government Gazette* No. 56 dated 22 September 2016, on page 3819, Amendment No. 34 of the District Court Civil Rules 2006, was printed with a typographical error and should be replaced with the following:

South Australia

District Court Civil Rules 2006 (Amendment No. 34)

BY virtue and in pursuance of Section 51 of the District Court Act 1991 and all other enabling powers, we, Geoffrey Thomas Muecke, Chief Judge, and Rauf Soulio and Paul Vincent Slattery, Judges of the District Court of South Australia, make the following Rules of Court.

1. These Rules may be cited as the District Court Civil Rules 2006 (Amendment No. 34).

2. The amendments made by these Rules come into effect on 1 October 2016 or the date of their gazettal, whichever is later.

3. The District Court Civil Rules 2006 are amended as set out below.

4. Rule 40A (d) (iii) is amended by substituting “rule 247” for “[*equivalent of Victorian Order 37A*]”.

5. Rule 40E is amended by substituting “a notice of address for service or defence” for “an appearance”.

6. Rule 40F(1) is amended by substituting “file a notice of address for service or defence” for “enter an appearance”.

7. Rule 54 is amended by:

(a) inserting a new subrule (8) as follows:

“(8) For the avoidance of doubt, nothing in this rule prevents the Court permitting an amendment to add a cause of action that is statute barred or introduce a defendant against whom a fresh action would be statute barred on the basis that the amendment not relate back to the commencement of the action and the addition or introduction be subject to the subsequent granting of an extension of time under section 48 of the *Limitations of Actions Act 1936* or other statutory power.

Note—

See *Brook v Flinders University of South Australia* (1988) 47 SASR 119.”

(b) renumbering existing subrule (8) as subrule (9).

8. Rule 74 is amended by:

(a) deleting subrules (5) and (6); and

(b) inserting the following note at the end of the rule:

“Note—

Rule 54 governs applications to introduce a defendant against whom a fresh action would be statute barred.”

9. Rule 160 is amended by inserting new subrules (2A), (2B) and (2C) as follows:

- “(2A) A party requesting an expert report is to set out in a letter to the expert –
- (a) the assumptions the expert is requested to make for the purpose of expressing an opinion;
 - (b) the materials provided to the expert for the purpose of expressing an opinion;
 - (c) the questions on which the expert is asked to express opinion.
- (2B) A party requesting an expert report is within five business days of sending a letter to an expert under subrule (2A) to serve on each other party to the action a copy of the letter.
- (2C) To the extent practicable, when preparing a report (*a responsive report*) in response to or in the same field of expertise and dealing with the same subject matter as an expert report by another expert (*a prior expert*), an expert should confer with the prior expert about the assumptions and opinions the subject of their respective reports.”

10. Rule 160(3) is amended by renumbering existing paragraph (g) as (i) and inserting new paragraphs (g) and (h) as follows:

- “(g) identify whether the expert has complied with subrule (2C) and if not why not;
- (h) identify the differences (if any) in assumptions made and opinions expressed compared to those made and expressed by a prior expert (if any);”

11. Rule 160(7) (a) is amended by deleting “or within 5 business days after”.

12. New subrules (8) to (11) are inserted in Rule 160 as follows:

- “(8) Notwithstanding subrule (3) but without affecting the obligation of a party to serve expert reports complying with subrule (3) by the relevant time limit in accordance with subrule (1), a party is at liberty at any time before the relevant time limit to obtain and serve a summary expert report that does not comply with subrule (3).
- (9) For the purpose of this rule, a *summary expert report* is a report that sets out in summary form assumptions made and opinions held by an expert on issues relevant in the action.
- (10) For the avoidance of doubt, an expert report (including a summary expert report) served under this rule is not subject to legal professional privilege and may be the subject of questions at trial and, if otherwise admissible, may be tendered in evidence at trial.
- (11) If a party obtains an expert report (including a summary expert report) before the relevant time limit, unless the Court otherwise orders, the party is within five business days of receipt to serve a copy of the report on each other party to the action.”

Dated 13 September 2016.

G. T. MUECKE, Chief Judge
R. SOULIO, Judge
P. V. SLATTERY, Judge

South Australia

ASER (Restructure) (Facilitation of Riverbank Development) Amendment Act (Commencement) Proclamation 2016

1—Short title

This proclamation may be cited as the *ASER (Restructure) (Facilitation of Riverbank Development) Amendment Act (Commencement) Proclamation 2016*.

2—Commencement of Act

The *ASER (Restructure) (Facilitation of Riverbank Development) Amendment Act 2016* (No 40 of 2016) will come into operation on 6 October 2016.

Made by the Governor

with the advice and consent of the Executive Council on
6 October 2016

MHUD/16/033

South Australia

Essential Services (Extension of Period of Emergency) Proclamation 2016

under section 3 of the *Essential Services Act 1981*

1—Short title

This proclamation may be cited as the *Essential Services (Extension of Period of Emergency) Proclamation 2016*.

2—Commencement

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

3—Extension of period of emergency

In accordance with section 3 of the *Essential Services Act 1981* the period declared as a period of emergency in respect of specified essential services (being the production, distribution and supply of electricity) by the *Essential Services (Declaration of Period of Emergency) Proclamation 2016* (see *Gazette 29.09.2016 p3924*) is extended for a further period of 7 days.

Made by the Governor

with the advice and consent of the Executive Council
on 6 October 2016

South Australia

Fisheries Management (Charter Boat Fishery) Regulations 2016

under the *Fisheries Management Act 2007*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Constitution of fishery
- 5 Application of regulations
- 6 Issue of licences
- 7 Transfer of licences
- 8 Registration
- 9 Revocation of registration
- 10 Conditions limiting number of boats that may be used etc
- 11 Prohibition on use, possession etc of recreational rock lobster pot
- 12 Information to be provided to Minister before registered boat is used for more than 24 hours
- 13 Periodic returns

Schedule 1—Revocation of *Fisheries Management (Charter Boat Fishery) Regulations 2005*

1—Short title

These regulations may be cited as the *Fisheries Management (Charter Boat Fishery) Regulations 2016*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978*).

3—Interpretation

- (1) In these regulations, unless the contrary intention appears—

Aboriginal and Torres Strait Islander corporation has the same meaning as in the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* of the Commonwealth;

Act means the *Fisheries Management Act 2007*;

charter boat means a boat that is used for recreational fishing under charter boat fishing agreements;

charter boat fishing agreement means an agreement made by a person in the course of a business under which the person agrees, for money or other consideration, to facilitate recreational fishing by persons by the provision of charter boat fishing services to the persons;

charter boat fishing business means the business of facilitating recreational fishing by persons by the provision of charter boat fishing services to the persons under charter boat fishing agreements;

charter boat fishing services means carrying persons as passengers on a boat and otherwise assisting or enabling the persons to engage in recreational fishing from the boat;

Corporations Act means the *Corporations Act 2001* of the Commonwealth;

current company extract means a document prepared by the Australian Securities and Investment Commission from its national database kept under the Corporations Act that contains current details of the following in relation to a company:

- (a) the company's name;
- (b) the address of the company's registered office;
- (c) the date of registration of the company;
- (d) the State or Territory in which the company is taken to be registered under the Corporations Act;
- (e) the company's Australian Company Number;
- (f) whether the company is a proprietary company or a public company;
- (g) the full name of each director of the company;
- (h) the full name of each secretary (if any) of the company;

eligible person means—

- (a) a natural person or company carrying on a charter boat fishing business that was established on or before 28 November 2003; or
- (b) a natural person or company carrying on a charter boat fishing business that was in the process of being established on 28 November 2003; or
- (c) an Aboriginal and Torres Strait Islander corporation that—
 - (i) has a business plan for a charter boat fishing business; and
 - (ii) is a party to an indigenous land use agreement with the State under which it is agreed that a licence in respect of the fishery will be issued to the corporation; or
- (d) an Aboriginal and Torres Strait Islander corporation or incorporated association that—
 - (i) has a business plan for a charter boat fishing business; and
 - (ii) has been established by a native title group for the purpose of implementing an indigenous land use agreement with the State under which it is agreed that a licence in respect of the fishery will be issued to the corporation or association;

fishery means the Charter Boat Fishery constituted by these regulations;

incorporated association has the same meaning as in the *Associations Incorporation Act 1985*;

indigenous land use agreement means an indigenous land use agreement registered under Part 2 Division 3 of the *Native Title Act 1993* of the Commonwealth;

policy of insurance includes a cover note that is binding on the insurer.

- (2) In these regulations—
- (a) unless the contrary intention appears, *company*, *director*, *proprietary company* and *public company* have the same respective meanings as in the Corporations Act;
 - (b) a reference to the *taking of aquatic resources* includes a reference to an act preparatory to, or involved in, the taking of the aquatic resources.

4—Constitution of fishery

- (1) The Charter Boat Fishery is constituted.
- (2) The Charter Boat Fishery consists of facilitating recreational fishing by persons by the provision of charter boat fishing services to the persons under charter boat fishing agreements.

5—Application of regulations

These regulations do not apply in relation to recreational fishing in inland waters.

6—Issue of licences

- (1) The Minister may issue licences in respect of the fishery.
- (2) Before granting a licence in respect of the fishery, the Minister must be satisfied of all of the following:
 - (a) that the applicant is an eligible person;
 - (b) if the applicant is a natural person, that the person is a fit and proper person to hold a licence in respect of the fishery;
 - (c) if the applicant is a body corporate, that every member of the governing body of the body corporate is a fit and proper person to be a member of the governing body of a body corporate that holds a licence in respect of the fishery.

7—Transfer of licences

- (1) Licences in respect of the fishery are transferable.
- (2) An application for consent to the transfer of a licence must be accompanied by—
 - (a) the licence to be transferred; and
 - (b) a form of return as required by regulation 13 completed by the holder of the licence up to the date of application; and
 - (c) if the transferee is a company—a current company extract relating to the transferee issued not more than 1 month immediately preceding the date of application.

