



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, TUESDAY, 20 MARCH 2018

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

ASSOCIATIONS INCORPORATION ACT 1985

SECTION 43A

Deregistration of Associations

NOTICE is hereby given that the Corporate Affairs Commission approves the applications for deregistration received from the associations named below pursuant to section 43A of the Associations Incorporation Act, 1985. Deregistration takes effect on the date of publication of this notice.

BROADVIEW BAPTIST CHURCH INCORPORATED
JUMPSTART CARE INCORPORATED
PROBUS CLUB OF HOLDFAST BAY INCORPORATED
LSF SOUTH AUSTRALIA INCORPORATED
BURRA REGIONAL TOURISM AND BUSINESS ASSOCIATION INCORPORATED

Dated: 14 March 2018

ROSALBA ALOI
A Delegate of the Corporate Affairs Commission

DEVELOPMENT ACT 1993

*Schedule 5 Details relating to a Designated Building and Designated Building Products**Preamble*

1. I have determined as Minister for Planning, to publish a notice to designate a building or class of building and a building product or kind of building product pursuant to clause 1(1)(h) of Schedule 5 of the Development Regulations 2008.
2. A *designated building* and *designated building product* are defined in a notice published by the Minister in the *Gazette* for the purposes of clause 1(1)(h) of Schedule 5.

NOTICE

The following information is designated by the Minister for the purposes of clause 1(1)(h) of Schedule 5.

Dated: 15 March 2018

JOHN RAU
Deputy Premier and Minister for Planning

NOTICE A

Development Act 1993 and Development Regulations 2008**Schedule 5****Designated building**

For the purposes of Regulation 3 of the Development Regulations 2008 a *designated building* is a building with a *Building Code* classification of:

- (a) Class 2, 3, or 9 consisting of two or more storeys; or a
- (b) Class 5, 6, 7 or 8 consisting of three or more storeys

Designated building product

For the purposes of Regulation 3 of the Development Regulations 2008 a *designated building product* is a building product that consists of a metal panel or lining formed with an aluminium, or similar thin metal sheet material, with any type of core material.

Details relating to the designated building product

For the purposes of Schedule 5 of the Development Regulations 2008, the following information must be provided with an application for building rules consent for building work that involves the installation or alteration of this *designated building product* on this *designated building*:-

Details of the *designated building product/s* used, including:

- a) Product name/s;
- b) Product exterior and core material composition;
- c) Proposed location/s of the product/s on the building;
- d) Proposed installation/fixing method/s; and
- e) If the *designated building product/s* form part of a Performance Solution (as defined by the *Building Code*), the details identified in a) through d) above and the completion of Attachment A of this Notice.

Attachment A**PERFORMANCE SOLUTION****PART 1 - GENERAL INFORMATION**

Development No:

Address of project:

Description of project:

.....

Applicant:

Owner:

Classification/s: Type of construction: No. of storeys:

PART 2 - ASSESSMENT METHOD/S

A *designated building product/s* is being used to achieve the following *Building Code Performance Requirement/s*:

.....

The *Building Code Assessment Method/s* being used to demonstrate compliance with the above *Performance Requirements* are (Please tick)

- Evidence (as described in A2.2) to support that the *designated building product/s* meets the *Performance Requirement/s* identified (supporting evidence to be provided).
- Verification Methods* -
 - The *Verification Methods* in the *Building Code* (supporting evidence to be provided)
 - Other *Verification Methods* (supporting evidence to be provided)
- Expert Judgement* (supporting evidence to be provided)
- Comparison with the *Deemed-to-Satisfy Provisions* (supporting evidence to be provided)

PART 3 - DESIGNER / CONSULTANT DETAILS

Name of designer/consultant:

Occupation/specialty:

..... / /

Signature of designer / consultant

Date

DEVELOPMENT ACT 1993

*Regulation 74 Prescribed Supervisor's Checklist**Preamble*

1. The Development (Building Cladding) Variation Regulations 2018 were made by the Governor with the advice and consent of the Executive Council on 13 February 2018 and were published in the *Gazette* on the same day.
2. The Development (Building Cladding) Variation Regulations 2018, which will come into operation on 12 March 2018, include the following provisions.
3. Regulation 74 (5) of the Development Regulations 2008 refers to a *prescribed supervisor's checklist*.
4. A *prescribed supervisor's checklist* is defined as a checklist published by the Minister in the *Gazette* for the purposes of subregulation (7a) of Regulation 74.

NOTICE

The following checklist is published by the Minister for the purposes of subregulation (7a) of Regulation 74.

Dated: 15 March 2018

JOHN RAU
Deputy Premier and Minister for Planning

NOTICE B

**REGULATION 74
PRESCRIBED SUPERVISOR'S CHECKLIST**

This checklist must be completed by a registered building work supervisor responsible for the installation of a designated building product on a designated building in accordance with Regulation 74(7a) of the Development Regulations 2008.

PART 1 - GENERAL

Development No:

Address of project:

Description of project:

.....

Classification/s: Type of construction: No. of storeys:

PART 2 – APPROVAL (details of the relevant authorities responsible for issuing consents / approvals)

Name of private certifier (including registration number)

Council name (if applicable):

PART 3 - INSTALLATION

On the day of installation commencement, list the *designated building product*, the location/s of the product and the installation and/or fixing method used:

Product name/s:
Location/s of product/s:
Installation/fixing method/s:

Notes:

1. *Product name/s, location/s and installation/fixing method/s listed must match those detailed on the approved plans and documentation*
2. *Where the installation of other designated building products on this building will commence at a later date, notification must occur in accordance with Regulation 74(1)(cc) and additional checklists must be completed and submitted upon installation commencement in accordance with Regulation 74(7a)*

Please tick all that apply:

- The *designated building product* listed above has been installed in accordance with the approved documentation
- Installation of the *designated building product* listed above did not commence on the intended day (list reasons why)
- Additional checklists will be submitted for this or other *designated building products* on this building

Name of registered building work supervisor:

Company name (if applicable):

Builders licence number (if applicable):

..... / /

Signature of building supervisor

Date

This checklist must be provided to the council in accordance with Regulation 74(7a).

FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017

Spencer Gulf Prawn Fishery

TAKE NOTE that pursuant to regulation 10 of the *Fisheries Management (Prawn Fisheries) Regulations 2017*, the notice dated 21 March 2017 on page 945 of the *South Australian Government Gazette* on 28 March 2017 and the notice dated 28 February 2018 on page 1092 of the *South Australian Government Gazette* on 06 March 2018 prohibiting fishing activities in the Spencer Gulf Prawn Fishery, is hereby varied such that it will not be unlawful for a person fishing pursuant to a Spencer Gulf Prawn Fishery licence to use prawn trawl nets in the areas specified in Schedule 1, during the period specified in Schedule 2, and under the conditions specified in Schedule 3.

SCHEDULE 1

The waters of the Spencer Gulf Prawn Fishery:

a) Except the Northern Closure area, which is defined as the area north of the following index points:

1.	33	°	46.00	S	137	°	44.00	E
2.	33	°	38.00	S	137	°	34.00	E
3.	33	°	47.00	S	137	°	34.00	E
4.	33	°	50.00	S	137	°	31.00	E
5.	33	°	52.00	S	137	°	31.00	E
6.	33	°	54.40	S	137	°	28.60	E
7.	33	°	50.00	S	137	°	21.00	E
8.	33	°	54.00	S	137	°	09.00	E
9.	33	°	59.00	S	137	°	13.00	E
10.	34	°	13.00	S	136	°	59.00	E
11.	34	°	13.00	S	136	°	54.00	E
12.	34	°	19.00	S	136	°	48.00	E
13.	34	°	19.00	S	136	°	45.00	E
14.	34	°	10.00	S	136	°	45.00	E
15.	34	°	05.00	S	136	°	48.00	E
16.	33	°	58.00	S	137	°	01.00	E
17.	33	°	56.00	S	136	°	59.00	E
18.	33	°	59.00	S	136	°	53.00	E
19.	33	°	49.00	S	136	°	42.00	E

b) Except the Wardang Closure area, which is defined as the waters contained within and bounded by the following index points:

1.	34	°	10.00	S	137	°	28.00	E
2.	34	°	21.00	S	137	°	12.00	E
3.	34	°	45.00	S	137	°	15.00	E
4.	34	°	48.53	S	137	°	09.45	E
5.	34	°	48.53	S	137	°	06.00	E
6.	34	°	50.75	S	137	°	06.00	E
7.	34	°	54.00	S	137	°	01.00	E

c) Except the Corny closure area, which is defined as the waters within the following closure index points:

1.	34	°	27.00	S	136	°	53.00	E
2.	34	°	27.00	S	137	°	02.00	E
3.	34	°	35.00	S	136	°	56.00	E
4.	34	°	48.60	S	136	°	52.00	E
5.	34	°	54.00	S	136	°	52.00	E
6.	34	°	54.00	S	136	°	48.50	E
7.	34	°	49.50	S	136	°	48.50	E
8.	34	°	49.50	S	136	°	40.50	E
9.	34	°	39.50	S	136	°	40.50	E

SCHEDULE 2

Commencing at sunset on 15 March 2018 and ending at sunrise on 26 March 2018.

SCHEDULE 3

- The coordinates in Schedule 1 are defined as degrees decimal minutes and are based on the World Geodetic System 1984 (WGS 84).
- No fishing activity may be undertaken between the prescribed times of sunrise and sunset for Adelaide (as published in the South Australian Government Gazette pursuant to the requirements of the *Proof of Sunrise and Sunset Act 1923*) during the period specified in Schedule 2.
- Fishing must cease:
 - in the fishing area known as the 'Mid/North Gulf' area (as described on page 48 of the Management Plan for the South Australian Commercial Spencer Gulf Prawn Fishery¹ October 2014) if the average catch per vessel, per night (based on the best information available to the committee at sea) drops below 500kg; and
 - in the fishing area known as the 'Southern Gulf' area (as described on page 48 in the Management Plan for the South Australian Commercial Spencer Gulf Prawn Fishery October 2014) if the average catch per vessel over two consecutive nights (based on the best information available to the committee at sea) falls below 350kg.
- Based on the best information available fishing must cease in an area in the Mid/North Gulf if the average prawn bucket count exceeds 240 prawns per 7kg; or in an area in the Southern Gulf if the average prawn bucket count exceeds 260 prawns/7kg.
- No fishing activity may occur without the authorisation of Coordinator at Sea, Paul Watson, or other nominated Coordinator at Sea appointed by the Spencer Gulf and West Coast Prawn Fishermen's Association.

6. The authorisation of the Coordinator at Sea must be in writing, signed and record the day, date and permitted fishing area within the waters of Schedule 1 in the form of a notice sent to the fishing fleet or vary an earlier authorisation issued by the Coordinator at Sea.
7. The Coordinator at Sea must cause a copy of any authorisation for fishing activity or variation of same, made under this notice to be emailed to the Prawn Fisheries Manager immediately after it is made.
8. The Spencer Gulf and West Coast Prawn Fishermen's Association must keep records of all authorisations issued pursuant to this notice.

¹Management plan can be found at:

http://www.pir.sa.gov.au/fishing/commercial_fishing/commercial_fisheries/prawn_fishery_-_spencer_gulf_and_west_coast

Dated: 15 March 2018

PAUL WATSON
Coordinator at Sea
Spencer Gulf Prawn Fishery
Delegate of the Minister for Agriculture, Food and Fisheries

HOUSING IMPROVEMENT ACT 2016

Rent Control Revocations

Whereas the Minister for Social Housing Delegate is satisfied that each of the houses described hereunder has ceased to be unsafe or unsuitable for human habitation for the purposes of the *Housing Improvement Act 2016*, notice is hereby given that, in exercise of the powers conferred by the said Act, the Minister for Social Housing does hereby revoke the said Rent Control in respect of each property.

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
16 Cockshell Street, Davoren Park SA 5113 (AKA Lot 71 Curnow Street)	Allotment 71 Deposited Plan 111996 Hundred of Munno Para	CT5728/861, CT6169/132
10 Sloan RD, Ingle Farm SA 5098	Allotment 322 Deposited Plan 9533 Hundred of Yatala	CT5358/65
31 Midway Road, Elizabeth East SA 5112	Allotment 112 Deposited Plan 6415 Hundred of Munno Para	CT6084/841

Dated: 20 March 2018

JOHN HERRMANN
Housing Regulator and Registrar
Office of Housing Regulation, Housing SA
Delegate of Minister for Social Housing

MINING ACT 1971

Notice pursuant to Sections 15(5) and 15(6) of the Mining Act 1971

NOTICE is hereby given that the Notice under the *Mining Act 1971* ("the Act") published on 27 February 2018 in the South Australian Government Gazette at pages 1063 to 1064 is amended as set out below:

1. Under paragraph 1, '1 April 2018' is repealed and substituted with '3 June 2018'.
2. Under paragraph 3, '1 April 2018' is repealed and substituted with '3 June 2018'.

The rest of the Notice remains in operation and effective.

Dated: 9 March 2018

P FREEMAN
Acting Executive Director, Mineral Resources
Department of the Premier and Cabinet
Delegate of the Minister for Mineral Resources and Energy

MINING ACT 1971

Notice pursuant to Section 28(5) of the 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 an Exploration Licence over the area described below.

Applicant: Earea Dam mining Pty Ltd
Location: Wilgena Area – approx. 35 km west of Kingoonya
Pastoral Lease: Wilgena
Term: Two years
Area in km²: 56
Reference number: 2017/00024

Plan and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.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.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J MARTIN
Mining Registrar
Department of the Premier and Cabinet
Delegate of the Minister for Mineral Resources and Energy

MINING ACT 1971

Notice pursuant to Section 28(5) of the 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: Lithium Australia NL
Location: Dudley East Area – approx. 10 km south-east of Penneshaw
Term: Two years
Area in km²: 63
Reference number: 2017/00236

Applicant: FMG Resources Pty Ltd
Location: Mount Arden Area – approx. 30 km north of Port Augusta
Pastoral Lease: Mount Arden, Wilkatana
Term: Two years
Area in km²: 52
Reference number: 2018/00012

Plans and co-ordinates can be found on the Department of the Premier and Cabinet website:

http://www.minerals.dpc.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.dpc.sa.gov.au/land_access/community_information or hard copy on request to Mineral Tenements.

J MARTIN
Mining Registrar
Department of the Premier and Cabinet
Delegate of the Minister for Mineral Resources and Energy

MINING ACT 1971

SECTION 73G

Mine Operations Plan

Notice is hereby given in accordance with Section 73G of the *Mining Act 1971* and Regulation 81 of the Mining Regulations 2011, that a mine operations plan for the undermentioned private mine has been received.

Proprietor: Hanson Construction Materials Pty Ltd
Private Mine: PM 232 - Maslin Beach Quarry
Location: Section 367, Hundred of Willunga
Area: 33.49 hectares
Purpose: Recovery of Construction Materials (Sand)
Reference: 1974/00374

Details of the mine operations plan draft objectives and criteria may be inspected at the Department of the Premier and Cabinet, Mineral Resources Division, Level 7, 101 Grenfell Street, ADELAIDE SA 5000:

A copy of the mine operations plan draft objectives and criteria has been provided to the City of Onkaparinga and an electronic copy can be found on the Department of the Premier and Cabinet website: http://minerals.dpc.sa.gov.au/mining/public_notices_mining

Written submissions in relation to the draft objectives and criteria are invited to be received at the Department of the Premier and Cabinet, Mining Regulation, Attn: Business Support Officer, GPO Box 320 ADELAIDE 5001 or dpc.miningregrehab@sa.gov.au no later than 19 April 2018.

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

ANDREW QUERZOLI
A/Director Mining Regulation
Department of the Premier and Cabinet
Delegate of the Director of Mines

REPUBLICISHED

South Australia

Motor Vehicles (Booleroo Steam and Traction Event) Notice 2018

under Section 6 of the *Motor Vehicles Act 1959*

1 Short Title

This Notice may be cited as the *Motor Vehicles (Booleroo Steam and Traction Event) Notice 2018*.

2 Commencement

This Notice will take effect during the following dates and times:

22 March 2018	1.00pm – 6.30pm
23 March 2018	9.00am – 6.30pm
24 March 2018	9.00am – 12 noon
25 March 2018	4.30pm – 8.30pm
26 March 2018	7.00am – 4.30pm

3 Interpretation

In this Notice—

Act means the *Motor Vehicles Act 1959*;

Minister means the Minister to whom the administration of the Act is committed;

Society means the Booleroo Steam and Traction Preservation Society Inc.;

4 Application of the Act

In accordance with the power under Section 6 of the Act, I hereby declare that the Act does not apply to the area designated in the Schedule to this notice during the dates and times this Notice is in effect.

5 Operation and insurance

The Society shall have in place a traffic management plan for the designated area and surrounds, and a policy of public liability insurance to the value of \$20 million in force during the dates and times this Notice is in effect.

