



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

ADELAIDE, THURSDAY, 1 SEPTEMBER 2022

CONTENTS

| | | | |
|---|------|---|------|
| GOVERNOR'S INSTRUMENTS | | STATE GOVERNMENT INSTRUMENTS | |
| Appointments..... | 5810 | Building Work Contractors Act 1995 | 5833 |
| Proclamations— | | Health Care Act 2008..... | 5834 |
| Suicide Prevention Act (Commencement) | | Housing Improvement Act 2016..... | 5835 |
| Proclamation 2022..... | 5811 | Justices of the Peace Act 2005..... | 5836 |
| Administrative Arrangements (Administration of | | Land Acquisition Act 1969..... | 5837 |
| Suicide Prevention Act) Proclamation 2022 | 5811 | Mental Health Act 2009..... | 5838 |
| Regulations— | | Planning, Development and Infrastructure Act 2016 | 5838 |
| Fisheries Management (Sardine Fishery) (Quota) | | Proof of Sunrise and Sunset Act 1923 | 5844 |
| Amendment Regulations 2022—No. 73 of 2022..... | 5812 | Road Traffic Act 1961 | 5845 |
| Fisheries Management (Abalone Fisheries) (Quota) | | South Australian Skills Act 2008..... | 5846 |
| Amendment Regulations 2022—No. 74 of 2022..... | 5816 | LOCAL GOVERNMENT INSTRUMENTS | |
| Fisheries Management (Prawn Fisheries) (Fishing | | City of Playford | 5847 |
| Nights Entitlements) Amendment | | City of Prospect | 5865 |
| Regulations 2022—No. 75 of 2022 | 5822 | District Council of Mount Remarkable | 5879 |
| Suicide Prevention Regulations 2022—No. 76 of 2022..... | 5828 | PUBLIC NOTICES | |
| Child Safety (Prohibited Persons) Amendment | | National Gas Law | 5881 |
| Regulations 2022—No. 77 of 2022 | 5831 | | |
| Youth Justice Administration Amendment | | | |
| Regulations 2022—No. 78 of 2022 | 5832 | | |

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

GOVERNOR'S INSTRUMENTS

APPOINTMENTS

Department of the Premier and Cabinet
Adelaide, 1 September 2022

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Return to Work Minister's Advisory Committee, pursuant to the provisions of the Return to Work Act 2014:

Member: from 1 September 2022 until 30 November 2023
Andrew Anthony Tulic

By command,

SUSAN ELIZABETH CLOSE, MP
For Premier

AGO0103-22CS

Department of the Premier and Cabinet
Adelaide, 1 September 2022

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Motor Accident Commission Board, pursuant to the provisions of the Motor Accident Commission Act 1992:

Director: from 1 September 2022 until 30 June 2023
Jane Burton

Chair: from 1 September 2022 until 30 June 2023
Jane Burton

By command,

SUSAN ELIZABETH CLOSE, MP
For Premier

T&F22/039CS

Department of the Premier and Cabinet
Adelaide, 1 September 2022

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Carrick Hill Trust, pursuant to the provisions of the Carrick Hill Trust Act 1985:

Member: from 1 September 2022 until 31 August 2025
Jeffery Dean Mincham
Ilona Angelika Tamm

By command,

SUSAN ELIZABETH CLOSE, MP
For Premier

ART0006-22CS

Department of the Premier and Cabinet
Adelaide, 1 September 2022

Her Excellency the Governor in Executive Council has been pleased to appoint the people listed as Commissioners of the South Australian Employment Tribunal for the terms listed below - pursuant to the provisions of the South Australian Employment Tribunal Act 2014.

Appointed on a full-time basis commencing on 21 September 2022 and expiring on 20 September 2025
Anne Karen McDonald

Appointed on a full-time basis commencing on 13 September 2022 and expiring on 12 September 2023
Peter Kassapidis

By command,

SUSAN ELIZABETH CLOSE, MP
For Premier

AGO0084-22CS

Department of the Premier and Cabinet
Adelaide, 1 September 2022

Her Excellency the Governor in Executive Council has been pleased to appoint Michael David as the Parole Administrative Review Commissioner for a term commencing on 1 October 2022 and expiring on 30 September 2025 - pursuant to the provisions of the Correctional Services Act 1982.

By command,

SUSAN ELIZABETH CLOSE, MP
For Premier

22MCS0002CS

PROCLAMATIONS

South Australia

Suicide Prevention Act (Commencement) Proclamation 2022

1—Short title

This proclamation may be cited as the *Suicide Prevention Act (Commencement) Proclamation 2022*.

2—Commencement of Act

- (1) Subject to subclause (2), the *Suicide Prevention Act 2021* (No 51 of 2021) comes into operation on 5 September 2022.
- (2) Sections 19, 23 and 26 of the Act come into operation on 1 February 2023.

Made by the Governor

with the advice and consent of the Executive Council
on 1 September 2022

South Australia

Administrative Arrangements (Administration of Suicide Prevention Act) Proclamation 2022

under section 5 of the *Administrative Arrangements Act 1994*

1—Short title

This proclamation may be cited as the *Administrative Arrangements (Administration of Suicide Prevention Act) Proclamation 2022*.