- (3) The Minister may only consent to the transfer of a licence if satisfied as to the following:
- (a) that any fees or other amounts payable in relation to the licence under the Act have been paid in full;
 - (b) that the licence to be transferred has not been suspended;
 - (c) that no proceedings alleging an offence against the Act are pending or likely to be commenced in the State against the holder of the licence;
 - (d) if the transferee is a natural person, that the transferee is at least 15 years of age and is a fit and proper person to hold a licence in respect of the fishery;
 - (e) if the transferee is a body corporate, that every member of the governing body of the body corporate is a fit and proper person to be a member of the governing body of a body corporate that holds a licence in respect of the fishery;
 - (f) if a boat is registered for use under the licence, that there is in force a policy of public liability insurance under which the transferee is insured or indemnified in an amount of at least \$10 000 000 in relation to death or bodily injury or property damage that may be caused by or arise out of the use of the boat under the licence.

8—Registration

- (1) An application by the holder of a licence in respect of the fishery—
- (a) to register a boat or device for use under the licence; or
 - (b) to register a person as a master of a boat that may be used under the licence,
- must be accompanied by the documents specified in the application form.
- (2) The Minister may only grant an application to register a boat for use under a licence in respect of the fishery if satisfied that there is in force a policy of public liability insurance under which the applicant is insured or indemnified in an amount of at least \$10 000 000 in relation to death or bodily injury or property damage that may be caused by or arise out of the use of the boat under the licence.

9—Revocation of registration

- (1) The Minister may, on application by the holder of a licence in respect of the fishery, revoke the registration of—
- (a) a boat or device used under the licence; or
 - (b) a person as a master of a boat that may be used under the licence.
- (2) An application for revocation of registration must—
- (a) be made in a manner and form approved by the Minister; and
 - (b) be signed by the applicant and be completed in accordance with the instructions contained in the form; and
 - (c) be accompanied by the documents specified in the application form.

10—Conditions limiting number of boats that may be used etc

The Minister may impose conditions on a licence in respect of the fishery—

- (a) limiting the number of registered boats that may be used under the licence at any 1 time;
- (b) limiting the number of devices that may be carried on registered boats used under the licence and otherwise regulating the carrying of devices on such boats;
- (c) limiting the area of waters within which registered boats may be used under the licence.

11—Prohibition on use, possession etc of recreational rock lobster pot

- (1) A person to whom this regulation applies must not, aboard a registered boat that is being used under a licence in respect of the fishery, use or have possession or control of a rock lobster pot that is registered in the name of that person for use for non-commercial fishing.

Maximum penalty: \$10 000.

Expiation fee: \$500.

- (2) This regulation applies to—
 - (a) the holder of the licence and any agent of the holder of the licence; and
 - (b) if the holder of the licence is not the registered master of the registered boat—the registered master of the registered boat.

12—Information to be provided to Minister before registered boat is used for more than 24 hours

- (1) Before a registered boat used under a licence in respect of the fishery departs on a trip during which fishing activity is to be carried on for a continuous period of more than 24 hours commencing at midnight on any day and ending at midnight on the following day, the Minister must be informed by telephone of—

- (a) the number of the licence under which the fishing activity is to be undertaken; and
- (b) the intended times and places of the boat's departure and return.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) If subregulation (1) is not complied with, the registered owner and registered master of the registered boat are each guilty of an offence.

13—Periodic returns

- (1) The holder of a licence in respect of the fishery must—
 - (a) fill out a return in a form determined by the Minister, in respect of each calendar month during the currency of the licence; and
 - (b) include in the return such information as the Minister requires; and

- (c) date and sign the return and certify that the information contained in the return is complete and accurate, and post or deliver the return to the Minister within 15 days of the end of the month to which it relates.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) If no aquatic resources are taken during a particular calendar month by use of a boat registered for use under a licence in respect of the fishery, the holder of the licence is required by subregulation (1) to furnish a return in respect of that period indicating that no aquatic resources were taken.
- (3) If the fishery has been closed for a whole calendar month, the holder of a licence need not furnish a return for that month.
- (4) The holder of a licence in respect of the fishery must—
 - (a) make a copy of each return that the holder of the licence fills out pursuant to these regulations before the return is sent or delivered to the Minister; and
 - (b) retain the copy for the period of 1 year from the last day of the month to which the return relates.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Schedule 1—Revocation of *Fisheries Management (Charter Boat Fishery) Regulations 2005*

The *Fisheries Management (Charter Boat Fishery) Regulations 2005* are revoked.

Made by the Governor

with the advice and consent of the Executive Council
on 6 October 2016

No 233 of 2016

16MAFF0027

South Australia

Fisheries Management (Demerit Points) Variation Regulations 2016

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fisheries Management (Demerit Points) Regulations 2009*

- 4 Variation of Schedule 1—Demerit point offences and demerit points
 - 6 *Fisheries Management (Charter Boat Fishery) Regulations 2016*
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Demerit Points) Variation Regulations 2016*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978*).

3—Variation provisions

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

Part 2—Variation of *Fisheries Management (Demerit Points) Regulations 2009*

4—Variation of Schedule 1—Demerit point offences and demerit points

Schedule 1, Part 2, clause 6—delete clause 6 and substitute:

6—*Fisheries Management (Charter Boat Fishery) Regulations 2016*

Regulations	Description of offence	Demerit points
reg 11(1)	<i>Using, possessing or controlling rock lobster pot (recreational) registered in name of licensed person, registered master or agent of licensed person aboard registered boat being used under licence—</i>	
	(a) if the offence is expiated	20
	(b) in any other case	50
reg 12(1)	<i>Failing to provide certain information to Minister if fishing activity to be carried on under licence for more than continuous 24 hour period —</i>	
	(a) if the offence is expiated	15
	(b) in any other case	75
reg 13(1)	<i>Failing to complete or deliver monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50
reg 13(4)	<i>Failing to make and retain copy of monthly catch return—</i>	
	(a) if the offence is expiated	10
	(b) in any other case	50

Made by the Governor

with the advice and consent of the Executive Council
on 6 October 2016

No 234 of 2016

16MAFF0027

South Australia

Fisheries Management (General) Variation Regulations 2016

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fisheries Management (General) Regulations 2007*

- 4 Variation of regulation 3—Interpretation
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (General) Variation Regulations 2016*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978*).

3—Variation provisions

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

Part 2—Variation of *Fisheries Management (General) Regulations 2007*

4—Variation of regulation 3—Interpretation

Regulation 3(1), definition of *Charter Boat Fishery*—delete *Fisheries Management (Charter Boat Fishery) Regulations 2005* and substitute:

Fisheries Management (Charter Boat Fishery) Regulations 2016

Made by the Governor

with the advice and consent of the Executive Council
on 6 October 2016

No 235 of 2016

16MAFF0027

South Australia

Fisheries Management (Miscellaneous Developmental Fishery) Variation Regulations 2016

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Fisheries Management (Miscellaneous Developmental Fishery) Regulations 2013*

- 4 Variation of regulation 3—Interpretation
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Miscellaneous Developmental Fishery) Variation Regulations 2016*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made (see *Subordinate Legislation Act 1978*).

3—Variation provisions

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

Part 2—Variation of *Fisheries Management (Miscellaneous Developmental Fishery) Regulations 2013*

4—Variation of regulation 3—Interpretation

Regulation 3(1), definition of *prescribed fishery regulations*, paragraph (c)—delete paragraph (c) and substitute:

- (c) the *Fisheries Management (Charter Boat Fishery) Regulations 2016*;

Made by the Governor

with the advice and consent of the Executive Council
on 6 October 2016

No 236 of 2016

16MAFF0027

South Australia

Public Corporations (Education Adelaide) Variation Regulations 2016

under the *Public Corporations Act 1993*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Public Corporations (Education Adelaide) Regulations 2011*

- 4 Variation of regulation 1—Short title
- 5 Variation of regulation 3—Interpretation
- 6 Substitution of heading to Part 3
- 7 Variation of regulation 5—Continuation of subsidiary (section 24)
- 8 Variation of regulation 13—Functions of subsidiary

Part 3—Transitional provisions

- 9 Transitional provisions
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Public Corporations (Education Adelaide) Variation Regulations 2016*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Public Corporations (Education Adelaide) Regulations 2011*

4—Variation of regulation 1—Short title

Regulation 1—delete "*Education Adelaide*" and substitute:

StudyAdelaide

5—Variation of regulation 3—Interpretation

Regulation 3, definition of *subsidiary*—delete "Education Adelaide" and substitute:

StudyAdelaide

6—Substitution of heading to Part 3

Part 3, Heading—delete the heading and substitute:

Part 3—StudyAdelaide

7—Variation of regulation 5—Continuation of subsidiary (section 24)

Regulation 5(1)—delete subregulation (1) and substitute:

- (1) *Education Adelaide* continues in existence as a subsidiary of the Minister (without change of its corporate identity) as *StudyAdelaide*.

8—Variation of regulation 13—Functions of subsidiary

Regulation 13(1)—delete subregulation (1) and substitute:

- (1) The subsidiary's functions are limited to the following:
 - (a) engaging in marketing campaigns promoting Adelaide as a viable and attractive destination for international students (*destination marketing*);
 - (b) engaging in other high level marketing campaigns that support the subsidiary's destination marketing;
 - (c) fostering community support for international students in South Australia;
 - (d) communications management, as required from time to time, of any situation that may adversely affect South Australia's reputation as an education destination;
 - (e) acquisition and management of resources and services of the subsidiary in accordance with the laws of this jurisdiction and any other jurisdiction in which the subsidiary carries out its functions;
 - (f) to carry out any other function (consistent with the subsidiary's strategic direction) that is conferred on the subsidiary by the Minister.