6 Revocation

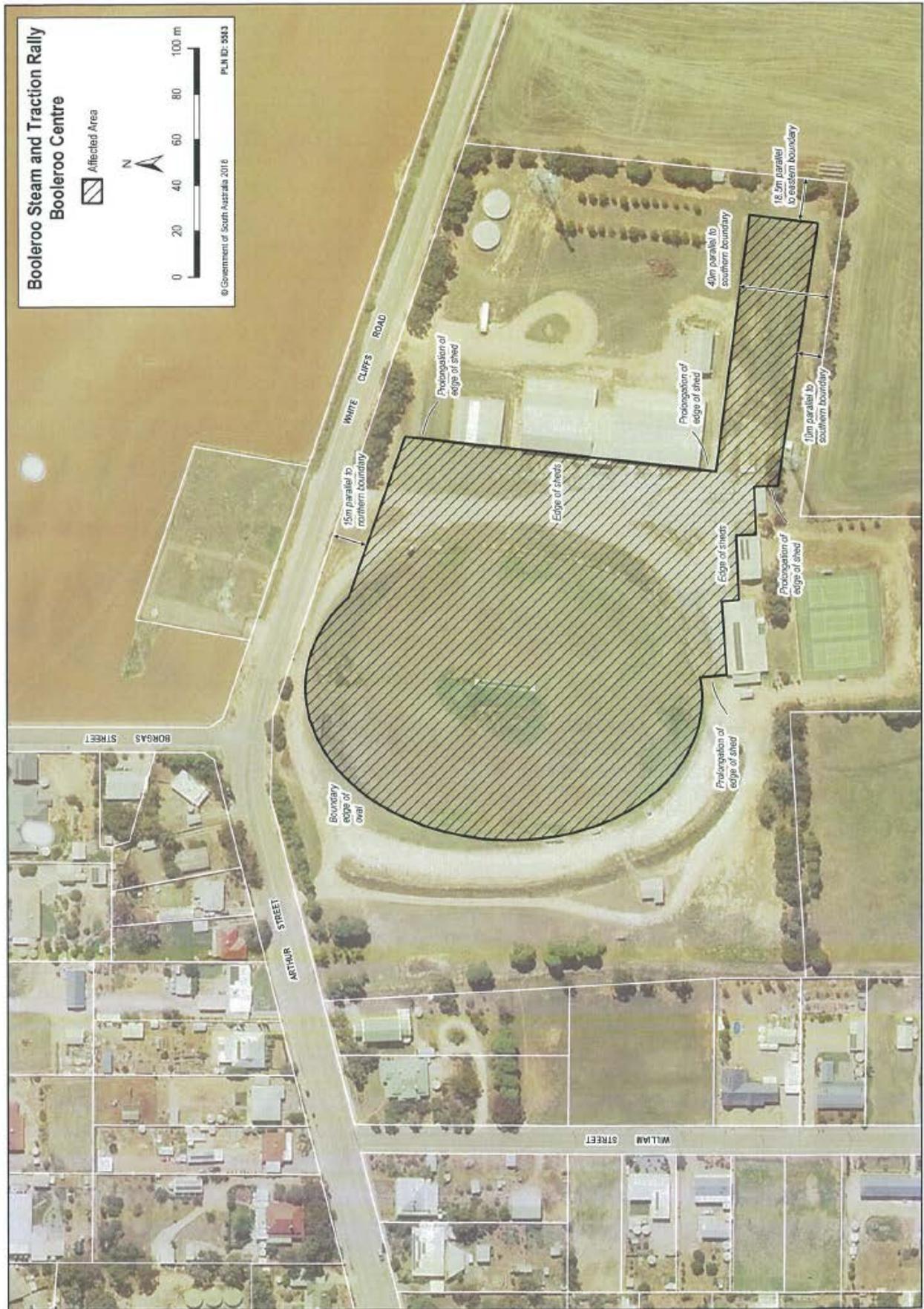
This Notice may be varied or revoked at any time by further instrument in writing.

7 Execution

Dated: 1 February 2018

STEPHEN CAMPBELL MULLIGHAN
Minister for Transport and Infrastructure

SCHEDULE TO THE MOTOR VEHICLES (BOOLEROO STEAM AND TRACTION EVENT) NOTICE 2018



NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS) REGULATIONS 2016

Closure of Murray River National Park – Main Katarapko Section

PURSUANT to Regulation 7 (3) (d) of the National Parks and Wildlife (National Parks) Regulations 2016, I, Grant Anthony Pelton, as Director, Regional Programs, Parks and Regions Group, authorised delegate of the Director of National Parks and Wildlife, close to the public, the Main Katarapko Section of Murray River National Park from:

- 12pm 19th March – 12pm 23rd March 2018
- 12pm 4th June – 12pm 8th June 2018
- 12pm 13th August – 12pm 17th August 2018
- 12pm 12th November – 12pm 16th November 2018

The purpose of the closure is to ensure the safety of the public during a pest control and monitoring program within the park area during the period indicated.

Dated: 14 March 2018

G. A. PELTON
Director
Regional Programs, Parks and Regions
Department of Environment Water and Natural Resources

THE DISTRICT COURT OF SOUTH AUSTRALIA

PORT AUGUSTA CIRCUIT COURT

Sheriff's Office, Adelaide, 3 April 2018

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 Port Augusta 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 3 April 2018 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 3 April 2018 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 Port Augusta Courthouse, commencing 3 April 2018*

Anderson, Milton James	Contravene a provision of the code of practice – category c(5); aggravated possess firearm without a licence; possess unregistered firearm (2)	On bail
Attard, Jessie Sparks, Shane Jason	Aggravated serious criminal trespass; aggravated assault (3); dishonestly take property without owner's consent	In gaol
Bauer, Thomas Neil	Persistent sexual exploitation of a child (2); indecent assault (3); gross indecency (2); aggravated possessing child exploitation material; possessing child exploitation material; unlawful sexual intercourse with a person under 12 years (4); maintaining an unlawful sexual relationship with a child	On bail
Benbolt, Sean Walter	Aggravated serious criminal trespass in a place of residence; aggravated assault	On bail
Coleman, Bronwyn Stevens, Emma-Marie	Aggravated theft	On bail
Coulthard, Grant Clement	Contravene term of intervention order; fail to comply with bail; aggravated serious criminal trespass in a place of residence; theft; aggravated assault; damaging property	On bail
Coulthard, Troy Wapala	Aggravated serious criminal trespass	In gaol
Farrugia, Jason Emmanuel	Aggravated serious criminal trespass; dishonestly take property; aggravated assault; false imprisonment; threaten to kill; possess firearm without licence; fail to comply with bail	On bail
Clayton, Luke Anthony James	Aggravated threaten to kill or endanger life	In gaol
Flannery, Peter John	Application for enforcement of a breached bond	On bail
Harding, Dwayne John	Commit assault other by use of offensive weapon (3); damage building or motor vehicle (not graffiti or unknown); serious criminal trespass – residence occupied – aggravated; commit assault – basic	On bail
Hatches, Franklin		On bail
Hayes, Siegunn Edward	Traffic in a controlled drug	In gaol
Hayes, Siegunn Edward	Application for enforcement of a breached bond	In gaol
Hayes, Siegunn Edward	Application for enforcement of a breached bond	In gaol
Hill, Paul	Contravene term of intervention order; aggravated serious criminal trespass in a place of residence; damaging property; assault causing harm	On bail
Parenzan, Zane Leslie	Damage property; aggravated assault (2); aggravated threaten to cause harm	In gaol
Ryan, Jaron	Traffic in a controlled drug	In gaol
Ryan, Jaron Faull, Guy Nathan	Aggravated serious criminal trespass in a place of residence; dishonestly receive property without owner's consent	On bail
Sexton, Darren	Aggravated assault (2); aggravated threatening life; false imprisonment	In gaol
Smith, Paul Raymond	Aggravated serious criminal trespass; aggravated assault; damage building or motor vehicle	On bail
Stringer, Tyler	Aggravated make a child amenable to sexual activity (19); gross indecency (3)	On bail
Trott, Willis Leebolt	Trafficking in a controlled drug	On bail
Walker, Andrew Douglas	Assault; engage in sexual intercourse with a person without consent	On bail
Watkins, Robin Kyle	Contravening a term of an intervention order; aggravated serious criminal trespass in a place of residence; aggravated assault causing harm; possess dangerous article (2)	On bail
Wilton, Kiara Leatha	Application for enforcement of a breached bond	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.

By order of the Court,

S. FERGUSON
A/Sheriff

RADIATION PROTECTION AND CONTROL ACT 1982

SECTION 44

Notice by Delegate of the Minister for Environment and Conservation

PURSUANT to section 44 of the Radiation Protection and Control Act 1982, I, Amanda Fortanier, Team Leader, Radiation Health, Radiation Protection Branch of the Environment Protection Authority, being a person to whom the powers of the Minister under that section have been delegated under the Act, exempt operators of ionising radiation apparatus from the requirements of Regulation 39 of the Radiation Protection and Control Regulations 2015, subject to the following conditions:

1. For the purpose of this exemption, the Registered Nurse is a person who is employed as a Registered Nurse in the Emergency Department of the health unit listed in Column 1 of Schedule 1, who is approved to participate in the Nurse Initiated X-ray (NIXR) Program by the person holding the position listed in Column 2 of Schedule 1, and has successfully completed training approved by the Environment Protection Authority (the Registered Nurse).
2. This exemption only applies to persons who have been classified by the Registered Nurse giving the authorisation as triage category 3, 4 or 5.
3. The Registered Nurse must only authorise exposures to ionising radiation for the purpose of plain radiography; limited to the items and regions specified in Schedule 2 below; and
4. In addition to the requirements of Regulation 41 (1) and (2) of the Radiation Protection and Control (Ionising Radiation) Regulations 2015, the authorisation referred to in condition 3 must:
 - a. indicate that the exposure is authorised as part of the NIXR Program; and
 - b. indicate that the person to be examined has been classified as triage category 3, 4 or 5.
5. The person holding, or acting in the position listed in Column 2 of The Schedule must, when directed by the Environment Protection Authority, provide a written report on diagnostic radiography authorised by the Registered Nurses per the direction. The report must contain statistics regarding examinations authorised by the Registered Nurse(s), details of any radiation safety issues associated with examinations, or any other matter as required by the direction.
6. The exemption shall take effect commencing on the date of publication of this Notice in the Government Gazette.

SCHEDULE 1

Column 1	Column 2
Royal Adelaide Hospital	Site Director, Emergency Department RAH
Lyell McEwin Hospital	Director, Emergency Department, Lyell McEwin Hospital
Flinders Medical Centre	Deputy Network Clinical Director – FMC Emergency Department
The Queen Elizabeth Hospital	Director, Emergency Department
Noarlunga Health Services	Clinical Director Emergency Department, Noarlunga Health Service
Women's and Children's Hospital	Medical Unit Head, Paediatric Emergency Department

SCHEDULE 2

Item	Region
57509	Hand, wrist, forearm, elbow or humerus (R)
57515	Hand and wrist, or hand, wrist and forearm, or forearm and elbow, or elbow and humerus (R)
57521	Foot, ankle, leg, knee or femur (R)
57527	Foot and ankle, or ankle and leg, or leg and knee, or knee and femur (R)
57703	Shoulder or scapula (R)
57709	Clavicle (R)
57712	Hip Joint (R)
57715	Pelvic Girdle (R)
57721	Femur, internal fixation or neck or intertrochanteric (perthrochanteric) fracture (R)

The exemptions from the requirements of Regulation 40 of the Radiation Protection and Control (Ionising Radiation) Regulations 2000, for Diagnostic Radiographers, published on 09 September 2004; 28 September 2006; and 21 August 2014 are hereby revoked.

Dated: 16 March 2018

A. J. FORTANIER

Delegate of the Minister for Sustainability, Environment and Conservation

RADIATION PROTECTION AND CONTROL ACT 1982

NOTICE BY DELEGATE OF THE MINISTER FOR SUSTAINABILITY, ENVIRONMENT AND CONSERVATION

Approvals Pursuant to Part 2, Division 4 of the Radiation Protection and Control (Ionising Radiation) Regulations 2015 – Personal Radiation Monitoring Devices

PURSUANT to Part 2, Division 4 of the Radiation Protection and Control (Ionising Radiation) Regulations 2015, I, Amanda Fortanier, Team Leader, Radiation Health, Radiation Protection Branch of the Environment Protection Authority (EPA), being a person to whom the powers of the Minister under that section have been delegated under the Act, approve the personal radiation monitoring devices issued by Thermo Fisher Scientific listed in column 1 of the Schedule below for detecting and measuring external exposure to the type of ionising radiations listed in column 2 of the Schedule, subject to the following conditions:

1. all measurements must remain traceable to Australian standards, or international standards in the absence of an Australian standard; and
2. relevant NATA or equivalent accreditation of the measurement system must be maintained; and
3. the approved personal radiation monitoring devices are to be used in accordance with any instructions given by Thermo Fisher Scientific.

THE SCHEDULE

Column 1	Column 2
EPD Mk2+	gamma, X-ray
RadEye PRD-ER	gamma
RadEye GN+	gamma, thermal neutron

Dated: 16 March 2018

A. J. FORTANIER
Delegate of the Minister for Sustainability, Environment and Conservation

ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

*Notice of Confirmation of Road Process Order**Road Closure – Public Road, Leighton*

BY Road Process Order made on 19 December 2017, the Regional Council of Goyder ordered that:

1. The whole of the Public Road, situated between Levi Hill Road and Booborowie Road, Leighton, more particularly delineated and lettered 'A' in Preliminary Plan 17/0047 be closed.
2. Transfer the whole of the land subject to closure to David Henry James Bernard and Cheryl Kaye Bernard in accordance with the Agreement for Transfer dated 19 December 2017 entered into between the Regional Council of Goyder and David Henry James Bernard and Cheryl Kaye Bernard.

On 16 March 2018 that Order was confirmed by the Minister for Transport and Infrastructure conditionally upon the Deposit by the Registrar-General of Deposited Plan 118074 being the authority for the new boundaries.

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

Dated: 20 March 2018

M. P. BURDETT
Surveyor-General

CITY OF MITCHAM
LOCAL GOVERNMENT ACT 1999
SECTION 219

Naming of Council Reserve

CORRIGENDUM

IN the *Government Gazette* of 21 November 2017, page 4714, second notice appearing, replace line 3 with the following wording:

(being Allotment 422 in Deposited Plan 4804 and comprised in Certificate of Title Volume 5180 Folio 469) as Glenwood Reserve.

Dated: 9 March 2018

M PEARS
Chief Executive Officer

CITY OF ONKAPARINGA
DEVELOPMENT ACT 1993

Aldinga Urban Lands Development Plan Amendment Public Consultation

Notice is hereby given that the City of Onkaparinga, pursuant to Sections 24 and 25 of the Development Act 1993, has prepared a Development Plan Amendment (DPA) to amend its Development Plan.

The DPA seeks to rezone a portion of the Deferred Urban Zone to Residential Zone at How Road (cnr Hart Road), Aldinga Beach.

Community engagement

The community engagement period will extend from 21 March 2018 until 18 May 2018 inclusive.

Copies of the DPA will be available for public inspection during office hours at council offices and on our website www.onkaparingacity.com/communityengagement.

Written submissions

Visit www.onkaparingacity.com/communityengagement for information on how to make a submission.

Submissions will be received until 11.59pm 18 May 2018 and should be forwarded to:

- Aldinga Urban Lands DPA
City of Onkaparinga, PO Box 1,
Noarlunga Centre SA 5168
- or email
developmentpolicy@onkaparinga.sa.gov.au

Copies of all written submissions received will be available for inspection by interested persons at our Noarlunga Office, Ramsay Place, Noarlunga Centre from Monday 21 May 2018 until the conclusion of the public hearing.

Public meeting

Tuesday 5 June 2018, 7pm
City of Onkaparinga, Noarlunga office
Ramsay Place, Noarlunga Centre

Any interested person will have the opportunity to make a verbal submission at the Public Meeting. If no submissions are received, or no persons making a submission request to be heard, the Public Meeting may not be held.

More information

To view the draft DPA and supporting material, visit www.onkaparingacity.com/communityengagement

Alternatively, contact Craig Jones, Development Policy Planner on 8384 0617 or email developmentpolicy@onkaparinga.sa.gov.au.

MARK DOWD
Chief Executive Officer

CITY OF ONKAPARINGA
Review of Elector Representation
CORRIGENDUM

In Government Gazette No 81, published on 12 December 2017, on pages 5034 and 5035, the maps applicable to the South Coast Ward and the Mid Coast Ward (as depicted in Schedules 1 and 2 respectively) incorrectly identified Alford Road as part of the ward boundaries. This ward identifier should have read Aldam Road, as depicted on the amended maps under Schedules 1 and 2 contained hereinafter.