2—Commencement

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

3—Administration of Act committed to Minister for Health and Wellbeing

The administration of the *Suicide Prevention Act 2021* is committed to the Minister for Health and Wellbeing.

Made by the Governor

with the advice and consent of the Executive Council
on 1 September 2022

REGULATIONS

South Australia

Fisheries Management (Sardine Fishery) (Quota) Amendment Regulations 2022

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement

Part 2—Amendment of *Fisheries Management (Sardine Fishery) Regulations 2021*

- 3 Amendment of regulation 9—Individual sardine catch quota system

Schedule 1—Transitional provision etc

- 1 Interpretation
 - 2 Transitional provision etc
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Sardine Fishery) (Quota) Amendment Regulations 2022*.

2—Commencement

These regulations come into operation on 1 January 2023.

Part 2—Amendment of *Fisheries Management (Sardine Fishery) Regulations 2021*

3—Amendment of regulation 9—Individual sardine catch quota system

- (1) Regulation 9(1)—delete subregulation (1) and substitute:

- (1) In this regulation—

following quota period, in relation to a first quota period and the holder of a licence in respect of the fishery, means the next quota period during which sardines may be taken by the holder of the licence following the first quota period.

- (2) Regulation 9(3)(b) and (c)—delete paragraphs (b) and (c)

- (3) Regulation 9(3)(f) to (i)—delete paragraphs (f) to (i) (inclusive) and substitute:
- (f) if the total catch of sardines taken by the holder of a licence in respect of the fishery subject to a condition fixing a sardine quota entitlement in respect of a particular sardine fishing zone during a quota period (the *first quota period*) (being a quota period that commenced on or after 1 January 2022) is less than the sardine quota entitlement under the licence for that fishing zone and that quota period, the Minister may vary the conditions of the licence so as to increase the sardine quota entitlement in respect of that fishing zone for the following quota period (the *subsequent quota period*) by 1 kilogram of sardines for each kilogram by which the catch fell short of the sardine quota entitlement for the first quota period up to—
 - (i) —
 - (A) 10% of the quota entitlement for the first quota period; or
 - (B) such lower percentage of the quota entitlement for the first quota period, or such other lower kilogram amount of catch, as is determined by the Minister on or before the commencement of the subsequent quota period; or
 - (ii) if the Minister is satisfied that exceptional circumstances apply—
 - (A) a percentage that exceeds 10% of the quota entitlement for the first quota period; or
 - (B) such other greater kilogram amount of catch, as is determined by the Minister on or before the commencement of the subsequent quota period;
 - (g) if the total catch of sardines taken by the holder of a licence in respect of the fishery subject to a condition fixing a sardine quota entitlement in respect of a particular sardine fishing zone during a quota period (the *first quota period*) (being a quota period that commences on or after 1 January 2023) exceeded the sardine quota entitlement under the licence for that fishing zone and that quota period, the conditions of the licence may be varied so as to decrease the quota entitlement in respect of that fishing zone for the following quota period (the *subsequent quota period*) as follows:
 - (i) if the catch exceeded the quota entitlement by—
 - (A) an amount not exceeding 10% of the quota entitlement for the first quota period; or
 - (B) such lower percentage of the quota entitlement for the first quota period, or such other lower kilogram amount of catch, as is determined by the Minister on or before the commencement of the first quota period, by 1 kilogram of sardines for each kilogram taken in excess of the quota entitlement; or
 - (ii) if the catch exceeded the quota entitlement by—

- (A) an amount greater than 10% of the quota entitlement for the first quota period; or
 - (B) such lower percentage of the quota entitlement for the first quota period, or such other lower kilogram amount of catch, as is determined by the Minister on or before the commencement of the first quota period,
- by 2 kilograms of sardines for each kilogram taken in excess of the quota entitlement.
- (4) Regulation 9(4)—delete subregulation (4) and substitute:
- (4) For the purposes of—
 - (a) subregulation (3)(f)(i) and (ii); and
 - (b) subregulation (3)(g)(i) and (ii),
- any increase in the quota entitlement under a licence applying during a first quota period as a result of a variation of the quota entitlement under the licence previously made under subregulation (3)(f)(i) or (ii) must be disregarded.
- (4a) A variation of a quota entitlement or unit entitlement under subregulation (3)(d) must be expressed to apply only for the balance of the quota period during which the variation is made.
 - (4b) A variation of a quota entitlement under subregulation (3)(f) or (g) must be expressed to apply only for the quota period during which the variation is made.
 - (4c) An application under subregulation (3)(e) may not be made in respect of sardine units allocated to the licence under subregulation (3)(f).

Schedule 1—Transitional provision etc

1—Interpretation

In this Schedule—

principal regulations means the *Fisheries Management (Sardine Fishery) Regulations 2021*;

relevant day means 1 January 2023.

2—Transitional provision etc

If the total catch of sardines taken by the holder of a licence in respect of the Sardine Fishery subject to a condition fixing a sardine quota entitlement during the quota period that commenced on 1 January 2022 exceeded the quota entitlement under the licence for that quota period, then despite the deletion of regulation 9(3)(g) of the principal regulations by regulation 3(3) of these regulations, regulation 9(3)(g), as in force immediately before the relevant day, continues to apply to the licence such that the Minister may vary the conditions of the licence, in accordance with that regulation, in relation to the quota period commencing on 1 January 2023.

