THE SOUTH AUSTRALIAN

GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 3 MARCH 2022

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

APPOINTMENT

Department of the Premier and Cabinet
Adelaide, 24 February 2022

Her Excellency the Governor directs it to be notified that she has approved the retention of the title 'Honourable' by:
Justice Greg Parker PSM.

By command,

HON STEVEN MARSHALL MP
Premier of South Australia

DPC21/0008
STATE GOVERNMENT INSTRUMENTS

EDUCATION AND CHILDREN’S SERVICES REGULATIONS 2020

NOTICE OF POLICY BY THE MINISTER FOR EDUCATION

Capacity Management Plan—Morialta Secondary College

PURSUANT to regulation 12(1) of the Education and Children’s Services Regulations 2020, I, the Minister for Education publish the following Capacity Management Plan for the purposes of the enrolment of a child at Morialta Secondary College.

CAPACITY MANAGEMENT PLAN

Morialta Secondary College

This Capacity Management Plan sets out the conditions for enrolment at Morialta Secondary College (“the school”) effective for the enrolment of a child to attend in 2023.

Morialta Secondary College zone

A school zone is a defined area from which the school accepts its core intake of students. Morialta Secondary College operates a school zone within the area bounded by:

- Glynburn Road, Montacute Road, Black Hill Track, Black Hill Road, Church Road, Montacute Road, Hill Road, Montacute Road, Marble Hill Road, Moores Road, Colonial Track, Norton Summit Road, Kintyre Road, Glen Stuart Road, Koongarra Avenue, St Bernard’s Road and Shakespeare Avenue.

An online map of the Morialta Secondary College zone and a search tool to indicate if an applicant’s home address is within the school zone is available at: https://www.education.sa.gov.au/findaschool

Student Enrolment Numbers

As a new school, Morialta Secondary College will have a progressive enrolment process. This process will introduce a new Year 7 cohort at the start of each school year, beginning in 2023 until the school has all year levels in 2028.

Year 7

The student enrolment ceiling for Year 7 is limited to 200, unless there are more applications that have met the enrolment criteria below.

International Education Program

No International Education Program places will be offered at the school.

Enrolment Criteria – By Year Level

YEAR LEVEL: 7

Applications for enrolment from parents of prospective Year 7 students require that the student must be enrolled in a government or non-government school in South Australia at the time the parents apply for enrolment through the statewide registration of interest process (coordinated by the Department for Education).

The applicant must meet one of the following requirements to be eligible for a Year 7 allocation through the statewide registration of interest process for the coming school year:

- the child is living in the Morialta Secondary College zone
- the child identifies as Aboriginal and/or Torres Strait Islander through the Enter for Success program
- the child has been granted enrolment due to special or extenuating circumstances, including but not limited to a child in care where there is a custody or guardianship order made under the Children and Young People (Safety) Act 2017.

Late applications for Year 7 from students living in the school zone

Families who move into the school zone, or who are already living in the school zone but lodge their application for enrolment after the department’s registration of interest process is completed (end of term 2), will have their applications considered if or when vacancies exist. In these cases, applications will be considered based on the distance of the child’s residence from the school and any other personal needs, such as curriculum, transportation/location convenience, and social/family links to the school.

The school will notify parents by the beginning of week 3, term 4 if a vacancy is available for their child to attend the following school year.

If no vacancies exist, the applicant will be placed on the enrolment register and the school will support the family to enrol at a neighbouring school.

Enter for Success Year 7 students

Through Enter for Success, a child that identifies as Aboriginal and/or Torres Strait Islander will be offered a Year 7 place at the school for the following year. Families enrolling through Enter for Success can do so until the end of term 4 in the year prior to starting Year 7.

YEAR LEVEL: 8 to 12

Applications for enrolment in year levels 8 to 12 will not be accepted for 2023.

Local applicants for these year levels will be encouraged to remain at their current school or the school will support the family to enrol at a neighbouring school.

OUT OF ZONE APPLICATIONS

There is no automatic entry to the school for any year level for students who live outside of the school’s zone and have siblings who attend the school.

Applications from parents of prospective students, who live outside the school zone will only be given consideration for enrolment if the school is under its year level student enrolment numbers.

Enrolment Criteria - General

Special Circumstances

Enrolment applications for consideration based on special or extenuating circumstances, including but not limited to a child in care where there is custody or guardianship orders made under the Children and Young People (Safety) Act 2017, may be granted by the Principal in consultation with the Education Director. These applications will be assessed on a case-by-case basis.
Enrolment Process

Enrolment Register

Parents whose child’s name has been placed on the enrolment register will be contacted by the school by the beginning of week 3, Term 4 if a vacancy is available for the following school year.

The enrolment register will be reviewed and updated annually by the school.

The position that a child’s name appears on the register is confidential and will only be disclosed as required by law.

Monitoring and enforcement

It is the responsibility of the parents applying for enrolment to be able to verify to the satisfaction of the school that the information provided is true and factual.

If a child was enrolled at the school on the basis of false or misleading information (including residential address) the Chief Executive may direct that the child be instead enrolled at another Government school pursuant to section 63(1) of the Education and Children’s Services Act 2019.

The Principal is responsible for the implementation of this Capacity Management Plan and all decisions on enrolments.

This Capacity Management Plan will be reviewed as required.

Dated: 18 February 2022

JOHN GARDNER
Minister for Education

FISHERIES MANAGEMENT ACT 2007

SECTION 115

Exemption Number: ME9903201

TAKE NOTICE that, pursuant to section 115 of the Fisheries Management Act 2007, (the Act) the classes of persons specified in Schedule 1 are exempt from section 71 of the Act insofar as they may take, injure, damage, or otherwise harm White Sharks also known as Great White or White Pointer Sharks (Carcharodon carcharias) in an emergency (the exempted activity), in State waters, subject to the conditions specified in Schedule 2, from 2 March 2022 until 1 March 2023, unless otherwise varied or revoked. Exemption number: ME9903201

SCHEDULE 1

- A Fisheries Officer appointed under the Fisheries Management Act 2007; or
- A Police Officer appointed under the Police Act 1998.

SCHEDULE 2

1. Subject to the conditions of this notice, the exempted activity must not be carried out without the written authorisation and direction of one of the following officers of the Department of Primary Industries and Regions:
   - Director Operations, Fisheries and Aquaculture
   - Regional Manager, Fisheries and Aquaculture
   - Manager Offshore Patrol Operations, Fisheries and Aquaculture

2. Authorisation to carry out the exempt activity may only be granted in such circumstances where there is a threat to human life and/or public safety and the action is in the public interest.

3. Authorisation may be verbal if the urgency of the situation requires an immediate response. In these circumstances written confirmation of the authorisation and direction must be given within 48 hours.

4. No authorisation is required if:
   - The threat to human life from shark attack is considered to be so imminent that seeking authorisation is not reasonably practicable; or
   - All reasonable attempts to contact the persons listed in condition 1 have been unsuccessful and immediate action is required in circumstances consistent with condition 2.

Dated: 1 March 2022

PROF GAVIN BEGG
Executive Director
Fisheries and Aquaculture
Delegate of the Minister for Primary Industries and Regional Development

FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017

Surveying in the Gulf St Vincent Prawn Fishery

TAKE notice that pursuant to regulation 10 of the Fisheries Management (Prawn Fisheries) Regulations 2017, the notice dated 23 February 2022 prohibiting fishing activities in the Gulf St Vincent Prawn Fishery is HEREBY varied such that it will not apply to the holders of a Gulf St Vincent Prawn Fishery licence issued pursuant to the Fisheries Management (Prawn Fisheries) Regulations 2017 listed in Schedule 1 or their registered master insofar as they may use prawn trawl nets in accordance with the conditions of their fishery licence for the purpose of undertaking a prawn survey during the period specified in Schedule 2, subject to the conditions contained in Schedule 3 unless this notice is varied or revoked.

SCHEDULE 1

<table>
<thead>
<tr>
<th>Licence Number</th>
<th>Licence Holder</th>
<th>Boat Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>V02</td>
<td>W J Fountain Pty Ltd</td>
<td>Angela Kaye</td>
</tr>
<tr>
<td>V03</td>
<td>Josephine K Fisheries Pty Ltd</td>
<td>Josephine K</td>
</tr>
<tr>
<td>V04</td>
<td>Ledo Pty Ltd</td>
<td>Frank Cort</td>
</tr>
<tr>
<td>V06</td>
<td>Todread Pty Ltd</td>
<td>Anna Pearl</td>
</tr>
<tr>
<td>V14</td>
<td>W J Fountain Pty Ltd</td>
<td>Zadar</td>
</tr>
</tbody>
</table>
SCHEDULE 2

Commencing at sunset on 1 March 2022 to sunrise on 3 March 2022.

SCHEDULE 3

1. For the purposes of this notice the trawl survey areas cannot include any waters of a habitat protection zone or a sanctuary zone of a marine park established under the Marine Parks Act 2007.
2. The licence holders listed in Schedule 1 or their registered master must comply with all regulations and conditions that apply to fishing activities undertaken pursuant to their licence, in addition to the conditions imposed by this notice.
3. While engaged in fishing activities or unloading the survey catch, the licence holders listed in Schedule 1 or their registered master must have a copy of this notice on board the boat or near his person. This notice must be produced to a Fisheries Officer if requested.
4. While engaged in fishing activities, the licence holders listed in Schedule 1 or their registered master must have an observer from the South Australian Research Development Institute (SARDI) aboard the vessel.
5. No fishing activity may be undertaken between the prescribed times of sunrise and sunset for Adelaide (as published in the South Australian Government Gazette).
6. The licence holders listed in Schedule 1 or their register master must not contravene or fail to comply with the Fisheries Management Act 2007, or any other regulations made under that Act except where specifically exempted by this notice.

This notice does not purport to override the provisions or operation of any other Act including, but not limited to, the Marine Parks Act 2007. The notice holder and his agents must comply with any relevant regulations, permits, requirements and directions from the Department for Environment and Water when undertaking activities within a marine park.

Dated: 23 February 2022

CRAIG NOELL
A/Prawn Fishery Manager
Delegate of the Minister for Primary Industries and Regional Development

FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017
Surveying in the Spencer Gulf Prawn Fishery

TAKE notice that pursuant to regulation 10 of the Fisheries Management (Prawn Fisheries) Regulations 2017, the notice dated 5 October 2021 on page 3908 of the South Australian Government Gazette of 28 October 2021, regarding Surveying in the Spencer Gulf Prawn Fishery is HEREBY revoked.

Dated: 23 February 2022

KELLY PYKE-TAPE
Executive Officer
Delegate of the Minister for Primary Industries and Regional Development

SCHEDULE 1

<table>
<thead>
<tr>
<th>Licence Number</th>
<th>Licence Holder</th>
<th>Licence Holder Address</th>
<th>Boat Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>P04</td>
<td>Melanie B Nominees Pty Ltd</td>
<td>Melanie B</td>
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</tr>
<tr>
<td>P06</td>
<td>Davies Nora</td>
<td>Lunar Sea</td>
<td></td>
</tr>
<tr>
<td>P08</td>
<td>Blaslov – Nelligan, Nansi</td>
<td>Grozdana B</td>
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</tr>
<tr>
<td>P12</td>
<td>Fromager Pty Ltd</td>
<td>Brianna Rene Adele</td>
<td></td>
</tr>
<tr>
<td>P13</td>
<td>A Lukin Nominees Pty Ltd</td>
<td>Kylie</td>
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<tr>
<td>P14</td>
<td>Ross Hamilton Haldane</td>
<td>Bartalumba K</td>
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<tr>
<td>P15</td>
<td>Palmer Investment Holding Pty Ltd</td>
<td>Millennium III</td>
<td></td>
</tr>
<tr>
<td>P16</td>
<td>Jillandra Nominees Pty Ltd</td>
<td>Night Stalker</td>
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<tr>
<td>P18</td>
<td>Broughton Fisheries Pty Ltd</td>
<td>Marija-L</td>
<td></td>
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<tr>
<td>P19</td>
<td>Lukin Fisheries Pty Ltd</td>
<td>Lukina</td>
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<tr>
<td>P21</td>
<td>Spencer Gulf Nominees Pty Ltd</td>
<td>Kyllett</td>
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<tr>
<td>P24</td>
<td>Thornhill Pty Ltd</td>
<td>Sandy S</td>
<td></td>
</tr>
<tr>
<td>P26</td>
<td>Michelle Fisheries Pty Ltd</td>
<td>Michelle</td>
<td></td>
</tr>
<tr>
<td>P28</td>
<td>Lukin and Van Doorn Pty Ltd</td>
<td>Skandia</td>
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<tr>
<td>P29</td>
<td>Capital Seas Pty Ltd</td>
<td>Leila Jo</td>
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<tr>
<td>P30</td>
<td>PQ Nominees Pty Ltd</td>
<td>Roslyn Ann</td>
<td></td>
</tr>
<tr>
<td>P31</td>
<td>Nunan Nominees Pty Ltd</td>
<td>Evelyn L</td>
<td></td>
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<tr>
<td>P33</td>
<td>Marnikol Fisheries Pty Ltd</td>
<td>Beaurie J</td>
<td></td>
</tr>
<tr>
<td>P34</td>
<td>Bralic Fisheries Pty Ltd</td>
<td>Cvita B</td>
<td></td>
</tr>
<tr>
<td>P38</td>
<td>Tacoma Pty Ltd</td>
<td>Atlas HB</td>
<td></td>
</tr>
</tbody>
</table>
SCHEDULE 2
Commencing at sunset on 23 February 2022 and ending at sunrise on 30 September 2022.

SCHEDULE 3

1. For the purposes of this notice the trawl survey areas cannot include any waters of a habitat protection zone or a sanctuary zone of a marine park established under the Marine Parks Act 2007.

2. The licence holders listed in Schedule 1 or their registered master must comply with all regulations and conditions that apply to fishing activities undertaken pursuant to their licence, in addition to the conditions imposed by this notice.

3. The vessels participating in a survey, either a stock assessment or spot survey, must be listed in the table attached as Table 1. Table 1 is to be completed by either the Executive Officer or the Coordinator at Sea from the Spencer Gulf and West Coast Prawn Fishermen’s Association and emailed to pirsa.fishwatch@sa.gov.au and the Prawn Fishery Manager at least one hour prior to departure of the first vessel from port to engage in the activity permitted under this notice.

4. All fish, other than King Prawns, Southern Calamari and Balmain Bugs taken during the activity permitted under this notice, are to be returned to the water immediately after capture.

5. While engaged in fishing activities or unloading the survey catch, the licence holders listed in Schedule 1 or their register master must have a copy of this notice on board the boat or near his person. This notice must be produced to a Fisheries Officer if requested.

6. No fishing activity may be undertaken between the prescribed times of sunrise and sunset for Adelaide (as published in the South Australian Government Gazette) during the period specified in Schedule 2.

7. The licence holders listed in Schedule 1 or their register master must not contravene or fail to comply with the Fisheries Management Act 2007, or any other regulations made under that Act except where specifically exempted by this notice.

8. This notice does not purport to override the provisions or operation of any other Act. The notice holder and his agents must comply with any relevant regulations, permits, requirements and directions from the Department of Environment, Water and Natural Resources when undertaking activities within a marine park.