Part 3—Transitional provisions

9—Transitional provisions

- (1) StudyAdelaide is the same body corporate as Education Adelaide established under the *Public Corporations (Education Adelaide) Regulations 1998* (see *Gazette 18.8.2011 p3571*) and continued in existence under the *Public Corporations (Education Adelaide) Regulations 2011* (see *Gazette 14.4.2016 p1169*).
- (2) A reference in an instrument to Education Adelaide is (where the context admits) to be read as a reference to StudyAdelaide.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 6 October 2016

No 237 of 2016

16MINT/378CS

South Australia

Major Events (One Day International Cricket Match— Australia v Pakistan 2017) Regulations 2016

under the *Major Events Act 2013*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Major event
- 5 Event organiser
- 6 Major event period
- 7 Major event venue
- 8 Controlled area
- 9 Application of certain provisions of Act
- 10 Advertising controlled airspace
- 11 Expiry of regulations

Schedule 1—Map of controlled area

1—Short title

These regulations may be cited as the *Major Events (One Day International Cricket Match—Australia v Pakistan 2017) Regulations 2016*.

2—Commencement

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

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Major Events Act 2013*;

controlled area—see regulation 8;

major event—see regulation 4;

major event period—see regulation 6;

major event venue—see regulation 7.

4—Major event

The One Day International Cricket Match—Australia v Pakistan 2017 is declared to be a major event.

5—Event organiser

Cricket Australia is designated as the event organiser for the major event.

6—Major event period

The major event period for which the declaration of the major event is in force is 26 January 2017.

7—Major event venue

The major event venue for the purposes of the major event is declared to be the Adelaide Oval Core Area (within the meaning of the *Adelaide Oval Redevelopment and Management Act 2011*).

8—Controlled area

The controlled area for the major event during the major event period is declared to be the hatched area shown on the map in Schedule 1.

9—Application of certain provisions of Act

Sections 9 to 13 (inclusive) of the Act are declared to apply to the major event.

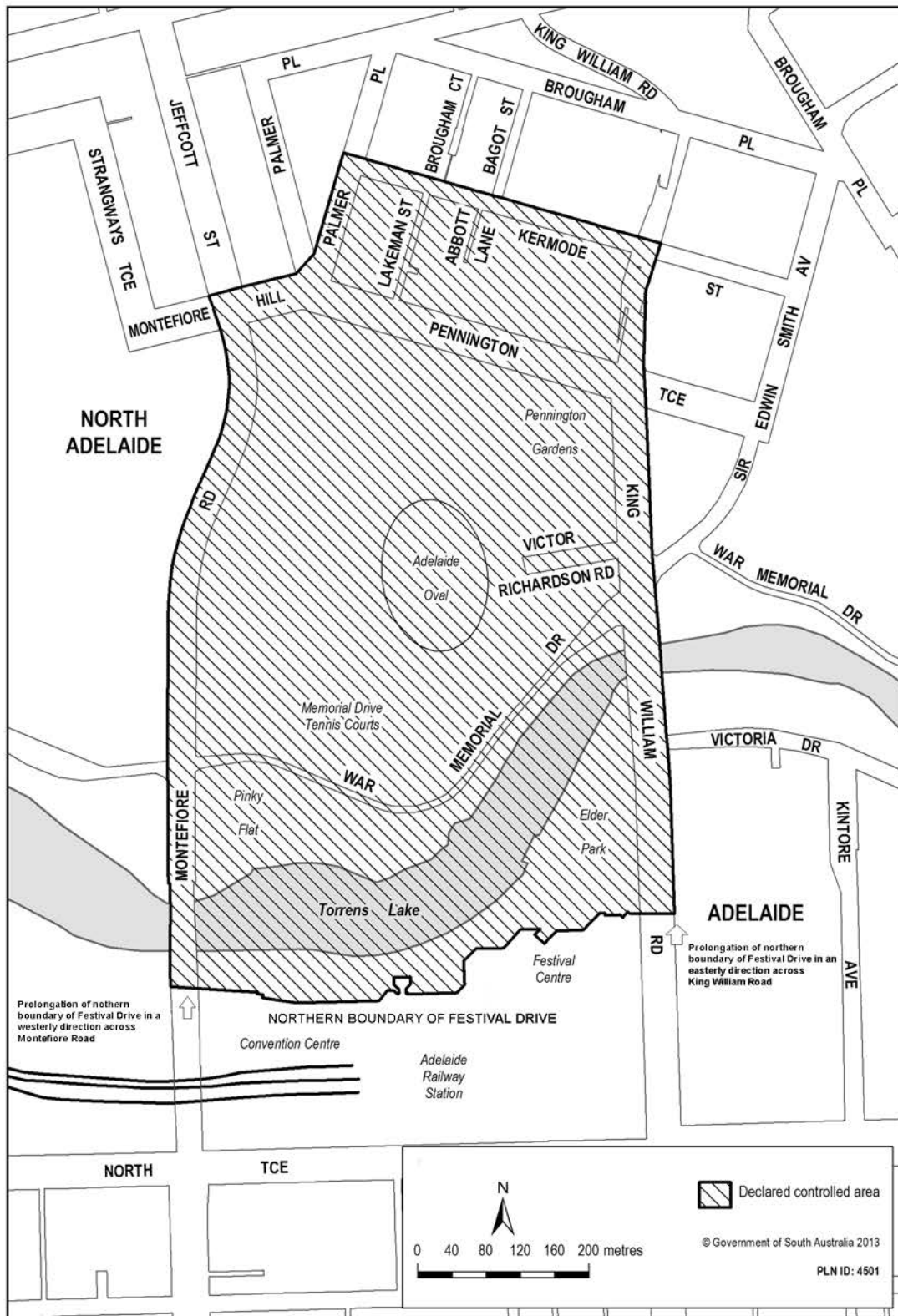
10—Advertising controlled airspace

For the purposes of section 7(3)(e) of the Act, airspace that is within unaided sight of the major event venue is declared to be advertising controlled airspace during the major event period.

11—Expiry of regulations

These regulations will expire on 27 January 2017.

Schedule 1—Map of controlled area



Note—

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

Made by the Governor

after consultation by the Minister with The Corporation of the City of Adelaide (being the council in whose area the major event is to be held and the council whose area will be directly affected by the holding of the event) and with the advice and consent of the Executive Council
on 6 October 2016

No 238 of 2016

16MTOUR0016

South Australia

Major Events (Twenty 20 Cricket Match—Australia v Sri Lanka 2017) Regulations 2016

under the *Major Events Act 2013*

Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Major event
- 5 Event organiser
- 6 Major event period
- 7 Major event venue
- 8 Controlled area
- 9 Application of certain provisions of Act
- 10 Advertising controlled airspace
- 11 Expiry of regulations

Schedule 1—Map of controlled area

1—Short title

These regulations may be cited as the *Major Events (Twenty 20 Cricket Match—Australia v Sri Lanka 2017) Regulations 2016*.

2—Commencement

These regulations will come into operation 4 months after the day on which they are made.

3—Interpretation

In these regulations, unless the contrary intention appears—

Act means the *Major Events Act 2013*;

controlled area—see regulation 8;

major event—see regulation 4;

major event period—see regulation 6;

major event venue—see regulation 7.

4—Major event

The Australia v Sri Lanka Twenty 20 cricket match to be held on 22 February 2017 in Adelaide is declared to be a major event.

5—Event organiser

Cricket Australia is designated as the event organiser for the major event.

6—Major event period

The major event period for which the declaration of the major event is in force is 22 February 2017.

7—Major event venue

The major event venue for the purposes of the major event is declared to be the Adelaide Oval Core Area (within the meaning of the *Adelaide Oval Redevelopment and Management Act 2011*).

8—Controlled area

The controlled area for the major event during the major event period is declared to be the hatched area shown on the map in Schedule 1.

9—Application of certain provisions of Act

Sections 9 to 13 (inclusive) of the Act are declared to apply to the major event.