Editorial note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 1 September 2022

No 73 of 2022

South Australia

Fisheries Management (Abalone Fisheries) (Quota) Amendment Regulations 2022

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement

Part 2—Amendment of *Fisheries Management (Abalone Fisheries) Regulations 2017*

- 3 Amendment of regulation 10—Individual catch quota system—Central Zone
- 4 Amendment of regulation 11—Individual catch quota system—Southern Zone
- 5 Amendment of regulation 12—Individual catch quota system—Western Zone

Schedule 1—Transitional provisions etc

- 1 Interpretation
 - 2 Transitional provisions etc
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Abalone Fisheries) (Quota) Amendment Regulations 2022*.

2—Commencement

- (1) Subject to subregulation (2), these regulations come into operation on 1 October 2022.
- (2) Regulations 3 and 5 and Schedule 1 come into operation on 1 January 2023.

Part 2—Amendment of *Fisheries Management (Abalone Fisheries) Regulations 2017*

3—Amendment of regulation 10—Individual catch quota system—Central Zone

- (1) Regulation 10(1)—after the definition of *fishery* insert:

following quota period, in relation to a first quota period and the holder of a licence in respect of the fishery, means the next quota period during which abalone may be taken by the holder of the licence following the first quota period;

(2) Regulation 10(3)(b), (c) and (d)—delete paragraphs (b), (c) and (d) and substitute:

- (b) if the total catch of abalone of a particular class taken by the holder of a licence in respect of the fishery subject to a condition fixing an abalone quota entitlement during a quota period (the *first quota period*) (being a quota period that commenced on or after 1 January 2022) is less than the abalone quota entitlement under the licence in respect of that class of abalone and that quota period, the Minister may vary the conditions of the licence so as to increase the abalone quota entitlement in respect of that class of abalone for the following quota period (the *subsequent quota period*) by 1 kilogram of abalone meat for each kilogram by which the catch fell short of the abalone quota entitlement for the first quota period up to—
- (i) —
- (A) 10% of the quota entitlement for the first quota period; or
- (B) such lower percentage of the quota entitlement for the first quota period, or such other lower kilogram amount of abalone meat, as is determined by the Minister on or before the commencement of the subsequent quota period;
- or
- (ii) if the Minister is satisfied that exceptional circumstances apply—
- (A) a percentage that exceeds 10% of the quota entitlement for the first quota period; or
- (B) such other greater kilogram amount of abalone meat, as is determined by the Minister on or before the commencement of the subsequent quota period;
- (c) if the total catch of abalone of a particular class taken by the holder of a licence in respect of the fishery subject to a condition fixing an abalone quota entitlement during a quota period (the *first quota period*) (being a quota period that commences on or after 1 January 2023) exceeded the abalone quota entitlement under the licence in respect of that class of abalone and that quota period, the conditions of the licence may be varied so as to decrease the quota entitlement in respect of that class of abalone for the following quota period (the *subsequent quota period*) as follows:
- (i) if the catch exceeded the quota entitlement by—
- (A) an amount not exceeding 10% of the quota entitlement for the first quota period; or
- (B) such lower percentage of the quota entitlement for the first quota period, or such other lower kilogram amount of abalone meat, as is determined by the Minister on or before the commencement of the first quota period,
- by 1 kilogram of abalone meat for each kilogram taken in excess of the quota entitlement; or
- (ii) if the catch exceeded the quota entitlement by—

- (A) an amount greater than 10% of the quota entitlement for the first quota period; or
 - (B) such lower percentage of the quota entitlement for the first quota period, or such other lower kilogram amount of abalone meat, as is determined by the Minister on or before the commencement of the first quota period,
by 2 kilograms of abalone meat for each kilogram taken in excess of the quota entitlement.
- (3) Regulation 10(3)(f)—delete "or (c)"
- (4) Regulation 10(4)—delete subregulation (4) and substitute:
- (4) For the purposes of—
 - (a) subregulation (3)(b)(i) and (ii); and
 - (b) subregulation (3)(c)(i) and (ii),the following must be disregarded:
 - (c) any increase in the quota entitlement under a licence applying during a first quota period as a result of a variation of the quota entitlement under the licence made under subregulation (3)(aa);
 - (d) any increase in the quota entitlement under a licence applying during a first quota period as a result of—
 - (i) a variation of the quota entitlement under the licence previously made under subregulation (3)(b)(i) or (ii); and
 - (ii) in the case of the quota period that ends on 31 December 2022—a variation of the quota entitlement under the licence made under subregulation (3)(d)(i) as in force immediately before the commencement of this paragraph.
- (4a) An application under subregulation (3)(a) may not be made in respect of abalone units allocated to the licence under subregulation (3)(b).