Dated: 23 February 2022

KELLY PYKE-TAPE
Executive Officer
Delegate of the Minister for Primary Industries and Regional Development

TABLE 1: SURVEY REPORT FOR THE SPENCER GULF PRAWN FISHERY

<table>
<thead>
<tr>
<th>Required Fields</th>
<th>Vessel 1</th>
<th>Vessel 2</th>
<th>Vessel 3</th>
<th>Vessel 4</th>
<th>Vessel 5</th>
<th>Vessel 6</th>
<th>Vessel 7</th>
<th>Vessel 8</th>
<th>Vessel 9</th>
<th>Vessel 10</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Licence Prefix</td>
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<td>2. Licence No.</td>
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<td>3. Port Commencing from</td>
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<td>4. Earliest date leaving port</td>
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<td>5. Earliest time leaving port</td>
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<td>6. Port of return</td>
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<tr>
<td>7. Activity undertaken</td>
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<td>8. Name of person conducting activity</td>
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<td></td>
<td></td>
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<tr>
<td>9. Dates of trawling commencement</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>10. Times of trawling</td>
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<tr>
<td>11. Where will activity take place</td>
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</tbody>
</table>

FISHERIES MANAGEMENT (PRAWN FISHERIES) REGULATIONS 2017
Temporary Prohibition on Fishing Activities in the Gulf St Vincent Prawn Fishery

TAKE notice that pursuant to Regulation 10 of the Fisheries Management (Prawn Fisheries) Regulations 2017, the activities of the class specified in Schedule 1 are prohibited in the waters of the Gulf St Vincent Prawn Fishery during the period specified in Schedule 2 unless this notice is varied or revoked.

SCHEDULE 1

The act of taking or an act preparatory to or involved in the taking of King Prawns (Melicertus latisulcatus) pursuant to a Gulf St Vincent Prawn Fishery Licence.
From sunset on 1 March 2022 to sunrise on 3 March 2022.
Dated: 23 February 2022

HOUSING IMPROVEMENT ACT 2016
Rent Control Revocations

Whereas the Minister for Human Services 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 Human Services Delegate does hereby revoke the said Rent Control in respect of each property.

<table>
<thead>
<tr>
<th>Address of Premises</th>
<th>Allotment Section</th>
<th>Certificate of Title Volume Folio</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/ 23 Gray Street, Norwood SA 5067</td>
<td>Unit 2 Strata Plan 5050 Hundred of Adelaide</td>
<td>CT5037/90</td>
</tr>
<tr>
<td>11 Storch Lane, Hahndorf SA 5245</td>
<td>Allotment 103 Deposited Plan 57891 Hundred of Noarlunga &amp; Onkaparinga</td>
<td>CT4315/792, CT5459/794, CT5860/669</td>
</tr>
<tr>
<td>6 Muirkirk Street, Jamestown</td>
<td>Allotment 194 Filed Plan 187516 Hundred of Belalie</td>
<td>CT5980/740</td>
</tr>
<tr>
<td>41 Harvey Street, Nailsworth SA 5083</td>
<td>Allotment 99 Filed Plan 110807 Hundred of Yatala</td>
<td>CT2822/100, CT5813/677</td>
</tr>
<tr>
<td>2 Harvey Avenue, Gilles Plains SA 5086</td>
<td>Allotment 33 Filed Plan 3319 Hundred of Yatala</td>
<td>CT5636/51</td>
</tr>
</tbody>
</table>

Dated: 3 March 2022

LANDSCAPE SOUTH AUSTRALIA ACT 2019

I, David Speirs, Minister for Environment and Water, to whom the administration of the Landscape South Australia Act 2019 is committed, hereby give notice of the determination of a new groundwater consumptive pool to be called the Aquaculture Elliston Consumptive Pool, being the fixed consumptive pool volume of 10,000 kilolitres available to be taken from the Bridgewater Formation Quaternary Limestone Aquifer in the Musgrave Prescribed Wells Area within the area indicated in the map below.
South Australia


under the Motor Vehicles Act 1959

1—Short title

This notice may be cited as the Motor Vehicles (Conditional Registration—Recognition of Motor Vehicle Clubs) Notice 2021 – South Australian Drag Racers Association Incorporated.

2—Commencement

This notice takes effect from the date it is published in the Gazette.

3—Interpretation

In this notice—

*Act* means the *Motor Vehicles Act 1959*;

*Code of Practice* means the ‘Code of Practice for Club Registration - a 90 day conditional registration scheme for historic, left hand drive and street rod vehicles’ published by the Department for Infrastructure and Transport;

*Conditional Registration Scheme* or *Scheme* means the scheme for conditional registration of historic, prescribed left hand drive and street rod motor vehicles under section 25 of the Act and regulations 15 and 16 of the Motor Vehicles Regulations 2010;

*Department* means the Department for Infrastructure and Transport;

*Federation* means the Federation of Historic Motoring Clubs SA Inc;

*MR334 form* means an ‘Approval for Registration of Vehicle on the Club Registration Scheme (MR334)’;

*Prescribed log book* means a log book in a form approved by the Registrar;

*Registrar* means the Registrar of Motor Vehicles;

*Regulations* means the Motor Vehicles Regulations 2010.
4—Recognition of motor vehicles clubs

The motor vehicle clubs specified in Schedule 1 are, subject to the conditions set out in clause 5, recognised for the purposes of regulation 16 of the Regulations.

5—Conditions of recognition

A motor vehicle club specified in Schedule 1 must comply with the following conditions:

(a) the club must maintain a constitution approved by the Registrar;

(b) the club must nominate and have members authorised by the Registrar (authorised persons). The club’s authorised person(s) are responsible for approving applicants and motor vehicles for registration under the Scheme. This includes confirming that Scheme applicants are financial members of a club; any other details as required by the Registrar on the MR334 form; and to inspect members’ vehicles when requested to do so by the Registrar;

(c) the club must issue a prescribed log book to club members for each of their vehicles to record vehicle use;

(d) the club must cancel a member’s prescribed log book when a member resigns, must ensure that a statutory declaration is provided when a member’s log book is lost or destroyed, must keep details of members’ prescribed log book return sheets and forward copies of the same to the Registrar or Federation annually as required;

(e) the club must create and maintain records detailing all its financial members, its authorised persons, all vehicles for which an MR334 form has been issued, all statutory declarations received and prescribed log books issued and returned to the club;

(f) the club must keep records for a period of 5 years from the date of the document and these records must include all duplicate MR334 forms, all records of motor vehicle inspections undertaken in accordance with paragraph (b), all statutory declarations provided by members for the purposes of paragraphs (d), all prescribed log books issued by reference to their serial number, the member’s name and the vehicle for which it was issued, and to make all such records available for inspection or provide copies of the records at the request of the Registrar for audit purposes;

(g) the club must ensure, as far as practicable, that all members comply with the Code of Practice;

(h) the club, as far as practicable, must report to the Registrar or the Federation details of members and motor vehicles not complying with the conditions and criteria set out in the Code of Practice for the Scheme;

(i) the club must provide to the Registrar, within 2 months after the end of the club’s financial year, an annual report detailing members from that financial year with vehicles registered under the Scheme who are no longer financial members of the club;

(j) the club must notify the Registrar, in writing, within 14 days of resolution to cease operation as a club and must provide the club records specified in paragraph (f) to the Registrar within 14 days of its dissolution.
Note—

Under regulation 16(3)(c) of the Motor Vehicles Regulations 2010, the Registrar may, by notice in the Gazette, withdraw the recognition of a motor vehicle club if satisfied that the club has contravened or failed to comply with a condition applying to its recognition by the Registrar, or if there is other good cause to withdraw the recognition.

Schedule 1—Recognised motor vehicle clubs

Historic, left-hand drive and street rod motor vehicle clubs

South Australian Drag Racers Association Incorporated

Made by the Deputy Registrar of Motor Vehicles

On 28 February 2022

NATIONAL PARKS AND WILDLIFE ACT 1972

Cleland National Park Management Plan 2022

I, DAVID SPEIRS, Minister for Environment and Water, hereby give notice under the provisions of Section 38 of the National Parks and Wildlife Act 1972 that, on 16 February 2022, I adopted a plan of management for Cleland National Park.

Copies of the plan may be obtained from:

- Department for Environment and Water Customer Service Centre, ground floor, 81-95 Waymouth Street, Adelaide SA 5000

Dated: 16 February 2022

DAVID SPEIRS
Minister for Environment and Water

NATIONAL PARKS AND WILDLIFE ACT 1972

Munga-Thirri—Simpson Desert National Park Management Plan 2022

I, DAVID SPEIRS, Minister for Environment and Water, hereby give notice under the provisions of Section 38 of the National Parks and Wildlife Act 1972 that, on 18 February 2022, I adopted a plan of management for Munga-Thirri—Simpson Desert National Park.

Copies of the plan may be obtained from:

- Department for Environment and Water Customer Service Centre, ground floor, 81-95 Waymouth Street, Adelaide SA 5000

Dated: 18 February 2022

DAVID SPEIRS
Minister for Environment and Water

NATIONAL PARKS AND WILDLIFE ACT 1972

Parks of the Glenthorne National Park-Ityamaitpinna Yarta Precinct Management Plan 2022

I, DAVID SPEIRS, Minister for Environment and Water, hereby give notice under the provisions of Section 38 of the National Parks and Wildlife Act 1972 that, on 17 February 2022, I adopted a plan of management for the Parks of the Glenthorne National Park-Ityamaitpinna Yarta Precinct.

Copies of the plan may be obtained from:

- Department for Environment and Water Customer Service Centre, ground floor, 81-95 Waymouth Street, Adelaide SA 5000

Dated: 17 February 2022

DAVID SPEIRS
Minister for Environment and Water

NATIONAL PARKS AND WILDLIFE ACT 1972

WILDERNESS PROTECTION ACT 1992

Parks of Western and Central Kangaroo Island Management Plan 2022

I, DAVID SPEIRS, Minister for Environment and Water, hereby give notice under the provisions of Section 38 of the National Parks and Wildlife Act 1972 and Section 31 of the Wilderness Protection Act 1992 that, on 18 February 2022, I adopted a plan of management for the Parks of Western and Central Kangaroo Island.
Notice is hereby given that the undermentioned Associated Activities Licence has been granted with effect from 25 February 2022, under the provisions of the Petroleum and Geothermal Energy Act 2000, pursuant to delegated powers dated 29 June 2018.

<table>
<thead>
<tr>
<th>No of Licence</th>
<th>Licensees</th>
<th>Locality</th>
<th>Area in km²</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAL 297</td>
<td>East Australian Pipeline Pty Limited</td>
<td>Cooper Basin</td>
<td>2.682</td>
<td>MER-2021/0536</td>
</tr>
</tbody>
</table>

AAL 297 covers an area of approximately 2.682 square kilometres located adjacent to pipeline licence PL 7 and situated southeast of Moomba in the South Australian Cooper Basin.

A map and GIS data for the application area is available from the Department for Energy and Mining website at the following location: https://map.sarig.sa.gov.au/ or by contacting the Department for Energy and Mining, Energy Resources Division on telephone (08) 8429 2559.

Dated: 25 February 2022

NICK PANAGOPULOS
A/Executive Director
Energy Resources Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000
Suspension of Petroleum Exploration Licence PEL 641

Pursuant to section 90 of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that the abovementioned Petroleum Exploration Licence has been suspended for the period from 4 February 2022 until 3 August 2022 inclusive, pursuant to delegated powers dated 29 June 2018.

The expiry date of PEL 641 is now determined to be 8 August 2026.

Dated: 24 February 2022

NICK PANAGOPULOS
A/Executive Director
Energy Resources Division
Department for Energy and Mining
Delegate of the Minister for Energy and Mining

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016
SECTION 76
Amendment to the Planning and Design Code

Preamble
It is necessary to amend the Planning and Design Code (the Code) in operation at 17 February 2022 (Version 2022.3) in order to make changes of form relating to the Code’s spatial layers and their relationship with land parcels. NOTE: There are no changes to the application of zone, subzone or overlay boundaries and their relationship with affected parcels or the intent of policy application as a result of this amendment.

1. Pursuant to section 76(1)(a) of the Planning, Development and Infrastructure Act 2016 (the Act), I hereby amend the Code in order to make changes of form (without altering the effect of underlying policy) as follows:
   a. Undertake minor alterations to the geometry of the spatial layers and data in the Code to maintain the current relationship between the parcel boundaries and Code data as a result of the following:
      i. New plans of division deposited in the Land Titles Office between 9 February 2021 and 22 February 2022 affecting the following spatial and data layers in the Code:
         A. Zones and subzones
         B. Technical and Numeric Variations
            • Building Heights (Levels)
            • Building Heights (Metres)
            • Interface Height
            • Minimum Dwelling Allotment Size
            • Minimum Frontage
            • Minimum Site Area
            • Minimum Primary Street Setback
            • Minimum Side Boundary Setback
            • Minimum Local Road Widening Setback
C. Overlays

- Affordable Housing
- Character Area
- Character Preservation District
- Defence Aviation Area
- Environment and Food Production Area
- Future Local Road Widening
- Future Road Widening
- Hazard (Acid Sulfate Soils)
- Hazard (Bushfire - High Risk)
- Hazard (Bushfire - Medium Risk)
- Hazard (Bushfire - General Risk)
- Hazard (Bushfire - Urban Interface)
- Hazard (Bushfire - Regional)
- Hazard (Bushfire - Outback)
- Historic Area
- Heritage Adjacency
- Limited Land Division
- Local Heritage Place
- Noise and Air Emissions
- Regulated and Significant Tree
- Scenic Quality
- State Heritage Place
- Stormwater Management
- Urban Tree Canopy

ii. Improved spatial data for existing land parcels in the following locations (as described in Column A) that affect data layers in the Code (as shown in Column B):

<table>
<thead>
<tr>
<th>Location (Column A)</th>
<th>Layers (Column B)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Myponga</td>
<td>Overlays</td>
</tr>
<tr>
<td></td>
<td>- Heritage Adjacency</td>
</tr>
<tr>
<td></td>
<td>- Local Heritage Place</td>
</tr>
<tr>
<td>D95340 - Renown Park</td>
<td>Overlays</td>
</tr>
<tr>
<td></td>
<td>- Future Road Widening</td>
</tr>
</tbody>
</table>

b. In Part 13 of the Code – Table of Amendments, update the publication date, Code version number, amendment type and summary of amendments within the ‘Table of Planning and Design Code Amendments’ to reflect the amendments to the Code as described in this Notice.
2. Pursuant to section 76(5)(a) of the Act, I further specify that the amendments to the Code as described in this Notice will take effect upon the date those amendments are published on the SA planning portal.

Dated: 1 March 2022

SALLY SMITH
Executive Director, Planning & Land Use Services
Attorney-General’s Department
Delegate of Josh Teague MP, Minister for Planning and Local Government

PROFESSIONAL STANDARDS ACT 2004


Pursuant to section 15(1)(a) of the Professional Standards Act 2004, I specify 1 July 2022 as the date of commencement of the Law Institute of Victoria Limited Professional Standards Scheme.

Dated: 28 February 2022

JOSH TEAGUE
Minister for Planning and Local Government
(exercising the powers and functions of the Attorney-General)

PROFESSIONAL STANDARDS ACT 2003 (VIC)

LAW INSTITUTE OF VICTORIA LIMITED PROFESSIONAL STANDARDS SCHEME

1. Occupational association

2. Persons to whom the Scheme applies

---

PREAMBLE

A. The Law Institute of Victoria Limited (“the LIV”) is an occupational association for legal practitioners (solicitors) in Victoria for the purposes of the Professional Standards Act 2003 (Vic) (“the Act”).

B. The Scheme is prepared by the LIV for the purposes of limiting Occupational Liability to the extent to which such liability may be limited under the Act.

C. The Scheme applies to all Participating Members, as defined in the Scheme.

D. The Scheme will have force in Victoria, New South Wales, Queensland, South Australia, Western Australia, the Northern Territory, Tasmania, and the Australian Capital Territory. To the extent that the Scheme applies to limit liability in jurisdictions other than Victoria, it is subject to the professional standards legislation of those jurisdictions.

E. The LIV has furnished the Council with a detailed list of the risk management strategies to be implemented in respect of its Participating Members and the means by which those strategies are to be implemented.