MARK DOWD
Chief Executive Officer

SCHEDULE 1

South Coast Ward

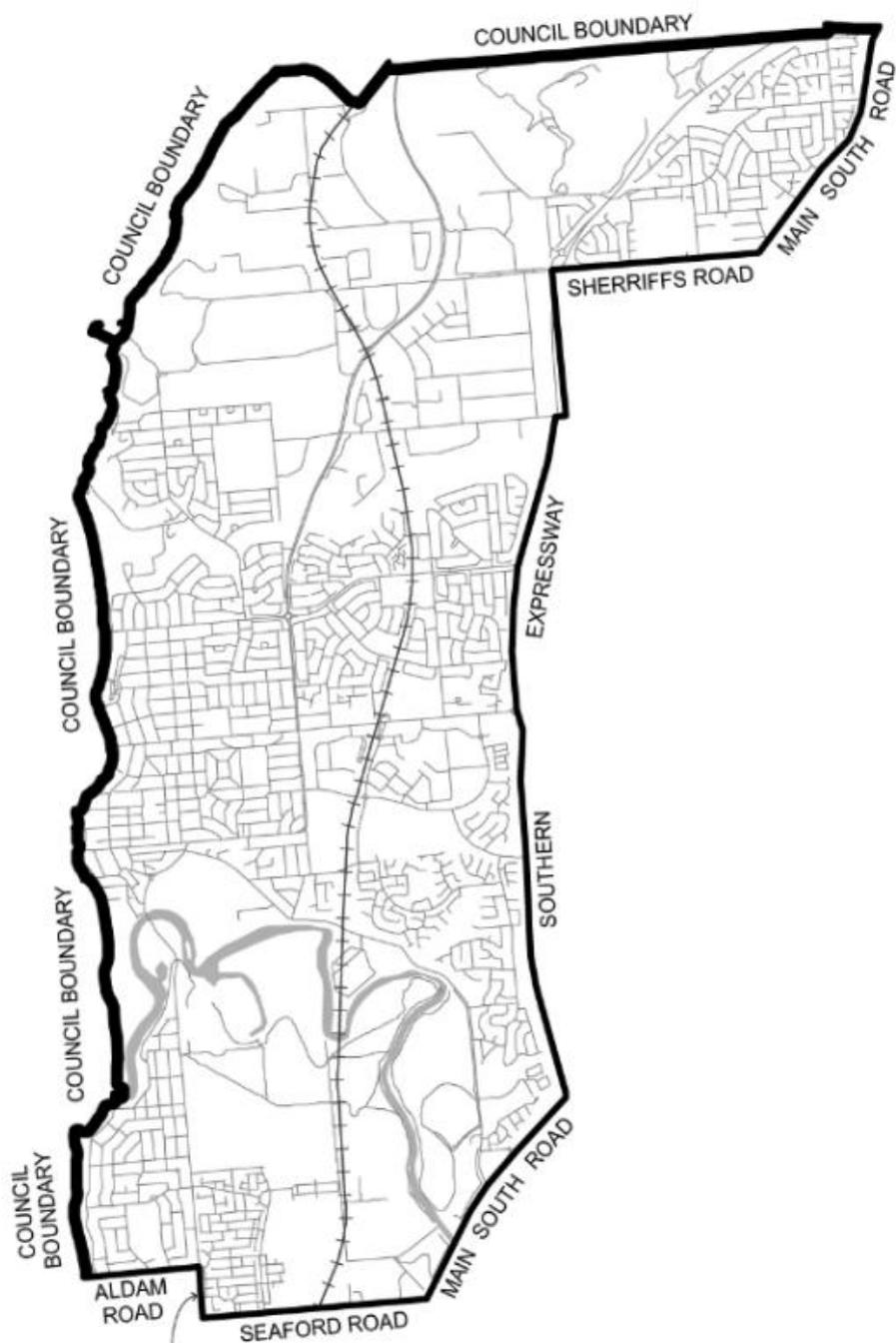
Comprising the suburbs of Seaford, Seaford Rise, Moana, Maslin Beach, Port Willunga, Aldinga Beach and Sellicks Beach; and part of the suburb of Aldinga to the west of Main South Road.



SCHEDULE 2

Mid Coast Ward

Comprising the suburbs of Reynella, Lonsdale, O'Sullivan Beach, Christies Beach, Christie Downs, Noarlunga Centre, Port Noarlunga, Noarlunga Downs, Port Noarlunga South and Seaford Meadows.



MID MURRAY COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

Permits and Penalties By-law 2018

By-law No. 1 of 2018

To provide for a permit system, set penalties for breaches of by-laws, provide for certain matters pertaining to liability and evidence, set regulatory requirements, clarify the construction of Council's by-laws and for related purposes.

Part 1 – Preliminary**1. Short Title**

This by-law may be cited as the *Permits and Penalties By-law 2018*.

2. Commencement

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

3. Definitions

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

3.1.1 **authorised person** means a person appointed as an authorised person pursuant to Section 260 of the *Local Government Act 1999*;

3.1.2 **Council** means the Mid Murray Council;

3.1.3 **drive** a vehicle means to be in control of the steering, movement or propulsion of the vehicle;

3.1.4 **driver** of a vehicle means the person driving the vehicle;

3.1.5 **motor vehicle** has the same meaning as in the *Road Traffic Act 1961*;

3.1.6 **person** includes a natural person, a body corporate or incorporated association;

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

3.1.8 **vehicle** has the same meaning as in the *Road Traffic Act 1961* and the *Australian Road Rules 1999* and includes a motor vehicle.

3.2 In this by-law:

3.2.1 **owner** has the same meaning as in the *Road Traffic Act 1961*;

3.2.2 **prescribed offence** means an offence against a by-law of the Council relating to the driving, parking or standing of vehicles.

4. Construction

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

Part 2 – Permits

5. Council May Grant Permits

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

5.1 The permit must be in writing.

5.2 The Council may:

5.2.1 attach conditions to the permit;

5.2.2 change or revoke a condition, by notice in writing; or

5.2.3 add new conditions, by notice in writing.

5.3 A person who holds a permit must comply with every condition attached to it. Failure to do so constitutes a breach of this by-law.

5.4 The Council may revoke a permit, by notice in writing, if:

5.4.1 the holder of the permit fails to comply with a condition attached to it; or

5.4.2 the permit is of a continuing nature, and the Council has reasonable grounds for revoking it.

5.5 The Council may, by resolution, fix, vary or revoke fees or charges for the granting of a permit to do a specified thing.

Part 3 – Enforcement

6. Penalties

6.1 A person who contravenes, or fails to comply with any by-law of the Council is guilty of an offence and is liable to a maximum penalty, being the maximum penalty referred to in the *Local Government Act 1999*, which may be fixed for offences against a by-law.

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

7. Liability of Vehicles Owners and Expiation of Certain Offences

7.1 Without derogating from the liability of any other person, but subject to this paragraph, if a vehicle is involved in a prescribed offence, the owner of the vehicle is guilty of an offence and liable to the same penalty as is prescribed for the principal offence and the expiation fee that is fixed for the principal offence applies in relation to an offence against this paragraph.

7.2 The owner and driver of a vehicle are not both liable through the operation of this paragraph to be convicted of an offence arising out of the same circumstances, and consequently conviction of the owner exonerates the driver and conversely conviction of the driver exonerates the owner.

7.3 An expiation notice or expiation reminder notice given under the *Expiation of Offences Act 1996* to the owner of a vehicle for an alleged prescribed offence involving the vehicle must be accompanied by a notice inviting the owner, if they were not the driver at the time of the alleged prescribed offence, to provide the Council or officer specified in the notice, within the period specified in the notice, with a statutory declaration:

7.3.1 setting out the name and address of the driver; or

7.3.2 if they had transferred ownership of the vehicle to another prior to the time of the alleged offence and has complied with the *Motor Vehicles Act 1959* in respect of the transfer—setting out details of the transfer (including the name and address of the transferee).

7.4 Before proceedings are commenced against the owner of a vehicle for an offence against this section involving the vehicle, the complainant must send the owner a notice:

- 7.4.1 setting out particulars of the alleged prescribed offence; and
- 7.4.2 inviting the owner, if he or she was not the driver at the time of the alleged prescribed offence, to provide the complainant, within 21 days of the date of the notice, with a statutory declaration setting out the matters referred to in subparagraph 7.3.
- 7.5 Subparagraph 7.4 does not apply to:
- 7.5.1 proceedings commenced where an owner has elected under the *Expiation of Offences Act 1996* to be prosecuted for the offence; or
- 7.5.2 proceedings commenced against an owner of a vehicle who has been named in a statutory declaration under this section as the driver of the vehicle.
- 7.6 Subject to subparagraph 7.7, in proceedings against the owner of a vehicle for an offence against this paragraph, it is a defence to prove:
- 7.6.1 that, in consequence of some unlawful act, the vehicle was not in the possession or control of the owner at the time of the alleged prescribed offence; or
- 7.6.2 that the owner provided the complainant with a statutory declaration in accordance with an invitation under this paragraph.
- 7.7 The defence in paragraph 7.6.2 does not apply if it is proved that the owner made the declaration knowing it to be false in a material particular.
- 7.8 If:
- 7.8.1 an expiation notice is given to a person named as the alleged driver in a statutory declaration under this paragraph; or
- 7.8.2 proceedings are commenced against a person named as the alleged driver in such a statutory declaration, the notice or summons, as the case may be, must be accompanied by a notice setting out particulars of the statutory declaration that named the person as the alleged driver.
- 7.9 The particulars of the statutory declaration provided to the person named as the alleged driver must not include the address of the person who provided the statutory declaration.

8. Evidence

In proceedings for a prescribed offence, an allegation in a complaint that:

- 8.1 a specified place was a road or local government land; or
- 8.2 a specified vehicle was driven, parked or left standing in a specified place; or
- 8.3 a specified vehicle was parked or left standing for the purposes of soliciting business from a person or offering or exposing goods for sale; or
- 8.4 a specified place was not formed or otherwise set aside by the Council for the purposes of the driving, parking or standing of vehicles; or
- 8.5 a specified person was an authorised person; or
- 8.6 a specified provision was a condition of a specified permit granted under paragraph 5 of this by-law; or
- 8.7 a specified person was the owner or driver of a specified vehicle; or
- 8.8 a person named in a statutory declaration under paragraph 7 of this by-law for the prescribed offence to which the declaration relates was the driver of the vehicle at the time at which the alleged offence was committed; or
- 8.9 an owner or driver of a vehicle for a prescribed offence was given notice under paragraph 7 of this by-law on a specified day,

is proof of the matters so alleged in the absence of proof to the contrary.

Part 4 – Miscellaneous

9. Revocation

Council's *By-law No. 1 – Permits and Penalties*, published in the *Gazette* on 18 March 2010, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Mid Murray Council held on the 13th day of March 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

RUSSELL PEATE
Chief Executive Officer

MID MURRAY COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

Moveable Signs By-law 2018

By-law No. 2 of 2018

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

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Moveable Signs By-law 2018*.

2. Commencement

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

3. **Definitions**

In this by-law:

- 3.1 **banner** means a moveable sign constituted of a strip of cloth, plastic or other material hung or attached to a pole, fence or other structure;
- 3.2 **footpath** means:
- 3.2.1 a footway, lane or other place made or constructed for the use of pedestrians; or
- 3.2.2 that part of road between the property boundary of the road and the edge of the carriageway on the same side as that boundary;
- 3.3 **moveable sign** has the same meaning as the *Local Government Act 1999*;
- 3.4 **road** has the same meaning as in the *Local Government Act 1999*;
- 3.5 **road related area** has the same meaning as in the *Road Traffic Act 1961*.

Part 2 – Provisions Applicable to Moveable Signs

4. **Design and Construction**

A moveable sign displayed on a road must:

- 4.1 be constructed so as not to present a hazard to any member of the public;
- 4.2 be constructed so as to be stable when in position and to be able to keep its position in adverse weather conditions;
- 4.3 not be unsightly or offensive in appearance;
- 4.4 not contain flashing or moving parts;
- 4.5 be not more than 1.2 metres high, 80cm in width or 80cm in depth;
- 4.6 not have a display area exceeding 1m² in total or, if the sign is two-sided 1m² on each side;
- 4.7 in the case of an 'A' frame or sandwich board sign:
- 4.7.1 be hinged or joined at the top;
- 4.7.2 be of such construction that its sides can be and are securely fixed or locked in position when erected;
- 4.8 in the case of an inverted 'T' sign, contain no struts or members than run between the display area of the sign and the base of the sign.

5. **Placement**

A moveable sign displayed on a road must:

- 5.1 not be placed anywhere except on the footpath;
- 5.2 not be placed on a sealed footpath, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 metres wide;
- 5.3 be placed at least 40cm from the kerb (or if there is no kerb, from the edge of the roadway);
- 5.4 not be placed on a landscaped area, other than on landscaping that comprises only lawn;
- 5.5 not be placed on a designated parking area or within 1 metre of an entrance to any premises; and
- 5.6 not be fixed, tied or chained to, leaned against or placed closer than 2 metres to any other structure, object or plant (including another moveable sign);
- 5.7 not be placed in a position that puts the safety of any person at risk;
- 5.8 not be placed on a median strip, roundabout, traffic island or on a carriageway;
- 5.9 not be within 1 metres of an intersection of a road.

6. **Restrictions**

A moveable sign displayed on a road must:

- 6.1 only contain material which advertises a business being conducted on commercial premises adjacent to the sign, or the goods and services available from that business;
- 6.2 be limited to two per business premises;
- 6.3 not be displayed unless the business to which it relates is open to the public;
- 6.4 be securely fixed in position such that it cannot be blown over or swept away;
- 6.5 not be displayed during the hours of darkness unless it is clearly visible.

7. **Appearance**

A moveable sign displayed on a road must:

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

8. **Banners**

A banner must:

- 8.1 only be displayed on a road, footpath or road related area;
- 8.2 be securely fixed to a pole, fence or other structure so that it does not hang loose or flap;
- 8.3 not be attached to any building, structure, fence, vegetation or other item owned by the Council on a road, or other improvement to a road owned by the Council;
- 8.4 not be displayed more than one month before and two days after the event it advertises;
- 8.5 not be displayed for a continuous period of more than one month and two days in any twelve month period;
- 8.6 not exceed 3m² in size.

Part 3 – Enforcement

9. Removal of Unauthorised Moveable Signs

- 9.1 If:
 - 9.1.1 a moveable sign has been placed on any road or footpath in contravention of this by-law or of section 226 of the *Local Government Act 1999*, an authorised person may order the owner of the sign to remove the moveable sign from the road or footpath;
 - 9.1.2 the authorised person cannot find the owner, or the owner fails to comply immediately with the order, the authorised person may remove and dispose of the sign;
 - 9.1.3 a moveable sign is removed under subparagraph 9.1.2 of this by-law and is not claimed within 30 days of such removal the authorised person may sell, destroy or otherwise dispose of the moveable sign as the authorised person thinks fit.
- 9.2 Any person who displays an unauthorised moveable sign or who is the owner of an unauthorised moveable sign which has been removed under subparagraph 9.1 of this by-law must pay the Council any reasonable costs incurred in removing, storing or attempting to dispose of the moveable sign before being entitled to recover the moveable sign.

10. Removal of Authorised Moveable Signs

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

- 10.1 in the opinion of the authorised person, and notwithstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign; or
- 10.2 so required by the authorised person for the purpose of special events, parades, road or footpath works or any other circumstances which, in the opinion of the authorised person, requires relocation or removal of the moveable sign.

Part 4 – Miscellaneous

11. Specified Exemptions

- 11.1 This by-law does not apply to a moveable sign which:
 - 11.1.1 is a moveable sign that is placed on a public road pursuant to an authorisation under the *Local Government Act 1999* or another Act;
 - 11.1.2 directs people to the open inspection of any land or building that is available for purchase or lease;
 - 11.1.3 directs people to a garage sale that is being held on residential premises;
 - 11.1.4 directs people to a charitable function;
 - 11.1.5 is related to a State or Commonwealth election and is displayed during the period commencing on the issue of writ or writs for the election and ending at the close of polls on polling day;
 - 11.1.6 is related to an election held under the *Local Government Act 1999* or the *Local Government (Elections) Act 1999* and is displayed during the period commencing four weeks immediately before the date that has been set for polling day and ending at the close of voting on polling day;
 - 11.1.7 is related to a referendum and is displayed during the course and for the purpose of that referendum;
 - 11.1.8 is displayed with permission of the Council and in accordance with any conditions attached to that permission; or
 - 11.1.9 is a sign of a class prescribed in regulations.
- 11.2 Clauses 6.2 and 6.3 of this by-law do not apply to a flat sign containing only the banner or headlines of a newspaper or magazine.
- 11.3 Clauses 4, 6.2, 6.3 and 7 of this by-law do not apply to a directional sign to an event run by a charitable body.

12. Prohibition

- 12.1 The Council may, by resolution, prohibit the display of moveable signs on a road or part of road subject to this clause.
- 12.2 A resolution made by the Council under sub-clause 12.1 may prohibit the display of moveable signs absolutely, or at particular times or on particular days.
- 12.3 The Council may only make a resolution under sub-clause 12.1 if, in the opinion of the Council, the display of movable signs on the road would endanger the safety of road users.
- 12.4 Notwithstanding any other clause of this by-law, a person must not display a moveable sign on a road or part of a road contrary to a prohibition made by the Council under this clause.

13. Revocation

Council's *By-law No. 2 – Moveable Signs*, published in the *Gazette* on 18 March 2010, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Mid Murray Council on the 13th day of March 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

RUSSELL PEATE
Chief Executive Officer

MID MURRAY COUNCIL
BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999
Roads By-law 2018
By-law No. 3 of 2018

For the management of public roads.

Part 1 – Preliminary

1. **Short Title**

This by-law may be cited as the *Roads By-law 2018*.

2. **Commencement**

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

3. **Definitions**

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

3.1 **adjacent land** has the same meaning as in the *Australian Road Rules*;

3.2 **animal** includes birds and poultry but does not include a dog;

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

3.4 **electoral matter** has the same meaning as in the *Electoral Act 1985* provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;

3.5 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*.

Part 2 – Management of Roads

4. **Activities Requiring Permission**

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

4.1 **Advertising**

4.1.1 display any sign for the purpose of commercial advertising, other than a moveable sign which is displayed on a public road in accordance with the Council's *Moveable Signs By-law 2018*;

4.1.2 place or maintain any goods or sign on the road or park or stand a vehicle on the road for the purpose of:

4.1.2.1 soliciting any business from any person; or

4.1.2.2 offering or exposing goods or services for sale.

provided that this subparagraph 4.1.2 shall not apply to a person who is simply travelling along a road.

4.2 **Amplification**

use an amplifier or other device whether mechanical or electrical for the purposes of amplifying sound to the public;

4.3 **Animals**

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

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

4.4 **Bridge Jumping**

jump from or dive from a bridge;

4.5 **Donations**

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

4.6 **Driving on Formed Surface**

drive a motor vehicle other than on a portion of the road that has been formed or otherwise set aside by the Council for the driving of motor vehicles, unless it is not reasonably practical to do so;

4.7 **Fires**

light any fire except:

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

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

4.7.3 in accordance with the *Fire and Emergency Services Act 2005*;

4.8 **Fishing**

fish from any bridge or other structure on a road to which the Council has resolved this subparagraph shall apply;

4.9 **Preaching**

preach or harangue;

4.10 **Public Exhibitions and Displays**

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

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

4.10.3 cause any public exhibitions or displays;

4.11 **Working on Vehicles**

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

Part 3 – Miscellaneous

5. **Directions**

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

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

6. **Removal of Animals**

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

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

7. **Exemptions**

- 7.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to an emergency worker performing emergency duties.
- 7.2 The restrictions in paragraph 4.2, 4.9 and 4.10 of this by-law do not apply to:
 - 7.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
 - 7.2.2 electoral matters authorised by a candidate and which relate to an election under the *Local Government Act 1999* or the *Local Government (Elections) Act 1999* that 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
 - 7.2.3 matters which relate to, and occur during the course of and for the purpose of a referendum.
- 7.3 Clause 4.6 of this by-law does not apply to a motor vehicle being driven to or from adjacent land by the shortest practical route.