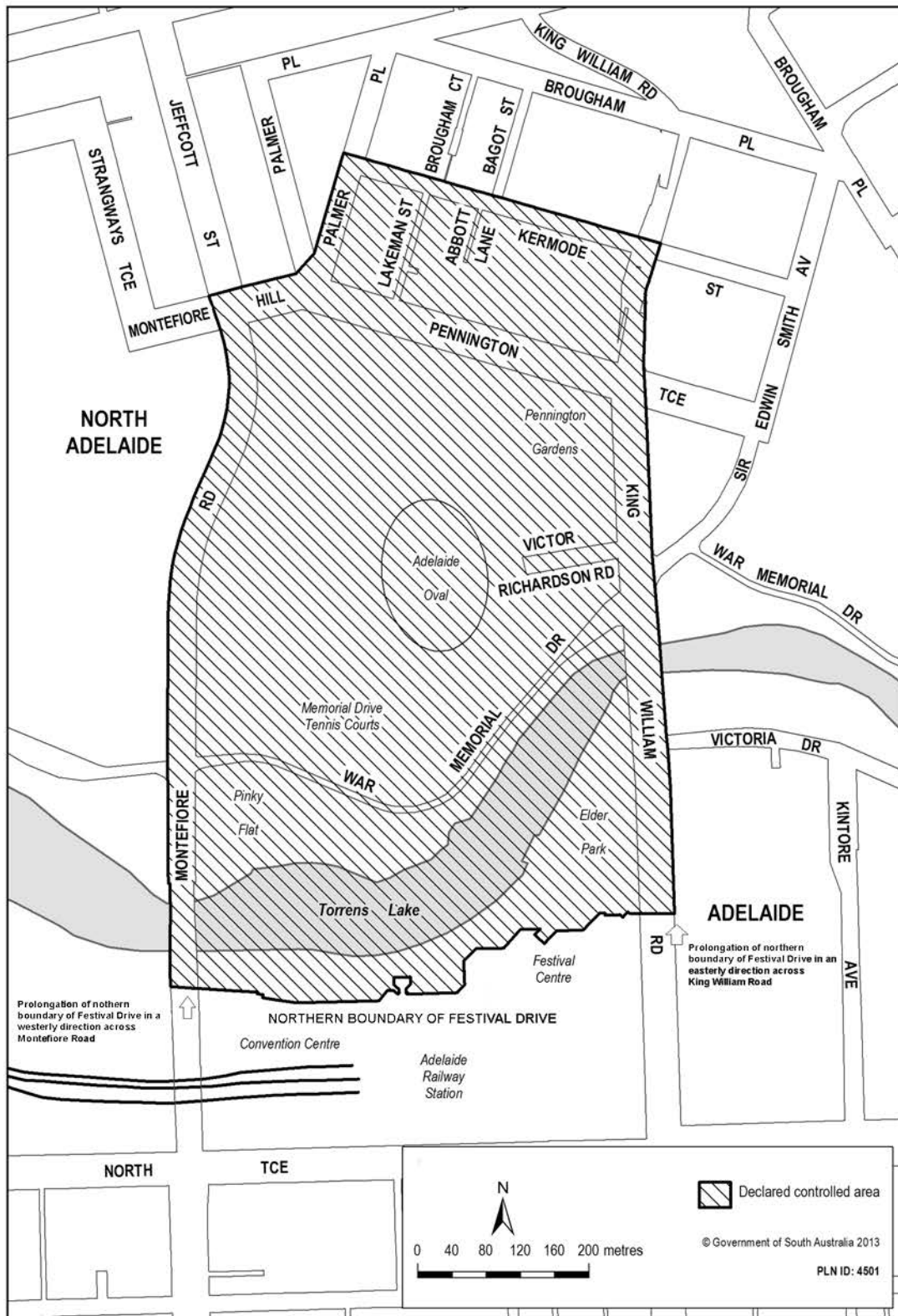
10—Advertising controlled airspace

For the purposes of section 7(3)(e) of the Act, the airspace that is within unaided sight of the major event venue is declared to be advertising controlled airspace during the major event period.

11—Expiry of regulations

These regulations will expire on 23 February 2017.

Schedule 1—Map of controlled area



Made by the Governor

with the advice and consent of the Executive Council
on 6 October 2016

No 239 of 2016

16MTOUR0016

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CITY OF SALISBURY

*Road Name Change—Anguilla Lane, Mawson Lakes
to Anguilla Court*

NOTICE is hereby given, pursuant to Section 219 of the Local Government Act 1999, the City of Salisbury resolved at its meeting on 26 September 2016, the following:

‘Deposited Plan 66459 be amended to show Anguilla Lane as Anguilla Court, Mawson Lakes and the necessary statutory processes and notifications to effect the change to the Deposited Plan be implemented.’

For further information please phone 8406 8209.

J. HARRY, Chief Executive Officer

THE BAROSSA COUNCIL

Property Identification Policy—Revised

PURSUANT to Section 219 of the Local Government Act 1999, a review of the existing Property Identification Policy and supporting Selection of Road and Public Place Names Process (completed in 2013), has been undertaken to ensure its relevance. The revised Policy was approved by Council at its meeting held on 20 September 2016.

Copies of the Property Identification Policy and Selection of Road and Public Place Names Process are available at Council’s principal office, 43-51 Tanunda Road, Nuriootpa, all branch offices and the Council website www.barossa.sa.gov.au.

Requests for further information can be directed to Council on 8563 8444.

M. MCCARTHY, Chief Executive Officer

LIGHT REGIONAL COUNCIL

*Appointment of Members to the Development
Assessment Panel*

PURSUANT to Section 56A of the Development Act 1993, Council, at its meeting held on 27 September 2016, resolved to appoint the following members to Council’s Development Assessment Panel to take effect from 12 December 2016:

Presiding Member:	Bruce Ballantyne
Elected Member:	Councillor Lynette Reichstein
Elected Member:	Councillor David Shannon
Elected Member:	Councillor Peter Kennelly
Independent Member:	Robert Veitch
Independent Member:	Mike Canny
Independent Member:	Joel Taggart

These appointments are for a one year term and shall expire on 12 December 2017.

L. SAPIO, Manager, Development Services

MUNICIPAL COUNCIL OF ROXBYP DOWNS

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1—Permits and Penalties

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

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Permits and Penalties By-Law 2016 and is By-law No. 1 of the Municipal Council of Roxby Downs.

2. *Authorising Law*

This by-law is made under Section 246 of the Act.

3. *Purpose*

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

- 3.1 creating a permit system for Council by-laws;

- 3.2 providing for the enforcement of breaches of Council by-laws and fixing penalties; and

- 3.3 clarifying the construction of Council by-laws.

4. *Expiry*

- 4.1 This by-law will expire on 1 January 2024.

Note:

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

5. *Application*

- 5.1 This by-law applies throughout the Council’s area.

6. *Interpretation*

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *Council* means the Municipal Council of Roxby Downs;
- 6.3 *person* includes a body corporate.

Note:

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

7. *Construction of by-laws generally*

- 7.1 Every by-law of the Council is subject to any Act of Parliament and Regulations made thereunder.
- 7.2 In any by-law of the Council unless the contrary intention appears, permission means permission of the Council (or such other person as the Council may authorise), granted in writing prior to the act, event or activity to which it relates.

PART 2—PERMITS AND PENALTIES

8. *Permits*

- 8.1 Where a by-law requires that permission be obtained, any person seeking the grant of permission must submit a written application to the Council in the form (if any) and accompanied by the fee (if any) prescribed by the Council.
- 8.2 The Council (or such other person as the Council may authorise) may attach such conditions as it thinks fit to a grant of permission, and may vary or revoke such conditions or impose new conditions by notice in writing to the person granted permission.
- 8.3 A person granted permission must comply with every such condition. Failure to do so is an offence (to the extent that it gives rise to a contravention of a by-law).
- 8.4 The Council (or such other person as the Council may authorise) may suspend or revoke a grant of permission at any time by notice in writing to the person granted permission.

9. *Offences and Penalties*

- 9.1 A person who commits a breach of any by-law of the Council is guilty of an offence and may be liable to pay:
 - 9.1.1 the maximum penalty, being the maximum penalty referred to in the Act that may be fixed for any breach of a by-law; or
 - 9.1.2 subject to any resolution of the Council to the contrary, the expiation fee fixed by the Act for alleged offences against by-laws, being a fee equivalent to 25 per cent of the maximum penalty fixed for any breach of a by-law.
- 9.2 A person who commits a breach of a by-law of the Council of a continuing nature is guilty of an offence and, in addition to any other penalty that may be imposed, is liable to a further penalty for every day on which the offence continues, such penalty being the maximum amount referred to in the Act that may be fixed by a by-law for a breach of a by-law of a continuing nature.

Note:

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

Pursuant to Section 246 (5) of the Act expiation fees may be fixed for alleged offences against by-laws either by a by-law or by resolution of the Council. However, an expiation fee fixed by the Council cannot exceed 25 per cent of the maximum penalty for the offence to which it relates.

This by-law was duly made and passed by resolution of the Acting Administrator of the Municipal Council of Roxby Downs on 9 September 2016 in accordance with Section 12 of the Roxby Downs (Indenture Ratification) Act 1982 and Section 246 of the Act.

G. WHITBREAD, Acting Administrator

MUNICIPAL COUNCIL OF ROXBY DOWNS

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2 of 2016—Dogs

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

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Dog By-law 2016 and is By-law No. 2 of the Municipal Council of Roxby Downs.

2. *Authorising Law*

This by-law is made under Section 90 (5) of the Dog and Cat Management Act 1995 and Sections 238 and 246 of the Act.

3. *Purpose*

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

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

4. *Expiry*

This by-law will expire on 1 January 2024.

Note:

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

5. *Application*

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2015.
- 5.2 Subject to Clause 5.3, this by-law applies throughout the Council area.
- 5.3 Clauses 9 and 10.3 of this by-law only apply in such part or parts of the Council area as the Council may, by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. *Interpretation*

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *approved kennel establishment* means a building, structure or area approved by a relevant authority, pursuant to the Development Act 1993 for the keeping of dogs on a temporary or permanent basis;
- 6.3 *assistance dog* means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled;
- 6.4 *children's playground* means an enclosed area in which there is equipment or other installed devices for the purpose of children's play (or within 15 metres of such devices if there is no enclosed area);
- 6.5 *Council* means the Municipal Council of Roxby Downs;

6.6 *dog* (except for in Clause 7.1) has the same meaning as in the Dog and Cat Management Act 1995;

6.7 *effective control* means a person exercising effective control of a dog either:

6.7.1 by means of a physical restraint; or

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

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

6.9 *park* has the same meaning as in the Dog and Cat Management Act 1995;

6.10 *premises* includes land, whether used or occupied for domestic or non-domestic purposes; and

6.11 for the purposes of Clause 9 of the by-law, a dog is under *effective control by means of a leash* if the dog is secured to a leash that does not exceed 2 metres in length and:

6.11.1 the leash is either tethered securely to a fixed object; or

6.11.2 held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

Note:

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

PART 2—LIMITS ON DOG NUMBERS

7. *Limits on Dog Numbers in Private Premises*

7.1 Subject to Clauses 7.2 and 7.4, a person must not, without the Council's permission keep, or cause, suffer or permit to be kept, more than two dogs on any premises.

7.2 For the purposes of Clause 7.1, 'dog' means a dog that is three months of age or older or, a dog that has lost its juvenile teeth.

7.3 Clause 7.1 does not apply to:

7.3.1 approved kennel establishments operating in accordance with all required approvals and consents; or

7.3.2 any business involving the keeping of dogs provided that the business is registered in accordance with the Dog and Cat Management Act 1995 and operating in accordance with all required approvals and consents.

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

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

PART 3—DOG CONTROLS

8. *Dog Exercise Areas*

8.1 Subject to Clauses 9 and 10 of this by-law, a person may enter a park in the Council area for the purpose of exercising a dog under his or her effective control.

Note:

If a person is exercising a dog in a park as permitted under this clause and the dog is not under effective control, this gives rise to a dog wandering at large offence under Section 43 (1) of the Dog and Cat Management Act 1995, for which the owner of or person responsible for the dog may be liable.