F. The LIV has furnished the Council with details of its insurance standards and professional indemnity insurance claims monitoring process. The LIV will not amend these insurance standards while the Scheme is in force without prior approval of the Council.

G. The LIV has advised its Participating Members that they must have the benefit of a professional indemnity policy that complies with the LIV’s insurance standards and that they remain liable for the amount of any difference between the amount payable to a plaintiff under the policy and the monetary ceiling specified in the Scheme.

H. The LIV has furnished the Council with details of its complaints system and discipline system.

I. The LIV has furnished the Council with details of its complaints system and discipline system.

J. The LIV has furnished the Council with details of its complaints system and discipline system.

K. The LIV has furnished the Council with details of its complaints system and discipline system.

L. The LIV has furnished the Council with details of its complaints system and discipline system.

The Scheme is intended to commence on 1 July 2022 and remain in force for a period of five (5) years from its commencement, unless, prior to that time, it is revoked, its operation ceases, or it is extended.

LAW INSTITUTE OF VICTORIA LIMITED PROFESSIONAL STANDARDS SCHEME

1. Occupational association

1.1 The Law Institute of Victoria Limited Professional Standards Scheme is a scheme under the Professional Standards Act 2003 (Vic) (“the Act”) prepared by the Law Institute of Victoria Limited (“the LIV”), whose business address is: Level 13, 140 William St, Melbourne, Victoria.

2. Persons to whom the Scheme applies

2.1 The Scheme applies to:

2.1.1 Full Members who hold a current Australian Practising Certificate who are not excluded or exempted under clauses 2.2 or 2.3 of the Scheme;

2.1.2 Incorporated Legal Practices that are not exempted under clause 2.3 of the Scheme; and

2.1.3 all persons to whom, by virtue of sections 20, 21 or 22 of the Act, the Scheme applies.

2.2 Despite clause 2.1, the Scheme does not apply to a Corporate Legal Practitioner or to a Government Legal Practitioner.
2.3 A person referred to in clause 2.1 may, on application, be exempted from participation in the Scheme by the LIV, with effect from the date specified by the LIV. This clause does not apply to persons to whom the Scheme applies by virtue of sections 20, 21 or 22 of the Act.

3. **Jurisdiction**

3.1 The Scheme applies in Victoria.

3.2 In addition to Victoria, the Scheme is intended to operate in New South Wales, Queensland, South Australia, Western Australia, the Northern Territory, Tasmania, and the Australian Capital Territory in accordance with the professional standards legislation of those states and territories and subject to the requirements of that legislation (“the Corresponding Laws”), so that references to a provision of the Act, the application of the Scheme to a liability, the limit of a liability under the Act, or what constitutes Occupational Liability, are intended to pick up the relevant provisions of the Corresponding Laws, applied mutatis mutandis, to the extent that is necessary for the application of the Scheme in any of those jurisdictions.

4. **Limitation of liability**

4.1 This Scheme only affects the liability for Damages arising from a single cause of action to the extent to which the liability results in Damages exceeding $1.5 million.

4.2 If a person who is, or was, at the time of the act or omission giving rise to Occupational Liability, a person to whom the Scheme applies, or applied, and against whom a proceeding relating to Occupational Liability is brought, is able to satisfy the Court that such person has the benefit of an insurance policy:

(a) of a kind which complies with the standards determined by the LIV;

(b) insuring such person against the Occupational Liability to which the cause of action relates; and

(c) under which the amount payable in respect of that Occupational Liability is not less than the applicable monetary ceiling specified in clause 4.3 of this Scheme;

then that person is not liable in Damages in relation to that cause of action above the monetary ceiling specified in clause 4.3 of this Scheme.

4.3 The applicable monetary ceiling is to be determined according to the table below:

<table>
<thead>
<tr>
<th>Class</th>
<th>Description</th>
<th>Monetary ceiling</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Participating Members who were at the Relevant Time in a Law Practice consisting of up to and including 20 Principals and where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time up to and including $10 million.</td>
<td>$1.5 million</td>
</tr>
<tr>
<td>2</td>
<td>Any Participating Member which was at the Relevant Time an Incorporated Legal Practice consisting of up to and including 20 Principals and where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time up to and including $10 million.</td>
<td>$1.5 million</td>
</tr>
<tr>
<td>3 (a)</td>
<td>Participating Members who were at the Relevant Time in a Law Practice consisting of greater than 20 Principals; or</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Participating Members who were at the Relevant Time in a Law Practice where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time greater than $10 million.</td>
<td>$10 million</td>
</tr>
<tr>
<td>4 (a)</td>
<td>Any Participating Member which was at the Relevant Time an Incorporated Legal Practice consisting of greater than 20 Principals; or</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Any Participating Member which was at the Relevant Time a Law Practice where the Law Practice generated Total Annual Fee Income for the Financial Year at the Relevant Time greater than $10 million.</td>
<td>$10 million</td>
</tr>
</tbody>
</table>

4.4 Clause 4.2 does not limit the amount of Damages to which a person to whom the Scheme applies is liable if the amount is less than the amount specified for the purpose in this Scheme in relation to a person to whom the Scheme applies.

4.5 This Scheme limits the Occupational Liability in respect of a cause of action founded on an act or omission occurring during the period when the Scheme was in force of any person to whom the Scheme applied at the time the act or omission occurred.

4.6 Notwithstanding anything to the contrary contained in this Scheme if, in particular circumstances giving rise to Occupational Liability, the liability of any person who is subject to this Scheme should be capped both by this Scheme and also by any other scheme under professional standards legislation (whether of this jurisdiction or under the law of any other Australian state or territory) and, if the amount of such caps should differ, then the cap on the liability of such person arising from such circumstances which is higher shall be the applicable cap.

5. **Conferral of discretionary authority**

5.1 The LIV has discretionary authority, on application by a person referred to in clause 2.1, to specify in relation to that person, a higher maximum amount of liability than would otherwise apply under the Scheme in relation to that person, either in all cases or in any specified case or class of case.

6. **Commencement and Duration**

6.1 The Scheme will commence:

6.1.1 in Victoria, New South Wales, the Northern Territory, Western Australia, Tasmania and Queensland, on 1 July 2022; and

6.1.2 in the Australian Capital Territory and in South Australia, on this same date, or such other later date, provided the date is specified in the relevant Minister’s notice in relation to the Scheme; or

6.1.3 in all other cases, subject to the statutory provisions of each applicable jurisdiction.
The Scheme will remain in force in all applicable jurisdictions for a period of five (5) years from its commencement in Victoria.

Clause 5.2 is subject to the provisions of the Corresponding Law in each jurisdiction in relation to the revocation, extension or cessation of a scheme.

7. Definitions

7.1 Relevant definitions for the purpose of this Scheme are as follows:

“Act” means the Professional Standards Act 2003 (Vic);

“Australian Practising Certificate” has the same meaning as it has in the Legal Profession Uniform Law (Victoria);\(^1\)

“Corporate Legal Practitioner” has the same meaning as it has in the Legal Profession Uniform Law (Victoria);\(^2\)

“Corresponding Laws” means the Professional Standards Act 1994 (NSW), the Professional Standards Act 2004 (Qld), the Professional Standards Act 2004 (SA), the Professional Standards Act 1997 (WA), the Professional Standards Act 2004 (NT), Professional Standards Act 2005 (Tas), and the Civil Law (Wrongs) Act 2002 (ACT);

“Court” has the same meaning as it has in the Act;

“Damages” has the same meaning as it has in the Act;

“Financial Year” means a financial accounting period ending 30 June;

“Full Member” means an Australian legal practitioner who is a full member of the Law Institute of Victoria Limited;

“Government Legal Practitioner” has the same meaning as it has in the Legal Profession Uniform Law (Victoria);\(^3\)

“Incorporated Legal Practice” means an incorporated legal practice within the meaning of the Legal Profession Uniform Law (Victoria) that is a member of the Law Institute of Victoria;\(^4\)

“Law Practice” has the same meaning as it has in the Legal Profession Uniform Law (Victoria);\(^5\)

“LIV” means the Law Institute of Victoria Limited;

“Occupational Liability” has the same meaning as it has in the Act;

“Participating Members” means those persons specified in clause 2.1 of the Scheme; “Person” means an individual or a body corporate;

“Principal” has the same meaning as it has in the Legal Profession Uniform Law (Victoria);\(^6\)

“Relevant Time” means, in relation to a cause of action giving rise to Occupational Liability, the time at which an act or omission occurred upon which the cause of action was founded;

“Scheme” means the Law Institute of Victoria Limited Professional Standards Scheme constituted by this document;

“Total Annual Fee Income” means the amount charged during a Financial Year for services provided by or on behalf of a Law Practice some of whose members are Participating Members.

\(^1\) Refer Legal Profession Uniform Law Application Act 2014 section 4.


\(^3\) Refer Legal Profession Uniform Law Application Act 2014 section 4.


ROADS (OPENING AND CLOSING) ACT 1991

SECTION 24

Notice of Confirmation of Road Process Order

Road Closure – Anson Street, Blair Athol

BY Road Process Order made on 31 January 2022, the City of Port Adelaide Enfield ordered that:

1. Portion of Anson Street, Blair Athol, situated adjoining the southern boundary of Allotment 1002 in Deposited Plan 123920, Hundred of Yatala, more particularly delineated and lettered ‘A’ in Preliminary Plan 20/0050 be closed.

2. Issue a Certificate of Title to the City of Port Adelaide Enfield for the whole of the land subject to closure in accordance with the Application for Document of Title dated 31 January 2022.

3. The following easement is to be granted over portion of the land subject to closure:

<table>
<thead>
<tr>
<th>Number</th>
<th>Rise Date</th>
<th>Rise hr min</th>
<th>Set Date</th>
<th>Set hr min</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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<td>17 13</td>
</tr>
<tr>
<td>31</td>
<td>07 14</td>
<td>17 13</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*NOTE: Daylight Saving Time is subject to change.

Sunrise and Sunset times calculated on 02/11/21. Certified correct: G Papanikolas, 21 February 2022
Grant to the South Australian Water Corporation an easement for sewerage purposes over the land marked ‘S’ in Deposited Plan 129058.

On 1 March 2022 that order was confirmed by the Minister for Planning and Local Government (exercising the powers and functions of the Attorney-General) conditionally upon the deposit by the Registrar-General of Deposited Plan 129058 being the authority for the new boundaries.

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

Dated: 3 March 2022

B.J. SLAPE
Surveyor-General

2020/21108/01
LOCAL GOVERNMENT INSTRUMENTS

THE FLINDERS RANGES COUNCIL

By-laws No. 1-7 of 2022

THE FLINDERS RANGES COUNCIL

PERMITS AND PENALTIES BY-LAW 2022

By-law No. 1 of 2022

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

PART 1 – PRELIMINARY

1. Title

This By-law may be cited as the Permits and Penalties By-law 2022 and is By-law No. 1 of The Flinders Ranges Council.

2. Authorising law

This By-law is made under section 246 of the Act.

3. Purpose

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

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

4. Commencement, revocation and expiry

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

By-law No. 1 – Permits and Penalties 2014.

4.2 This By-law will expire on 1 January 2030.

Note -

1. Generally, a By-law comes into operation 6 months after the day on which it is gazetted (section 249(5) of the Act).
2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.
3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.

5. Application

This By-law applies throughout the Council’s area.

6. Interpretation

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

6.1 Act means the Local Government Act 1999;
6.2 Council means The Flinders Ranges Council; and
6.3 person includes a natural person or a body corporate.

Note -

Section 12 of the Legislation Interpretation Act 2001 provides that an expression used in this By-law, unless the contrary intention appears, bears the same meaning as in the Act.

7. Construction of By-laws generally

7.1 Every By-law of the Council is subject to any Act of Parliament and Regulations made thereunder.
7.2 In any By-law of the Council and unless the contrary intention appears, permission means permission granted by the Council (or its delegate) in writing prior to the act, event or activity to which it relates and includes permission of general application granted by way of the Council adopting a policy for that purpose.

PART 2 – PERMITS AND PENALTIES

6. Permits

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

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

6.3 A person granted permission under a By-law must comply with every condition such failure to do so is an offence (to the extent that the failure gives rise to a contravention of a By-law).

6.4 The Council (or such other person authorised by the Council) may suspend or revoke a grant of permission under a By-law at any time by notice in writing to the person granted permission.

9. Offences and penalties

9.1 A person who commits a breach of any By-law of the Council is guilty of an offence and may be liable to pay:

9.1.1 a maximum penalty being the maximum penalty referred to in the Act that may be fixed by a By-law for any breach of a By-law, or
9.1.2 subject to any resolution of the Council to the contrary, the expiation fee fixed by the Act for alleged offences against By-laws, being a fee equivalent to 25 per cent of the maximum penalty fixed for any breach of a By-law

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

Note -

The maximum penalty for a breach of a By-law is prescribed by section 246(3)(g) of the Act.

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

This By-law was duly made and passed at a meeting of The Flinders Ranges Council held on 15 February 2022 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ERIC BROWN
Chief Executive Officer

THE FLINDERS RANGES COUNCIL

LOCAL GOVERNMENT LAND BY-LAW 2022

By-law No. 2 of 2022

A By-law to manage and regulate access to and the use of Local Government land (other than roads), and certain public places.
PART 1 - PRELIMINARY

1. Title
This By-law may be cited as the Local Government Land By-law 2022 and is By-law No. 2 of The Flanders Ranges Council.

2. Authorising law
This By-law is made under sections 238 and 246 of the Local Government Act 1999 and section 19A of the Harbors and Navigation Act 1993.

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

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

4. Commencement, revocation and expiry
4.1 The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation:
   - By-law No. 2 - Local Government Land 2014
   - By-law 2022

4.2 This By-law will expire on 1 January 2030.

Note-
1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 249(5) of the Act).
2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions;
3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazetted By-law.

5. Application
5.1 This By-law operates subject to the Council’s Permits and Penalties By-law 2022.
5.2 Subject to subclauses 5.3 and 5.4, this By-law applies throughout the Council’s area.
5.3 This By-law only applies in such part or parts of the Council’s area as the Council may, by resolution direct in accordance with section 246(3)(a) of the Act.
5.4 Subclauses 9.1, 9.2, 9.23, 9.23.1, 9.25.2, 9.36, 10.6 and 10.11 of this By-law only apply in such part or parts of the Council’s area as the Council may, by resolution direct in accordance with section 246(3)(a) of the Act.

6. Interpretation
In this By-law, unless the contrary intention appears:

6.1 Act means the Local Government Act 1999;
6.2 animal includes birds and insects but does not include a dog (unless stated otherwise);
6.3 aquatic life means any animal or plant living or growing in water including, but not limited to, molluscs, fish, insects, invertebrates or larval and water plants;
6.4 authorised person is a person appointed by the Council as an authorised person under section 260 of the Act;
6.5 boat includes a raft, pontoon, houseboat, personal watercraft or other similar device;
6.6 Council means The Flanders Ranges Council;
6.7 electoral matter has the same meaning as in the Electoral Act 1985 provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
6.8 effective control means a person exercising effective control of an animal either:
   - 6.8.1 by means of a physical restraint; or
   - 6.8.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
6.9 emergency worker has the same meaning as in the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisional Regulations) 2014;
6.10 funeral ceremony means a ceremony only (i.e. a memorial service) and does not include a burial;
6.11 liquor has the same meaning as in the Liquor Licensing Act 1997;
6.12 Local Government land means all land owned by the Council or under the Council’s care, control and management (except roads);
6.13 offensive includes threatening, abusive, insulting or annoying behaviour and offends having a complementary meaning;
6.14 open container means a container that:
   - 6.14.1 after the contents of the container have been sealed at the time of manufacture:
     - 6.14.1.1 being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
     - 6.14.1.2 being a can, it has been opened or punctured;
     - 6.14.1.3 being a glass, it has had its lid placed in a position to allow it to be used;
     - 6.14.1.4 being any other form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to its contents; or
   - 6.14.2 is a flask, glass, mug or other container able to contain liquid;
6.15 personal watercraft has the same meaning as in the Harbors and Navigation Act 1993, which is a device that—
   - 6.15.1 is propelled by a motor;
   - 6.15.2 has a fully enclosed hull;
   - 6.15.3 is designed not to retain water if capsized; and
   - 6.15.4 is designed to be operated by a person who sits astride, stands, or kneels on the device; and
   - includes the device commonly referred to as a jet ski;
6.16 tobacco product has the same meaning as in the Tobacco and E-Cigarette Products Act 1997;
6.17 road has the same meaning as in the Act;
6.18 vehicle has the same meaning as in the Road Traffic Act 1991;
6.19 waters includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council; and
6.20 wireless recreational device has the same meaning as in the Road Traffic Act 1991.