4—Amendment of regulation 11—Individual catch quota system—Southern Zone

- (1) Regulation 11(1), definition of *quota period*—delete the definition and substitute:
- quota period*—a quota period for the fishery is—
- (a) the period commencing on 1 October 2022 and ending on 31 August 2023;
or
 - (b) the period of 12 months commencing on 1 September 2023 or on 1 September in any subsequent year;
- (2) Regulation 11(1), definition of *quota period 2022-2023*—delete "30 September 2023" and substitute:
- 31 August 2023

5—Amendment of regulation 12—Individual catch quota system—Western Zone

- (1) Regulation 12(1)—after the definition of *fishery* insert:

following quota period, in relation to a first quota period and the holder of a licence in respect of the fishery, means the next quota period during which abalone may be taken by the holder of the licence following the first quota period;

- (2) Regulation 12(3)(b), (c) and (d)—delete paragraphs (b), (c) and (d) and substitute:

(b) if the total catch of abalone of a particular class taken by the holder of a licence in respect of the fishery during the quota period 2020 fell short of the quota entitlement in respect of that class of abalone and that quota period by an amount exceeding 50 kilograms of abalone meat, the Minister may vary the conditions of the licence so as to increase the quota entitlement in respect of that class of abalone for the quota periods 2021, 2022 and 2023 by up to 1 kilogram of abalone meat for each kilogram above 50 kilograms by which the total catch fell short of the quota entitlement for the quota period 2020;

(c) if the total catch of abalone of a particular class taken by the holder of a licence in respect of the fishery subject to a condition fixing an abalone quota entitlement during a quota period (the *first quota period*) (being a quota period that commenced on or after 1 January 2022) is less than the abalone quota entitlement under the licence in respect of that class of abalone and that quota period, the Minister may vary the conditions of the licence so as to increase the abalone quota entitlement in respect of that class of abalone for the following quota period (the *subsequent quota period*) by 1 kilogram of abalone meat for each kilogram by which the catch fell short of the abalone quota entitlement for the first quota period up to—

(i) —

(A) 10% of the quota entitlement for the first quota period; or

(B) such lower percentage of the quota entitlement for the first quota period, or such other lower kilogram amount of abalone meat, as is determined by the Minister on or before the commencement of the subsequent quota period;
or

(ii) if the Minister is satisfied that exceptional circumstances apply—

(A) a percentage that exceeds 10% of the quota entitlement for the first quota period; or

(B) such other greater kilogram amount of abalone meat,

as is determined by the Minister on or before the commencement of the subsequent quota period;

- (d) if the total catch of abalone of a particular class taken by the holder of a licence in respect of the fishery subject to a condition fixing an abalone quota entitlement during a quota period (the *first quota period*) (being a quota period that commences on or after 1 January 2023) exceeded the abalone quota entitlement under the licence in respect of that class of abalone and that quota period, the conditions of the licence may be varied so as to decrease the quota entitlement in respect of that class of abalone for the following quota period (the *subsequent quota period*) as follows:
- (i) if the catch exceeded the quota entitlement by—
 - (A) an amount not exceeding 10% of the quota entitlement for the first quota period; or
 - (B) such lower percentage of the quota entitlement for the first quota period, or such other lower kilogram amount of abalone meat, as is determined by the Minister on or before the commencement of the first quota period,
by 1 kilogram of abalone meat for each kilogram taken in excess of the quota entitlement; or
 - (ii) if the catch exceeded the quota entitlement by—
 - (A) an amount greater than 10% of the quota entitlement for the first quota period; or
 - (B) such lower percentage of the quota entitlement for the first quota period, or such other lower kilogram amount of abalone meat, as is determined by the Minister on or before the commencement of the first quota period,
by 2 kilograms of abalone meat for each kilogram taken in excess of the quota entitlement;
- (3) Regulation 12(3)(f)—delete "or (c)"
- (4) Regulation 12(3a)—delete "subregulation (3)(d)(iii)" wherever occurring and substitute in each case:
subregulation (3)(b)
- (5) Regulation 12(4)—delete subregulation (4) and substitute:
- (4) For the purposes of—
 - (a) subregulation (3)(c)(i) and (ii); and
 - (b) subregulation (3)(d)(i) and (ii),the following must be disregarded:
 - (c) any increase in the quota entitlement under a licence applying during a first quota period as a result of a variation of the quota entitlement under the licence made under subregulation (3)(b);
 - (d) any increase in the quota entitlement under a licence applying during a first quota period as a result of—
 - (i) a variation of the quota entitlement under the licence previously made under subregulation (3)(c)(i) or (ii); and

- (ii) in the case of the quota period that ends on 31 December 2022—a variation of the quota entitlement under the licence made under subregulation (3)(d)(i) or (iii) as in force immediately before the commencement of this paragraph.
- (4a) An application under subregulation (3)(a) may not be made in respect of abalone units allocated to the licence under subregulation (3)(c).

Schedule 1—Transitional provisions etc

1—Interpretation

In this Schedule—

principal regulations means the *Fisheries Management (Abalone Fisheries) Regulations 2017*;

relevant day means 1 January 2023.