9. *Dog on Leash Areas*

A person must not allow a dog under that person's control, charge or authority (except an assistance dog that is required to remain off-lead in order to fulfil its functions) to be or remain on Local Government land or in a public place to which the Council has determined this clause applies unless the dog is under effective control by means of a leash.

10. Dog Prohibited Areas

A person must not allow a dog under that person's control, charge or authority (except an assistance dog) to enter or remain on:

- 10.1 any children's playground;
- 10.2 any area of Local Government land or public place that is within 15 metres of a public picnic or barbeque area (as delineated by the presence of a barbeque or tables and chairs on the land);
- 10.3 any other Local Government land or public place to which the Council has determined this clause applies.

11. Dog Faeces

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

PART 4—ENFORCEMENT

12. Orders

- 12.1 If a person engages in conduct that is in contravention of this by-law, an authorised person may order that person:
 - 12.1.1 if the conduct is still continuing—to stop the conduct; and
 - 12.1.2 whether or not the conduct is still continuing—to take specified action to remedy the contravention.
- 12.2 A person must comply with an order under this clause.
- 12.3 If a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may seek to recover its costs of any action so taken from the person to whom the order was directed.
- 12.4 However, an authorised person may not use force against a person under this section.

Note:

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

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

This by-law was duly made and passed by resolution of the Acting Administrator of the Municipal Council of Roxby Downs on 9 September 2016 in accordance with Section 12 of the Roxby Downs (Indenture Ratification) Act 1982 and Section 246 of the Act.

G. WHITBREAD, Acting Administrator

MUNICIPAL COUNCIL OF ROXBY DOWNS

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3—Cats

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

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Cats By-Law 2016 and is By-law No. 3 of the Municipal Council of Roxby Downs.

2. Authorising Law

This by-law is made under Section 90 (5) of the Dog and Cat Management Act 1995 and Section 246 of the Act.

3. Purpose

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

- 3.1 to establish a scheme for the registration of cats;

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

4. Expiry

This by-law will expire on 1 January 2024.

Note:

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

5. Application

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-Law 2015.

6. Interpretation

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *Cat*, except for in Clause 9, means an animal of the species *Felis catus* which is three months of age or has lost its juvenile canine teeth;
- 6.3 *Council* means the Municipal Council of Roxby Downs;
- 6.4 *keep* includes the provision of food or shelter;
- 6.5 *nuisance* means a cat that:
 - 6.5.1 unreasonably interferes with the peace, comfort or convenience of a person, including but not limited to by way of a cat displaying aggressive behaviour or creating unpleasant noise or odour;
 - 6.5.2 is injurious to a person's real or personal property; or
 - 6.5.3 is obnoxious, offensive or hazardous to health; or
 - 6.5.4 wanders onto land without the consent of the owner or occupier of the land; and
- 6.6 *premises* includes land whether used or occupied for domestic or non-domestic purposes.

Note:

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

PART 2—REGISTRATION OF CATS

7. Registration of Cats

- 7.1 A person must not keep a cat in the Council's area for more than 14 days unless the cat is registered in accordance with this by-law.
- 7.2 An application for registration of a cat must:
 - 7.2.1 be made to the Council in the manner and form prescribed (if any) and accompanied by the fee (if any) prescribed by the Council by resolution; and
 - 7.2.2 nominate a person of or over 16 years of age who consents to the cat being registered in his or her name; and
 - 7.2.3 identify with reference to an address the premises at which the cat is kept.
- 7.3 Clause 7.1 does not apply to a person operating a business involving the keeping of cats provided that the business is operating in accordance with all required approvals and consents.
- 7.4 Registration under this by-law remains in force until June 30 next after registration has been granted and may be renewed from time to time for further periods of 12 months.

PART 3—MANAGEMENT OF CATS

8. Limits on Cat Numbers

- 8.1 Subject to Clause 8.2, a person must not, without the Council's permission, keep, or cause, suffer or permit to be kept, more than two cats on any premises:

8.2 Clause 8.1 does not apply to premises comprising a business involving the keeping of cats provided that the business is operating in accordance with all required approvals and consents.

9. *Cats Not to be a Nuisance*

9.1 An owner or occupier of premises is guilty of an offence if a cat or cats kept or allowed to remain on the premises causes a nuisance.

9.2 For the purpose of this Clause 9, *cat* means an animal of the species *Felis catus*.

PART 4—ENFORCEMENT

10. *Orders*

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

10.1.1 if the conduct is still continuing—to stop the conduct; and

10.1.2 whether or not the conduct is still continuing—to take specified action to remedy the contravention.

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

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

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

Note:

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

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

This by-law was duly made and passed by resolution of the Acting Administrator of the Municipal Council of Roxby Downs on 9 September 2016 in accordance with Section 12 of the Roxby Downs (Indenture Ratification) Act 1982 and Section 246 of the Act.

G. WHITBREAD, Acting Administrator

MUNICIPAL COUNCIL OF ROXBY DOWNS

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4—Local Government Land

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

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Local Government Land By-law 2016 and is by-law No. 4 of the Municipal Council of Roxby Downs.

2. *Authorising Law*

This by-law is made under Sections 238 and 246 of the Act and Section 18A of the Harbors and Navigation Act 1993.

3. *Purpose*

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

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

4. *Expiry*

This by-law will expire on 1 January 2024.

Note:

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

5. *Application*

5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2016.

5.2 Subject to Clauses 5.3 and 5.4, this by-law applies throughout the Council area.

5.3 Clauses 9.2, 9.20.1-9.20.4, 9.22.2, 10.3 and 10.10.2 of this by-law only apply in such part or parts of the Council area as the Council may, by resolution direct in accordance with Section 246 (3) (e) of the Act.

5.4 Clauses 9.4.3, 9.10.2 and 9.27 of this by-law apply throughout the Council area except in such part or parts of the Council area as the Council may by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. *Interpretation*

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *animal* or *animals* includes birds and insects but does not include a dog;
- 6.3 *boat* includes a raft, pontoon or personal watercraft or other similar device;
- 6.4 *camp* includes setting up a camp, or causing a tent, caravan or motor home to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 6.5 *community garden* means Local Government land set aside by the Council for the purposes of being gardened collectively by a group of people;
- 6.6 *Council* means the Municipal Council of Roxby Downs;
- 6.7 *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;
- 6.8 *effective control* means a person exercising effective control of an animal either:
 - 6.8.1 by means of a physical restraint; or
 - 6.8.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
- 6.9 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014;
- 6.10 *funeral ceremony* means a ceremony only (i.e. a memorial service) and does not include a burial;
- 6.11 *inflatable castle* includes a bouncy castle, jumping castle and any other inflatable structure used for recreational purposes;
- 6.12 *Joint Venturers* has the same meaning as in the Roxby Downs (Indenture Ratification) Act 1982;
- 6.13 *kettle barbeque* is a barbeque or other device used for cooking food that uses solid fuel including (but not limited to) wood, charcoal and heat beads;
- 6.14 *liquor* has the same meaning as in the Liquor Licensing Act 1997;
- 6.15 *Local Government land* means all land owned by the Council or under the Council's care, control and management (except roads);
- 6.16 *offensive* includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;

- 6.17 *open container* means a container which:
- (a) after the contents of the container have been sealed at the time of manufacture:
 - (i) being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
 - (ii) being a can, it has been opened or punctured;
 - (iii) being a cask, it has had its tap placed in a position to allow it to be used;
 - (iv) being any other form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to its contents; or
 - (v) is a flask, glass, mug or other container able to contain liquid;
- 6.18 *park* means community land reserved or delineated as a park or designated by a council as a park;
- 6.19 *personal watercraft* means a device that:
- 6.19.1 is propelled by a motor;
 - 6.19.2 has a fully enclosed hull;
 - 6.19.3 is designed not to retain water if capsized; and
 - 6.19.4 is designed to be operated by a person who sits astride, stands, or kneels on the device,
- and includes the device commonly referred to as a jet ski;
- 6.20 *tobacco product* has the same meaning as in the Tobacco Products Regulation Act 1997;
- 6.21 *vehicle* has the same meaning as in the Road Traffic Act 1961; and
- 6.22 *waters* includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council but does not include ocean waters.

Note:

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

PART 2—ACCESS TO LOCAL GOVERNMENT LAND

7. *Access*

Note:

Pursuant to Section 238 (3) of the Act, if a Council makes a by-law about access to or use of a particular piece of Local Government land (under Section 238), the Council should erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the by-law applies.

The Council may:

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

8. *Closed Lands*

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

- 8.1 which has been closed, or in respect of which access by the public is regulated or restricted in accordance with Clause 7.1;
- 8.2 where entry fees or charges are payable, without paying those fees or charges; or
- 8.3 where the land has been enclosed by fences and/or walls and gates that have been closed and locked.

PART 3—USE OF LOCAL GOVERNMENT LAND

9. *Activities Requiring Permission*

Note:

Pursuant to Section 238 (3) of the Act, if a Council makes a by-law about access to or use of a particular piece of Local Government land (under Section 238), the Council should erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the by-law applies.