Note-
Section 12 of the Legislation Interpretation Act 2001 provides that an expression used in a By-law has, unless the contrary intention appears, the same meaning as in the Acts under which the By-law was made.

PART 2 - ACCESS TO LOCAL GOVERNMENT LAND

1. Access
The Council may:
7.1 close, or regulate or restrict access to, any part of Local Government land to the public for specified times and days; and

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

8. Closed lands

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

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

8.3 where the land has been enclosed by fences and/or walls and gates that have been closed and locked or, where a sign is displayed at the entrance of the land notifying that the land has been closed.

PART 3 - USE OF LOCAL GOVERNMENT LAND

9. Activities requiring permission

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

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

9.1 Advertising

Display, print or erect or cause to be displayed, painted or erected, on Local Government land or a structure, building or feature on Local Government land any sign, advertising or heralding for the purpose of commercial advertising or any other purpose.

9.2 Aircraft

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

9.3 Alcohol

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

9.4 Amplification

Use an amplifier or other mechanical or electrical device for the purpose of amplifying sound or broadcasting announcements or advertisements.

9.5 Animals

9.5.1 Cause or allow an animal to stray onto, move over, graze or be left unattended.

9.5.2 Cause or allow an animal to enter, swim, bathe or remain in any waters located thereon.

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

9.6 Aquatic life

Introduce any aquatic life to any waters.

9.7 Attachments

Subject to subclause 9.1, attach or cause to be attached, hang or fix anything to a tree, plant, equipment, fence, post, structure or feature on Local Government land.

9.8 Bees

Place a hive of bees thereupon, or allow it to remain thereon.

9.9 Boats

Subject to the provisions of the Marine Safety (Domestic Commercial Vessels) National Law and the Harbors and Navigation Act 1993:

9.9.1 Launch or retrieve a boat or from any waters where the Council has determined that this subclause applies.

9.9.2 Launch or retrieve a boat other than from a boat ramp constructed for that purpose.

9.9.3 Propel, float or otherwise use a boat on or in any waters;

9.9.4 Hire out a boat or otherwise use a boat for commercial purposes; or

9.9.5 Moor a boat on any waters or to a pontoon attached to Local Government land.

9.10 Bridge jumping

Jump or dive from a bridge on Local Government land.

9.11 Buildings

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

9.12 Burials and memorials

9.12.1 Ery, inter or spread the ashes of any human or animal including a dog) remains.

9.12.2 Erect any memorial.

9.13 Camping and tents

9.13.1 Subject to subclause 9.13.2 erect a tent or other structure of calico, canvas, plastic or similar material as a place of habitation.

9.13.2 Camp or sleep overnight on Local Government land except:

9.13.2.1 In a caravan park on Local Government land, the proprietor of which has been given permission to operate the caravan park on that land:

9.13.2.2 In an area which has been designated and set aside by the Council for that purpose and, in accordance with any conditions that may be determined by resolution of the Council and contained in any signage erected in or around that area.

9.14 Canvassing

Subject to subclause 14.2, convey any advertising, religious or other message to any bystander, passer-by or other person.

9.15 Defacing property

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

9.16 Donations

Ask for or receive or indicate a desire for a donation of money or any other thing.

9.17 Encroachment

Erect or cause to be erected or placed any fencing, post or other structures or any other items so as to encroach onto the land.

9.18 Entertainment and busking

9.18.1 Sing, dance or play a recording or use a musical instrument for the purpose of entertaining others whether or not receiving money.

9.18.2 Conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.
9.19 Equipment
Use an item of equipment, facilities or property belonging to the Council other than in accordance with any conditions of use contained on a sign or notice in the vicinity of the equipment, facility or property.

9.20 Fires
Subject to the Fire and Emergency Services Act 2005 light a fire except:
9.20.1 in a place provided by the Council for that purpose; or
9.20.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four (4) metres.

9.21 Fireworks
Ignite, explode or use any fireworks.

9.22 Flora and fauna
Subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:
9.22.1 plant, damage, pick, cut, disturb, interfere with or remove any plant, tree or flower thereon;
9.22.2 cause or allow an animal to stand or walk on any flower bed or garden plot;
9.22.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;
9.22.4 take, interfere with, tease, harm or disturb any animal, bird or aquatic life or the eggs or young of any animal, bird or aquatic life;
9.22.5 pick, collect, tuck, interfere with or disturb any fruit, nuts, berries or native seeds;
9.22.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;
9.22.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or aquatic life, or
9.22.8 collect or take any dead wood or timber or burn any timber or dead wood, with the exception that subclauses 9.22.4 and 9.22.7 do not apply to lawful fishing activities.

9.23 Games and sport
9.23.1 Participate in, promote or organise any organised competition or sport, as distinct from organised social play on any Local Government land to which the Council has determined this subclause applies.
9.23.2 Play, practice or participate in any game which involves the use of a ball, missile or other object which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land.
9.23.3 Play or practice the game of golf except on Local Government land to which the Council has resolved this subclause applies.
9.23.4 Engage or participate in or conduct any organised group fitness activity or training on Local Government land to which the Council has resolved this subclause applies.

9.24 Interference with land
Interfere with, alter or damage the land (including a building, structure or fixture located on the land), including:
9.24.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
9.24.2 erecting or installing a structure in, on, across, under or over the land;
9.24.3 changing or interfering with the construction, arrangement or materials of the land;
9.24.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
9.24.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.

9.25 Model aircraft, boats and cars
9.25.1 Fly or operate a model or drone aircraft, boat or model or remote-control vehicle in a manner which may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of the land, or detract from or be likely to detract from another person's lawful use and enjoyment of the land.
9.25.2 Fly or operate a model or drone aircraft, boat or model or remote-control vehicle on any Local Government land to which the Council has resolved this subclause applies.

9.26 Overhanging articles
Suspend or hang an article or object from a building, verandah, pergola, pool 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 in the opinion of an authorised person.

9.27 Playing area
Use or occupy a playing area:
9.27.1 in such a manner as to damage or be likely to damage the surface of the playing area or infrastructure (above and under ground level);
9.27.2 in a manner contrary to the purpose for which the playing area was intended to be used or occupied; or
9.27.3 contrary to directions of the Council made by resolution and indicated on a sign displayed or in the vicinity of the playing area.

9.28 Pontoons
Install or maintain a pontoon in any waters.

9.29 Preaching
Preach, harangue or sermon for religious purposes.

9.30 Ropes
Subject to the provisions of the Harbors and Navigation Act 1993 and the Marine Safety (Domestic Commercial Vessel) National Law, place a buoy, cable, chain, harvester, rope or net in or across any waters.

9.31 Rubbish bins
Remove, disperse or interfere with any rubbish including bottles, newspapers, cans, containers or packaging that has been discarded in a bin on any Local Government land, or placed on Local Government land for collection by the Council (or its agent).

9.32 Swimming
Subject to the Harbors and Navigation Act 1993 swim in, bathe or enter any waters except:
9.32.1 in an area which the Council has determined may be used for such purposes; and
9.32.2 in accordance with any conditions that the Council has determined by resolution apply to such use (if any) and which are specified on signage or in the vicinity of the area.

9.33 Trading
9.33.1 Sell, buy, offer or display anything for sale, hire or lease any goods, merchandise, commodity, article or thing;
9.33.2 Carry on or cause to be carried on any business.
10. Prohibited activities

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

10.1 Abductionary facilities

In any abductionary facility (being showers, washing and toilet facilities) on Local Government land:

10.1.1 urine other than in a urinal or pan into another than in a pan set apart for that purpose;

10.1.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage or damage to the facility or property associated with the facility;

10.1.3 use the facility for a purpose for which it was not designed or constructed;

10.1.4 deface, or make use of a facility other than for its proper purpose or cause any unsanitary or unclean condition in any abductionary facility;

10.1.5 enter any abductionary facility that is set aside for use of the opposite gender except:

10.1.5.1 where a child under the age of ten (10) years is accompanied by an adult parent or guardian of that gender;

10.1.5.2 to provide assistance to a person with a disability; or

10.1.5.3 in the case of a genuine emergency.

10.2 Animals

10.2.1 cause or allow an animal to:

10.2.1.1 damage a flowerbed, garden plot, tree, lawn or like thing or place;

10.2.1.2 swim or bathe in any waters to the inconvenience, annoyance or danger of any other person in the vicinity.

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

10.3 Annoyances

Annoy, or unreasonably interfere with any other person's use of Local Government land by making a noise or by creating a disturbance that has not been authorised by the Council.

10.4 Climbing

Climb on or over any fence, fitting, plant, object or building thereon other than in a playground or similar area that the Council has set aside for that purpose.

10.5 Equipment

Use any item of equipment, to which the Council has set aside for use of the opposite gender except:

10.5.1 where a child under the age of ten (10) years is accompanied by an adult parent or guardian of that gender;

10.5.2 to provide assistance to a person with a disability; or

10.5.3 in the case of a genuine emergency.

10.6 Fish

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

10.7 Glass

Willfully break any glass, china or other brittle material.

10.8 Interference with permitted use

Interrupt or unreasonably interfere with any other person's use of Local Government land where the person is using the land in a manner permitted by the Council or in accordance with any permission that has been granted by the Council.

10.9 Nuisance

Behave in such an unreasonable manner as to cause discomfort, inconvenience, annoyance or offence to any other person including by using profane, indecent or obscene language.

10.10 Playing games

Play or practise a game:

10.10.1 which is likely to cause damage to the land or anything on it; or

10.10.2 in any area where a sign indicates that the game is prohibited.

10.11 Smoking

Subject to the Tobacco and E-Cigarette Products Act 1997, smoke, hold or otherwise control over an ignited tobacco product on any land to which the Council has determined this subclause applies.

10.12 Obstruction

Obstruct or cause to be obstructed:

10.12.1 any path or track;

10.12.2 any door, entrance, driveway or stairway in any building; or

10.12.3 any gate or entrance thereon.

10.13 Solicitation

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

10.14 Throwing objects

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

10.15 Waste and rubbish

10.15.1 deposit or leave thereon anything offensive or offensive.

10.15.2 deposit any rubbish other than in receptacles provided by the Council for that purpose.
PART 4 - ENFORCEMENT

11. Directions

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

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

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

12. Orders

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

Note-
Section 262(1) of the Act states:
It is an offence for a person (the offender) to engage in conduct that is a contravention of this Act or a By-law under this Act, an authorised person may order the offender—
(a) to stop the conduct; and
(b) whether or not the conduct is still continuing—take specified action to remedy the contravention.

Subsections (2) and (3) of section 262 also provide that it is an offence for a person to fail, or not to continue to do any other thing to ensure the conduct is no longer continuing.

13. Removal of animals and objects

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

PART 5 - MISCELLANEOUS

14. Exemptions

14.1 The restrictions in this By-law do not apply to any Police Officer, emergency worker, 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 or in accordance with a direction of the Council (or its delegate).

14.2 The restrictions in subclauses 9.14 of this By-law do not apply to electoral matter authorised by a candidate and which—

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

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

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

15. Liability of vehicle owners

15.1 For the purposes of this clause 15, owner in relation to a vehicle has the same meaning as contained in section 4 of the Act.

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

This By-law was duly made and passed at a meeting of The Flinders Ranges Council held on 15 February 2022 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ERIC BROWN
Chief Executive Officer

THE FLINDERS RANGES COUNCIL
ROADS BY-LAW 2022
By-law No. 3 of 2022

A By-law for the management, control and regulation of activities on roads in the Council’s area.

PART 1 – PRELIMINARY

1. Title
This By-law may be cited as the Roads By-law 2022 and is By-law No. 3 of The Flinders Ranges Council.

2. Authorising law
This By-law is made under sections 236 and 246 of the Local Government Act 1999 and regulation 28 of the Local Government (General) Regulations 2013.

3. Purpose
The purposes of this By-law are to manage, control and regulate certain uses of roads in the Council area:

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

4. Commencement, revocation and expiry

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

By-Law No. 3 – Roads 2014

4.2 This By-law will expire on 1 January 2030.

Note-
1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 245(5) of the Act).
2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.
3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazetted of the By-law.
5. Application
5.1 This By-law operates subject to the Council's Permits and Penalties By-law 2022.
5.2 Subject to subclause 5.3, this By-law applies throughout the Council's area.
5.3 Subclause 7.3.3 of this By-law only applies to that part or parts of the Council's area as the Council may determine by resolution in accordance with section 246(3)(e) of the Act.
5.4 Subclause 7.4.2 of this By-law applies throughout the Council area except in such parts of the Council area as the Council may by resolution direct in accordance with section 246(3)(a) of the Act.

6. Interpretation
In this By-law, unless the contrary intention appears:
6.1 Act means the Local Government Act 1999.
6.2 animal includes birds, insects and poultry but does not include a dog.
6.3 authorised person is a person appointed by the Council as an authorised person under section 260 of the Act;
6.4 camp includes setting up a camp, or causing:
   (a) a tent (including a tent trailer) or other structure of calico, canvas, plastic or other similar material;
   (b) a swag or similar bedding;
6.5 person is in attendance or sleeps on the road;
6.6 Council means The Flinders Ranges Council;
6.7 effective control means a person exercising effective control of an animal either:
   (a) by means of a physical restraint; or
   (b) by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
6.8 electoral matter has the same meaning as in the Electoral Act 1995 provided that such electoral matter is not capable of causing physical damage or injury to a person within its immediate vicinity;
6.9 emergency worker has the same meaning as in the Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014;
6.10 moveable sign has the same meaning as in the Act;
6.11 road has the same meaning as in the Act being, a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes—
   (a) a bridge, viaduct or subway; or
   (b) an alley, laneway or walkway; and
6.12 vehicle has the same meaning as in the Road Traffic Act 1961.

Note- Section 12 of the Legislation Interpretation Act 2021 provides that an expression used in this By-law has, unless the contrary intention appears, the same meaning as in the Acts under which the By-law was made.

PART 2 – USE OF ROADS
7. Activities requiring permission
A person must not engage in or undertake any of the following activities on a road without the permission of the Council.
7.1 Advertising
Display or cause to be displayed on a road or on a structure on a road, any poster, advertising or sign for the purpose of advertising goods or services or for any other purpose, other than a moveable sign that is displayed in accordance with the Council’s Moveable Signs By-law 2022.

Note - Moveable signs on roads are regulated by sections 229 and 227 of the Act and the Council’s Moveable Signs By-law 2022.