2—Transitional provisions etc

- (1) If the total catch of abalone of a particular class taken by the holder of a licence in respect of the Central Zone Abalone Fishery subject to a condition fixing an abalone quota entitlement during the quota period that commenced on 1 January 2022 exceeded the quota entitlement under the licence in respect of that class of abalone and quota period, then despite the deletion of regulation 10(3)(b) of the principal regulations by regulation 3(2) of these regulations, regulation 10(3)(b), as in force immediately before the relevant day, continues to apply to the licence such that the Minister may vary the conditions of the licence, in accordance with that regulation, in relation to the quota period commencing on 1 January 2023.
- (2) If the total catch of abalone of a particular class taken by the holder of a licence in respect of the Western Zone Abalone Fishery subject to a condition fixing an abalone quota entitlement during the quota period that commenced on 1 January 2022 exceeded the quota entitlement under the licence in respect of that class of abalone and quota period, then despite the deletion of regulation 12(3)(b) of the principal regulations by regulation 5(2) of these regulations, regulation 12(3)(b), as in force immediately before the relevant day, continues to apply to the licence such that the Minister may vary the conditions of the licence, in accordance with that regulation, in relation to the quota period commencing on 1 January 2023.

Editorial note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 1 September 2022

No 74 of 2022

South Australia

Fisheries Management (Prawn Fisheries) (Fishing Nights Entitlements) Amendment Regulations 2022

under the *Fisheries Management Act 2007*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement

Part 2—Amendment of *Fisheries Management (Prawn Fisheries) Regulations 2017*

- 3 Amendment of regulation 9—Individual fishing nights entitlement scheme—Gulf St. Vincent Prawn Fishery
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fisheries Management (Prawn Fisheries) (Fishing Nights Entitlements) Amendment Regulations 2022*.

2—Commencement

These regulations come into operation on 1 November 2022.

Part 2—Amendment of *Fisheries Management (Prawn Fisheries) Regulations 2017*

3—Amendment of regulation 9—Individual fishing nights entitlement scheme—Gulf St. Vincent Prawn Fishery

- (1) Regulation 9(1)—after the definition of *fishing season* insert:

following fishing season, in relation to a first fishing season and the holder of a licence in respect of the fishery, means the next fishing season during which aquatic resources may be taken by the holder of the licence following the first fishing season;

- (2) Regulation 9(1), definition of *unit value*—before "fishing season" insert:

prescribed period in a

- (3) Regulation 9(3)—delete subregulation (3) and substitute:

(3) The Minister may, for the purposes of this regulation—

- (a) determine that fishing night units are to be of 2 or more classes;
- and

- (b) determine, in respect of a particular class of fishing night units, the prescribed period or periods in a fishing season during which aquatic resources may be taken by holders of licences in respect of the fishery.
- (4) Regulation 9(4)—after paragraph (b) insert:
- (c) if—
- (i) fishing night units allocated to a licence in respect of the fishery are of a particular class that allows for the holder of the licence to take aquatic resources under the licence during both prescribed period 1 and prescribed period 2 in a fishing season; and
- (ii) in respect of the fishing night units of that class—the total number of nights on which the holder of the licence in respect of the fishery took aquatic resources during a fishing season (the *first fishing season*) (being a fishing season that commenced on or after 1 November 2021) is less than the fishing nights entitlement under the licence for that fishing season in respect of fishing night units of that class, the Minister may vary the conditions of the licence so as to increase the fishing nights entitlement in respect of fishing night units of that class for the following fishing season (the *subsequent fishing season*) by 1 fishing night for every fishing night by which the number of nights fell short of the fishing nights entitlement for the first fishing season up to—
- (A) —
- 10% of the fishing nights entitlement in respect of the fishing night units of that class for the first fishing season; or
 - such lower percentage of the fishing nights entitlement in respect of the fishing night units of that class for the first fishing season, or such other lower number of nights, as is determined by the Minister on or before the commencement of the subsequent fishing season; or
- (B) if the Minister is satisfied that exceptional circumstances apply—
- a percentage that exceeds 10% of the fishing nights entitlement in respect of fishing night units of that class for the first fishing season; or
 - such other greater number of fishing nights,
- as is determined by the Minister on or before the commencement of the subsequent fishing season;
- (d) if—
- (i) fishing night units allocated to a licence in respect of the fishery are of a particular class that allows for the holder of the licence to take aquatic resources under the licence only during prescribed period 2 in a fishing season; and

- (ii) in respect of the fishing night units of that class—the total number of nights on which the holder of the licence in respect of the fishery took aquatic resources during prescribed period 2 in a fishing season (the *first fishing season*) (being a fishing season that commenced on or after 1 November 2021) is less than the fishing nights entitlement under the licence for prescribed period 2 in that fishing season in respect of fishing night units of that class, the Minister may vary the conditions of the licence so as to increase the fishing nights entitlement in respect of fishing night units of that class for prescribed period 2 in the following fishing season (the *subsequent fishing season*) by 1 fishing night for every fishing night by which the number of nights fell short of the fishing nights entitlement for prescribed period 2 in the first fishing season up to—
- (A) —
- 10% of the fishing nights entitlement in respect of the fishing night units of that class for prescribed period 2 in the first fishing season; or
 - such lower percentage of the fishing nights entitlement in respect of the fishing night units of that class for prescribed period 2 in the first fishing season, or such other lower number of nights, as is determined by the Minister on or before the commencement of the subsequent fishing season; or
- (B) if the Minister is satisfied that exceptional circumstances apply—
- a percentage that exceeds 10% of the fishing nights entitlement in respect of fishing night units of that class for prescribed period 2 in the first fishing season; or
 - such other greater number of fishing nights,
as is determined by the Minister on or before the commencement of the subsequent fishing season;
- (e) if the total number of nights on which the holder of a licence in respect of the fishery took aquatic resources during prescribed period 1 in a fishing season (the *first fishing season*) (being a fishing season that commences on or after 1 November 2022) exceeded the fishing nights entitlement under the licence for that period and that fishing season, the conditions of the licence may be varied so as to decrease the fishing nights entitlement for prescribed period 1 in the following fishing season (the *subsequent fishing season*) as follows:
- (i) if the number of fishing nights exceeded the fishing nights entitlement by—
- (A) an amount not exceeding 10% of the fishing nights entitlement for prescribed period 1 in the first fishing season; or