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

9.1 *Advertising*

Subject to Clause 14.2, display, paint or erect any sign or hoarding for the purpose of commercial advertising or any other purpose;

9.2 *Alcohol*

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

9.3 *Amplification*

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

9.4 *Animals*

9.4.1 cause or allow an animal to stray onto, move over, graze or be left unattended on Local Government land;

9.4.2 cause or allow an animal to enter, swim, bathe or remain in any waters located on Local Government land; or

9.4.3 lead, herd or exercise an animal, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind, and provided that the animal or animals are under effective control;

9.5 *Annoyance*

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

9.5.1 using that land; or

9.5.2 occupying nearby premises;

by making a noise or creating a disturbance;

9.6 *Attachments*

Attach or cause to be attached anything to a tree, plant, equipment, fence, post, structure or fixture on Local Government land;

9.7 *Bees*

Place a hive of bees on such land, or allow it to remain thereon;

9.8 *Buildings*

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

9.9 *Burials and Memorials*

9.9.1 Bury, inter or spread the ashes of any human or animal remains; or

9.9.2 Erect any memorial;

9.10 *Camping and Tents*

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

9.10.2 Camp or sleep overnight other than in an area to which the Council has, by resolution, designated for camping and in accordance with such time limits and other conditions determined by resolution of the Council (if any);

9.11 *Canvassing*

Subject to Clause 14.2, convey any advertising, religious or other message to any bystander, passer-by or other;

9.12 *Defacing Property*

Deface, paint, spray, write, cut names, letters or make marks on any tree, rock, gate, fence, building, sign, bridge or property of the Council;

9.13 *Distribution*

Subject to Clause 14.2 and the Local Nuisance and Litter Control Act 2016, place on a vehicle (without the consent of the owner of the vehicle), or give out or distribute any book, notice, leaflet, or other printed matter to any bystander, passer-by or other person;

9.14 *Donations*

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

9.15 *Entertainment and Busking*

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

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

9.15.3 Erect or inflate or, cause to be erected or inflated, any inflatable castle;

9.16 *Equipment*

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

9.17 *Fires*

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

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

(b) in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least 4 metres;

9.18 *Fireworks*

Ignite or discharge any fireworks;

9.19 *Flora and Fauna*

Subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972 and except in any community garden:

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

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

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

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

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

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

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

9.19.8 burn any timber or dead wood;

9.20 *Games and Sport*

9.20.1 Participate in, promote or organise any organised competition or sport as distinct from organised social play on Local Government land to which the Council has resolved this subclause applies;

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

9.20.3 Engage or participate in or conduct any organised group fitness activity or training on Local Government land to which the Council has resolved this subclause applies; or

9.20.4 Play or practise the game of golf on Local Government land to which the Council has resolved this subclause applies;

9.21 *Marine Life*

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

9.22 *Model Aircraft, Boats, Cars and Drones*

Subject to the Civil Aviation Act 1988:

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

9.22.2 fly or operate a model or remote control aircraft, boat or car or a drone on any local government land to which the Council has resolved this subclause applies;

9.23 *Overhanging Articles or Displaying Personal Items*

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

9.24 *Playing Area*

Use or occupy a playing area:

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

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

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

9.25 *Pontoons*

Install or maintain a pontoon or jetty in any waters;

9.26 *Preaching*

Preach, harangue or solicit for religious purposes;

9.27 *Swimming*

Subject to the provisions of the Harbors and Navigation Act 1993 swim in, bathe or enter any waters except:

9.27.1 in an area which the Council has determined may be used for such purpose; and

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

9.28 *Trading*

Sell, buy, offer or display anything for sale including by way of using a vehicle standing on Local Government land for this purpose;

9.29 *Vehicles*

9.29.1 Drive or propel a vehicle except on an area or road constructed and set aside by the Council for that purpose;

9.29.2 Promote, organise or take part in a race, test or trial of any kind in which vehicles take part, except on an area properly constructed for that purpose; or

9.29.3 Repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown;

9.30 *Weddings, Functions and Special Events*

- 9.30.1 Hold, conduct or participate in a marriage ceremony, funeral or special event;
- 9.30.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral or special event; or
- 9.30.3 Hold or conduct any filming where the filming is for a commercial purpose.

10. *Prohibited Activities*

A person must not do any of the following on Local Government land:

10.1 *Animals*

- 10.1.1 Cause or allow any animal to enter, swim, bathe or remain in any waters to the inconvenience, annoyance or danger of any other person bathing or swimming;
- 10.1.2 Cause or allow an animal to damage a flowerbed, garden plot, tree, lawn or like thing or place; or
- 10.1.3 Lead, herd or exercise a horse in such manner as to cause a nuisance or endanger the safety of a person;

10.2 *Equipment*

Use any item of equipment, facilities or property belonging to the Council other than in the manner and for the purpose for which it was designed, constructed or intended to be used or in such manner as is likely to damage or destroy it;

10.3 *Fishing*

Fish in any waters to which the Council has determined this subclause applies;

10.4 *Glass*

Wilfully break any glass, china or other brittle material;

10.5 *Interference with Land*

Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:

- 10.5.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
- 10.5.2 erecting or installing a structure in, on, across, under or over the land;
- 10.5.3 changing or interfering with the construction, arrangement or materials of the land;
- 10.5.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
- 10.5.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used;

10.6 *Interference with Permitted Use*

Interrupt, disrupt or interfere with any other person's use of Local Government land which is permitted or for which permission has been granted;

10.7 *Nuisance*

Behave in such an unreasonable manner as to cause discomfort, inconvenience, annoyance or offence to any other person;

10.8 *Playing Games*

Play or practice a game:

- 10.8.1 which is likely to cause damage to the land or anything on it; or
- 10.8.2 in any area where a sign indicates that the game is prohibited;

10.9 *Sand Dunes*

- 10.9.1 Use a sand board or other item to slide down a sand dune;
- 10.9.2 Destabilise sand on a sand dune so as to cause it to unnecessarily mass waste down slope;
- 10.9.3 Light or cause to be lit or permit to remain alight any fire on or within a sand dune;
- 10.9.4 Destroy remove or cause interference to live or dead vegetation within a sand dune;
- 10.9.5 Introduce non-indigenous flora and fauna or dump material in the sand dunes; or
- 10.9.6 Carry out an activity that may threaten the integrity of sand dunes in the area;

10.10 *Smoking*

Subject to the Tobacco Products Regulation Act 1997, smoke, hold or otherwise have control over an ignited tobacco product:

- 10.10.1 in any building; or
- 10.10.2 on any land to which the Council has determined this subclause applies;

10.11 *Solicitation*

Tout or solicit customers for the parking of vehicles or for any other purpose whatsoever;

10.12 *Throwing Objects*

Throw, roll, project or discharge a stone, substance or other missile, excluding sport and recreational equipment designed to be used in that way;

10.13 *Toilets*

In any public convenience on Local Government land:

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

10.14 *Waste*

10.14.1 Deposit or leave thereon:

- (a) anything obnoxious or offensive; or
- (b) any mineral, mineral waste, industrial waste or bi-products;

10.14.2 Deposit in a receptacle provided by the Council any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.

PART 4—ENFORCEMENT

11. *Directions*

11.1 A person on Local Government land must comply with a reasonable direction from an authorised person relating to:

- 11.1.1 that person's use of the land;
- 11.1.2 that person's conduct and behaviour on the land;
- 11.1.3 that person's safety on the land; or
- 11.1.4 the safety and enjoyment of other persons on the land.

- 11.2 A person who, in the opinion of an authorised person, is likely to commit or has committed, a breach of this by-law must immediately comply with a direction of an authorised person to leave that part of Local Government land.

12. Orders

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

Note:

Section 262 (1) of the Act states:

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

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

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

13. Removal of Animals and Objects

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

PART 5—MISCELLANEOUS

14. Exemptions

- 14.1 The restrictions in this by-law do not apply to a police officer, emergency worker, Council officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council officer, or the operations of the Joint Venturers.
- 14.2 The restrictions in Clauses 9.1, 9.11 and 9.13 of this by-law do not apply to electoral matter authorised by a candidate and which is:
- related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day;
 - related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
 - related to, and occurs during the course of and for the purpose of a referendum.

15. Liability of Vehicle Owners

- 15.1 For the purposes of this Clause 15, owner in relation to a vehicle has the same meaning as contained in Section 4 of the Act.
- 15.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this by-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This by-law was duly made and passed by resolution of the Acting Administrator of the Municipal Council of Roxby Downs on 9 September 2016 in accordance with Section 12 of the Roxby Downs (Indenture Ratification) Act 1982 and Section 246 of the Act.

G. WHITBREAD, Acting Administrator

MUNICIPAL COUNCIL OF ROXBY DOWNS

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-Law No. 5 of 2016—Moveable Signs

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

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Moveable Signs By-Law 2016 and is By-Law No. 5 of the Municipal Council of Roxby Downs.

2. Authorising Law

This by-law is made under Sections 226, 238, 239 and 246 of the Act.

3. Purpose

The object of this by-law is to set standards for moveable signs on roads:

- to protect the comfort and safety of road users and members of the public;
- to enhance the amenity of roads and surrounding parts of the Council area;
- to prevent unreasonable interference with the use of a road; and
- for the good rule and government of the Council area.

4. Expiry

- This by-law will expire on 1 January 2024.

Note:

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

5. Application

- This by-law operates subject to the Council's Permits and Penalties By-law 2016.
- This by-law applies throughout the Council's area.

6. Interpretation

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

- Act* means the Local Government Act 1999;
- authorised person* means a person appointed as an authorised person pursuant to Section 260 of the Act;
- boundary* means the line between private property and a road;
- business premises* means premises from which a business is being conducted;
- Council* means the Municipal Council of Roxby Downs;
- footpath area* means:
 - that part of a road between the boundary of the road and the edge of the carriageway on the same side as that boundary;
 - a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;
- Joint Venturers* has the same meaning as in the Roxby Downs (Indenture Ratification) Act 1982;
- moveable sign* has the same meaning as in the Act;
- road* has the same meaning as in the Act;
- vehicle* has the same meaning as in the Road Traffic Act 1961.

Note:

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

PART 2—MOVEABLE SIGNS

7. *Construction and Design*

A moveable sign placed on a footpath area must:

- 7.1 be of kind known as an 'A' frame or sandwich board sign, an inverted 'T' sign, or a flat sign or, with the permission of the Council, a sign of some other kind;
- 7.2 be designed, constructed and maintained in good quality and condition;
- 7.3 be of strong construction and sufficiently stable or securely fixed in position so as to keep its position in adverse weather conditions;
- 7.4 have no sharp or jagged edges or corners;
- 7.5 not in the opinion of an authorised person, be unsightly or offensive in appearance or content;
- 7.6 be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 7.7 not rotate or contain flashing parts or lights;
- 7.8 not have balloons, flags, streamers or other things attached to it;
- 7.9 not exceed 900 mm in height, 600 mm in width and 600 mm in depth;
- 7.10 in the case of an 'A' frame or sandwich board sign:
 - 7.10.1 be hinged or joined at the top;
 - 7.10.2 be of such construction that its sides are securely fixed or locked in position when erected; and
 - 7.10.3 not have a base area in excess of 0.6 square metres; and
- 7.11 in the case of an inverted 'T' sign, not contain struts or members that run between the display area and the base of the sign.