7.2 Amplification
Use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or magnifying sound including the broadcasting of announcements or advertisements.
7.3 Animals
7.3.1 Cause or allow an animal to stray onto, move over, or graze on a road except where the Council has set aside a track or other area for use by or in connection with an animal of that kind, and provided the animal or animals are under effective control.
7.3.2 Lead, herd or exercise an animal in such a manner as to cause a nuisance or endanger the safety of a person.
7.3.3 Ride, lead, drive or allow any livestock on any road to which the Council has resolved this paragraph applies.
7.4 Camping and tents
7.4.1 Subject to this subclause 7.4, erect a tent or other structure of calico, canvas, plastic or other similar material as a place of habitation.
7.4.2 Camp overnight except:
   (a) on a road from which the Council has resolved this subclause applies (if any); and
   (b) in accordance with any conditions determined by the Council and displayed on any signage erected on the road or in its vicinity.
7.4.3 Subject to this subclause 7.4, use, occupy, cause, suffer or permit any other person to use or occupy any caravan or other vehicle for or in connection with camping activities, including (but not limited to) washing, cooking, sleeping.
7.5 Donations
Ask for or receive or do anything to indicate a desire for a donation of money or any other thing.
7.6 Obstructions
Erect, install, place or maintain or cause to be erected, installed, placed or maintained any structure, object or material of any kind so as to obstruct a road, footway, water-channel, or watercourse in a road.

7.7 Preaching and canvassing
7.7.1 Preach, harangue, solicit or canvass for religious or charitable purposes.
7.7.2 Subject to subclause 11.1, convey any religious or other message to any bystander, passerby or other person.
7.8 Public exhibitions and displays
7.8.1 Sing, book, play a recording or use a musical instrument, or perform similar activities.
7.8.2 Conduct, cause or hold a concert, festival, show, display public gathering, circus, performance or a similar activity.
7.8.3 Erect a stage or structure for the purpose of conducting or holding a concert, festival, show, circus, performance or a similar activity.

7.8.4 Cause any public exhibition or displays.

7.9 Rubbish bins
   Deposit in any Council bin on a road any rubbish:
   7.9.1 emanating from a domestic, commercial or trade source; or
   7.9.2 that is not rubbish of the type permitted to be placed in the bin, as indicated on signs on the bin or in its vicinity.

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

PART 3 – ENFORCEMENT

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

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

Note-
   Section 262(1) of the Act states:
   1. If a person (the offender) engages in conduct that is a contravention of this Act or a By-law under this Act, an authorised person may order the offender:
      a) if the conduct is still continuing – to stop the conduct; and
      b) whether or not the conduct is still continuing – to take specified action to remedy the contravention.
   Subsections (2) and (3) of section 262 also provide that it is an offence to fail to comply with an order and that if a person does not comply, the authorised person may take action reasonably required to have the order carried out.

   For example, an authorised person may order a person to:
   • cease busking on a road;
   • remove an object or structure blocking a footpath; or
   • remove advertising displayed on a structure on a road.

10. Removal of animals and objects
   10.1 The Council (or its delegate) may, pursuant to section 234 of the Act, remove an animal or object that is on a road in breach of a By-law if the Council (or its delegate) reasonably believes that no person is in charge of the animal or object.
   10.2 The Council may seek to recover from the owner of an object removed under subclause 10.1 the costs it incurs in removing that object.

PART 4 – MISCELLANEOUS

11. Exemptions
   11.1 The restrictions in this By-law do not apply to any Police Officer, emergency worker, 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 or in accordance with a direction of the Council (or its delegate).
   11.2 The restriction in subclause 7.7.2 of this By-law does not apply to electoral matter authorised by a candidate and which is:
      11.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day;
      11.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under the Act) for polling day and ending at the close of voting on polling day; or
      11.2.3 related to, and occurs during the course of and for the purpose of a referendum.

12. Liability of vehicle owners
   12.1 For the purposes of this clause 12, owner in relation to a vehicle has the same meaning as contained in section 4 of the Act.
   12.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this By-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This By-law was duly made and passed at a meeting of The Flinders Ranges Council held on 15 February 2022 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ERIC BROWN
Chief Executive Officer

THE FLINDERS RANGES COUNCIL

DOGS BY-LAW 2022
By-law No. 5 of 2022

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

PART 1 – PRELIMINARY

1. Title
   This By-law may be cited as the Dogs By-law 2022 and is By-law No. 5 of The Flinders Ranges Council.

2. Authorising Law

3. Purpose
   The objectives of this By-law are to control and manage dogs in the Council area:
   3.1 to reduce the incidence of environmental nuisance caused by dogs;
   3.2 to promote responsible dog ownership;
   3.3 to protect the convenience, comfort and safety of members of the public; and
   3.4 for the good rule and government of the Council area.
PART 2 – LIMITS ON DOG NUMBERS

7. Limits on dog numbers in private premises

7.1 Subject to subclauses 7.4 and 7.7, a person must not, without the Council’s permission, keep or cause, suffer or permit to be kept:

7.1.1 more than one (1) dog in a small dwelling;

7.1.2 in a township, more than two (2) dogs in any premises other than a small dwelling, or

7.1.3 outside of a township, more than three (3) dogs (other than working livestock dogs)

7.2 For the purposes of subclause 7.1, dog means a dog that is three (3) months of age or older, or, a dog that has lost its juvenile canine teeth.

7.3 For the purposes of subclause 7.1, number of dogs shall include any ‘visiting’ dogs of any family members or friends that are on the relevant premises for 7 or more days (whether consecutive or otherwise) in any 6 month period.

7.4 Clause 7.1 does not apply to:

7.4.1 approved kennel establishments operating in accordance with all required approvals and permits; or

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

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

7.6 An application for permission to keep an additional dog must be in the form determined by the Council and be accompanied by information regarding:

7.6.1 the type and size of the property on which it is proposed to keep the dogs;

7.6.2 the manner in which it is proposed that the dogs will be contained; and

7.6.5 any other information that the Council requires to ensure proper consideration of the application.

7.7 No dog is to be kept on any premises where, in the opinion of an authorised person, there is no secure or appropriate area where a dog may be effectively confined.
PART 3 – DOG CONTROLS

8. Dog exercise areas

- a person may enter a park in the Council’s area for the purpose of exercising a dog under his or her effective control.

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

9. Dog on leash areas

- a person must, without the Council’s permission, allow a dog under that person’s control, charge or authority (except an assistance dog that is required to remain offlead in order to fulfil its functions) to be or remain:
  - on Local Government land or in public place to which the Council has resolved that this subclause applies; or
  - on any park or reserve during times when organised sport is being played/practised; unless the dog is under effective control by means of a leash.

10. Dog prohibited areas

- A person must not cause or allow a dog under that person’s control, charge or authority (except an assistance dog) to be or remain:
  - on any children’s playground;
  - in any Council building;
  - in any Council swimming pool facility; or
  - in a public place to which the Council has resolved this subclause applies.

11. Dog faeces

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

PART 4 – EXEMPTIONS

12. Council may grant exemptions

- The Council may, by notice in writing, on application or on its own initiative, exempt a person (or a class of persons) from the operation of a specified provision of this By-law.

12.1 The Council may, by notice in writing, on application or on its own initiative, exempt a person (or a class of persons) from the operation of a specified provision of this By-law.

12.2 An exemption:

- 12.2.1 may be granted or refused at the discretion of the Council; and
- 12.2.2 may operate indefinitely or for a period specified in the instrument of exemption; and
- 12.2.3 is subject to any conditions specified in the instrument of exemption.

13. The Council may, by notice in writing, vary, revoke or rescind an exemption.

- 13.1.1 if the conduct is still continuing — to stop the conduct:
- 13.1.2 whether or not the conduct is still continuing — to take specified action to remedy the contravention.

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

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

13.4 However, an authorised person may not use force against a person.

Note- For example, an authorised person may order a person to:
- cease keeping more than the permitted number of dogs on that person’s premises; or
- remove a dog from a dog prohibited area.

This By-law was duly made and passed at a meeting of The Flinders Ranges Council held on 15 February 2022 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ERIC BROWN
Chief Executive Officer

THE FLINDERS RANGES COUNCIL
CATS BY-LAW 2022
By-law No. 6 of 2022

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

PART 1 – PRELIMINARY

1. Title

This By-law may be cited as the Cats By-law 2022 and is By-law No. 6 of The Flinders Ranges Council.

2. Authorising law

This By-law is made under section 90(5) of the Dog and Cat Management Act 1995 and section 246 of the Local Government Act 1999.

3. Purpose

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

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

4. Commencement, revocation and expiry

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

By-law No. 6 – Cats 2014.
Note-  

1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 249(5) of the Act).
2. Section 252 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.
3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.

5. Application
5.1 This By-law operates subject to the Council’s Permits and Penalties By-law 2022.
5.2 This By-law applies throughout the Council’s area.

6. Interpretation
In this By-law, unless the contrary intention appears:
6.1 “Council” means the Flinders Ranges Council;
6.2 “approved cattery” means a building, structure, premises or area approved by the relevant authority pursuant to the Planning, Development and Infrastructure Act 2016 for the keeping of cats on a temporary or permanent basis or, for use in connection with a business involving the keeping of cats, that is operating in accordance with all approvals;
6.3 except for in clauses 8 and 9, cat means an animal of the species felis catus, which is three (3) months of age or
6.4 Council” means “The Flinders Ranges Council;
6.5 “effective control” means by means of physical restraint means;
6.6 “persons” means a person is exercising effective control of a cat by means of a cord or leash that does not exceed 2 metres in length restraining the cat; or
6.7 for the purposes of clause 8, a cat (or cats) causes a nuisance if;
6.7.1 unreasonably interferes with the peace, comfort or convenience of a person, including but not limited to, by displaying aggressive nature or creating unpleasant noise or odour;
6.7.2 damages or otherwise has an adverse impact upon native flora or fauna;
6.7.3 acts in a manner that is injurious or causes damage to a person’s real or personal property;
6.7.4 wanders onto premises without the consent of the owner or occupier of the premises; or
6.7.5 defecates or urinates on premises without the consent of the owner or occupier of the premises;
6.7.6 “showing good cause” means a person is exercising effective control by means of physical restraint:
6.8 “showing good cause” means an animal of the species felis catus (of any age);
6.9 “premises includes any land (whether used or occupied for domestic or non-domestic purposes) and any part thereof; and
6.10 the person responsible for the control of a cat has the same meaning as in section 6 of the Dog and Cat Management Act 1985.

Note-  
Section 12 of the Legislation Interpretation Act 2021 provides that an expression used in this By-law has, unless the contrary intention appears, the same meaning as in Acts under which the By-law is made.

PART 2 – LIMITS ON CAT NUMBERS
7. Limits on cat numbers
7.1 Subject to clause 7.2, a person must not keep, without the Council’s permission, keep, or cause suffer or permit to be kept, more than two (2) cats on any premises.
7.2 Subclause 7.1 does not apply to premises comprising an approved cattery.
7.3 The Council may require that premises that are the subject of an application for permission to keep additional cats, are inspected by an authorised person for the purpose of assessing the suitability of the premises for housing cats.
7.4 Permission under subclause 7.3 may be given if the Council is satisfied that:
7.4.1 the premises are in a sanitary condition and is not likely to require any neighbour as a result of the keeping of cats on the premises.

PART 3 – CAT CONTROLS
8. Cats not to be a nuisance
8.1 An owner or occupier of premises is guilty of an offence if a cat (or cats) is kept or allowed to remain on the premises causes a nuisance.
8.2 Without limiting liability under clause 8.1, the owner of or person responsible for the control of a cat is guilty of an offence under this By-law if the cat causes a nuisance.
8.3 For the purposes of this subclause 8, cat means an animal of the species felis catus (of any age).
8.4 Effective control of cats
8.4.1 The owner or person responsible for the control of a cat must ensure that the cat is effectively confined to the premises occupied by that person between the hours of 9:00pm and 7:00am each day unless the cat is under effective control by means of physical restraint.
8.5 For the purposes of this subclause 9, cat means an animal of the species felis catus (of any age).

10. Registration of cats
10.1 A person must not keep a cat in the Council’s area for more than 14 days unless the cat is registered in accordance with this By-law.
10.2 An application for registration of a cat must:
10.2.1 be made to the Council in the manner and form prescribed by Council (if any); the fee (if any) prescribed by the Council;
10.2.3 nominate a person or of or over sixteen (16) years of age who consents to the cat being registered in his or her name;
10.2.4 identify with reference to an address the premises at which the cat is kept; and
10.2.5 satisfy the Council that the cat represents in this By-law.
10.3 Registration under this By-law remains in force until the next 30 June following the grant of registration and may be renewed from time to time for further periods of up to twelve (12) months.

PART 4 – EXEMPTIONS
11. Council may grant exemptions
11.1 The Council may, by notice in writing, on application or on its own initiative, exempt a person (or a class of persons) from the operation of a specified provision of this By-law.
11.2 An exemption:
11.2.1 may be granted or refused at the discretion of the Council;
11.2.2 may be granted for an indefinite period or for a period specified in the instrument of exemption; and
11.2.3 is subject to any conditions specified in the instrument of exemption.
PART 1

3. Purpose

of the members for the time being constituting the Council, there being at least two thirds of the members present.

This By-law was duly made and passed at a meeting of The Flinders Ranges Council held on 15 February

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

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

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

Note-

For example, an authorised person may order a person to:
- cease keeping more than the permitted number of cats on that person’s premises; or
- take the necessary steps to mitigate a nuisance caused by howling cats.

This By-law was duly made and passed at a meeting of The Flinders Ranges Council held on 15 February 2022 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ERIC BROWN
Chief Executive Officer
PART 2 - REGULATION OF WASTE MANAGEMENT ACTIVITIES

7. Provide containers

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

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

8. Management of waste collection services

An occupier of premises must:

8.1 Domestic Waste

8.1.1 ensure that the Domestic Waste Container kept on the premises is approved by the Council; and

8.1.2 not place, cause, suffer or permit any waste other than Domestic Waste to be in a Domestic Waste Container;

8.2 Recyclables

8.2.1 ensure that the Recyclables Container kept on his or her premises is approved by the Council; and

8.2.2 not place, cause, suffer or permit waste other than Recyclables to be in a Recyclables Container;

8.3 Green Organics

8.3.1 ensure that any Green Organics Container kept on his or her premises is approved by the Council; and

8.3.2 not place, cause, suffer or permit waste other than Green Organics to be in a Green Organics Container;

8.4 Keep container clean

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

8.5 Sealing of container

cause each Waste Container to be continuously and securely covered or sealed except when Waste is being deposited in or removed from the container;

8.6 Damage

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

8.6.1 it is not robust or watertight;

8.6.2 it is unable to be moved on its wheels (if any) efficiently;

8.6.3 the lid does not seal on the container when closed; or

8.6.4 its efficiency or use is otherwise impaired;

8.7 Collection services

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

8.7.1.1 on the day appointed by the Council for the collection of Waste from those premises, or the night before (and not before these times); and

8.7.1.2 in a position:

(a) adjacent to the kerb (not on the carriageway) so that the front of the bin faces the road;

(b) not under the overhanging branches of any trees; and

(c) as may otherwise be approved or directed by the Council and, wherever practicable, notified to the occupier in writing; and

8.7.2 remove all Waste Containers from the road on the same day as the collection of Waste has occurred.

8.8 Waste

Not place any Waste Container on the road for collection by the Council its agents or contractors unless the Waste Container contains only the type of Waste that is permitted to be disposed of in that Waste Container.

8.9 Hard Waste

Not place any Hard Waste on the road for collection by the Council its agents or contractors other than in accordance with any directions issued by the Council and notified to the occupier in writing or on the Council’s website.

9. Unlawful interference with Waste

A person must not, without permission, take or interfere with any Waste that has been left by another person on a road or Local Government land for the apparent purpose of facilitating the collection of the Waste by the Council, its contractors, agents or delegates.

PART 3 - ENFORCEMENT

10. Orders

10.1 If a person engages in conduct that is in contravention of this By-law, an authorised person may, pursuant of section 262 of the Act, order that person:

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

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

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

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

11. Exemptions

The restrictions in this By-law do not apply to a person who has been granted an exemption from the Council from complying with this Bylaw or a provision of it.