8. **Application**

Paragraphs 4.8 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246(3)(e) of the *Local Government Act 1999*.

9. **Revocation**

Council's *By-law No. 3 – Roads*, published in the *Gazette* on 18 March 2010, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Mid Murray Council held on the 13th day of March 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

RUSSELL PEATE
Chief Executive Officer

MID MURRAY COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

Local Government Land By-law 2018

By-law No. 4 of 2018

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

Part 1 – Preliminary

1. **Short Title**

This by-law may be cited as the *Local Government Land By-law 2018*.

2. **Commencement**

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

3. **Definitions**

In this by-law:

- 3.1 **animal** includes birds, insects and fish;
- 3.2 **boat** includes a raft, canoe, personal watercraft or any other similar device;
- 3.3 **children's playground** means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within 5 metres of such devices if there is no enclosed area);
- 3.4 **community garden** means an area of land set aside by the Council for the purposes of being gardened collectively by a group of people;
- 3.5 **domestic animal** includes any duck, reptile or fish;

- 3.6 **electoral matter** has the same meaning as in the *Electoral Act 1985* provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 3.7 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 3.8 **funeral ceremony** means a ceremony only (ie a memorial service) and does not include a burial;
- 3.9 **inflatable castle** includes a bouncy castle, jumping castle and any other inflatable structure used for recreational purposes;
- 3.10 **liquor** has the same meaning as defined in the *Liquor Licensing Act 1997*;
- 3.11 **local government land** has the same meaning as in the *Local Government Act 1999*, but does not include any road;
- 3.12 **open container** means a container which:
- 3.12.1 after the contents thereof have been sealed at the time of manufacture and:
- 3.12.1.1 being a bottle, has had its cap, cork or top removed (whether or not it has since been replaced);
- 3.12.1.2 being a can, it has been opened or punctured;
- 3.12.1.3 being a cask, has had its tap placed in a position to allow it to be used;
- 3.12.1.4 being any form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to the contents thereof; or
- 3.12.2 is a flask, glass or mug or other container used for drinking purposes;
- 3.13 **organised competition or sport** does not include social play;
- 3.14 **personal watercraft** means a device that:
- 3.14.1 is propelled by a motor; and
- 3.14.2 has a fully enclosed hull; and
- 3.14.3 is designed not to retain water if capsized; and
- 3.14.4 is designed to be operated by a person who sits astride, stands, or kneels on the device, and includes the device commonly referred to as a jet ski;
- 3.15 **traffic control device** has the same meaning as in the *Road Traffic Act 1961*;
- 3.16 **variable message sign** includes a permanent, portable or vehicle mounted electronic sign (except when the sign is used as a traffic control device);
- 3.17 **waters** means any body of water including a pond, lake, river, creek or wetlands under the care, control and management of Council.

Part 2 – Management of Local Government Land

4. Activities Requiring Permission

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

4.1 Access to Waters

subject to the provisions of the *Harbors and Navigation Act 1993*, enter any waters, or swim or use a boat in or on waters:

- 4.1.1 in an area where a nearby sign erected by the Council states that one or more of these activities is prohibited;
- 4.1.2 contrary to any condition or requirement stated on a nearby sign erected by the Council;

4.2 Advertising and Signage

4.2.1 display any sign for the purpose of commercial advertising, other than a moveable sign that is displayed in accordance with the *Moveable Signs By-law 2018*;

4.2.2 erect, install, place or display a variable message sign;

4.2.3 place or maintain any goods or sign on the road or park or stand a vehicle on the land for the purpose of:

4.2.3.1 soliciting any business from any person; or

4.2.3.2 offering or exposing goods or services for sale.

provided that this subparagraph 4.2.3 shall not apply to a person who is simply travelling along an area or road on local government land set aside by the Council;

4.3 Aircraft

subject to the *Civil Aviation Act 1988*, land or take off any aircraft on or from the land;

4.4 Alteration to Local Government Land

make an alteration to the land, including:

4.4.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property; or

4.4.2 erecting or installing a structure (including pipes, wires, cables, pavers, fixtures, fittings and other objects) in, on, across, under or over the land; or

4.4.3 changing or interfering with the construction, arrangement or materials of the land; or

4.4.4 changing, interfering with or removing a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the land; or

4.4.5 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land;

- 4.5 **Amplification**
use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound to the public;
- 4.6 **Animals on Local Government Land**
- 4.6.1 cause or allow any animal to stray onto, move over, graze or be left unattended;
- 4.6.2 ride, lead or drive any horse, cattle or sheep, except on any track or car park on local government land that the Council has set aside (through the erection of signage) for the use by, or in connection with that animal;
- 4.6.3 cause or allow any animal under his or her control to swim or bathe in any waters to which Council has resolved this subparagraph will apply;
- 4.6.4 allow an animal in that persons control, charge or ownership to damage Council property;
- 4.6.5 release or leave any domestic animal;
- 4.7 **Attachments**
attach anything to a tree, plant, structure or fixture on local government land;
- 4.8 **Bees**
place, or allow to remain, any bee hive;
- 4.9 **Boats**
subject to the provisions of the *Harbors and Navigation Act 1993* and the *Marine Safety (Domestic Commercial Vessel) National Law* and to which the Council has resolved the subparagraph shall apply:
- 4.9.1 hire, offer for hire or use for commercial purposes a boat, raft, pontoon or other watercraft;
- 4.9.2 launch or retrieve a boat, raft, pontoon or other watercraft to or from any waters;
- 4.9.3 propel, float or otherwise use any boat, raft, pontoon or other watercraft on any waters;
- 4.9.4 tie or affix a boat to any jetty;
- 4.10 **Bridge and Jetty Jumping**
- 4.10.1 jump from or dive from any bridge;
- 4.10.2 jump or dive from any jetty to which the Council has resolved this subparagraph applies;
- 4.11 **Buildings and Structures**
- 4.11.1 erect or install a building;
- 4.11.2 use a building or structure other than for its intended purpose;
- 4.12 **Cemeteries**
Comprising a cemetery:
- 4.12.1 bury or inter any human or animal remains;
- 4.12.2 erect any memorial;
- 4.13 **Closed Lands**
enter or remain on any part of the land:
- 4.13.1 at any time during which the Council has declared that it shall be closed to the public, and which is indicated by a sign to that effect; or
- 4.13.2 where the land is enclosed with fences and/or walls and gates, at any time when the gates have been closed and locked; or
- 4.13.3 where admission charges are payable, without paying those charges;
- 4.14 **Distribution**
distribute anything to any bystander, passerby or other person;
- 4.15 **Donations**
ask for or receive or indicate that he or she desires a donation of money or any other thing;
- 4.16 **Fires**
light any fire except:
- 4.16.1 in a place provided by the Council for that purpose; or
- 4.16.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four metres; and
- 4.16.3 in accordance with the *Fire and Emergency Services Act 2005*;
- 4.17 **Fireworks**
discharge any fireworks;
- 4.18 **Fishing**
- 4.18.1 fish in any waters on local government land to which the Council has resolved this subparagraph shall apply; or
- 4.18.2 fish from any bridge or other structure on local government land to which the Council has resolved this subparagraph shall apply;
- 4.19 **Flora, Fauna and Other Living Things**
subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:
- 4.19.1 except in a community garden, damage, pick, or interfere with any plant, fungi or lichen thereon; or

- 4.19.2 tease, remove or cause harm to any animal or bird or the eggs or young of any animal or bird or aquatic creature;
- 4.19.3 use, possess or have control of any device for the purpose of killing or capturing any animal or bird;
- 4.20 **Funerals and Scattering Ashes**
conduct or participate in a funeral ceremony, or scatter ashes on land to which the Council has resolved this subparagraph will apply;
- 4.21 **Golf**
play or practice golf;
- 4.22 **Lighting**
4.22.1 use or operate any fixed floodlight;
4.22.2 use or operate any portable floodlight on land to which this subparagraph applies;
- 4.23 **Model Aircraft**
subject to the *Civil Aviation Act 1988*, fly or operate a model aircraft or drone aircraft;
- 4.24 **No Liquor**
4.24.1 consume, carry or be in possession or charge of any liquor on any local government land constituting a park or reserve to which this subparagraph applies;
4.24.2 excepting sealed containers, consume, carry or be in possession or charge of any liquor in an open container on any local government land constituting a park or reserve to which this subparagraph applies;
- 4.25 **Picking of Fruit, Nuts or Berries**
except in any community garden, pick fruit, nuts, seeds or berries from any plant;
- 4.26 **Preaching and Canvassing**
preach, canvass, harangue or otherwise solicit for religious purposes except on any land or part thereof where the Council has, by resolution, determined this restriction shall not apply;
- 4.27 **Public Exhibitions and Displays**
4.27.1 sing, busk or play a musical instrument for the apparent purpose of either entertaining others or receiving money;
4.27.2 conduct or hold any concert, festival, show, public gathering, circus, performance or any other similar activity;
4.27.3 erect or inflate any inflatable castle;
4.27.4 cause any public exhibitions or displays;
- 4.28 **Removing**
carry away or remove any earth, rocks, minerals, plant material (dead or living), animal remains (including shells and fossils) or any part of the land;
- 4.29 **Selling**
sell anything or display anything for sale;
- 4.30 **Skateboards and Small Wheeled Devices**
subject to the *Road Traffic Act 1961*, and the *Local Government Act 1999*, ride on a skateboard or use roller skates or roller blades on land to which the Council has resolved this subparagraph will apply;
- 4.31 **Vehicles**
4.31.1 drive or propel a motor vehicle thereon, unless on an area or road constructed or set aside by the Council for the parking or travelling of motor vehicles;
4.31.2 except on an area properly constructed for the purpose, promote, organise or take part in any race, test or trial of any kind in which motor vehicles, motor cycles, motor scooters or bicycles take part;
- 4.32 **Weddings**
conduct or participate in a marriage ceremony on land to which the Council has resolved this subparagraph will apply;
- 4.33 **Wetlands**
subject to the *Natural Resources Management Act 2004*, where that land constitutes a wetland:
4.33.1 operate a model boat;
4.33.2 fish, or take any aquatic creature;
4.33.3 introduce any fish or aquatic creature;
4.33.4 take or draw water;
- 4.34 **Working on Vehicles**
perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.
5. **Prohibited Activities**
A person must not, on any local government land:
- 5.1 **Annoyances**
unreasonably annoy or interfere with any other person:

- 5.1.1 using the land;
- 5.1.2 occupying nearby premises,
- by making a noise or creating a disturbance that has not been authorised by the Council;
- 5.2 **Children's Playgrounds**
use any device, equipment or apparatus installed in a children's playground if that person is over the age indicated by sign or notice as the age limit for using such equipment, apparatus or other installed device;
- 5.3 **Fishing**
- 5.3.1 return any noxious species including European Carp (*Cyprinus carpio*) or Redfin Perch (*Perca fluviatilis*) caught by the person to any land or waters;
- 5.3.2 deposit or leave any dead fish (in part or whole) or offal;
- 5.4 **Interference with Permitted Use**
interrupt, disrupt or interfere with any other person's use of local government land which is permitted or for which permission has been granted;
- 5.5 **Playing Games**
- 5.5.1 play or practice a game in any area where a sign indicates that the game is prohibited;
- 5.5.2 promote, organise or take part in any organised competition or sport in any area to which this subparagraph applies;
- 5.6 **Smoking**
smoke tobacco or any other substance:
- 5.6.1 in any building or part of any building; or
- 5.6.2 on any land to which this subparagraph applies;
- 5.7 **Toilets**
in any public convenience:
- 5.7.1 urinate other than in a urinal or pan or defecate other than in a pan provided for that purpose;
- 5.7.2 smoke tobacco or any other substance;
- 5.7.3 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 5.7.4 use it for a purpose for which it was not designed or constructed;
- 5.7.5 enter any toilet that is set aside for use by the opposite sex except where:
- 5.7.5.1 a child under the age of five years accompanied by an adult person of that other sex; and/or
- 5.7.5.2 to provide assistance to a disabled person;
- 5.8 **Use of Equipment**
use any item of equipment or property belonging to the Council other than in the manner and for the purpose for which it was designed or set aside.

Part 3 – Miscellaneous

6. Directions

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

- 6.1 that person's use of the land;
- 6.2 that person's conduct and behaviour on the land;
- 6.3 that person's safety on the land;
- 6.4 the safety and enjoyment of the land by other persons.

7. Removal of Animals and Exclusion of Persons

- 7.1 If any animal is found on local government land in breach of this by-law:
- 7.1.1 any person in charge of the animal shall forthwith remove it from that land on the request of an authorised person; and
- 7.1.2 any authorised person may remove any animal from the land if the person fails to comply with the request, or if no person is in charge of the animal.
- 7.2 An authorised person may direct any person who is considered to be committing, or has committed, a breach of this by-law to leave local government land and not return for a period of no longer than 24 hours.

8. Exemptions

- 8.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to an emergency worker performing emergency duties.
- 8.2 The restrictions in paragraph 4.2.2, 4.5, 4.7, 4.14, 4.26, 4.27.2 and 4.27.4 of this by-law do not apply to:
- 8.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 8.2.2 electoral matters authorised by a candidate and which relate to an election under the *Local Government Act 1999* or the *Local Government (Elections) Act 1999* that 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
- 8.2.3 matters which relate to, and occur during the course of and for the purpose of a referendum.

9. **Application**

Any of paragraphs 4.6.3, 4.9, 4.10.2, 4.18.1, 4.18.2, 4.20, 4.22.2, 4.24.1, 4.24.2, 4.30, 4.32, 5.5.2 and 5.6.2 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246(3)(e) of the *Local Government Act 1999*.

10. **Revocation**

Council's *By-law No. 4 – Local Government Land*, published in the *Gazette* on 18 March 2010, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Mid Murray Council on the 13th day of March 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

RUSSELL PEATE
Chief Executive Officer

MID MURRAY COUNCIL

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

*Dogs By-law 2018**By-law No. 5 of 2018*

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

Part 1 – Preliminary1. **Short Title**

This by-law may be cited as the *Dogs By-law 2018*.

2. **Commencement**

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

3. **Definitions**

In this by-law:

- 3.1 **approved kennel establishment** means a building, structure or area approved by the relevant authority, pursuant to the *Development Act 1993* for the keeping of dogs on a temporary or permanent basis;
- 3.2 **assistance dog** means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled and includes a dog undergoing training of a kind approved by the Board for assistance dogs;
- 3.3 **children's playground** means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within 5 metres of such devices if there is no enclosed area);
- 3.4 **control**, in relation to a dog, includes the person having ownership, possession or charge of, or authority over, the dog;
- 3.5 **dog** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.6 **effective control** means a person exercising effective control of a dog either:
- 3.6.1 by means of a physical restraint;
- 3.6.2 by command, the dog being in close proximity to the person, and the person being able to see the dog at all times;
- 3.7 **keep** includes the provision of food or shelter;
- 3.8 **leash** includes any chain, cord or leash;
- 3.9 **local government land** has the same meaning as in the *Local Government Act 1999*;
- 3.10 **park** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.11 **premises** includes:
- 3.11.1 land;
- 3.11.2 a part of any premises or land;
- 3.12 **public place** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.13 **small premises** means a premises comprising any self-contained dwelling where the premises associated with the dwelling contains a secured unobstructed yard area of less than 100 square metres;
- 3.14 **township** has the same meaning as in the *Local Government Act 1999*;
- 3.15 **wetland area** includes any park, reserve, scrub, trail or other land adjacent to a wetland;
- 3.16 **working livestock dog** means a dog:
- 3.16.1 usually kept, proposed to be kept or worked on rural land by a person who is:
- 3.16.1.1 a primary producer; or
- 3.16.1.2 engaged or employed by a primary producer; and
- 3.16.2 kept primarily for the purpose of herding, droving, protecting, tending or working stock, or training for herding, droving, protecting, tending or working stock.

Part 2 – Dog Management and Control4. **Dog Free Areas**

- 4.1 A person must not allow a dog in that person's control to be in, or remain in a dog free area.
- 4.2 For the purposes of this paragraph, a **dog free area** is any:

- 4.2.1 local government land; or
- 4.2.2 public place,
- to which the Council has resolved this paragraph applies.
- 4.3 The restrictions in subparagraph 4.1 do not apply to any assistance dog.
5. **Dog on Leash Areas**
- 5.1 A person must not allow a dog under that person's control to be in, or remain in, a dog on leash area unless the dog is secured by a strong leash not exceeding two metres in length which is either:
- 5.1.1 tethered securely to a fixed object capable of securing the dog; or
- 5.1.2 held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.
- 5.2 For the purposes of this paragraph, a **dog on leash area** is any:
- 5.2.1 local government land or public place to which the Council has resolved that this paragraph applies;
- 5.2.2 park when organised sport is being played;
- 5.2.3 enclosed children's playground or if a children's playground is not enclosed land within five metres of children's playground equipment; or
- 5.2.4 wetland area.
6. **Dog Exercise Areas**
- 6.1 Subject to paragraphs 4 and 5, a person may enter any dog exercise area for the purpose of exercising a dog under his or her control.
- 6.2 For the purposes of this paragraph, a **dog exercise area** is any:
- 6.2.1 park; or
- 6.2.2 local government land that the Council has resolved is a dog exercise area.
- 6.3 A person must ensure that any dog under their control remains under effective control while the dog is in a dog exercise area.
7. **Limit on Dog Numbers**
- 7.1 A person must not, without permission, keep any dog on any premises where the number of dogs on the premises exceeds the prescribed limit.
- 7.2 Subject to subparagraph 7.3, the **prescribed limit** on the number of dogs to be kept on premises:
- 7.2.1 constituting a small premises is one dog;
- 7.2.2 within a township on premises other than a small premises is two dogs;
- 7.2.3 outside a township on premises other than a small premises is three dogs.
- 7.3 For the purposes of calculating the prescribed limit, the following dogs are to be disregarded:
- 7.3.1 any dog that is under three months of age; and
- 7.3.2 up to five working livestock dogs kept on premises outside a township.
- 7.4 The prescribed limit does not apply to:
- 7.4.1 an approved kennel establishment;
- 7.4.2 a veterinary practice;
- 7.4.3 a pet shop;
- 7.4.4 any premises that the Council has exempted from the requirements of this paragraph; or
- 7.4.5 any business involving dogs provided that the business is registered in accordance with the *Dog and Cat Management Act 1995*.