- (B) such lower percentage of the fishing nights entitlement for prescribed period 1 in the first fishing season, or such other lower number of nights, as is determined by the Minister on or before the commencement of the first fishing season,
by 1 fishing night for each fishing night by which the number of nights exceeded the fishing nights entitlement; or
 - (ii) if the number of fishing nights exceeded the fishing nights entitlement by—
 - (A) an amount greater than 10% of the fishing nights entitlement for prescribed period 1 in the first fishing season; or
 - (B) such lower percentage of the fishing nights entitlement for prescribed period 1 in the first fishing season, or such other lower number of nights, as is determined by the Minister on or before the commencement of the first fishing season,
by 2 fishing nights for each fishing night by which the number of nights exceeded the fishing nights entitlement;
- (f) if the total number of nights on which the holder of a licence in respect of the fishery took aquatic resources during prescribed period 2 in a fishing season (the *first fishing season*) (being a fishing season that commences on or after 1 November 2022) exceeded the fishing nights entitlement under the licence for that period and that fishing season, the conditions of the licence may be varied so as to decrease the fishing nights entitlement for prescribed period 2 in the following fishing season (the *subsequent fishing season*) as follows:
 - (i) if the number of fishing nights exceeded the fishing nights entitlement by—
 - (A) an amount not exceeding 10% of the fishing nights entitlement for prescribed period 2 in the first fishing season; or
 - (B) such lower percentage of the fishing nights entitlement for prescribed period 2 in the first fishing season, or such other lower number of nights, as is determined by the Minister on or before the commencement of the first fishing season,
by 1 fishing night for each fishing night by which the number of nights exceeded the fishing nights entitlement; or
 - (ii) if the number of fishing nights exceeded the fishing nights entitlement by—
 - (A) an amount greater than 10% of the fishing nights entitlement for prescribed period 2 in the first fishing season; or

- (B) such lower percentage of the fishing nights entitlement for prescribed period 2 in the first fishing season, or such other lower number of nights, as is determined by the Minister on or before the commencement of the first fishing season,
- by 2 fishing nights for each fishing night by which the number of nights exceeded the fishing nights entitlement.
- (5) Regulation 9—after subregulation (4a) insert:
- (4b) For the purposes of subregulation (4)(c)(ii)(A) and (B), the following must be disregarded:
- (a) any increase in the fishing nights entitlement under a licence applying during a first fishing season as a result of a variation of the fishing nights entitlement under the licence made under subregulation (4)(ab);
- (b) any increase in the fishing nights entitlement under a licence applying during a first fishing season as a result of a variation of the fishing nights entitlement under the licence previously made under subregulation (4)(c)(ii)(A) or (B).
- (4c) For the purposes of subregulation (4)(d)(ii)(A) and (B) and subregulation (4)(f)(i) and (ii), the following must be disregarded:
- (a) any increase in the fishing nights entitlement under a licence applying during prescribed period 2 in a first fishing season as a result of a variation of the fishing nights entitlement under the licence made under subregulation (4)(ab);
- (b) any increase in the fishing nights entitlement under a licence applying during prescribed period 2 in a first fishing season as a result of a variation of the fishing nights entitlement under the licence previously made under subregulation (4)(d)(ii)(A) or (B).
- (4d) For the purposes of subregulation (4)(e)(i) and (ii), any increase in the fishing nights entitlement under a licence applying during a first fishing season as a result of a variation of the fishing nights entitlement under the licence previously made under subregulation (4)(c)(ii)(A) or (B) must be disregarded.
- (4e) A variation of a fishing nights entitlement under subregulation (4)(c), (d), (e) or (f) must be expressed to apply only for the fishing season during which the variation is made.
- (4f) An application under subregulation (4)(a) may not be made in respect of fishing night units allocated to the licence under subregulation (4)(c) or (4)(d).

Editorial note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 1 September 2022

No 75 of 2022

South Australia

Suicide Prevention Regulations 2022

under the *Suicide Prevention Act 2021*

Contents

| | |
|---|---|
| 1 | Short title |
| 2 | Commencement |
| 3 | Interpretation |
| 4 | State authorities |
| 5 | Suicide prevention action plan—prescribed State authorities |
| 6 | Information to be recorded on South Australian Suicide Register |
| 7 | Access etc to South Australian Suicide Register |

1—Short title

These regulations may be cited as the *Suicide Prevention Regulations 2022*.

2—Commencement

These regulations come into operation on 5 September 2022.

3—Interpretation

In these regulations—

Act means the *Suicide Prevention Act 2021*.