This By-law was duly made and passed at a meeting of The Flinders Ranges Council held on 15 February 2022 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

ERIC BROWN
Chief Executive Officer
DISTRICT COUNCIL OF KAROONDA EAST MURRAY
By-laws 1-6 of 2022

THE DISTRICT COUNCIL OF KAROONDA EAST MURRAY
PERMITS AND PENALTIES BY-LAW 2022
By-law No. 1 of 2022

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

PART 1 - PRELIMINARY

1. Title
   This By-law may be cited as the Permits and Penalties By-law 2022 and is By-law No. 1 of the District Council of Karoonda East Murray.

2. Authorising Law
   This By-law is made under section 246 of the Act.

3. Purpose
   The objectives of this By-law are to provide for the good rule and government of the Council area, and for the convenience, comfort and safety of its inhabitants by:
   3.1 creating a permit system for Council By-laws;
   3.2 providing for the enforcement of breaches of Council By-laws and fixing penalties; and
   3.3 clarifying the construction of Council By-laws.

4. Commencement and Expiry
   This By-law will commence in accordance with the Act and will expire on 1 January 2030.

Note:
1. Generally, a By-law comes into operation 6 months after the day on which it is gazetted under section 246(9) of the Act.
2. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.

5. Application
   This By-law applies throughout the Council's area.

6. Interpretation
   In this By-law, unless the contrary intention appears:
   6.1 Act means the Local Government Act 1999;
   6.2 Council means the District Council of Karoonda East Murray; and
   6.3 person includes a natural person or a body corporate.

Note:
Section 12 of the Legislation Interpretation Act 2021 provides that an expression used in this By-law has, unless the contrary intention appears, the same meaning as in the Act.

7. Construction of By-laws
   Generally
   7.1 Every By-law of the Council is subject to any Act of Parliament and Regulations made thereunder.
   7.2 In any By-law of the Council and unless the contrary intention appears, permission means permission granted by the Council (or its delegate) and includes permission of general application that may be granted by way of the Council adopting a policy for that purpose, prior to the act, event or activity to which it relates.

PART 2 - PERMITS AND PENALTIES

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

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

Note:
Pursuant to section 246(9) of the Act, expiration fees may be fixed for alleged offences against By-laws either by a by-law or by resolution of the Council. However, an expiration fee fixed by the Council cannot exceed 25 per cent of the maximum penalty prescribed for the offence.

This By-law was duly made and passed at a meeting of the District Council of Karoonda East Murray held on 8 February 2022 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MARTIN BORGAS
Chief Executive Officer

THE DISTRICT COUNCIL OF KAROONDA EAST MURRAY
MOVEABLE SIGNS BY-LAW 2022
By-law No. 2 of 2022

This By-law is to set standards for moveable signs on roads and to provide conditions for the placement of such signs for the purpose of protecting visual amenity and public safety.

PART 1 - PRELIMINARY

1. Title
   This By-law may be cited as the Moveable Signs By-law 2022 and is By-law No. 2 of the District Council of Karoonda East Murray.
2. **Authorising Law**
   
   This By-law is made under sections 226, 238, 239 and 246 of the **Local Government Act 1999**.

3. **Purpose**

   The objectives of this By-law are to set standards for moveable signs on roads:
   
   3.1 to protect the comfort and safety of road users and members of the public;
   
   3.2 to enhance the amenity of roads and surrounding parts of the Council’s area;
   
   3.3 to prevent nuisances occurring on roads;
   
   3.4 to prevent unreasonable interference with the use of a road; and
   
   3.5 for the good rule and government of the Council’s area.

4. **Commencement and Expiry**

   This By-law will commence in accordance with the **Act** and will expire on 1 January 2030.

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Note-1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted; section 249(a) of the **Local Government Act 1999**.

2. Pursuant to section 251 of the **Act**, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.

5. **Application**

   5.1 This By-law applies throughout the Council’s area and is subject to the exemptions set out in clause 11.

6. **Interpretation**

   In this By-law, unless the contrary intention appears,
   
   6.1 **Act** means the **Local Government Act 1999**;
   
   6.2 **Authorised Person** means a person appointed as an authorised person pursuant to section 260 of the **Act**;
   
   6.3 **banner** means a strip of cloth, plastic or other material hung up or carried on a pole, fence or other structure;
   
   6.4 **business premises** means premises from which a business is being conducted;
   
   6.5 **Council** means the **Local Government Act 1999**;
   
   6.6 **moveable sign** means a sign of some other kind:
   
   6.6.1 a sign, contain no struts or supports that run between the display area and the base of the sign, or a flat sign, or with the same meaning as in the **Local Government Act 1999**;
   
   6.6.2 a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;
   
   6.7 **Local Government land** has the same meaning as in the **Act**;
   
   6.8 **moveable sign has the same meaning as in the **Act**;
   
   6.9 **road** has the same meaning as in the **Act**; and
   
   6.10 **vehicle** has the same meaning as in the **Road Traffic Act 1961**.

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Section 12 of the **Legislation Interpretation Act 2007** provides that an expression used in this By-law has, unless the contrary intention appears, the same meaning as in the Acts under which the By-law was made.

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**PART 2 – MOVEABLE SIGNS**

7. **Construction**

   A moveable sign must:
   
   7.1 be of a kind known as an ‘A frame or sandwich board sign, an inverted ‘T’, sign, or a flat sign, or with the permission of the Council (including as may be set out in a Council policy of general application from time to time), a sign of some other kind;
   
   7.2 be designed, constructed and maintained in good condition so as to not present a hazard to any member of the public;
   
   7.3 be of strong construction so as to be stable and fixed in position, including so that it keeps its position in adverse weather conditions;
   
   7.4 not contain any sharp or jagged edges or corners;
   
   7.5 not be unsightly or offensive in appearance or content;
   
   7.6 not rotate or contain moving parts;
   
   7.7 not contain flashing lights or be illuminated internally;
   
   7.8 not have balloons, flags, streamers or other things attached to it;
   
   7.9 be constructed of timber, cloth, metal, plastic or plastic coated cardboard, or a mixture of such materials;
   
   7.10 subject to this clause 7, not have a display area exceeding one square metre in total or, if the sign is two-sided, one square metre on each side;
   
   7.11 in the case of an ‘A frame or sandwich board sign but subject to subclause 7.11;
   
   7.11.1 be hinged or joined at the top;
   
   7.11.2 be of such construction that its sides shall be securely fixed or locked in position when erected;
   
   7.12 in the case of an inverted ‘T’ sign, contain no struts or supports that run between the display area and the base of the sign.

8. **Appearance**

   A moveable sign must, in the opinion of an authorised person:
   
   8.1 be painted or otherwise detailed in a competent and professional manner;
   
   8.2 be aesthetically appealing, legible and simply worded to convey a precise message;
   
   8.3 be of such design and contain such colours:
   
   8.3.1 as are compatible with the architectural design of the premises adjacent to the sign;
   
   8.3.2 which relate well to the townscape and overall amenity of the locality in which it is situated; and
   
   8.3.3 which do not detract from or conflict with traffic, safety or direction signs or signals; and
   
   8.4 contain combinations of colours and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated.

9. **Placement**

   A moveable sign must:
   
   9.1 only be placed on the footpath area of a road;
   
   9.2 not be placed on a footpath area that is less than 2.5 metres wide;
   
   9.3 not be placed closer than 1.5 metres to the kerb (or, if there is no kerb to the edge of the carriageway of a road or the shoulder of the road, whichever is the greater);
   
   9.4 in the case of a flat sign, the message of which only contains newspaper headlines or the name of a newspaper, be in line with and against the property boundary of the business premises to which it relates;
   
   9.5 be placed no less than 2.5 metres from any other structure, fixed object, tree, bush or plant (including another moveable sign);
   
   9.6 not be fixed, tied or chained to or leaned against any other structure, fixed object, tree, bush or plant (including another moveable sign);
9.7 not be placed on a sealed part of any footpath area unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare of at least 1.2 metres;
9.8 not be placed on a landscaped area other than landscaping that comprises only lawn;
9.9 not be placed on a designated parking area or within 1 metre of an entrance to or exit from premises;
9.10 not be placed within 10 metres of an intersection;
9.11 be securely fixed in position such that it cannot be blown over or swept away;
9.12 not be displayed during the hours of darkness unless it is in a clearly lit area and is clearly visible;
9.13 not to be displayed on a median strip, traffic island or on a carriageway of a road; and
9.14 not unreasonably restrict the use of the footpath area or endanger the safety of members of the public.

10. Restrictions

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

11. Exemptions

11.1 Subclauses 9.4, 10.1 and 10.2 do not apply to a moveable sign which is used:
11.1.1 to advertise a garage sale taking place from residential premises; or
11.1.2 as a directional sign to an event run by an Incorporated association or a charitable body.
11.2 Subparagraphs 9.4, 10.1 and 10.2 do not apply to a flat sign, the message of which only contains newspaper headlines and the name of a newspaper.
11.3 A requirement of this By-law will not apply where the Council has granted permission (which may include by way of adopting a policy for this purpose) for a moveable sign (or class of moveable sign) to be displayed contrary to that requirement.

Note: This By-law does not apply to moveable signs placed and maintained on a road in accordance with section 226(3) of the Act, which includes any sign:
• placed there pursuant to an authorisation under another Act;
• designed to direct people to the open inspection of any land or building that is available for purchase or lease;
• relates to a State or Commonwealth election and is displayed during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day;
• relates to an election held under the Local Government (Elections) Act 1989 and is displayed during the period commencing the fourth (4) weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
• the sign is of a prescribed class.

PART 3 – ENFORCEMENT

12. Removal of Moveable Signs

12.1 A person must immediately comply with the order of an authorised person made pursuant to section 227(1) of the Act to remove a moveable sign.

Note: Pursuant to section 227(1) of the Act, an authorised person may order the owner of a moveable sign to remove the sign from the road if:
• the design, construction or positioning of a Moveable Sign does not comply with a requirement of this By-law; or
• any other requirement of this By-law is not complied with; or
• the Moveable Sign unreasonably restricts the use of the Road or endangers the safety of other persons.
12.2 The owner or other person entitled to recover a moveable sign removed by an authorised person pursuant to section 227(2) of the Act, may be required to pay to the Council any reasonable costs incurred by the Council in removing, storing and/or disposing of the moveable sign before being entitled to recover the moveable sign.
12.3 The owner or other person responsible for a moveable sign must remove or relocate the moveable sign at the request of an authorised person:
12.3.1 if, in the opinion of an authorised person, and not with standing compliance with this By-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign; or
12.3.2 for the purpose of special events, parades, roadworks or in any other circumstances which, in the opinion of the authorised person, require relocation or removal of the moveable sign to protect public safety or to protect or enhance the amenity of a particular locality.

13. Liability of Vehicle Owners

13.1 For the purposes of this clause 13, owner in relation to a vehicle has the same meaning as contained in section 4 of the Act.
13.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this By-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This By-law was duly made and passed at a meeting of the District Council of Koroonda East Murray held on 8 February 2022 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MARTIN BORGAS
Chief Executive Officer

THE DISTRICT COUNCIL OF KOROONDA EAST MURRAY
LOCAL GOVERNMENT LAND BY-LAW 2022
By-law No. 3 of 2022

This By-law is to manage and regulate access to and the use of Local Government land (other than roads), and certain public places.

PART 1 – PRELIMINARY

1. Title

This By-law may be cited as the Local Government Land By-law 2022 and is By-law No.3 of the District Council of Koroonda East Murray.
PART 2 - ACCESS TO LOCAL GOVERNMENT LAND

7. Access

Pursuant to section 260(3) of the Act, if a Council makes a By-law about access to or use of a particular piece of Local Government land (under section 260), the Council should erect a sign in a prominent position on, or in the immediate vicinity of, the land on which the By-law applies. The Council may:
1. close, or regulate or restrict access to, any part of Local Government land to the public for specified times and days; and
2. fix charges or fees payable for entry onto any part of Local Government land.
8. Closed Lands

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

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

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

8.3 where the land has been enclosed by fences and/or gates that have been closed and locked or, where a sign is displayed at or near the entrance of the land notifying that the land has been closed.

PART 3 – USE OF LOCAL GOVERNMENT LAND

6. Activities Requiring Permission

6.1 Advertising

Display, paint or erect a cause to be displayed, painted or erected, on Local Government land or on a structure, building or fixture on Local Government Land any sign, advertising or hoarding for the purpose of commercial advertising or any other purpose.

6.2 Alcohol

Consume, carry or be in possession or in charge of any liquor in an open container.

6.3 Amplification

Use an amplifier or other mechanical device for the purpose of amplifying sound or broadcasting announcements or advertisements.

6.4 Animals

9.4.1 Cause or allow an animal to stray onto, move over, graze or be left unattended.

9.4.2 Cause or allow an animal to enter, swim, bathe or remain in any water on the land.

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

9.5 Aquatic Life

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

9.6 Attachments

Subject to subclause 9.1, attach or cause to be attached, hang or fix anything to a tree, plant, equipment, fence, pool, structure or fixture on Local Government land.

9.7 Bees

Place a hive of bees thereupon, or allow it to remain thereon.

9.8 Bridge Jumping

Jump or dive from any bridge on Local Government land.

9.9 Boats and Mooring

Subject to the provisions of the Harbors and Navigation Act 1993 and the Marine Safety (Domestic Commercial Vessel) National Law:

9.9.1 launch or retrieve a boat to or from any waters except:

9.9.1.1 in an area to which the Council has resolved this subclause applies; or

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

9.9.2 use, propel, float or operate, or cause to be used, propelled, floated or operated, a boat in any waters except:

9.9.2.1 in an area to which the Council has resolved this subclause applies and in accordance with any conditions that the Council may have determined by resolution to that use; or

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

9.9.3 launch or retrieve a boat from or to any Local Government land without using a boat ramp constructed and set aside by the Council for that purpose;

9.9.4 hire out a boat or otherwise use a boat for commercial purposes except in an area to which the Council has resolved this subclause applies and other than in accordance with any conditions determined by resolution of the Council; or

9.9.5 moor any boat on or to Local Government land except:

9.9.5.1 on to any Local Government land to which the Council has determined this subclause applies; or

9.9.5.2 on to any Local Government land the Council has designated for mooring as indicated by signs or in the vicinities and in accordance with any conditions that may be contained on the sign; or

9.9.6 obstruct any boat or mooring place or access to any mooring place.

9.10 Buildings

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

9.11 Burials and Memorials

9.11.1 Buy, inter or spread the ashes of any human or animal remains.

9.11.2 Erect any memorial.

9.12 Camping and Tents

9.12.1 Subject to this subclause 9.12, erect a tent or other structure of calico, canvas, plastic or similar material as a place of habitation.

9.12.2 Camp or sleep overnight on Local Government land except:

9.12.2.1 in an area which has been designated by resolution of the Council for that purpose and only then, in accordance with such time limits and other conditions determined by resolution of the Council and contained in any signage erected thereon; or

9.12.2.2 in a caravan park on that land.

9.13 Canvassing

Subject to subclause 14.2, convey any advertising, religious or other message to any bystander, passer-by or other person.

9.14 Defacing Property

Deface, remove, paint, spray, write upon, cut names, letters or make marks on any tree, rock, gate, fence, object, monument, building, sign, bridge or property of the Council.
9.15 Distribution
Subject to subclause 14.2 and the Local Nuisance and Litter Control Act 2016, place on a vehicle (without the consent of the owner of the vehicle), or give out or distribute any book, leaflet or other printed matter to any bystander, passer-by or other person.

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

9.17 Encroachment
 Erect, place or cause to be erected or placed any fencing, post or other structures or any other items so as to encroach onto the land.

9.18 Entertainment
9.18.1 Sing,Bush or play a recording or use a musical instrument for the apparent purpose of entertaining others whether or not receiving money.
9.18.2 Conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.