8. *Placement*

A moveable sign must not be:

- 8.1 placed on any part of a road other than the footpath area;
- 8.2 placed on a footpath that is less than 2.5 metres wide;
- 8.3 placed within 1 metre of an entrance to any business or other premises;
- 8.4 placed on the sealed part of a footpath:
 - 8.4.1 if there is an unsealed part on which the sign can be placed in accordance with this by-law; or
 - 8.4.2 unless the sealed part is wide enough to contain the sign and leave a clear thoroughfare for pedestrians of a width of at least 1.8 metres;
- 8.5 placed so as to interfere with the reasonable movement of persons or vehicles using the footpath or road in the vicinity of where the moveable sign is placed;
- 8.6 placed closer than 0.5 metres to the kerb (or, if there is no kerb, to the edge of the carriageway of a road or the shoulder of the road, whichever is the greater);
- 8.7 placed on a landscaped area, other than landscaping that comprises only lawn;
- 8.8 placed within 10 metres of an intersection of two or more roads;
- 8.9 placed on a footpath area with a minimum height clearance from a structure above it of less than 2 metres;
- 8.10 placed on a designated parking area;
- 8.11 placed on a median strip, traffic island, roundabout or any other traffic control device on a road;
- 8.12 placed other than adjacent to the business premises to which it relates;
- 8.13 tied, fixed or attached to, or placed closer than 1 metre from any other structure, object, tree, plant or thing (including another moveable sign);
- 8.14 displayed during the hours of darkness unless it is in a clearly lit area and clearly visible; or
- 8.15 placed in such a position or in such circumstances that the safety of a user of the footpath area or road is at risk.

9. *Appearance*

A moveable sign placed on the footpath area must, in the opinion of an authorised person:

- 9.1 be painted or otherwise detailed in a competent and professional manner;
- 9.2 be aesthetically appealing, legible and simply worded to convey a precise message; and
- 9.3 be of such design and contain such colours as are compatible with the architectural design of the premises adjacent to the sign, and which related well to the townscape and overall amenity of the locality in which it is situated; and
- 9.4 contain combinations of colour and typographical styles which lend in with and reinforce the heritage qualities of the locality and the buildings where it is situated.

10. *Banners*

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

Note:

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

11. *Restrictions*

- 11.1 The owner or operator of a business must not cause or allow more than one moveable sign for each business premises to be displayed on the footpath area of a road at any time.
- 11.2 A person must not, without the Council's permission, display a moveable sign on or attached to or adjacent to a vehicle that is parked on Local Government land (including roads) primarily for the purpose of advertising or offering for sale a product (including the vehicle) or business to which the sign relates.
- 11.3 A person must not cause or allow a moveable sign to be placed on a footpath area unless:
 - 11.3.1 it only displays material which advertises a business being conducted on premises adjacent to the moveable sign or the goods and services available from that business; and
 - 11.3.2 the business premises to which it relates is open to the public.
- 11.4 If in the opinion of the Council a footpath area is unsafe for a moveable sign to be displayed, the Council may prohibit or restrict the display of a moveable sign on such conditions as the Council thinks fit.

12. *Exemptions*

- 12.1 Subclauses 10, 8.9, 8.12, 8.13, 11.1 and 11.3 of this by-law do not apply to a moveable sign which:
 - 12.1.1 advertises a garage sale taking place from residential premises provided that:
 - (a) no more than four moveable signs per residential premises are displayed at any one time in relation to a garage sale taking place at that premises;
 - (b) the moveable sign displays the address of the vendor; and
 - (c) the moveable sign is displayed on the day the garage sale is taking place; or
 - 12.1.2 is a directional sign to an event run by a community organisation or charitable body.
- 12.2 Subclauses 11.1 and 11.3 of this by-law do not apply to a flat sign which only contains a newspaper headline and the name of a newspaper or magazine.

- 12.3 A requirement of this by-law will not apply where the Council has granted permission for the moveable sign to be displayed contrary to that requirement.
- 12.4 This by-law does not apply to the operations of the Joint Venturers.

Note:

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

- placed there pursuant to an authorisation under another Act;
- designed to direct people to the open inspection of any land or building that is available for purchase or lease;
- related to a State or Commonwealth election and is displayed during the period commencing on the issue of the writ of writs for the election and ending at the close of polls on polling day;
- related to an election held under this Act or the Local Government (Elections) Act 1999 and is displayed during the period commencing 4 weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
- the sign is of a prescribed class.

PART 3—ENFORCEMENT

13. *Removal of Moveable Signs*

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

14. *Liability of Vehicle Owners*

- 14.1 For the purposes of this Clause 14, owner in relation to a vehicle has the same meaning as contained in section 4 of the Act.
- 14.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this by-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This by-law was duly made and passed by resolution of the Acting Administrator of the Municipal Council of Roxby Downs on 9 September 2016, in accordance with Section 12 of the Roxby Downs (Indenture Ratification) Act 1982 and Section 246 of the Act.

G. WHITBREAD, Acting Administrator

MUNICIPAL COUNCIL OF ROXBY DOWNS

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 6 of 2016—Roads

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

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Roads By-law 2016 and is By-law No. 6 of the Municipal Council of Roxby Downs.

2. *Authorising law*

This by-law is made under Sections 239 and 246 of the Act and Regulation 28 of the Local Government (General) Regulations 2013.

3. *Purpose*

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

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

4. *Expiry*

- 4.1 This by-law will expire on 1 January 2024.

Note:

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

5. *Application*

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2016.
- 5.2 Subject to Clause 5.3, this by-law applies throughout the Council area.
- 5.3 Clauses 7.3.1 and 7.4.2 of this by-law only applies throughout the Council area except in such part or parts of the Council area as the Council may, by resolution direct in accordance with Section 246 (3) (e) of the Act.

6. *Interpretation*

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *animal* includes birds, insects and poultry but does not include a dog or a cat;
- 6.3 *camp* includes:
- 6.3.1 setting up a camp, tent or other structure of calico, canvas, plastic or other similar material on a road; or
 - 6.3.2 subject to the Road Traffic Act 1961, causing a caravan or motor home to remain on a road overnight, whether or not any person is in attendance or sleeps on the road or intends to stay overnight;
- 6.4 *Council* means the Municipal Council of Roxby Downs;
- 6.5 *effective control* means a person exercising effective control of an animal either:
- 6.5.1 by means of a physical restraint; or
 - 6.5.2 by command, the animal being in close proximity to the person, and the person being able to see the animal at all times;
- 6.6 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014;
- 6.7 *Joint Venturers* has the same meaning as in the Roxby Downs (Indenture Ratification) Act 1982;
- 6.8 *road* has the same meaning as in the Act; and
- 6.9 *vehicle* has the same meaning as in the Road Traffic Act 1961.

Note:

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

PART 2—USE OF ROADS

7. *Activities requiring permission*

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

7.1 Advertising

Display or cause to be displayed any sign on a road or on a structure of fixture on a road for the purpose of advertising goods or services, other than a moveable sign which is displayed in accordance with the Council's Moveable Signs By-law;

7.2 Amplification

Use an amplifier or other device whether mechanical or electrical for the purpose of broadcasting sound, or magnifying sound including the broadcasting of announcements or advertisements;

7.3 Animals

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

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

7.4 Camping and tents

7.4.1 Erect a tent or other structure of calico, canvas, plastic or other similar material; or

7.4.2 Camp or sleep overnight except in an area the Council has, by resolution, designated for that purpose and in accordance with any conditions determined by the Council;

7.5 Obstructions

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

7.6 Preaching

Preach, harangue, solicit or canvass for religious or charitable purposes;

7.7 Public Exhibitions and Displays

7.7.1 Sing, busk, play a recording or use a music instrument, or perform similar activities;

7.7.2 Conduct or hold a concert, festival, show, circus, performance or a similar activity;

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

7.7.4 Cause any public exhibitions or displays;

7.8 Soliciting

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

7.9 Vehicles

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

Note:

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

PART 3—ENFORCEMENT

8. Directions

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

9. Orders

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

Note:

Section 262 (1) of the Act states:

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

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

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

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

10. Removal of animals and objects

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

PART 4—MISCELLANEOUS

11. Exemptions

The restrictions in this by-law do not apply to a police officer, emergency worker, Council officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council officer, or to the operations of the Joint Venturers.

12. Liability of vehicle owners

12.1 For the purposes of this Clause 12, owner in relation to a vehicle has the same meaning as contained in Section 4 of the Act.

12.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this by-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This by-law was duly made and passed by resolution of the Acting Administrator of the Municipal Council of Roxby Downs on 9 September 2016, in accordance with Section 12 of the Roxby Downs (Indenture Ratification) Act 1982 and Section 246 of the Act.

G. WHITBREAD, Acting Administrator

MUNICIPAL COUNCIL OF ROXBY DOWNS

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 7 of 2016—Waste Management

A by-law to regulate the removal of domestic waste, recyclable and green organic waste from premises in the Council's area.

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Waste Management By-law 2016 and is By-law No. 7 of the Municipal Council of Roxby Downs.

2. Authorising Law

This by-law is made under Section 246 of the Local Government Act 1999 and Regulation 28(b) of the Local Government (General) Regulations 2013;

3. Purpose

The objectives of this by-law are:

- 3.1 to prevent and suppress nuisances associated with the storage and collection of domestic waste;
- 3.2 to prevent damage to Council property and land;
- 3.3 to define the requirements for the use of Council's domestic kerbside waste collection service;

- 3.4 to protect the convenience, comfort and safety of members of the public;
- 3.5 to enhance the amenity of the Council area; and
- 3.6 for the good rule and government of the area.

4. Expiry

This by-law will expire on 1 January 2024.