4—State authorities

- (1) For the purposes of paragraph (d) of the definition of *State authority* in section 3(1) of the Act, a person or body specified by the Minister by notice in the Gazette is declared to be a State authority.
- (2) For the purposes of the definition of *State authority* in section 3(1) of the Act, a person or body specified by the Minister by notice in the Gazette is declared to be excluded from the ambit of that definition.

5—Suicide prevention action plan—prescribed State authorities

For the purposes of the definition of *prescribed State authority* in section 25(9) of the Act, a State authority specified by the Minister by notice in the Gazette is prescribed.

6—Information to be recorded on South Australian Suicide Register

- (1) For the purposes of section 35(2) of the Act, the following information is required:
 - (a) methods used by individuals who have died by suicide in the State;
 - (b) demographic information about individuals who have died by suicide in the State;
 - (c) such of the following information relating to individuals who have died by suicide in the State as may be known to the Chief Executive:
 - (i) any relevant physical or mental health diagnoses;
 - (ii) any previous suicide attempts;

- (iii) any known stressors;
 - (iv) any substance misuse;
 - (v) any justice contacts;
 - (vi) any prior suicidal intent;
 - (vii) any findings of the State Coroner in relation to the individual's death.
- (2) Pursuant to section 35(3) of the Act, information referred to in subregulation (1) must be provided in a manner and form determined by the Chief Executive.

7—Access etc to South Australian Suicide Register

- (1) For the purposes of section 37 of the Act, the South Australian Suicide Register may only be inspected with the permission of the Chief Executive.
- (2) The Chief Executive must grant permission to inspect the South Australian Suicide Register to the Office of the Chief Psychiatrist, South Australia Police, the State Coroner, or an individual's treating health service if satisfied that disclosure of information contained in the Register is reasonably necessary to protect the lives of others, or, in the case of the Office of the Chief Psychiatrist, is reasonably necessary for the Chief Psychiatrist to perform a function under the Act or the *Mental Health Act 2009*.
- (3) The Chief Executive must grant permission to inspect the South Australian Suicide Register to—
- (a) the State Coroner, for the purposes of determining whether or not it is necessary or desirable to hold an inquest; and
 - (b) the Coroner's Court, for the purposes of an inquest,
- and must, if requested by the State Coroner or the Coroner's Court, provide a report as to specified matters relevant to those purposes.
- (4) Without limiting subregulation (2) or (3), the Chief Executive may only grant permission to inspect the information referred to in regulation 6(1)(c) if the Chief Executive is satisfied that—
- (a) it is reasonably required to lessen or prevent a serious threat to the life, health or safety of a person, or a serious threat to public health or safety; or
 - (b) it is for medical or social research purposes, the research methodology has been approved by an ethics committee, and there is no reason to believe that disclosure of the information would be contrary to a deceased individual's best interests; or
 - (c) in the case of the Office of the Chief Psychiatrist, it is reasonably necessary for the Chief Psychiatrist to perform a function under the Act or the *Mental Health Act 2009*.
- (5) In considering whether to approve the disclosure of information for the purposes of subregulation (4)(a), the Chief Executive must balance the right to privacy for the individual and any other persons who may be affected by the disclosure, with the risk of harm should the information not be disclosed.
- (6) Pursuant to section 35(3) of the Act, information contained in the South Australian Suicide Register that has been de-identified may be disclosed for the purposes of reporting to—
- (a) Parliament; or
 - (b) the Australian Institute of Health and Welfare.

Editorial note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 1 September 2022

No 76 of 2022

South Australia

Child Safety (Prohibited Persons) Amendment Regulations 2022

under the *Child Safety (Prohibited Persons) Act 2016*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement

Part 2—Amendment of *Child Safety (Prohibited Persons) Regulations 2019*

- 3 Substitution of regulation 27
 - 27 Revocation of certain exemptions
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Child Safety (Prohibited Persons) Amendment Regulations 2022*.

2—Commencement

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

Part 2—Amendment of *Child Safety (Prohibited Persons) Regulations 2019*

3—Substitution of regulation 27

Regulation 27—delete regulation 27 and substitute:

27—Revocation of certain exemptions

Pursuant to section 53(3)(c), an exemption under regulation 27 (as in force immediately before the commencement of this regulation) is, by force of this regulation, revoked.

Editorial note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 1 September 2022

No 77 of 2022

South Australia

Youth Justice Administration Amendment Regulations 2022

under the *Youth Justice Administration Act 2016*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement

Part 2—Amendment of *Youth Justice Administration Regulations 2016*

- 3 Amendment of regulation 18—Application of section 21A of Act
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Youth Justice Administration Amendment Regulations 2022*.

2—Commencement

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

Part 2—Amendment of *Youth Justice Administration Regulations 2016*

3—Amendment of regulation 18—Application of section 21A of Act

Regulation 18(1a) and (1b)—delete subregulations (1a) and (1b)

Editorial note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 1 September 2022

No 78 of 2022

STATE GOVERNMENT INSTRUMENTS

BUILDING WORK CONTRACTORS ACT 1995

Exemption

TAKE notice that, pursuant to section 45 of the *Building Work Contractors Act 1995*, I, Zoe Thomas as a delegate for the Minister for Consumer and Business Affairs, do hereby exempt the licensee named in Schedule 1 from the application of Division 3 of Part 5 of the above Act in relation to domestic building work described in Schedule 2 and subject to the conditions specified in Schedule 3.