Part 3 – Miscellaneous

8. Application

- 8.1 The Council may from time to time, by resolution, identify local government land as a dog exercise area in accordance with subparagraph 6.2.2 of this bylaw.
- 8.2 Any of subparagraphs 4 and 5.2.1 of this by-law shall apply only in such portion or portions of the area as the Council may from time to time, by resolution, direct in accordance with Section 246 of the *Local Government Act 1999*.
- 8.3 Where the Council makes a resolution under either of subparagraphs 8.1 or 8.2, the Council's Chief Executive Officer must ensure that:
- 8.3.1 the area is denoted by signs erected by the Council; and
- 8.3.2 information is provided to the public on the Council's website and in any other manner determined by the Council's Chief Executive Officer.

9. Revocation

Council's *By-law No. 5 – Dogs*, published in the *Gazette* on 18 March 2010, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Mid Murray Council held on the 13th day of March 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

RUSSELL PEATE
Chief Executive Officer

MID MURRAY COUNCIL

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

*Cats By-law 2018**By-law No. 6 of 2018*

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

Part 1 – Preliminary**1. Short Title**

This by-law may be cited as the *Cats By-law 2018*.

2. Commencement

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

3. Definitions

In this By-law:

- 3.1 **cattery** means a building, structure, premises or area approved by the relevant authority pursuant to the *Development Act 1993* for the keeping of cats on a temporary or permanent basis;
- 3.2 **cat** means an animal of the species *Felis catus* over 3 months of age;
- 3.3 **control**, in relation to a cat, includes the person having ownership, possession or charge of, or authority over, the cat;
- 3.4 **keep** includes the provision of food or shelter;
- 3.5 **premises** includes:
 - 3.5.1 land;
 - 3.5.2 a part of any premises or land.

Part 2 – Cat Management and Control**4. Limit on Cat Numbers**

- 4.1 A person must not, without permission, keep any cat on any premises where the number of cats on the premises exceeds the prescribed limit.
- 4.2 Permission under subparagraph 4.1 may be given if the Council is satisfied that:
 - 4.2.1 no insanitary condition exists on the premises as a result of the keeping of cats;
 - 4.2.2 a nuisance is not caused to any neighbour as a result of the keeping of cats on the premises; and
 - 4.2.3 all cats kept on the premises are desexed.
- 4.3 The **prescribed limit** on the number of cats to be kept on premises is two.
- 4.4 The prescribed limit does not apply to:
 - 4.4.1 a cattery;
 - 4.4.2 a veterinary practice;
 - 4.4.3 a pet shop; or
 - 4.4.4 any premises that the Council has exempted from the requirements of this paragraph;
 - 4.4.5 cats owned by a person who carries on a business as a cat breeder provided that the person is lawfully operating such business in accordance with all relevant approvals and any conditions reasonably imposed by the Council.

Part 3 – Miscellaneous**5. Revocation**

Council's *By-law No.6 – Cats*, published in the *Gazette* on 18 March 2010, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Mid Murray Council held on the 13th day of March 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

RUSSELL PEATE
Chief Executive Officer

MID MURRAY COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

*Camping and Mooring By-law 2018**By-law No. 7 of 2018*

To regulate, control and prohibit camping activities and the mooring of vessels in Council's area.

Part 1 – Preliminary**1. Short Title**

This by-law may be cited as the *Camping and Mooring By-law 2018*.

2. Commencement

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

3. Definitions

- 3.1 **authorised person** has the same meaning as in the *Local Government Act 1999*.
- 3.2 **boat** includes a house boat, raft, canoe, personal watercraft or any other similar device;
- 3.3 **camp** includes setting up a camp, or causing or allowing a tent, sleeping bag, caravan or motor home to remain on land for the purpose of staying overnight whether or not any person is in attendance or sleeps on the land;
- 3.4 **camping reserve** means:
- 3.4.1 any park, reserve, road or other local government land which the Council, has by resolution, determined to be a camping reserve for the purposes of this by-law; and
- 3.4.2 which is identified by one or more signs bearing the words 'camping reserve' or 'camping area' with or without other words;
- 3.5 **local government land** means all land owned by the Council or under the Council's care, control and management;
- 3.6 **park** has the same meaning as in the *Local Government Act 1999*;
- 3.7 **personal watercraft** means a device that:
- 3.7.1 is propelled by a motor; and
- 3.7.2 has a fully enclosed hull; and
- 3.7.3 is designed not to retain water if capsized; and
- 3.7.4 is designed to be operated by a person who sits astride, stands, or kneels on the device, and includes the device commonly referred to as a jet ski;
- 3.8 **prescribed fee** means the fee set by the Council, by resolution, for that purpose;
- 3.9 **prescribed limit** means:
- 3.9.1 if signage installed by the Council states a limit, that limit;
- 3.9.2 if no signage installed by the Council states a limit, no longer than 5 consecutive days;
- 3.10 **reserve** has the same meaning as in the *Local Government Act 1999*;
- 3.11 **road** has the same meaning as in the *Local Government Act 1999*;
- 3.12 **vehicle** has the same meaning as in the *Road Traffic Act 1961*.

Part 2 – Management of Camping

4. General Controls

A person must not without the permission of Council on any park, reserve, road or other local government land:

- 4.1 **Camping**
camp or sleep overnight;
- 4.2 **Caravans and Motor Homes**
use, occupy, cause, suffer or permit any other person to use or occupy any caravan, motor home or other vehicle as a place of habitation;
- 4.3 **Tents**
- 4.3.1 pitch, erect or construct any tent or other structure of calico, canvas, plastic or any other similar material;
or
- 4.3.2 tie a rope, rug or article to any tree, stake, plant or other object for use as a place of habitation.

5. Camping Reserves

5.1 Requirement to Comply with Camping Rules

- 5.1.1 A person must not camp on a camping reserve unless the person complies with the camping rules.
- 5.1.2 For the purposes of Clause 5.1 a person complies with the **camping rules** if the person:
- 5.1.2.1 pays the prescribed fee (if any) by placing the fee in the ticket-vending machine located within the camping reserve;
- 5.1.2.2 obtains a ticket from the ticket-vending machine;
- 5.1.2.3 displays the ticket in their vehicle so that it is legible from the front windscreen of the vehicle (or such other location as stated on the ticket);
- 5.1.2.4 camps at the camping reserve for no longer than the prescribed limit;
- 5.1.2.5 complies with any conditions set by the Council and stated on the ticket or ticket-vending machine; and
- 5.1.2.6 complies with the requirements of any signage installed in the camping reserve by the Council related to the use of the land.

5.2 Break in Camping Time

A person who:

- 5.2.1 camps on a camping reserve for any number of days; and
- 5.2.2 ceases to camp on the camping reserve either:
- 5.2.2.1 voluntarily; or
- 5.2.2.2 on account of the operation of the prescribed limit,

must not camp on any camping reserve until after the expiry of a period of four consecutive weeks.

5.3 Requirement to Keep Camp Clean

A person must keep the area on which they are camped, and its surrounds, in a clean, tidy and sanitary condition.

5.4 **Toilets**

A person must not in any public convenience on a camping reserve:

- 5.4.1 urinate other than in a urinal or pan or defecate other than in a pan provided for that purpose;
- 5.4.2 smoke tobacco or any other substance;
- 5.4.3 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 5.4.4 use it for a purpose for which it was not designed or constructed;
- 5.4.5 enter any toilet that is set aside for use by the opposite sex except where:
 - 5.4.5.1 a child under the age of five years accompanied by an adult person of that other sex; and/or
 - 5.4.5.2 to provide assistance to a disabled person;
- 5.4.6 deface, foul or use other than for its proper purpose or cause any insanitary or unclean condition in any shower or ablutionary building or any apparatus, fixtures or fittings therein.

5.5 **Inspections by Authorised Persons**

- 5.5.1 An authorised person may, at any reasonable time, enter and inspect a camp on a camping reserve.
- 5.5.2 An authorised person may require a person who the authorised person reasonably suspects to be camping on a camping reserve to:
 - 5.5.2.1 state the persons full name and usual place of residence;
 - 5.5.2.2 provide evidence of the person's identity.
- 5.5.3 For the purposes of subparagraph 5.5.1, an authorised person may enter any building, vehicle or structure:
 - 5.5.3.1 with the consent of its owner or occupier;
 - 5.5.3.2 on the authority of a warrant issued by a Magistrate in accordance with the *Local Government Act 1999*.
- 5.5.4 A person must not, without reasonable excuse, refuse, fail to comply, or obstruct an authorised person in the exercise of powers under this paragraph.

Part 3 – Management of Mooring6. **General Controls**

- 6.1 A person must not without the permission of Council moor any boat on or to any park, reserve, road or other local government land to which the Council has resolved this subparagraph shall apply.
- 6.2 A person must not moor any boat on or to any park, reserve, road or other local government land to which the Council has resolved this subparagraph shall apply unless the person complies with the mooring rules.
- 6.3 For the purposes of Clause 6.2 a person complies with the **mooring rules** if the person:
 - 6.3.1 moors the boat at the park, reserve, road or other local government land for no longer than the prescribed limit;
 - 6.3.2 pays the prescribed fee (if any) in the manner determined by the Council;
 - 6.3.3 complies with the requirements of any signage installed on the land by the Council related to the use of the land for the purposes of mooring.
- 6.4 A person must not obstruct any boat or mooring place, or access to any boat or mooring place, whether that access is by water or land.

Part 4 - Miscellaneous7. **Exemptions**

- 7.1 The restrictions in paragraph 4 of this by-law do not apply:
 - 7.1.1 where the person is in a caravan park, the proprietor of which has permission to operate the caravan park;
 - 7.1.2 where a sign or signs have been erected by the Council indicating that camping activities are permitted on that land either generally, or in a particular vehicle or structure;
 - 7.1.3 in a camping reserve.
- 7.2 The restrictions in paragraph 4.3 of this by-law do not apply to a place of habitation created or erected by the Council or another government instrumentality.

8. **Revocation**

Council's *By-law No.8 – Caravans and Camping*, published in the *Gazette* on 18 March 2010, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Mid Murray Council held on the 13th day of March 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

RUSSELL PEATE
Chief Executive Officer

RENMARK PARINGA COUNCIL

Assigning of Road Names—Renmark

Notice is hereby given that at a meeting of Council held on 23 January 2018, Council resolved pursuant to Section 219 (1) of the Local Government Act 1999, to assign a name to a newly formed road, formerly known as Road Reserve 1325

The road shall be named Sluggett Road.

T. SIVIOUR
Chief Executive Officer

RENMARK PARINGA COUNCIL

Assigning of Road Names—Renmark

Notice is hereby given that at a meeting of Council held on 19 December 2017, Council resolved pursuant to Section 219 (1) of the Local Government Act 1999, to assign names to newly formed roads, being allotments incorporated in Plan of Division for Allotment 911 in D72935.

The roads shall be named Dean Semler Drive and Madigan Street.

T. SIVIOUR
Chief Executive Officer

DISTRICT COUNCIL OF TUMBY BAY

BY LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

*Permits and Penalties By-law 2018**By-law No. 1 of 2018*

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. Short Title**

This by-law may be cited as the *Permits and Penalties By-law 2018*.

2. Commencement

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

3. Interpretation

In any by-law of the Council, unless the contrary intention appears:

3.1 *Act* means the *Local Government Act 1999*;

3.2 *authorised person* means a person appointed as an authorised person pursuant to Section 260 of the *Local Government Act 1999*;

3.3 *Council* means the District Council of Tumby Bay;

3.4 *person* includes a natural person, body corporate or incorporated association.

4. Construction

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

Part 2 – Permits**5. Council May Grant Permits**

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

5.1 The permit must be in writing.

5.2 The Council may:

5.2.1 attach conditions to the permit;

5.2.2 change or revoke a condition, by notice in writing; or

5.2.3 add new conditions, by notice in writing.

5.3 A person who holds a permit must comply with every condition attached to it. Failure to do so constitutes a breach of this by-law.

5.4 The Council may revoke a permit, by notice in writing, if:

5.4.1 the holder of the permit fails to comply with a condition attached to it; or

5.4.2 the permit is of a continuing nature, and the Council has reasonable grounds for revoking it.

5.5 The Council may, by resolution, fix, vary or revoke fees or charges for the granting of a permit to do a specified thing.

Part 3 – Enforcement**6. Penalties**

6.1 A person who contravenes, or fails to comply with any by-law of the Council is guilty of an offence and is liable to a maximum penalty, being the maximum penalty referred to in the Act that may be fixed by a by-law for offences against a by-law.

6.2 A person who is found guilty of an offence against any by-law of the Council in respect of a continuing act or omission is liable, in addition to the penalty otherwise applicable, to a further penalty, being the maximum penalty referred to in the Act which may be fixed for offences of a continuing nature against a by-law.

Part 4 – Miscellaneous**7. Revocation**

Council’s *By-law No. 1 – Permits and Penalties*, published in the *Gazette* on 24 February 2011, is revoked on the day on which this by-law comes into operation.

This by-law was duly made and passed at a meeting of the District Council of Tumby Bay held on the 13th day of March 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

TREVOR SMITH
Chief Executive Officer

DISTRICT COUNCIL OF TUMBY BAY

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

*Dogs By-law 2018**By-law No. 2 of 2018*

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. Short Title**

This by-law may be cited as the *Dogs By-law 2018*.

2. Commencement

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

3. Interpretation

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

- 3.1 **approved kennel establishment** means a building, structure, premises or area approved by the relevant authority, pursuant to the *Development Act 1993* for the keeping of dogs on a temporary or permanent basis;
- 3.2 **assistance dog** means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled and includes a dog undergoing training of a kind approved by the Dog and Cat Management Board for assistance dogs;
- 3.3 **authorised person** means a person appointed as an authorised person under the *Dog and Cat Management Act 1995*;
- 3.4 **children's playground** means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within three metres of such devices if there is no enclosed area);
- 3.5 **control**, in relation to a dog, includes the person having ownership, possession or charge of, or authority over, the dog
- 3.6 **dog** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.7 **effective control** means a person exercising effective control of a dog either:
- 3.7.1 by means of a physical restraint;
- 3.7.2 by command, the dog being in close proximity to the person, and the person being able to see the dog at all times;
- 3.8 **keep** includes the provision of food or shelter;
- 3.9 **leash** includes any chain, cord or leash;
- 3.10 **local government land** has the same meaning as in the *Local Government Act 1999*;
- 3.11 **park** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.12 **premises** includes:
- 3.12.1 land;
- 3.12.2 a part of any premises or land;
- 3.13 **public place** has the same meaning as in the as in the *Dog and Cat Management Act 1995*;
- 3.14 **reserve** means land reserved or dedicated as a reserve or designated by the Council as a reserve;
- 3.15 **small dwelling** means a self-contained residence that is:
- 3.15.1 a residential flat building; or
- 3.15.2 contained in a separate strata unit; or
- 3.15.3 on an allotment less than 500 square metres in area; or
- 3.15.4 without a secure yard of at least 100 square metres in area;
- 3.16 **township** has the same meaning as in the *Local Government Act 1999*;
- 3.17 **working livestock dog** means a dog:
- 3.17.1 usually kept, proposed to be kept or worked on rural land by a person who is:
- 3.17.1.1 a primary producer; or
- 3.17.1.2 engaged or employed by a primary producer; and
- 3.17.2 kept primarily for the purpose of herding, droving, protecting, tending or working stock, or training for herding, droving, protecting, tending or working stock.

Part 2 – Limits on Dog Numbers**4. Limits on Dog Numbers in Private Premises**

- 4.1 A person must not, without permission, keep any dog on any premises where the number of dogs on the premises exceeds the prescribed limit.
- 4.2 Subject to subparagraph 7.3, the **prescribed limit** on the number of dogs to be kept on premises:
- 4.2.1 within a township on small dwelling is one dog;
- 4.2.2 within a township on a dwelling other than a small dwelling is two dogs;
- 4.2.3 outside a township is four dogs.

- 4.3 For the purposes of calculating the prescribed limit, the following dogs are to be disregarded:
- 4.3.1 any dog that is under three months of age; and
 - 4.3.2 up to five working livestock dogs kept on premises outside a township.
- 4.4 The prescribed limit does not apply to:
- 4.4.1 an approved kennel establishment;
 - 4.4.2 a veterinary practice;
 - 4.4.3 a pet shop;
 - 4.4.4 any premises that the Council has exempted from the requirements of this paragraph; or
 - 4.4.5 any business involving dogs provided that the business is registered in accordance with the *Dog and Cat Management Act 1995*.
- 4.5 The Council may require that premises which are the subject of an application for permission to keep additional dogs, must be inspected by a authorised person for the purpose of assessing the suitability of the premises for housing dogs.
- 4.6 If an Authorised Person forms the opinion that there is no secure area where a dog may be effectively confined on any premises, the authorised person may direct that no dog is to be kept on the premises.
- 4.7 A person must comply with any direction under paragraph 4.6.