Note:

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

5. Application

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2016.
- 5.2 This by-law applies throughout the Council's area.

6. Interpretation

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *Council* means the Municipal Council of Roxby Downs;
- 6.3 *Container* includes a Green Organics Container, Domestic Waste Container or Recyclables Container;
- 6.4 *Domestic Waste* means any kind of domestic and kitchen waste generated from residences including, but not limited to, broken crockery, clothing, material, broken and cooking glass items, hoses, polystyrene, ropes, and soft plastics, but excludes building materials, effluent, liquids, metal, rocks, soil, lead acid batteries, wood and any toxic waste;
- 6.5 *Domestic Waste Container* means a 140L red lid waste container approved by the Council for the disposal of Domestic Waste (or any other container that may be approved by the Council for this purpose from time to time);
- 6.6 *Green Organics* means any clean organic matter consisting of lawn clippings, plants, leaves, prunings, or other materials for which permission has been given by the Council;
- 6.7 *Green Organics Container* means a container for the disposal of Green Organics that is approved by the Council;
- 6.8 *Hard Waste* means any internal and/or external domestic items such as (but not limited to) fridges, and mattresses but excludes any Domestic Waste;
- 6.9 *Joint Venturers* has the same meaning as in the Roxby Downs (Indenture Ratification) Act 1982;
- 6.10 *Premises* means premise, excluding vacant land, to which the Council's Waste collection services is made available;
- 6.11 *Recyclables* means newspapers, magazines, clean paper and cardboard, clean rigid plastic containers, clean tins and cans, clean glass and clean milk and juice containers and other materials for which permission has been given by the Council;
- 6.12 *Recyclables Container* means a 240L yellow lid waste container approved by the Council for the disposal of Recyclables (or any other container that may be approved by the Council for this purpose from time to time);
- 6.13 *Road* has the same meaning as in the Local Government Act 1999;
- 6.14 *Waste* means Domestic Waste, Recyclables and Green Organics; and
- 6.15 *Waste Containers* means Domestic Waste Containers, Recyclables Containers and Green Organics Containers.

7. Provide Containers

- 7.1 An occupier of premises must keep on his or her premises a Domestic Waste Container and a Recyclables Container.

Note:

The Council assigns each residential property with one Domestic Waste Container and a Recyclables Container that have a unique serial number.

- 7.2 An occupier of premises may keep on his or her premises a Green Organics Container.

8. Management of Waste Collection Services

An occupier of premises must:

8.1 Domestic Waste

- 8.1.1 ensure that the Domestic Waste Container kept on the premises is approved by the Council; and
- 8.1.2 not place, cause, suffer or permit any waste other than Domestic Waste to be in a Domestic Waste Container; and

8.2 Recyclables

- 8.2.1 ensure that the Recyclables Container kept on his or her premises is approved by the Council;
- 8.2.2 not place, cause, suffer or permit waste other than Recyclables to be in a Recyclables Container; and

8.3 Green Organics

- 8.3.1 ensure that any Green Organics Container kept on his or her premises is approved by the Council;
- 8.3.2 not place, cause, suffer or permit waste other than Green Organics to be in a Green Organics Container; and

8.4 Keep Container Clean

cause each Waste Container kept on the premises to be kept in a clean and sanitary condition, maintained in good order and repair and kept watertight at all times; and

8.5 Sealing of Container

cause each container to be continuously closed except when waste is being deposited in or removed from the container; and

8.6 Damage

ensure that each Waste Container thereon is maintained, repaired or replaced (as necessary) so that it is not damaged or worn to the extent that:

- 8.6.1 it is not robust or watertight;
- 8.6.2 it is unable to be moved on its wheels (if any) efficiently;
- 8.6.3 the lid does not seal on the container when closed; or
- 8.6.4 its efficiency or use is otherwise impaired; and

8.7 Collection Services

8.7.1 facilitate the collection and removal of waste from the premises by ensuring all Waste Containers thereon that contain waste for collection are placed on the kerb for collection by the Council its agents or contractors:

- (a) on the day appointed by the Council for the collection of waste from those premises or the night before (and not before these times); and
- (b) in a position:
- (i) adjacent to the kerb (not on the carriageway/roadway) so that the front of the bin faces the road; and
- (ii) not under the overhanging branches of any trees; and
- (iii) as may otherwise be approved or directed by the Council and, wherever practicable, notified to the occupier in writing; and

8.7.2 remove all Waste Containers from the kerb on the same day as the collection of waste has occurred;

8.8 *Waste*

not place any Waste Container on the kerb for collection by the Council its agents or contractors unless the Waste Container contains only the type of waste that is permitted to be disposed of in that Waste Container; and

8.9 *Hard Waste*

not place any Hard Waste on the kerb for collection by the Council its agents or contractors other than in accordance with any directions issued by the Council and notified to the occupier in writing.

9. *Interference with Waste*

A person must not, without the Council's permission, remove, disburse or interfere with any Waste, or Hard Waste that has been placed on a road or in a Waste Container on a road for the apparent purpose of collection by the Council, its agents or contractors.

PART 2—ENFORCEMENT

10. *Orders*

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

11. *Exemptions*

The restrictions in this by-law do not apply (where they are applicable) to a police officer, emergency worker, Council officer or employee acting in the course of 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 operations of the Joint Venturers.

This by-law was duly made and passed by resolution of the Acting Administrator of the Municipal Council of Roxby Downs on 9 September 2016, in accordance with Section 12 of the Roxby Downs (Indenture Ratification) Act 1982 and Section 246 of the Act.

G. WHITBREAD, Acting Administrator

SOUTHERN MALLEE DISTRICT COUNCIL

Resignation of Councillor

NOTICE is hereby given in accordance with Section 54 (6) of the Local Government Act 1999, that a vacancy has occurred in the office of Councillor for Bews Ward, due to the resignation of Councillor Robert Sexton, to take effect from 21 September 2016.

M. DOHNT, Chief Executive Officer

SOUTHERN MALLEE DISTRICT COUNCIL

Close of Roll for Supplementary Election

DUE to the resignation of a member of the Council, a supplementary election will be necessary to fill the vacancy of Councillor for Bews Ward.

The voters roll for this supplementary election will close at 5.00 p.m. on Monday, 31 October 2016.

You are entitled to vote in the election if you are on the State electoral roll. If you have recently turned 18 or changed your residential or postal address you must complete an electoral enrolment form, available from post offices or online at www.ecsa.sa.gov.au.

If you are not eligible to enrol on the State electoral roll you may still be entitled to enrol to vote if you own or occupy a property. Contact the Council to find out how.

Nominations to fill the vacancy will open on Thursday, 24 November 2016 and will be received until 12 noon on Thursday, 8 December 2016.

The election will be conducted entirely by post with the return of ballot material to reach the Returning Officer no later than 12 noon on Monday, 30 January 2017.

D. GULLY, Returning Officer

WAKEFIELD REGIONAL COUNCIL

ROADS (OPENING AND CLOSING) ACT 1991

Road Closure—Public Road, Beaufort

NOTICE is hereby given, pursuant to Section 10 of the Roads (Opening and Closing) Act 1991, that the Wakefield Regional Council proposes to make a Road Process Order to close the whole of the Public road adjacent to Sections 107, 106 and 79 Hundred of Goyder, as delineated and lettered 'A' and 'B' on Preliminary Plan No. 16/0032.

Closed road 'A' is to merge with adjoining Section 107.

Closed road 'B' is to merge with adjoining Section 106.

A copy of the plan and a statement of persons affected are available for public inspection at the Council Office, Scotland Place, Balaklava, S.A. 5461 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 167, Balaklava, S.A. 5461, 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.

D. HASSETT, Acting Chief Executive Officer

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

Arney, June Lynette, late of 580 Brighton Road, South Brighton, of no occupation, who died on 8 August 2016.

Chivell, Francis Joan, late of 12 Ross Street, Torrensville, home duties, who died on 2 July 2016.

Dalziel-Don, Janet Romance, late of 2 Cardigan Street, Angle Park, retired secretary, who died on 22 April 2016.

Dunning, Darren John, late of 79 Liberator Drive, Paralowie, forklift driver and storeman who died on 9 November 2015.

Goode, Daphne Jean, late of 38 Gail Crescent, Murray Bridge, retired roadhouse assistant, who died on 13 June 2016.

Harvey, Henry John, late of 18 Trafford Street, Angle Park, retired ink maker, who died on 2 July 2016.

Helps, Constance Ellen, late of 2 Jelley Street, Woodville, of no occupation, who died on 10 November 2015.

McFarlane, Daniel, late of 36 Cullford Avenue, Klemzig, process worker, who died on 20 March 2016.

Paduszynski, Wladyslawa, late of 2 Malken Way, Findon, of no occupation, who died on 26 May 2016.

Penglase, Ryan Andrew, late of 524 Hannan Street, Kalgoorlie, Western Australia, welding inspector, who died on 31 August 2012.

Robinson, Judith Ann, late of 6 Booth Avenue, Linden Park, of no occupation, who died on 4 March 2016.

Stark, Rex Dalton, late of 8 Soutchak Street, Fairview Park, retired proof reader, who died on 24 June 2016.

Notice is hereby given pursuant to the Trustee Act 1936, the Inheritance (Family Provision) Act 1972 and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the office of Public Trustee, G.P.O. Box 1338, Adelaide, S.A. 5001, full particulars and proof of such claims, on or before the 4 November 2016, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver same to the Public Trustee.

Dated 6 October 2016.

D. A. CONTALA, Public Trustee

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

Somerville, Helen Patricia, late of 20 Guildford Street, Clearview, South Australia, who died on 11 June 2016.

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 abovenamed estate are directed to send full particulars and evidence of such claims to the undersigned on or before 7 November 2016, 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 above estate are required to pay the amount of their debt to the undersigned or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estate are forthwith to deliver the same to the undersigned.

FINLAYSONS (Lawyers),
81 Flinders Street,
Adelaide, S.A. 5000

ATTENTION

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

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

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