9.19 Equipment
Use an item of equipment, facilities or property belonging to the Council other than in accordance with any conditions of use contained on a sign or notice in the vicinity of the equipment, facility or property.

9.20 Fires
Subject to the Fire and Emergency Services Act 2005 light a fire except:
9.20.1 in a place provided by the Council for that purpose, or
9.20.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four (4) metres.

9.21 Fireworks
Ignite, explode or use any fireworks.

9.22 Flora and Fauna
Subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:
9.22.1 plant, damage, pick, cut, disturb, interfere with or remove any plant, tree or flower thereon;
9.22.2 cause or allow any animal to stand or walk on any flower bed or garden plot;
9.22.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, gravel, pebbles, timber, bark or any part of the land;
9.22.4 take, interfere with, harm or disturb any animal, bird or aquatic life or the eggs or young of any animal, bird or aquatic life;
9.22.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;
9.22.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;
9.22.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or aquatic life; or
9.22.8 collect or take any dead wood or timber or burn any timber or dead wood; -- with the exception that subclauses 9.22.4 and 9.22.7 do not apply to lawful fishing activities.

9.23 Games and Sport
9.23.1 Participate in, promote or organise any organised competition or sport, as distinct from organised social play.
9.23.2 Play, practice or participate in any game which involves the use of a ball, missile or other object which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land or to detract from another person’s lawful use and enjoyment of that land.
9.23.3 Engage or participate in or conduct any organised group fitness activity or training on Local Government land to which the Council has resolved this subclause applies.
9.23.4 Play or practise any game or sport on Local Government land to which the Council has resolved this subclause applies except at the times determined by the Council and indicated on a sign on or in the vicinity of the land (if any).

9.24 Interference with Land
Interfer with, alter or damage the land (including a building, structure or fixture located on the land) including:
9.24.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
9.24.2 erecting or installing a structure in, on, across, under or over the land;
9.24.3 changing or interfering with the construction, arrangement or materials of the land;
9.24.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
9.24.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.

9.25 Model Aircraft, Boats and Cars
Subject to the Civil Aviation Safety Regulations 1998:
9.25.1 fly or operate a model or drone aircraft, boat or model or remote control vehicle in a manner which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of the land or to detract from or be likely to detract from another person’s lawful use of and enjoyment of the land; or
9.25.2 fly or operate a model or drone aircraft, boat or model or remote control vehicle on any Local Government land to which the Council has resolved this subclause applies.

9.26 Overhanging Articles
Suspend or hang an article or object from a building, verandah, pergola, post or other structure where it might present a nuisance or danger to a person using the land or cause an unsightly condition in the opinion of an authorised person.

9.27 Playing Area
Use or occupy a playing area:
9.27.1 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); or
9.27.2 in a manner contrary to the purposes for which the playing area was intended to be used or occupied; or
9.27.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area.

9.28 Preaching
Preach, harangue or solicit for religious purposes.

9.29 Rubbish Dumps and Rubbish Bins
9.29.1 Interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on Local Government land.
9.29.2 Remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a bin on any Local Government land, or placed on Local Government land for collection by the Council (or its agent).

9.30 Swimming
Subject to the provisions of the Harbors and Navigation Act 1993 enter, swim or engage in any aquatic activity in or on any waters except:
9.30.1 in waters that the Council has set aside for that purpose; or
9.30.2 in an area where a nearby sign states that such activity is allowed and in accordance with any conditions stated in the sign.

9.31 Trading
9.31.1 Sell, buy, offer or display anything for sale or hire or lease any goods, merchandise, commodity, article or thing.
9.31.2 Carry on or cause to be carried on any business.
9.31.3 Set up a van or other vehicle, stall, stand, table or other structure, tray, carpet or device for the apparent purpose of buying, selling, offering, displaying or exposing for sale or the hiring or leasing of any goods, merchandise, commodity, article, service or thing.

9.32 Vehicles
9.32.1 Drive or propel a vehicle except on an area or road constructed and set aside by the Council for that purpose by means of signs, devices or fencing and the like.
9.32.2 Promote, organise or take part in a race, test or trial of any kind in which vehicles take part, except on an area properly constructed for that purpose.
9.32.3 Repair, wash, paint, panel be or carry out any other work to a vehicle, except for running repairs in the case of a breakdown.

9.33 Weddings, Functions and Special events
9.33.1 Hold, conduct or participate in a marriage ceremony, funeral ceremony or special event.
9.33.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral ceremony or special event.
9.33.3 Hold, conduct or film any filming where the filming is for a commercial purpose.

9.34 Wheeled Recreational Devices
Subject to the Road Traffic Act 1961, ride a wheeled recreational device on Local Government land to which the Council has determined this subclause applies.

10. Prohibited Activities
A person must not do any of the following on Local Government land.
10.1 Animals
Send, drive, lead, ride or take any animal or permit any animal to be sent, driven, led, ridden or taken on any land to which the Council has resolved this subclause applies.

10.2 Annoyances
10.2.1 Annoy, or unreasonably interfere with any other person’s use of Local Government land by making a noise or by creating a disturbance that has not been authorised by the Council.

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

10.4 Fishing
Fish in any waters to which the Council has determined this subclause applies.

10.5 Interference with Permitted Use
Interfere or unreasonably interfere with any other person’s use of Local Government land where the person is using the land in a manner permitted by the Council or in accordance with any permission that has been granted by the Council.

10.6 Nuisance
Behave in such an unreasonable manner as to cause discomfort, inconvenience, annoyance or offence to any other person, including by using profane, indecent or obscene language.

10.7 Playing Games
10.7.1 Play or practice a game which is likely to cause damage to the land or anything in it.
10.7.2 Do anything which endangers the safety or interferes with the comfort of any person.
10.7.3 in any area where a sign indicates that the game is prohibited.

10.8 Smoking
Subject to the Tobacco and E-Cigarette Products Act 1997, smoke, hold or otherwise have control over an ignited tobacco product on any land to which the Council has determined this subclause applies.

10.9 Missiles
Throw, roll or discharge any stone, substance or missile to the danger of any person or animal.

10.10 Obstruction
Obstruct:
10.10.1 any path or track;
10.10.2 any door, entrance, stairway or aisle in any building; or
10.10.3 any gate or entrance to or on Local Government land.

10.11 Solicitation
Solicit or solicit customers for the parking of vehicles or for any other purpose whatsoever.

10.12 Toilets
In any public convenience on Local Government land:
10.12.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
10.12.2 smoke tobacco or any other substance;
10.12.3 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
10.12.4 use it for a purpose for which it was not designed or constructed;
10.12.5 enter a toilet that is set aside for use of the opposite gender except:
10.12.5.1 where a child under the age of eight years is accompanied by a parent or adult guardian of that gender;
10.12.5.2 to provide assistance to a person with a disability; or
10.12.5.3 in the case of a genuine emergency.

10.13 Waste
10.13.1 Deposit or leave thereon:
10.13.1.1 anything dangerous or offensive; or
10.13.1.2 any mineral, mineral waste, industrial waste or by-products.

Person must do any of the following on Local Government land.

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PART 4 - ENFORCEMENT

11. Directions

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

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

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

12. Orders

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

Note-

Section 262(1) of the Act states:

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

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

13. Removal of Animals and Objects

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

PART 5 - MISCELLANEOUS

14. Exemptions

14.1 The restrictions in this by-law do not apply to any Police Officer, emergency worker, 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 this Council and while acting under the supervision of or in accordance with a direction of a Council officer.

14.2 The restrictions in subclauses 9.13 and 9.15 of this By-law do not apply to electoral matter authorised by a candidate and which is:

14.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polling day;
14.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
14.2.3 related to, and occurs during the course of and for the purpose of a referendum.

15. Liability of Vehicle Owners

15.1 For the purposes of this clause, owner in relation to a vehicle has the same meaning as contained in section 4 of the Act.

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

This By-law was duly made and passed at a meeting of the District Council of Koroondra East Murray held on 8 February 2022 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

MARTIN BORGAS
Chief Executive Officer

THE DISTRICT COUNCIL OF KAROONDA EAST MURRAY
ROADS BY-LAW 2022
By-law No. 4 of 2022

This By-law is for the management, control and regulation of activities on roads in the Council’s area.

PART 1 - PRELIMINARY

1. Title

This By-law may be cited as the Roads By-law 2022 and is By-law No. 4 of the District Council of Koroondra East Murray.

2. Authorising Law

This By-law is made under sections 235 and 248 of the Act and regulation 26 of the Local Government (Generals) Regulations 2013.

3. Purpose

The objectives of this By-law are to manage, control and regulate the prescribed uses of roads in the Council’s area:

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

4. Commencement and Expire

This By-law will commence in accordance with the Act and will expire on 1 January 2030.

Note-

1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted section 248(5) of the Act.
2. Pursuant to section 261 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazetted of the By-law.

5. Application

5.1 This By-law operates subject to the Council’s Permits and Penalties By-law 2022.
5.2 Subject to subclause 5.3, this By-law applies throughout the Council’s area.

5.3 Subclause 7.4.2.1 of this By-law applies throughout the Council’s area except in such part or parts of the Council area as the Council may by resolution direct in accordance with section 24(3)(a) of the Act.

6. Interpretation

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

6.1 Act means the Local Government Act 1999.

6.2 animal includes birds, insects and poultry but does not include a dog.

6.3 authorised person is a person appointed by the Council as an authorised person under section 280 of the Act.

6.4 camping includes setting up a camp, or causing:

- 6.4.1 a tent (including a tent trailer) or other structure of calico, canvas, plastic or other similar material;
- 6.4.2 a swag or similar bedding; or
- 6.4.3 subject to the Road Traffic Act 1961, a caravan or motor home;

6.5 Council means the District Council of Karoonda East Murray.

6.6 effective control means a person exercising effective control of an animal either:

- 6.6.1 by means of a physical restraint;
- 6.6.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;

6.7 electoral matter has the same meaning as in the Electoral Act 1995 provided that such electoral matter is not capable of causing physical damage or injury to a person within its immediate vicinity.

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

6.9 moveable sign has the same meaning as in the Act.

6.10 road has the same meaning as in the Act being, a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes——

- 6.10.1 a bridge, viaduct or subway;
- 6.10.2 an alley, laneway or walkway; and
- 6.11 vehicle has the same meaning as in the Road Traffic Act 1961.

Note—

Section 12 of the Legislation Interpretation Act 2007 provides that an expression used in this By-law has, unless the contrary intention appears, the same meaning as in the Acts under which the By-law was made.

PART 2—USE OF ROADS

7. Activities Requiring Permission

A person must not undertake any of the following activities on a road without the permission of the Council.

7.1 Advertising

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

7.2 Amplification

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

7.3 Animals

7.3.1 Subject to this clause 7.3, lead or drive any horse, cattle, sheep or other animal onto any road or cause or allow any such animal to stray onto, graze, wander on or be left unattended on any road.

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

7.4 Camping and Tents

7.4.1 Subject to this subclause 7.4, erect a tent or other structure of calico, canvas, plastic or other similar material as a place of habitation.

7.4.2 Camp or undertake any camping activities including, but not limited to, cooking, washing or sleeping overnight except:

- 7.4.2.1 on a road to which the Council has resolved this subclause applies (if any); and
- 7.4.2.2 in accordance with any conditions determined by the Council and displayed on any signage on or near the road.

7.5 Donations and Soliciting

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

7.6 Obstructions

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

7.7 Preaching and Canvassing

7.7.1 Preach, harangue, solicit or canvass for religious or charitable purposes.

7.7.2 Subject to subclause 11.2, convey any religious or other message to any bystander, passerby or other person.

7.8 Public Exhibitions and Displays

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

7.8.2 Conduct, cause or hold a concert, festival, show, display public gathering, circus, performance or a similar activity.

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

7.8.4 Cause any public exhibition or displays.

7.9 Rubbish Bins

Deposit in any Council bin on a road any rubbish:

- 7.9.1 emanating from a domestic, commercial or trade source; or
- 7.9.2 that is not rubbish of the type permitted to be placed in the bin, as indicated on signs on the bin or in its vicinity.

7.10 Repairs to Vehicles

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

Note—

Moveable signs on roads are regulated by sections 226 and 227 of the Act and the Council’s Moveable Signs By-law.
PART 3 – ENFORCEMENT

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

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

Note-
Section 262(1) of the Act states:
1) a person who engages in conduct that is a contravention of this Act or a By-law under this Act, an authorised person may order the offender-
   a) to leave the road;
   b) to take specified action to remedy the contravention;

Subsections (2) and (3) of section 262 also provide that it is an offence to fail to comply with an order and that if a person does not comply, the authorised person may take action reasonably required to have the order carried out. For example, an authorised person may order a person to:
   - cease busking on a road;
   - remove an object or structure blocking a footpath;
   - dismantle and remove a tent from a road.

10. Removal of Animals and Objects
10.1 The Council (or its delegate) may, pursuant to section 234 of the Act, remove an animal or object that is on a road in breach of a By-law if no person is in charge of the animal or object.
10.2 The Council may recover from the owner of an object removed under subsection 10.1 the costs incurred in removing that object.

PART 4 – MISCELLANEOUS

11. Exemptions
11.1 The restrictions in this By-law do not apply to any emergency worker, Police Officer, Council Officer or employee acting in the course and within the scope of the person’s normal duties, or to a contractor while performing work for the Council and while acting under the supervision or in accordance with a direction of a Council officer.

11.2 The restrictions in subclauses 7.7.2 of this By-law do not apply to electoral matters authorised by a candidate and which is related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day.

11.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
11.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
11.2.3 related to, and occurs during the course of and for the purpose of a referendum.

12. Liability of Vehicle Owners
12.1 For the purposes of this clause, an owner in relation to a vehicle has the same meaning as contained in section 4 of the Act.

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

This By-law was duly made and passed at a meeting of The District Council of Karoonda East Murray held on 8 February 2022 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MARTIN BORGAS
Chief Executive Officer

THE DISTRICT COUNCIL OF KAROONDA EAST MURRAY
DOGS BY-LAW 2022
By-law No. 5 of 2022

This By-law is to limit the number of dogs kept on premises and for the management and control of dogs in the Council’s area.

PART 1 – PRELIMINARY

1. Title
This By-law may be cited as the Dogs By-law 2022 and is By-law No. 5 of the District Council of Karoonda East Murray.

2. Authorising Law
This By-law is made under section 90(5) of the Dog and Cat Management Act 1995, sections 236 and 245 of the Act, and section 18A of the Harbours and Navigation Act 1993.

3. Purpose
The objectives of this By-law are to control and manage dogs in the Council area:
1.1 to reduce the incidence of environmental nuisance caused by dogs;
1.2 to promote responsible dog ownership;
1.3 to protect the convenience, comfort and safety of members of the public; and
1.4 for the good rule and government of the Council’s area.

4. Commencement and Expiry
This By-law will commence in accordance with the Act and will expire on 1 January 2030.

5. Application
5.1 This By-law applies subject to the Council’s Permits and Penalties By-law 2022.
5.2 Subject to subclause 5.1, this By-law applies throughout the Council’s area.
5.3 Clauses 9 and 10 of this By-law only apply in such part or parts of the Council area as the Council may, by resolution directed in accordance with section 246(2)(e) of the Act.

6. Interpretation
In this By-law, unless the contrary intention appears:
6.1 Act means the Local Government Act 1999;
6.2 approved kennel establishment means a building, structure, premises or area approved in accordance with the Planning, Development and Infrastructure Act 2016 or under the Development Act 1993 for the keeping of dogs on a temporary or permanent basis;
6.3 

assistance dog means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled.