Part 3 – Dog Controls

5. Dog Exercise Areas

- 5.1 Subject to paragraphs 6 and 7, a person may enter any dog exercise area for the purpose of exercising a dog under his or her control.
- 5.2 For the purposes of this paragraph, a **dog exercise area** is any:
- 5.2.1 park; or
 - 5.2.2 local government land that the Council has resolved is a dog exercise area.
- 5.3 A person must ensure that any dog under their control remains under effective control while the dog is in a dog exercise area.

6. Dog on Leash Areas

- 6.1 A person must not allow a dog under that person's control to be in, or remain in, a dog on leash area unless the dog is secured by a strong leash not exceeding two metres in length which is either:
- 6.1.1 tethered securely to a fixed object capable of securing the dog; or
 - 6.1.2 held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.
- 6.2 For the purposes of this paragraph, a **dog on leash area** is any:
- 6.2.1 local government land or public place to which the Council has resolved that this paragraph applies;
 - 6.2.2 park when organised sport is being played;
 - 6.2.3 wetland area.

7. Dog Prohibited Areas

- 7.1 A person must not allow a dog under that persons control to be in, enter or remain in any dog free area.
- 7.2 For the purposes of this paragraph, a **dog free area** is any:
- 7.2.1 children's playground on local government land; or
 - 7.2.2 local government land or public place to which the Council has resolved this paragraph applies.
- 7.3 The restrictions in subparagraph 7.1 do not apply to any assistance dog.

8. Application of Paragraphs

- 8.1 The Council may from time to time, by resolution, identify local government land as a dog exercise area in accordance with subparagraph 5.2.2 of this by-law.
- 8.2 Any of subparagraphs 6.2.1 and 7 of this by-law shall apply only in such portion or portions of the area as the Council may from time to time, by resolution, direct in accordance with Section 246 of the *Local Government Act 1999*.
- 8.3 Where the Council makes a resolution under either of subparagraphs 8.1 or 8.2, the Council's Chief Executive Officer must ensure that:
- 8.3.1 the area is denoted by signs erected by the Council; and
 - 8.3.2 information is provided to the public on the Council's website and in any other manner determined by the Council's Chief Executive Officer.

Part 4 – Miscellaneous

9. Revocation

Council's *By-law No. 2 – Dogs*, published in the *Gazette* on 24 February 2011, is revoked on the day on which this by-law comes into operation.

This by-law was duly made and passed at a meeting of the District Council of Tumby Bay held on the 13th day of March 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

TREVOR SMITH
Chief Executive Officer

DISTRICT COUNCIL OF TUMBY BAY
BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999
Local Government Land By-law 2018
By-law No. 3 of 2018

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

Part 1 - Preliminary

1. **Short Title**

This by-law may be cited as the *Local Government Land By-law 2018*.

2. **Commencement**

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

3. **Interpretation**

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

- 3.1 **animal** includes birds, insects and fish;
- 3.2 **boat** includes a raft, pontoon or personal watercraft or other similar device;
- 3.3 **camp** includes setting up a camp, or causing a tent, caravan or motor home to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 3.4 **electoral matter** has the same meaning as in the *Electoral Act 1985* provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 3.5 **effective control** means a person exercising effective control of an animal either:
 - 3.5.1 by means of a physical restraint; or
 - 3.5.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
- 3.6 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 3.7 **foreshore** means the area between the Low Water Mark on the seashore and the nearest boundary of:
 - 3.7.1 a road;
 - 3.7.2 a section;
 - 3.7.3 a public reserve; or
 - 3.7.4 land comprised in a land grant, crown land or crown licence;
- 3.8 **funeral ceremony** means a ceremony only (ie a memorial service) and does not include a burial;
- 3.9 **liquor** has the same meaning as in the *Liquor Licensing Act 1997*;
- 3.10 **local government land** has the same meaning as in the Act, but does not include any road;
- 3.11 **low water mark** means the lowest meteorological tide;
- 3.12 **offensive** includes threatening, abusive, insulting or annoying behaviour and offend has a complimentary meaning;
- 3.13 **park** means land reserved or delineated as a park or designated by the Council as a park;
- 3.14 **reserve** means land reserved or dedicated as a reserve or designated by the Council as a reserve;
- 3.15 **tobacco product** has the same meaning as in the *Tobacco Products Regulation Act 1997*;
- 3.16 **township** has the same meaning as in the *Local Government Act 1999*;
- 3.17 **vehicle** has the same meaning as in the *Road Traffic Act 1961*;
- 3.18 **waters** includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council.

Part 2 – Management of Local Government Land

4. **Activities Requiring Permission**

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

- 4.1 *Advertising*
subject to paragraph 8.2 of this by-law, display, paint or erect any sign or hoarding for the purpose of commercial advertising or any other purpose;
- 4.2 *Aircraft*
subject to the *Civil Aviation Act 1988*, land any aircraft on, or take off any aircraft from the land except on an area properly constructed for that purpose;
- 4.3 *Alcohol*
consume, carry or be in possession or in charge of any liquor on local government land comprising parks or reserves to which this subparagraph applies;
- 4.4 *Amplification*
use an amplifier or other mechanical or electrical device for the purpose of broadcasting or magnifying sound;
- 4.5 *Animals*
 - 4.5.1 on local government land other than the foreshore:

- 4.5.1.1 cause or allow an animal to stray onto, move over, graze or be left unattended on local government land;
- 4.5.1.2 cause or allow an animal to enter, swim, bathe or remain in any waters located on local government land; or
- 4.5.1.3 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.
- 4.5.2 on local government land comprising the foreshore:
- 4.5.2.1 cause or allow a sheep, cow, goat or horse to enter, swim, bath or remain in any water on land to which this subparagraph applies; or
- 4.5.2.2 lead, herd or exercise a sheep, cow, goat or horse;
- 4.6 *Annoyance*
do anything likely to offend or unreasonably interfere with any other person:
- 4.6.1 using that land; or
- 4.6.2 occupying nearby premises,
by making a noise or creating a disturbance;
- 4.7 *Attachments*
subject to paragraph 8.2 of this by-law, attach anything to a tree, plant, equipment, fence, post, structure or fixture on local government land;
- 4.8 *Bees*
place a hive of bees on such land, or allow it to remain thereon;
- 4.9 *Boats*
subject to the provisions of the *Harbors and Navigation Act 1993* and the *Marine Safety (Domestic Commercial Vessel) National Law* on land to which this subparagraph applies:
- 4.9.1 launch or retrieve a boat to or from any waters;
- 4.9.2 launch or retrieve a boat other than from a boat ramp constructed for that purpose;
- 4.9.3 propel, float or otherwise use a boat on or in any waters;
- 4.9.4 hire out a boat or otherwise use a boat for commercial purposes; or
- 4.9.5 moor a boat on any waters or to a pontoon attached to local government land;
- 4.10 *Bridge Jumping*
jump or dive from a bridge on local government land;
- 4.11 *Buildings*
use a building, or structure on local government land for a purpose other than its intended purpose;
- 4.12 *Burials and Memorials*
- 4.12.1 bury, inter or spread the ashes of any human or animal remains;
- 4.12.2 erect any memorial;
- 4.13 *Camping and Tents*
camp:
- 4.13.1 within any township (unless a sign or signs erected by the Council indicates to the contrary);
- 4.13.2 outside any township, on any land to which this subparagraph applies;
- 4.14 *Canvassing*
subject to paragraph 8.2, convey any advertising, religious or other message to any bystander, passer-by or other person;
- 4.15 *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;
- 4.16 *Distribution*
subject to paragraph 8.2 of this by-law, place on a vehicle (without the consent of the owner of the vehicle), or give out or distribute any hand bill, book, notice, leaflet, or other printed matter to any bystander, passer-by or other person;
- 4.17 *Donations*
ask for or receive or indicate that he or she desires a donation of money or any other thing;
- 4.18 *Entertainment and Busking*
- 4.18.1 sing, busk or play a recording or use a musical instrument for the purpose of receiving money;
- 4.18.2 conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity;
- 4.19 *Equipment*
use an item of equipment, facilities or property belonging to the Council if that person is of or over the age indicated by a sign or notice as the age limit for using such equipment, facility or property;

- 4.20 *Fires*
subject to the *Fire and Emergency Services Act 2005* light a fire except:
- 4.20.1 in a place provided by the Council for that purpose; or
 - 4.20.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least 4 metres;
 - 4.20.3 in a place determined by Council;
- 4.21 *Fireworks*
ignite or discharge any fireworks;
- 4.22 *Flora and Fauna*
subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:
- 4.22.1 damage, pick, disturb, interfere with or remove any plant or flower thereon;
 - 4.22.2 cause or allow an animal to stand or walk on any flower bed or garden plot;
 - 4.22.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;
 - 4.22.4 take, interfere with, tease, harm or disturb any animal, bird or marine creature or the eggs or young of any animal, bird or marine creature;
 - 4.22.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;
 - 4.22.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;
 - 4.22.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or marine creature; or
 - 4.22.8 burn any timber or dead wood;
- 4.23 *Foreshore*
on local government land comprising the foreshore:
- 4.23.1 to which this subparagraph applies, launch or retrieve a boat from the foreshore without using a boat ramp or thoroughfare constructed or set aside by the Council for that purpose;
 - 4.23.2 allow a vehicle to remain stationary on a boat ramp longer than is necessary to launch or retrieve a boat; or
 - 4.23.3 hire out a boat on or from the foreshore;
- 4.24 *Games*
- 4.24.1 participate in, promote or organise any organised competition or sport, as distinct from organised social play;
 - 4.24.2 play or practice any game which involves kicking, hitting or throwing a ball or other object on local government land which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of that lands or detract from or be likely to detract from another person's lawful use and enjoyment of that land;
 - 4.24.3 play or practice the game of golf on local government land to which this subparagraph applies;
- 4.25 *Litter*
- 4.25.1 throw, cast, place, deposit or leave any rubbish, dirt or refuse of any kind whatsoever except in a garbage container provided for that purpose;
 - 4.25.2 deposit any soil, clay, stone, gravel, green waste or other putrescible waste or any other matter;
- 4.26 *Marine Life*
introduce any marine life to any waters located on local government land.
- 4.27 *Model Aircraft, Boats and Cars*
fly or operate a model aircraft, boat or model or remote control vehicle in a manner 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;
- 4.28 *Overhanging Articles or Displaying Personal Items*
suspend or hang an article or object from a building, verandah, pergola, post or other structure on local government land where it might present a nuisance or danger to a person using the land or be of an unsightly nature;
- 4.29 *Playing Area*
use or occupy a playing area:
- 4.29.1 in such a manner as to damage or be likely to damage the surface of the playing area or infrastructure (above and under ground level);
 - 4.29.2 in a manner contrary to the purpose for which the playing area was intended to be used or occupied; or
 - 4.29.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area;
- 4.30 *Pontoons*
install or maintain a pontoon or jetty in any waters;
- 4.31 *Preaching*
subject to paragraph 8.2, preach, harangue or solicit for religious purposes;

- 4.32 *Ropes*
place a buoy, cable, chain, hawser, rope or net in or across any waters;
- 4.33 *Swimming*
subject to the provisions of the *Harbors and Navigation Act 1993* swim in, bathe or enter any waters:
- 4.33.1 to which this subparagraph applies;
- 4.33.2 other than in accordance with any conditions that the Council may have determined by resolution apply to such use.
- 4.34 *Toilets*
in any public convenience on local government land:
- 4.34.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
- 4.34.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 4.34.3 use it for a purpose for which it was not designed or constructed;
- 4.34.4 enter a toilet that is set aside for use of the opposite sex except:
- 4.34.4.1 where a child under the age of eight years is accompanied by an adult parent or guardian of that sex; or
- 4.34.4.2 to provide assistance to a disabled person; or
- 4.34.4.3 in the case of a genuine emergency.
- 4.35 *Trading*
sell, buy, offer or display anything for sale;
- 4.36 *Vehicles*
repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown;
- 4.37 *Weddings, Functions and Special events*
- 4.37.1 hold, conduct or participate in a marriage ceremony, funeral or special event;
- 4.37.2 erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral or special event;
- 4.37.3 hold or conduct any filming where the filming is for a commercial purpose;
- 4.38 *Closed lands*
- 4.38.1 enter or remain on any part of local government land at any time during which the Council (or a person authorised by the Council by resolution for that purpose) has declared that part to be closed to the public and which is indicated by a sign to that effect;
- 4.38.2 where entry fees or charges are payable, without paying those fees or charges; or
- 4.38.3 where the land has been enclosed by fences and/or walls and gates that have been closed and locked.
5. **Prohibited Activities**
A person must not on any local government land:
- 5.1 *Animals*
- 5.1.1 cause or allow any animal to enter, swim, bathe or remain in any waters to the inconvenience, annoyance or danger of any other person bathing or swimming;
- 5.1.2 cause or allow an animal to damage a flowerbed, garden plot, tree, lawn or like thing or place;
- 5.1.3 lead, herd or exercise a horse in such manner as to cause a nuisance or endanger the safety of a person;
- 5.2 *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;
- 5.3 *Fishing*
- 5.3.1 fish in any waters on land to which this subparagraph applies;
- 5.3.2 fish from a bridge or other structure on land to which this subparagraph applies;
- 5.4 *Glass*
wilfully break any glass, china or other brittle material;
- 5.5 *Interference with Land*
interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:
- 5.5.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
- 5.5.2 erecting or installing a structure in, on, across, under or over the land;
- 5.5.3 changing or interfering with the construction, arrangement or materials of the land;
- 5.5.4 planting a tree of other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
- 5.5.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.
- 5.6 *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;

- 5.7 *Nuisance*
behave in such a manner as to cause discomfort, inconvenience, annoyance or offence to any other person;
- 5.8 *Playing games*
play or practice a game:
5.8.1 which is likely to cause damage to the lands or anything in it;
5.8.2 in any area where a sign indicates that the game is prohibited;
- 5.9 *Smoking*
smoke, hold or otherwise have control over an ignited tobacco product:
5.9.1 in any building; or
5.9.2 on any land to which this subparagraph applies.
- 5.10 *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;
- 5.11 *Solicitation*
tout or solicit customers for the parking of vehicles or for any other purpose whatsoever;
- 5.12 *Waste*
5.12.1 deposit or leave thereon:
5.12.1.1 anything obnoxious or offensive;
5.12.1.2 any offal, dead animal, dung or filth; or
5.12.1.3 any mineral, mineral waste, industrial waste or bi-products.
5.12.2 foul or pollute any waters situated thereon;
5.12.3 deposit any rubbish other than in receptacles provided by the Council for that purpose;
5.12.4 deposit in a receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.

Part 3 – Miscellaneous

6. Directions

- 6.1 A person on local government land must comply with a reasonable direction from an authorised person relating to:
6.1.1 that person's use of the land;
6.1.2 that person's conduct and behaviour on the land;
6.1.3 that person's safety on the land; or
6.1.4 the safety and enjoyment of other persons on the land.
- 6.2 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.

7. 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.

8. Exemptions

- 8.1 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.
- 8.2 The restrictions in clauses 4.1, 4.7, 4.14, 4.16 and 4.31 of this by-law do not apply to electoral matter authorised by a candidate and which is:
8.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
8.2.2 related to an election under the Act or the *Local Government (Elections) Act 1999* and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
8.2.3 related to, and occurs during the course of and for the purpose of a referendum.

9. Application

The restrictions in paragraphs 4.3, 4.5.2.1, 4.9, 4.13.2, 4.23.1, 4.24.3, 4.33.1 and 5.3, 5.9.2 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.

10. Revocation

Council's *By-law No. 3 – Local Government Land*, published in the *Gazette* on 24 February 2011, is revoked on the day on which this by-law comes into operation.

This by-law was duly made and passed at a meeting of the District Council of Tumby Bay held on the 13th day of March 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

TREVOR SMITH
Chief Executive Officer

DISTRICT COUNCIL OF TUMBY BAY
BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999
Roads By-law 2018
By-law No. 4 - Roads

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

Part 1 – Preliminary

1. **Short Title**

This by-law may be cited as the *Roads By-law 2018*.

2. **Commencement**

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

3. **Interpretation**

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

- 3.1 **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;
- 3.2 **effective control** means a person exercising effective control of an animal either:
- 3.2.1 by means of a physical restraint;
- 3.2.2 by command, the animal being in close proximity to the person, and the person being able to see the animal at all times;
- 3.3 **electoral matter** has the same meaning as in the *Electoral Act 1995* provided that such electoral matter is not capable of causing physical damage or injury to a person within its immediate vicinity;
- 3.4 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 3.5 **vehicle** has the same meaning as in the *Road Traffic Act 1961*.

Part 2 – Management of Roads

4. **Activities Requiring Permission**

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

- 4.1 *Advertising*
subject to paragraph 7.2, display any sign other than a moveable sign which is displayed on a road in accordance with the Council's *Moveable Signs By-law 2018*;
- 4.2 *Amplification*
use an amplifier or other device whether mechanical or electrical for the purpose of broadcasting announcements or advertisements;
- 4.3 *Animals*
- 4.3.1 cause or allow any animal to stray onto, move over, graze or be left unattended on any road;
- 4.3.2 lead, herd or exercise any animal in such a manner as to cause a nuisance or endanger the safety of any person.
- 4.4 *Camping and Tents*
- 4.4.1 erect a tent or other structure of calico, canvas, plastic or other similar material as a place of habitation on a road to which this subparagraph applies;
- 4.4.2 camp or sleep overnight on a road to which this subparagraph applies;
- 4.5 *Donations*
ask for or receive or indicate a desire for a donation of money or any other thing, or otherwise solicit for charitable purposes;
- 4.6 *Obstructions*
erect, install or place or cause to be erected, installed or placed any structure, item, object or material of any kind so as to obstruct a road or footway, water-channel, or watercourse in a road;
- 4.7 *Preaching*
subject to paragraph 7.2, preach, harangue or otherwise solicit for religious purposes;
- 4.8 *Public Exhibitions and Displays*
- 4.8.1 sing, busk, play a recording or use a music instrument, or perform similar activities;
- 4.8.2 conduct or hold a concert, festival, show, circus, performance or a similar activity;
- 4.8.3 subject to paragraph 7.2, cause any other public exhibitions or displays;
- 4.9 *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.

Part 3 – Miscellaneous

5. **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 any reasonable direction of an authorised person including a direction to leave that part of the road.

6. **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.

7. **Exemptions**

7.1 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 persons normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council officer.

7.2 The restrictions in clauses 4.1, 4.7 and 4.8.3 of this by-law do not apply to electoral matter authorised by a candidate and which is:

7.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or

7.2.2 electoral matters authorised by a candidate and which relate to an election under the Act or the *Local Government (Elections) Act 1999* that 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

7.2.3 matters which relate to, and occur during the course of and for the purpose of a referendum.

8. **Application**

Clause 4.4 of this by-law only applies in such part or parts of the Council area as the Council may by resolution direct in accordance with section 246(3)(e) of the Act.

9. **Revocation**

Council's *By-law No. 4 – Roads*, published in the *Gazette* on 24 February 2011, is revoked on the day on which this by-law comes into operation.

This by-law was duly made and passed at a meeting of the District Council of Tumby Bay held on the 13th day of March 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

TREVOR SMITH
Chief Executive Officer

DISTRICT COUNCIL OF TUMBY BAY
BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

Moveable Signs By-law 2018

By-law No. 5 of 2018

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

Part 1 - Preliminary

1. **Short Title**

This by-law may be cited as the *Moveable Signs By-law 2018*.

2. **Commencement**

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

3. **Interpretation**

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

3.1 **banner** means a strip of cloth hung up or carried on a pole, fence or other structure and includes a feather banner;

3.2 **boundary** means that line between private property and the road or road related area;

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

3.4 **footpath area** means:

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

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

3.5 **local government land** has the same meaning as in the Act;

3.6 **moveable sign** has the same meaning as in the Act;

3.7 **road** has the same meaning as in the Act;

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

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

Part 2 – Provisions Applicable to Moveable Signs

4. **Construction and Design**

A moveable sign displayed on a road must:

4.1 be of kind known as a '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;

4.2 be designed, constructed and maintained in good quality and condition so as not to present a hazard;

- 4.3 be of strong construction and sufficiently stable so as to be able to keep its position in adverse weather conditions;
 - 4.4 have no sharp or jagged edges or corners;
 - 4.5 not be unsightly or offensive in appearance or content;
 - 4.6 not rotate or contain flashing parts;
 - 4.7 be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;
 - 4.8 not exceed 1200mm in height, 800mm in width and 800mm in depth;
 - 4.9 in the case of an 'A' frame or sandwich board sign:
 - 4.9.1 be hinged or joined at the top;
 - 4.9.2 be of such construction that its sides are securely fixed or locked in position when erected; and
 - 4.10 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.
5. **Placement**
- A moveable sign must not be:
- 5.1 placed on any part of a road apart from the footpath area;
 - 5.2 placed on a footpath area that is less than 2.5 metres wide;
 - 5.3 placed closer than 1200mm from another structure, fixed object, tree, bush, plant or thing (including another moveable sign);
 - 5.4 placed within 1 metre of an entrance to any business premises;
 - 5.5 placed on the sealed part of a footpath area, if there is an unsealed part on which the sign could other have been placed in accordance with this by-law;
 - 5.6 placed so as to interfere with the reasonable movement of persons or vehicles using the footpath area or road in the vicinity of where the moveable sign is placed;
 - 5.7 placed closer than 500 mm to the kerb (or, if there is no kerb, to the edge of the carriageway of the road or the shoulder of the road, whichever is the greater);
 - 5.8 placed on a landscaped area, other than landscaping that comprises only lawn;
 - 5.9 placed within 6 metres of an intersection of two or more Roads;
 - 5.10 placed on a footpath area with a minimum height clearance from a structure above it of less than 2 metres;
 - 5.11 placed on a designated parking area or within 1 metre of an entrance to premises;
 - 5.12 displayed during the hours of darkness unless it is clearly lit; or
 - 5.13 placed in such a position or in such circumstances that the safety of a user of the footpath area or road is at risk.
6. **Restrictions**
- 6.1 The owner or operator of a business must not cause or allow to be displayed on the footpath area of a road at any time more than one moveable sign for each business premises of the owner or operator.
 - 6.2 A person must not without the Council's permission on local government land display a Moveable Sign on or attached to or leaning against a vehicle that is parked primarily for the purpose for advertising (including for sale) a product or business to which the sign relates.
 - 6.3 A person must not cause or allow a moveable sign to be placed on a footpath area unless:
 - 6.3.1 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
 - 6.3.2 the business premises to which it relates is open to the public.
 - 6.4 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.
7. **Exemptions**
- 7.1 Subparagraphs 5.11, 5.12, 6.3.1 and 6.3.2 of this by-law do not apply to a moveable sign which:
 - 7.1.1 advertises a garage sale taking place from residential premises;
 - 7.1.2 is a directional sign to an event run by a community organisation or charitable body;
 - 7.2 Subparagraph 5.11 this by-law does not apply to a flat sign which only contains a newspaper headline and the name of a newspaper or magazine.
 - 7.3 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.
 - 7.4 This by-law will not apply to a moveable sign which is:
 - 7.4.1 placed on a road pursuant to an authorisation under the Act or another Act; or
 - 7.4.2 designed to direct people to the open inspection of any land or building that is available for purchase or lease; or
 - 7.4.3 related to a State or Commonwealth election and is displayed during the period commencing on the issue of writ or writs for the election and ending at the close of polls on polling day; or
 - 7.4.4 related to an election held under the Act or the *Local Government (Elections) Act 1999* and is displayed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day.

Part 3 – Enforcement**8. Removal of Movable Signs**

- 8.1 A person must immediately comply with an order of an Authorised Person made pursuant to section 227(1) of the Act to remove a moveable sign.
- 8.2 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 disposing of the moveable sign before being entitled to recover the moveable sign.
- 8.3 The owner, or other person responsible for a moveable sign must remove or relocate the movable sign at the request of an authorised person:
- 8.3.1 if, in the opinion of an authorised person, and notwithstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign; or
- 8.3.2 for the purpose of special events, parades, roadwork's 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.

Part 4 – Miscellaneous**9. Revocation**

Council's *By-law No. 5 – Moveable Signs*, published in the *Gazette* on 24 February 2011, is revoked on the day on which this by-law comes into operation.

This by-law was duly made and passed at a meeting of the District Council of Tumby Bay held on the 13th day of March 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

TREVOR SMITH
Chief Executive Officer

LOCAL GOVERNMENT ACT 1999

EYRE PENINSULA LOCAL GOVERNMENT ASSOCIATION

Amended Charter of a Regional Subsidiary

THE District Councils of Ceduna, Cleve, Elliston, Franklin Harbour, Kimba, Lower Eyre Peninsula, Streaky Bay, Tumby Bay, Wudinna and the Cities of Port Lincoln and Whyalla, (the Constituent Councils), have resolved to amend the Charter of the Eyre Peninsula Local Government Association Regional Subsidiary to take effect from the date of publishing in the *South Australian Government Gazette* pursuant to Clause 21 of the current charter.

This subsidiary is established pursuant to Section 43 of the Local Government Act 1999, for the purpose of a Regional Association of Councils under the Constitution and Rules of the Local Government Association of South Australia, to work with that Association in achieving its vision to be a strong voice and forum for the delivery of community services across Eyre Peninsula.

The amended Charter of the Eyre Peninsula Local Government Association Regional Subsidiary is set out below.

LOCAL GOVERNMENT ACT 1999

EYRE PENINSULA LOCAL GOVERNMENT ASSOCIATION

*Charter***1 INTRODUCTION**

- 1.1 Name
The name of the subsidiary is the Eyre Peninsula Local Government Association (referred to as “the EPLGA” in this Charter).
- 1.2 Establishment
- 1.2.1 The EPLGA was established in 2002 as a regional subsidiary of the councils listed below under Section 43 and Part 2 of Schedule 2 of the Local Government Act 1999 (“the Act”).
- 1.2.2 The Constituent Councils at the date of this amendment to the Charter are as follows:
The District Council of Ceduna;
The District Council of Cleve;
The District Council of Elliston;
The District Council of Franklin Harbour;
The District Council of Kimba;
District Council of Lower Eyre Peninsula;
The City of Port Lincoln;
The District Council of Streaky Bay;
The District Council of Tumby Bay;
The Corporation of the City of Whyalla; and
Wudinna District Council
(referred to collectively as “the Constituent Councils” in this Charter)
- 1.2.3 This Charter governs the affairs of the EPLGA.
- 1.2.4 The EPLGA is subject to the joint direction of the Constituent Councils.
- 1.2.5 This Charter must be read in conjunction with Schedule 2 to the Act. The EPLGA will conduct its affairs in accordance with Schedule 2 to the Act except as modified by this Charter as permitted by Schedule 2.

2 DEFINITIONS AND INTERPRETATION

2.1 Definitions

“**absolute majority**” means a majority of the whole number of the members of the Board or Constituent Councils, as the case may be.

“**Act**” means the Local Government Act 1999, as amended from time to time.

“**Board**” means the board of management of the EPLGA.

“**Board Member**” means at any time a member of the Board and, where the context so admits, includes a Deputy Board Member.

“**Budget**” means a budget that conforms to Clause 25 of Schedule 2 to the Act and last adopted by the Board.

“**Business Plan**” means a business plan that conforms to Clause 24 of Schedule 2 to the Act and last adopted by the Board.

“**Constituent Council**” means any Council that is from time to time a member of the EPLGA.

“**Council**” means a council as constituted under the Act.

“**Deputy Board Member**” means at any time a person appointed and holding office as a Deputy to a Board Member.

“**EPLGA**” means the Eyre Peninsula Local Government Association.

“**Executive Officer**” means at any time a person appointed and holding office as Executive Officer of the EPLGA and includes that person’s deputy or a person acting in that position.

“**LGA**” means the Local Government Association of South Australia.

“**LGA Board Member**” means the LGA Board Member appointed or elected by and representing the Eyre Peninsular Region pursuant to section 49.2 of the LGA constitution.

“**LGA Deputy Board Member**” means the LGA Deputy Board Member appointed or elected by and representing the Eyre Peninsular Region pursuant to section 49.2 of the LGA constitution.

“**SAROC Committee**” means the SA Regional Organisation of Councils committee formally established through the LGA constitution.

“**SAROC Committee Representative**” means the representative of the EPLGA on the SAROC Committee.

“**SAROC Committee Representative Proxy**” means proxy for the SAROC Committee Representative appointed pursuant to section 110.1 of the LGA constitution.

2.2 Interpretation

In this Charter: the singular includes the plural and *vice versa* and words importing a gender include other genders; words importing natural persons include corporations; reference to a section(s) is a section of the Act and includes any section that substantially replaces that section and deals with the same matter; headings are for ease of reference only and do not affect the construction of this Charter.

3 PURPOSE OF THE EPLGA

3.1 To work collaboratively with the LGA to achieve the aims and objectives of the LGA.

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

3.3 To act as a forum for discussion and consideration of matters relating to the powers, functions and duties of the Constituent Councils under the Act and other statutory provisions in relation to the region.

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

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

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

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

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

4 POWERS

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

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

4.1 To enter into any arrangements with any Government or Authority that are incidental or conducive to the attainment of the purposes and the exercise of the powers of the EPLGA.

4.2 To raise revenue through subscriptions or levies from Constituent Councils.

4.3 To apply for grants from Government Agencies and to seek sponsorship from business enterprises.

4.4 To print or publish any newspapers, periodicals, books, leaflets or other writing that the EPLGA may think desirable for the promotion of its purposes.

4.5 To acquire, deal with and dispose of real and personal property and rights in relation to real and personal property.

4.6 To enter into any kind of contract or arrangement.

4.7 To invest funds in a manner consistent with Section 139 of the Act.

- 4.8 To establish committees for the following purposes:
- 4.8.1 inquiring into and reporting on any matter within the terms of reference determined by the Board;
 - 4.8.2 exercising, forming and discharging delegated powers, functions or duties of the EPLGA; or
 - 4.8.3 investigating opportunities for resource sharing within the region and implementing strategies to take advantage of such opportunities.
- 4.9 To delegate any function or duty except for any of the powers set out in Section 44 of the Act (where such powers are applicable to a subsidiary).
- 4.10 To do anything else necessary or convenient for, or incidental to, the exercise, performance or discharge of its powers, functions or duties.

5 SOURCES OF REVENUE

The sources of revenue of the EPLGA may include:

- 5.1 Subscriptions to be applied equitably to Constituent Councils under such terms and conditions determined by the Board.
- 5.2 Service charges for services to Constituent Councils under such terms and conditions determined by the Board.
- 5.3 Grants from Local Government Association of South Australia, Government Agencies and the EPLGA.
- 5.4 Sponsorship from business enterprises.
- 5.5 Loan funds or overdrafts on such conditions as the EPLGA sees fit for the purposes of the EPLGA, provided that:
 - 5.5.1 a proposal for borrowing by the EPLGA must be provided to each Constituent Council.
 - 5.5.2 the proposal to borrow must be approved by an absolute majority of the Constituent Councils in writing before it can be considered by the Board.
 - 5.5.3 an order to borrow must be approved by an absolute majority of the Board.
- 5.6 Interest from the investment of funds held by the EPLGA.

6 THE BOARD – ROLE AND MEMBERSHIP

- 6.1 The EPLGA will be governed by a Board.
- 6.2 The Board is responsible for the administration of the affairs of the EPLGA.
- 6.3 The Board must ensure, insofar as it is practicable:
 - 6.3.1 that the EPLGA observes the purposes set out in this Charter;
 - 6.3.2 that information provided to the Constituent Councils is accurate; and
 - 6.3.3 that Constituent Councils are kept informed of the solvency of the EPLGA as well as any material developments which may affect the operating capacity and financial affairs of the EPLGA.
- 6.4 Membership
 - 6.4.1 Each of the Constituent Councils will be entitled to appoint one person to the Board, with that person being either an elected member or an officer of the Constituent Council.
 - 6.4.2 Each Constituent Council may appoint either an elected member or an officer as a Deputy Board Member who may attend Board meetings in the place of that Council's Board Member who is absent.
 - 6.4.3 If both the Board Member and the Deputy Board Member of a Constituent Council are unable to attend a Board meeting, the Constituent Council affected may appoint a representative with voting powers to attend that Board meeting in accordance with Clause 6.5.
 - 6.4.4 The Board may appoint observers to the Board. Such appointees will not be entitled to vote at meetings.
 - 6.4.5 Board members shall not be entitled to receive a sitting fee except with the prior approval of the Board.
 - 6.4.6 The EPLGA may pay a Board Member's travelling and other expenses that he or she properly incurs in connection with the EPLGA's affairs, provided that the Board Member has received prior written approval from the Board.
- 6.5 A certificate signed by the Chief Executive Officer of the appointing Constituent Council will be sufficient evidence of appointment to the Board.
- 6.6 The President shall preside over all meetings of the Board.
- 6.7 In the absence of the President, the Deputy President will preside over meetings of the Board.
- 6.8 In the absence of the President and Deputy President, the members present at a meeting shall appoint a member from those present for the purposes of that meeting, and that person shall preside for that meeting or until the President or Deputy President is present.

7 TERM OF OFFICE - THE BOARD

- 7.1 Subject only to the following sub-clauses, the term of office of each Board Member will be as determined by the Constituent Council responsible for the appointment of the member.
- 7.2 The Board may by a two-thirds majority vote of the members present (excluding the member subject to this clause):
 - 7.2.1 make a recommendation to the Constituent Council responsible for the appointment of the relevant member seeking the appointing body's approval to terminate the appointment of that member.
- 7.3 The Constituent Council which appointed the member whose term of office has become vacant will be responsible to appoint a replacement member if it decides to accept the recommendation of the Board.
- 7.4 If the Constituent Council affected does not accept the recommendation of the Board in relation to the termination of the appointment of the member concerned then the matter is able to be dealt with in accordance with Clause 19.