6.4 

Council means the District Council of Koroons Estate Marys;

6.5 

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

6.6 

effective control means a person exercising effective control of a dog other:

6.6.1 

by means of a physical restraint (as defined under the Dog and Cat Management Act 1995); or

6.6.2 

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

6.7 

keep includes the provision of food or shelter;

6.8 

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

6.9 

premises includes land and part of any premises or land whether used or occupied for domestic or non-domestic purposes;

6.10 

small dwelling means a flat, a serviced flat, a semi-detached, a strata unit, a community lot or a site of a block which is wholly occupied, or designed or intended or adapted to be occupied, as a separate dwelling, but does not include a detached, semi-detached or row dwelling house;

6.11 

township has the same meaning as in the Act;

6.12 

working livestock dog means a dog:

6.12.1 

usually kept, proposed to be kept or worked on rural land by a person who is:

6.12.1.1 

a primary producer; or

6.12.1.2 

engaged or employed by a primary producer, and

6.12.2 

kept primarily for the purpose of herding, driving, protecting, rescuing or working livestock, training for herding, driving, protecting or rescuing, or for the purpose of the preventive or protective functions of the dog.

6.13 

for the purposes of clause 7 of the By-law, a dog is under effective control by means of a leash if the dog is secured to a leash, chain or cord that does not exceed 2 metres in length and:

6.13.1 

the leash, chain or cord is either tethered securely to a fixed object; or

6.13.2 

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

Note—

Section 12 of the Landowners' Intercourse Act 2001 provides that an expression used in this By-law has, unless the contrary intention appears, the same meaning as in the Act under which the By-law was made.

PART 2 – LIMITS ON DOG NUMBERS

7. Limits on Dog Numbers in Private Premises

7.1 

Subject to subclauses 7.3 and 7.5, a person must not, without the Council's permission, keep or cause, suffer or permit to be kept:

7.1.1 

more than one dog in a small dwelling;

7.1.2 

in a township, more than two dogs in any premises other than a small dwelling; or

7.1.3 

outside of a township, more than three dogs on any premises (excluding working dogs).

7.2 

For the purposes of subclause 7.1, dog means a dog that is three (3) months of age or older; or a dog that has lost its juvenile teeth.

7.3 

Subclause 7.1 does not apply to:

7.3.1 

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

7.3.2 

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

7.4 

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

7.5 

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

PART 3 – DOG CONTROLS

8. Dog Exercise Areas

8.1 

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

Note—

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

8.2 

Dog on Leash Areas

A person must not, without the Council's permission, allow a dog under that person's control, charge or authority (except an assistance dog that is required to remain off-lead in order to fulfil its functions) to be or remain on Local Government land or in a public place to which the Council has resolved that this subclause applies unless the dog is under effective control by means of a leash.

8.3 

Dog Prohibited Areas

A person must not allow a dog under that person's control, charge or authority (except an assistance dog) to enter or remain on any Local Government land or public place to which the Council has determined that this subclause applies.

8.4 

Dog Fences

No person is to allow a dog under that person's control, charge or authority to be in a public place or on Local Government land unless that person has in their possession a bag or other suitable container for the collection and lawful disposal of any faeces that the dog may deposit (for the purpose of complying with their obligation under section 42A(9) of the Dog and Cat Management Act 1995).

PART 4 – EXEMPTIONS

12. Council May Grant Exemptions

12.1 

The Council may, by notice in writing, on application or on its own initiative, exempt a person (or a class of persons) from the operation of a specified provision of this By-law.

12.2 

An exemption—

12.2.1 

may be granted or refused at the discretion of the Council;

12.2.2 

may operate indefinitely or for a period specified in the instrument of exemption; and

12.2.3 

is subject to any conditions specified in the instrument of exemption.

12.3 

The Council may, by notice in writing, vary, revoke or add a condition of an exemption.

12.4 

The Council may, in its discretion, revoke an exemption for a contravention of a condition of the exemption, or for any other reason it thinks fit.

PART 5 – ENFORCEMENT

13. Orders

13.1 

If a person engages in conduct that is in contravention of this By-law, an authorised person may order that person:
PART 3 - CAT CONTROLS

Note -

6.1 The absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

8. Cats not to be a Nuisance

7.1 Subject to this clause 7, a person must not, without the Council's permission, keep, or allow to remain on the premises -

6.5.4 the number of cats kept.

6.5.5 the number of cats kept.

6.5.3 the number of cats kept.

6.5.2 the number of cats kept.

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WAKEFIELD REGIONAL COUNCIL
LOCAL GOVERNMENT ACT 1999 (SA), SECTION 210(1)

Declaration of Public Roads

Wakefield Regional Council (Council) hereby gives notice that pursuant to section 210(1) of the Local Government Act 1999 (SA), the Council has resolved at its meeting held on 23 February 2022, to declare the following private roads within its Council area to be public roads:

The private roads are situated within Allotments 95, 96, 97, 98, 99 and 100 in Deposited Plan 1790 (Roads) and held within Certificate of Title Volume 5910 Folio 681. The Roads are known as: William Street, Dale Street, Sires Street, Yorsdale Street, Hill Street and Sandgate Street.

Dated: 23 February 2022

ANDREW MACDONALD
Chief Executive Officer
LAND ACQUISITION ACT 1969
SECTION 16
Form 5—Notice of Acquisition

1—Notice of acquisition
ElectraNet Pty Limited, of PO Box 7096 Hutt Street Post Office, Adelaide SA 5000 (Authority), acquires the following interests in the following land:

A full, free and unrestricted right, liberty, licence, power and authority over that portion of the land comprised in Certificate of Title Register Book Volume 5464 Folio 828 being the area marked “P” on Filed Plan 257422 (Easement Area), for the following purpose:

A. to erect, construct, place, install, suspend and lay (and to inspect, alter, maintain, repair, remove and replace):
   (i) under the surface of the Easement Area, any cables, ducts, pipes, conductors, telecommunications equipment and other works; and/or
   (ii) on or over the Easement Area, poles, transmission lines, transmission towers, cables, conductors, telecommunications equipment and other related or incidental plant and equipment,
   for:
   (iii) transmitting, transforming and controlling electricity; and/or
   (iv) sending, receiving and relaying data or telecommunication signals; and

B. to enter upon and to be in or on the Easement Area and to pass and repass (either with or without materials, plant and other apparatus and motor or other vehicles) along or over the Easement Area for the purposes described in clause A; and

C. to break the surface and to dig open, up and remove the surface and the subsurface of the Easement Area and to lay upon the surface of the Easement Area any material, plant and other apparatus for the purposes described in clause A.

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

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

2A—Payment of professional costs relating to acquisition (section 26B)
If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of $10,000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land.

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

3—Inquiries
Inquiries should be directed to:
Mr Michael Bails, Senior Property Advisor
ElectraNet Pty Limited, PO Box 7096 Hutt Street Post Office, Adelaide SA 5000
(08) 8404 7342 / bails.michael@electranet.com.au

Dated: 23 February 2022

TIM SWAINE
Senior Legal Counsel
ElectraNet Pty Limited

LAND ACQUISITION ACT 1969
SECTION 16
Form 5—Notice of Acquisition

1—Notice of acquisition
ElectraNet Pty Limited, of PO Box 7096 Hutt Street Post Office, Adelaide SA 5000 (Authority), acquires the following interests in the following land:

A full, free and unrestricted right, liberty, licence, power and authority over that portion of the land comprised in:

1. Certificate of Title Register Book Volume 5951 Folio 34;
2. Certificate of Title Register Book Volume 5295 Folio 740;
3. Certificate of Title Register Book Volume 5831 Folio 550;
4. Certificate of Title Register Book Volume 5550 Folio 786; and
5. Certificate of Title Register Book Volume 5951 Folio 131,
being the area marked “P” on Filed Plan 257422 (Easement Area), for the following purpose:

A. to erect, construct, place, install, suspend and lay (and to inspect, alter, maintain, repair, remove and replace):
   (i) under the surface of the Easement Area, any cables, ducts, pipes, conductors, telecommunications equipment and other works; and/or
   (ii) on or over the Easement Area, poles, transmission lines, transmission towers, cables, conductors, telecommunications equipment and other related or incidental plant and equipment,
   for:
   (iii) transmitting, transforming and controlling electricity; and/or
sending, receiving and relaying data or telecommunication signals; and

B. to enter upon and to be in or on the Easement Area and to pass and repass (either with or without materials, plant and other apparatus and motor or other vehicles) along or over the Easement Area for the purposes described in clause A; and

C. to break the surface and to dig open, up and remove the surface and the subsurface of the Easement Area and to lay upon the surface of the Easement Area any material, plant and other apparatus for the purposes described in clause A.

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

2—Compensation

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

2A—Payment of professional costs relating to acquisition (section 26B)

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

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

3—Inquiries

Inquiries should be directed to:

Mr Michael Bails, Senior Property Advisor
ElectraNet Pty Limited, PO Box 7096 Hutt Street Post Office, Adelaide SA 5000
(08) 8404 7342 / bails.michael@electranet.com.au

Dated: 23 February 2022

TIM SWAINE
Senior Legal Counsel
ElectraNet Pty Limited

LAND ACQUISITION ACT 1969

SECTION 16

Form 5—Notice of Acquisition

1—Notice of acquisition

ElectraNet Pty Limited, of PO Box 7096 Hutt Street Post Office, Adelaide SA 5000 (Authority), acquires the following interests in the following land:

A full, free and unrestricted right, liberty, licence, power and authority over that portion of the land comprised in Certificate of Title Register Book Volume 5464 Folio 828 and marked “P” on Filed Plan 257422 (Easement Area),

for the following purpose:

A. to erect, construct, place, install, suspend and lay (and to inspect, alter, maintain, repair, remove and replace):

   (i) under the surface of the Easement Area, any cables, ducts, pipes, conductors, telecommunications equipment and other works; and/or

   (ii) on or over the Easement Area, poles, transmission lines, transmission towers, cables, conductors, telecommunications equipment and other related or incidental plant and equipment,

   for:

   (iii) transmitting, transforming and controlling electricity; and/or

   (iv) sending, receiving and relaying data or telecommunication signals; and

B. to enter upon and to be in or on the Easement Area and to pass and repass (either with or without materials, plant and other apparatus and motor or other vehicles) along or over the Easement Area for the purposes described in clause A; and

C. to break the surface and to dig open, up and remove the surface and the subsurface of the Easement Area and to lay upon the surface of the Easement Area any material, plant and other apparatus for the purposes described in clause A.

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

2—Compensation

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

2A—Payment of professional costs relating to acquisition (section 26B)

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

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

3—Inquiries

Inquiries should be directed to:

Mr Michael Bails, Senior Property Advisor
ElectraNet Pty Limited, PO Box 7096 Hutt Street Post Office, Adelaide SA 5000
(08) 8404 7342 / bails.michael@electranet.com.au

Dated: 23 February 2022

TIM SWAINE
Senior Legal Counsel
ElectraNet Pty Limited
LAND ACQUISITION ACT 1969
SECTION 16
Form 5—Notice of Acquisition

1—Notice of acquisition
ElectraNet Pty Limited, of PO Box 7096 Hutt Street Post Office, Adelaide SA 5000 (Authority), acquires the following interests in the following land:
A full, free and unrestricted right, liberty, licence, power and authority over that portion of the land comprised in Certificate of Title Register Book Volume 5951 Folio 34 and marked “P” on Filed Plan 257422 (Easement Area),
for the following purpose:
A. to erect, construct, place, install, suspend and lay (and to inspect, alter, maintain, repair, remove and replace):
(i) under the surface of the Easement Area, any cables, ducts, pipes, conductors, telecommunications equipment and other works; and/or
(ii) on or over the Easement Area, poles, transmission lines, transmission towers, cables, conductors, telecommunications equipment and other related or incidental plant and equipment,
for:
(iii) transmitting, transforming and controlling electricity; and/or
(iv) sending, receiving and relaying data or telecommunication signals; and
B. to enter upon and to be in or on the Easement Area and to pass and repass (either with or without materials, plant and other apparatus and motor or other vehicles) along or over the Easement Area for the purposes described in clause A; and
C. to break the surface and to dig open, up and remove the surface and the subsurface of the Easement Area and to lay upon the surface of the Easement Area any material, plant and other apparatus for the purposes described in clause A.
This notice is given under section 16 of the Land Acquisition Act 1969.

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

2A—Payment of professional costs relating to acquisition (section 26B)
If you are the owner in fee simple of the land to which this notice relates, you may be entitled to a payment of $10,000 from the Authority for use towards the payment of professional costs in relation to the acquisition of the land. Professional costs include legal costs, valuation costs and any other costs prescribed by the Land Acquisition Regulations 2019.

3—Inquiries
Inquiries should be directed to:
Mr Michael Bails, Senior Property Advisor
ElectraNet Pty Limited, PO Box 7096 Hutt Street Post Office, Adelaide SA 5000
(08) 8404 7342 / bails.michael@electranet.com.au
Dated: 23 February 2022

TIM SWAINE
Senior Legal Counsel
ElectraNet Pty Limited

NATIONAL ELECTRICITY LAW
Notice of Final Determination and Final Rule
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 (Extension of time and reduction in scope of the 2022 reliability standard and settings review) Rule 2022 No. 2 (Ref. ERC0336) and related final determination. All provisions commence on 10 March 2022.
Under ss 102 and 103, the making of the National Electricity Amendment (Enhancing operational resilience in relation to indistinct events) Rule 2022 No. 1 (Ref. ERC0304) and related final determination. Schedule 1 commences on 9 March 2023, Schedule 2 commences on 3 June 2024 and Schedule 3 commences on 10 March 2022.
Documents referred to above are available on the AEMC’s website and are available for inspection at the AEMC’s office.

Australian Energy Market Commission
Level 15, 60 Castlereagh St
Sydney NSW 2000
Telephone: (02) 8296 7800
www.aemc.gov.au
Dated: 3 March 2022

SALE OF PROPERTY
Warrant of Sale issued out of the Magistrates Court of South Australia
Auction Date: Thursday 17 March 2022 at 12.00pm
Location: Unit 1, 22 Coast Guard Road, Seaford Meadows, South Australia
Notice is hereby given that on the above date at the time and place stated, by virtue of the Warrant of Sale issued out of the Magistrates Court of South Australia, Action No. 1991 of 2017 directed to the Sheriff of South Australia in an action wherein Strata Corporation 27033 Inc are the Plaintiffs and Craig William McIntyre is the Defendant, I Angela Gransden, Sheriff of the State of South Australia, will by my
That piece of land situated in the area named Seaford Meadows, being Unit 1, 22 Coast Guard Road, Seaford Meadows, Hundred of Willunga, being the property comprised in Certificate of Title Register Book Volume 6086 Folio 332.

Further particulars from the auctioneers.

Dated: 28 February 2022

ANGELA GRANSDEN
Sheriff of the State of South Australia

UNCLAIMED MONEYS ACT 1891
ALINTA ENERGY RETAIL SALES PTY LTD
Register of Unclaimed Moneys for the years ended 2011-15

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Description</th>
<th>Amount</th>
<th>Date</th>
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<tbody>
<tr>
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<td>Evelyn Shaw</td>
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<td>PETER HEAD SA 5016</td>
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<td>TEA TREE GULLY SA 5091</td>
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<td>Josue Padilla Jimenez</td>
<td>MUNNO PARA WEST SA 5115</td>
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<td>Donna Fay Penney</td>
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<td>Liyana Kamarulzaman</td>
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<td>PORT PIRIE SOUTH SA 5540</td>
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### Unclaimed Moneys Act 1891

**Colliers**

*Register of Unclaimed Moneys for the years ended 2015-16*

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NOTICE SUBMISSION

The South Australian Government Gazette is published each Thursday afternoon.

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

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

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- Body—structured text, which can include numbered lists, tables, and images
- Date—day, month, and year of authorisation
- Signature block—name, role, and department/organisation authorising the notice

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