8 PROCEEDINGS OF THE BOARD

- 8.1 Subject only to the extent that they are modified by this Clause, the proceedings of the Board will be the same as those for committees of Council as defined in Part 2 of Chapter 6 of the Act and in accordance with the Regulations for "Other Committees" comprised in Parts 1, 3 and 4 of the Local Government (Proceedings at Meetings) Regulations 2013.
- References in Part 2 of Chapter 6 of the Act to "the Chief Executive Officer" shall be read as if they were references to the Executive Officer of the EPLGA and references to "the Council" or "the Committee" shall be read as if they were references to the EPLGA.
- To the extent that this Charter and the Act and its associated Regulations are silent, the Board may determine its own meeting procedures.
- 8.2 Subject only to the special provisions of this Clause, no meeting of the Board will commence until a quorum of members is present and no meeting may continue unless there is a quorum of members present. A quorum of members will comprise half the members plus one. A time limit of 30 minutes shall apply from the advertised time of the meeting in which to reach a quorum. Failure to reach a quorum within this time limit shall result in a failed meeting. If at any time during a meeting of the Board there is no quorum then no formal business may be transacted. The members may decide to continue informal discussions and any outstanding business shall be deferred to a future meeting. The meeting will be adjourned to a place and time to be determined by the person chairing the meeting.
- 8.3 For the purpose of this Clause 8 the contemporary linking together by telephone, audio-visual or other instantaneous means ("telecommunications meeting") of a number of the Board Members is deemed to constitute a meeting of the Board, provided that there is collectively a quorum.
- 8.4 Each of the Board Members taking part in the telecommunications meeting must at all times during the meeting be able to hear and be heard by each of the Board Members present.
- 8.5 At the commencement of a telecommunications meeting, each Board Member must announce his/her presence to all of the Board Members taking part in the meeting.
- 8.6 A Board Member must not leave a telecommunications meeting by disconnecting his/her audio-visual or other communication equipment, unless that Board Member has previously notified the chairperson of the meeting.
- 8.7 Subject only to any specific requirement of this Charter, all matters for decision at a meeting of the Board will be decided by a simple majority of the Members present and entitled to vote on the matter. All Members of the Board are entitled to a deliberative vote. Board Members may not vote by proxy.
- 8.8 In the event of equality of votes, the chairperson will not have a casting vote and the matter will be deemed to have lapsed and may at some later time be reconsidered.
- 8.9 Meetings of the Board will be held at such time and such place as the Board decides subject only to the requirement that there will be at least four meetings in a calendar year, with at least one meeting held in every three month period.
- 8.10 A special meeting of the Board may be held at any time and may be called at the request of the President, or in his absence the Deputy President, or at the written request of two members of the Board.
- 8.11 Notice of all meetings will be given in accordance with the provisions applicable to a committee meeting under Part 2 of Chapter 6 of the Act and the associated Regulations.
- 8.12 Meetings of the Board will be open to the public unless the Board so resolves to exclude the public pursuant to Section 90 of the Act.
- 8.13 All members must keep confidential all documents and any information provided to them in confidence for their consideration prior to a meeting of the Board.
- 8.14 The Board must ensure that accurate written minutes of its proceedings are kept and are produced for verification at the subsequent meeting of the Board.

9 OFFICERS OF THE BOARD

- 9.1 The Board shall elect, from the elected member Board Members of different Constituent Councils, at the February meeting following the Local Government periodical elections the following:
- 9.1.1 President, who shall be the chairperson of the Board;
- 9.1.2 Deputy President, who shall be the deputy chairperson of the Board.
- 9.2 In the event that:
- 9.2.1 the President ceases to be a Board Member for any reason whatsoever, the Deputy President will be appointed to the role of President and the Board Members may elect from their members a person to hold the office of Deputy President until the next election;
- 9.2.2 the Deputy President ceases to be a Board Member for any reason whatsoever, the Board Members shall call for nominations from their members and if there is only one nominee the Board Members will appoint that nominee to hold the office of Deputy President until the next election and where there is more than one nominee the Board Members will elect a nominee to that position following a preferential election process and the elected nominee will hold the office of Deputy President until the next election.
- 9.2.3 both the President and Deputy President cease to be a Board Member for any reason whatsoever, the Board Members may elect from their members persons to hold the offices of President and Deputy President until the next election.

10 LGA Board Membership and SAROC Committee Representative

- 10.1 Upon being elected the President shall automatically be appointed as the LGA Board Member and SAROC Committee Representative and the Deputy President shall automatically be appointed as the LGA Deputy Board Member and SAROC Committee Representative Proxy.

- 10.2 If the President or Deputy President decline either or both of the appointments in clause 10.1 the Board shall call for nominations from persons qualified pursuant to sections 50 and 110 of the LGA constitution for appointment to the vacant position and if there is more than one nomination for a position then the Board will elect a nominee to that position following a preferential election process.
- 10.3 The term of the LGA Board Membership and SAROC Committee Representative positions will be the same as the term of the President and Deputy President who declined the position.

11 PROPRIETARY OF MEMBERS OF THE BOARD

- 11.1 The principles regarding conflict of interest prescribed in the Act will apply to all Board Members as if they were elected members of a Council.
- 11.2 The Board Members will not be required to comply with Division 2, Chapter 5 (Register of Interests) of the Act.
- 11.3 The Board Members will at all times act in accordance with their duties of competence and confidentiality and individual fiduciary duties including honesty and the exercise of reasonable care and diligence with respect to the Board as required by Part 4, Division 1, Chapter 5 of the Act and Clause 23 of Part 2 of Schedule 2.

12 ADMINISTRATIVE MATTERS

- 12.1 There will be an Executive Officer of the EPLGA appointed by the Board on such terms and conditions as may be determined by the Board.
- 12.2 The Executive Officer will be responsible to the Board:
- 12.2.1 to ensure that the policies and lawful decisions of the EPLGA are implemented in a timely manner;
 - 12.2.2 for the efficient and effective management of the operations and affairs of the EPLGA;
 - 12.2.3 to provide advice and reports to the Board on the exercise and performance of the EPLGA powers and functions; and
 - 12.2.4 to give effect to the principles of human resource management generally applicable within the local government industry.
- 12.3 The Executive Officer has such powers, functions and duties prescribed by this Clause and as determined necessary by the Board from time to time to ensure the efficient and effective management of the operations and affairs of the EPLGA.
- 12.4 The Board may employ other officers and it may authorise the Executive Officer to employ such other officers on its behalf as are required for the efficient and effective management of the operations and affairs of the EPLGA.
- 12.5 The Board may engage professional consultants and may authorise the Executive Officer to engage professional consultants to provide services to the EPLGA to ensure the proper execution of its decisions, the efficient and effective management of the operation and affairs of the EPLGA and for giving effect to the general management objectives and principles of human resource management prescribed by this Charter.

13 BUSINESS PLAN

- 13.1 The EPLGA shall have a rolling Business Plan in respect of the ensuing four years.
- 13.2 The Business Plan must:
- 13.2.1 state the services to be provided by the EPLGA;
 - 13.2.2 identify how the EPLGA intends to manage service delivery;
 - 13.2.3 identify the performance targets which the EPLGA is to pursue;
 - 13.2.4 provide a statement of financial and other resources and internal processes that will be required to achieve the performance targets and purposes of the EPLGA; and
 - 13.2.5 specify the performance measures that are to be used to monitor and assess performance against targets.
- 13.3 Prior to setting the draft budget each year, the EPLGA must review the Business Plan in conjunction with the Constituent Councils.

14 BUDGET

- 14.1 The EPLGA must prepare and adopt an annual Budget for the forthcoming financial year.
- 14.2 The Budget must:
- 14.2.1 deal with each principal activity of the EPLGA on a separate basis;
 - 14.2.2 be consistent with its Business Plan;
 - 14.2.3 comply with standards and principles prescribed by the Local Government (Financial Management) Regulations 2011, as amended from time to time;
 - 14.2.4 identify the amount of surplus (deficit) brought forward from the previous year;
 - 14.2.5 identify the amount of subscriptions to be made by each Constituent Council;
 - 14.2.6 be submitted in draft form to each Constituent Council before 30 April for information of its proposed contribution for the ensuing year; and
 - 14.2.7 be adopted by the EPLGA after 31 May but before 30 June.
- 14.3 The adoption of the Budget at a meeting requires approval by a two-thirds majority of the Board Members present at that meeting.
- 14.4 The EPLGA must provide a copy of its Budget to each Constituent Council within five business days after adoption.
- 14.5 The EPLGA must reconsider its Budget in accordance with the Local Government (Financial Management) Regulations 2011, as amended from time to time.
- 14.6 The EPLGA must submit to each Constituent Council, for approval by that Constituent Council, any proposed amendment to the Budget that provides for an additional financial contribution by the Constituent Councils.
- 14.7 In the event that a Constituent Council does not approve a proposed amendment to the Budget, any such Constituent Council will be bound by the amended budget if the amendments are approved by a two thirds majority of the Constituent Councils.

15 ACCOUNTING

- 15.1 The EPLGA must ensure that its accounting records, accounts and financial statements are prepared and maintained in accordance with Section 124 of the Act, the Local Government (Financial Management) Regulations 2011 and all relevant Australian Accounting Standards.
- 15.2 Subject to Clause 15.1, the EPLGA will not have any special accounting, internal auditing or financial systems or practices.

16 FINANCIAL MANAGEMENT

- 16.1 The Executive Officer shall cause adequate and proper books of account to be kept in relation to all affairs of the EPLGA.
- 16.2 The EPLGA's books of account must be available for inspection by any Board Member or authorised representative of a Constituent Council at any reasonable time on request.
- 16.3 The EPLGA must establish and maintain a bank account with such banking facilities at a bank to be determined by the Board.
- 16.4 The EPLGA may distribute to the Constituent Councils any surplus revenue as determined by the Board, having regard to estimated future expenditure that the Business Plan or Budget envisages in any financial year.
- 16.5 The EPLGA shall give due regard to Chapter 9, Part 4 of the Act when investing funds.
- 16.6 The financial year for the EPLGA is from 1st July to 30th June.

17 AUDIT

- 17.1 The EPLGA must appoint an auditor.
- 17.2 The EPLGA must provide its audited financial statements to the Chief Executive Officer of each Constituent Council by 30th September in accordance with the Local Government (Financial Management) Regulations 2011, as amended from time to time.
- 17.3 Subject to the approval of the relevant Minister, the EPLGA will not have an Audit Committee.

18 REPORTS AND INFORMATION

- 18.1 The EPLGA must submit its annual report on its work and operations, including its audited financial statements, to each Constituent Council before 30th September.
- 18.2 The Board must, at the written request of a Constituent Council, furnish to the Council as soon as practicable, but not later than 4 weeks after the request was made, any information or records in the possession or control of the EPLGA as the Council may require, in such manner and form as the Council may require.

19 COMMON SEAL

- 19.1 The EPLGA will have a common seal which may be affixed to documents requiring execution under the common seal and must be witnessed by the signatures of two Board Members.
- 19.2 The common seal must not be affixed to a document except to give effect to a resolution of the Board. The Executive Officer will maintain a Register which records the resolutions of the Board giving authority to affix the common seal and details of the documents to which the common seal has been affixed, with particulars of the persons who witnessed the fixing of the seal and the date.
- 19.3 Subject to Clause 19.2, the Board made by instrument under seal authorise a person to execute documents on behalf of the EPLGA. The Executive Officer will maintain a Register of such resolutions and details of any documents executed in this way, together with particulars of the person executing the document.

20 DISPUTES

- 20.1 In the event of any dispute or difference between one or more Constituent Councils and the EPLGA concerning the operations or affairs of the EPLGA, the dispute process shall be initiated by a Constituent Council serving a notice of dispute on the Executive Officer of the EPLGA, with a contemporaneous copy being served on all other Constituent Councils. The Constituent Councils:
- 20.1.1 will attempt to settle the dispute or difference by negotiating in good faith;
- 20.1.2 if good faith negotiations do not settle the dispute or difference within one month of the dispute arising, then the dispute shall be referred to an expert for determination. The expert shall be a person with the skills and expertise necessary to resolve the dispute and shall be nominated by the President of the Local Government Association of South Australia. The expert is an expert and not an arbitrator. The expert's determination shall be final and binding on the Constituent Councils. The costs of the expert will be apportioned and payable in accordance with the expert's determination;
- 20.1.3 if the dispute is unable to be resolved by the expert within six months of the dispute arising, then any Constituent Council may request the Minister to dissolve the EPLGA; and
- 20.1.4 notwithstanding the existence of a dispute or difference, the Constituent Councils will continue to meet any and all of its obligations to the EPLGA.

21 ALTERATION TO THE CHARTER

- 21.1 This Charter may be amended by two-thirds majority resolution of the Constituent Councils.
- 21.2 The Executive Officer of the EPLGA must ensure that the amended Charter is published in the Gazette.
- 21.3 Before the Constituent Councils vote on a proposal to alter this Charter they must take into account any recommendation of the Board.

22 ADDITION OF NEW MEMBER COUNCIL

- 22.1 The Board may consider the addition of a new member Council to the EPLGA.
- 22.2 The Constituent Councils must resolve by a two-thirds majority to approve the addition of a new member Council to the EPLGA and must obtain Ministerial approval.
- 22.3 The Charter will be amended in accordance with the provisions of this Charter to address any new addition.

23 WITHDRAWAL OF A CONSTITUENT COUNCIL

- 23.1 Subject to the approval of the Minister, a Constituent Council may withdraw from the EPLGA by giving not less than six months' notice of its intention to do so to all other Constituent Councils and the Executive Officer.
- 23.2 In any event a withdrawal cannot become effective until 30 June following the expiry of the six months in the preceding sub-clause. Until withdrawal becomes effective, the Constituent Council proposing withdrawal from the EPLGA will remain liable for all financial contributions in the remaining period and through its Board Member, the responsibility of ensuring the continued proper conduct of the affairs of the EPLGA.
- 23.3 A withdrawing Constituent Council is not entitled to any refund of any financial contributions made to the EPLGA.

24 CIRCUMSTANCES NOT PROVIDED FOR

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

25 WINDING UP

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

26 INSOLVENCY

- 26.1 In the event of the insolvency of the EPLGA each Constituent Council shall be responsible for the liabilities of the EPLGA in proportion to the financial contributions payable in the financial year prior to its insolvency.

Dated: 13 March 2018

T IRVINE
Executive Officer
Eyre Peninsula Local Government Association

NATIONAL ELECTRICITY LAW

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

Under ss 102 and 103, the making of the *National Electricity Amendment (Testing of system restart ancillary services capability) Rule 2018 No. 2* (Ref. ERC0229) and related final determination. All provisions commence on **10 April 2018**.

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

Australian Energy Market Commission
Level 6, 201 Elizabeth Street
Sydney NSW 2000
Telephone: (02) 8296 7800
www.aemc.gov.au

Dated: 20 March 2018

NATIONAL ENERGY RETAIL LAW

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

Under s 251, The Hon. Josh Frydenberg MP, Minister for the Environment and Energy on behalf of the Australian Government has requested the *Preventing discounts on inflated energy rates* (Ref. RRC0012) proposal. The proposal seeks to prohibit a retailer applying a discount to a market retail contract if any of the rates in the contract are higher than the retailer's equivalent standing offer rates. The AEMC intends to expedite the proposal under s 252 as it considers the proposed Rule is non-controversial, subject to requests not to do so. Written requests not to expedite the proposal must be received by **3 April 2018**. Submissions must be received by **17 April 2018**.

Submissions can be made via the AEMC's website. Before making a submission, please review the AEMC's privacy statement on its website. Submissions should be made in accordance with the AEMC's *Guidelines for making written submissions on Rule change proposals*. The AEMC publishes all submissions on its website, subject to confidentiality.

Under s 266, the time for the making of the final determination on the *Preventing discounts on inflated energy rates* (Ref. RRC0012) proposal has been extended to **15 May 2018**.

Written requests should be sent to submissions@aemc.gov.au and cite the reference in the title. Before sending a request, please review the AEMC's privacy statement on its website.

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

Australian Energy Market Commission
Level 6, 201 Elizabeth Street
Sydney NSW 2000
Telephone: (02) 8296 7800
www.aemc.gov.au

Dated: 20 March 2018

TRUSTEE ACT 1936

PUBLIC TRUSTEE

Estates of Deceased Persons

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

ASHMORE Clifford John Patrick late of 39 Everard Avenue Ashford Storeman who died 2 September 2017
CHURCHETT Brenda Harriet late of 95 - 97 Awoonga Road Hope Valley of no occupation who died 19 December 2017
HOPPMANN Annemarie late of 15 - 29 Homestead Avenue Walkley Heights of no occupation who died 20 June 2017
LIBRE Bertha Odette late of 7 Newton Street Whyalla of no occupation who died 22 November 2017
NIMMO Leslie William late of 50 Kesters Road Para Hills West of no occupation who died 3 December 2017
POLLARD, Malcolm Ian late of 42 Railway Terrace East Snowtown Television Technician who died 9 September 2017
RAWSON Michael Warwick late of 276 Portrush Road Beulah Park Retired Labourer who died 10 August 2017
TAYLOR Eileen May late of 13 Moseley Street Glenelg Retired Clerk who died 31 March 2017
THOMSON Kenneth Raymond late of 10 Albany Crescent Oaklands Park of no occupation who died 5 July 2017
WRIGHT Wayne Lawrence late of 65 Euston Terrace West Croydon Retired Clerical Manager who died 15 November 2017
XENOPHONTOS Constantinos Nicolaou late of 30 Albemarle Street West Hindmarsh of no occupation who died 8 July 2017
YATES Wayne Leslie late of 23 Henry Street Risdon Park Retired Storeman who died 3 September 2017

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 at GPO Box 1338, Adelaide, 5001, full particulars and proof of such claims, on or before the 20 April 2018 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: 20 March 2018

D A CONTALA
Public Trustee

NOTICE SUBMISSION

The weekly *South Australian Government Gazette* is issued on Tuesday afternoon, except where Executive Council meets on Wednesday, wherein publishing will occur on that day.

The next scheduled publication date is displayed on the website: www.governmentgazette.sa.gov.au.

Notices for gazettal, along with enquiries, can be directed to:

EMAIL governmentgazettesa@sa.gov.au
PHONE (08) 8207 1025

Gazette notices should be emailed in the following formats:

- Notices as individual Word files
- Maps, images, and diagrams as single, complete objects within the Word files
- Content containing official signatures for authorisation—notices as Word files and the signed documentation as PDF files

Please provide the following information in your email:

- Date the notice is to be gazetted
- Email address and phone number of the person authorising the submission
- Notification of whether a quote is required for chargeable notices
- Name of the person and organisation to be charged for the notice, if applicable
- A purchase order if required
- Details that may impact on publication of the notice

Notices must be submitted before 4 p.m. Friday, the week preceding intended gazettal.

Proofs of formatted content are supplied for all notices, with necessary alterations to be returned before 4 p.m. on the day preceding publication.

Submitted notices will be gazetted unless notification is received before 10 a.m. on the day of publication.