SCHEDULE 1

DALLAS SCOTT BENNIER (BLD 217810)

SCHEDULE 2

Addition of a pergola to an existing residential dwelling at Allotment 1 Filed Plan 125921, being a portion of the land described in Certificate of Title Volume 5241 Folio 272, more commonly known as 10 Royston Crescent, Seacombe Heights SA 5047.

SCHEDULE 3

1. This exemption is limited to domestic building work personally performed by the licensee in relation to the building work described in Schedule 2.
2. This exemption does not apply to any domestic building work the licensee contracts to another building work contractor, for which that contractor is required by law to hold building indemnity insurance.
3. That the licensee does not transfer his interest in the land prior to five years from the date of completion of the building work the subject of this exemption, without the prior authorisation of Consumer and Business Services (CBS). Before giving such authorisation, CBS may require the licensee to take any reasonable steps to protect the future purchaser(s) of the property, including but not limited to:
 - Providing evidence that an adequate policy of building indemnity insurance is in force to cover the balance of the five-year period from the date of completion of the building work the subject of this exemption;
 - Providing evidence of an independent expert inspection of the building work the subject of this exemption;
 - Making an independent expert report available to prospective purchasers of the property;
 - Giving prospective purchasers of the property notice of the absence of a policy of building indemnity insurance.

Dated: 24 August 2022

ZOE THOMAS
Assistant Director, Licensing
Delegate for the Minister for Consumer and Business Affairs

BUILDING WORK CONTRACTORS ACT 1995

Exemption

TAKE notice that, pursuant to section 45 of the *Building Work Contractors Act 1995*, I, Zoe Thomas as a delegate for the Minister for Consumer and Business Affairs, do hereby exempt the licensee named in Schedule 1 from the application of Division 3 of Part 5 of the above Act in relation to domestic building work described in Schedule 2 and subject to the conditions specified in Schedule 3.

SCHEDULE 1

JOSHUA NORTON (BLD 263056)

SCHEDULE 2

Construction of a split-level detached residential dwelling at Allotment 494 Deposited Plan 114845, being a portion of the land described in Certificate of Title Volume 6186 Folio 892, more commonly known as 24 Hartley Walk, Gawler East SA 5118.

SCHEDULE 3

1. This exemption is limited to domestic building work personally performed by the licensee in relation to the building work described in Schedule 2.
2. This exemption does not apply to any domestic building work the licensee contracts to another building work contractor, for which that contractor is required by law to hold building indemnity insurance.
3. That the licensee does not transfer his interest in the land prior to five years from the date of completion of the building work the subject of this exemption, without the prior authorisation of Consumer and Business Services (CBS). Before giving such authorisation, CBS may require the licensee to take any reasonable steps to protect the future purchaser(s) of the property, including but not limited to:
 - Providing evidence that an adequate policy of building indemnity insurance is in force to cover the balance of the five-year period from the date of completion of the building work the subject of this exemption;
 - Providing evidence of an independent expert inspection of the building work the subject of this exemption;
 - Making an independent expert report available to prospective purchasers of the property;
 - Giving prospective purchasers of the property notice of the absence of a policy of building indemnity insurance.

Dated: 24 August 2022

ZOE THOMAS
Assistant Director, Licensing
Delegate for the Minister for Consumer and Business Affairs

BUILDING WORK CONTRACTORS ACT 1995

Exemption

TAKE notice that, pursuant to section 45 of the *Building Work Contractors Act 1995*, I, Zoe Thomas as a delegate for the Minister for Consumer and Business Affairs, do hereby exempt the licensee named in Schedule 1 from the application of Division 3 of Part 5 of the above Act in relation to domestic building work described in Schedule 2 and subject to the conditions specified in Schedule 3.

SCHEDULE 1

TERENCE JAMES HEDGES (BLD 171458)

SCHEDULE 2

Construction of a single storey detached ancillary dwelling (colloquially referred to as a “granny flat”) at Allotment 132 in Deposited Plan 36361 being a portion of the land described in Certificate of Title Volume 5113 Folio 712, more commonly known as 12 Kernick Avenue, Willunga SA 5172.

SCHEDULE 3

1. This exemption is limited to domestic building work personally performed by the licensee in relation to the building work described in Schedule 2.
2. This exemption does not apply to any domestic building work the licensee contracts to another building work contractor, for which that contractor is required by law to hold building indemnity insurance.
3. That the licensee does not transfer his interest in the land prior to five years from the date of completion of the building work the subject of this exemption, without the prior authorisation of Consumer and Business Services (CBS). Before giving such authorisation, CBS may require the licensee to take any reasonable steps to protect the future purchaser(s) of the property, including but not limited to:
 - Providing evidence that an adequate policy of building indemnity insurance is in force to cover the balance of the five-year period from the date of completion of the building work the subject of this exemption;
 - Providing evidence of an independent expert inspection of the building work the subject of this exemption;
 - Making an independent expert report available to prospective purchasers of the property;
 - Giving prospective purchasers of the property notice of the absence of a policy of building indemnity insurance.

Dated: 24 August 2022

ZOE THOMAS
Assistant Director, Licensing
Delegate for the Minister for Consumer and Business Affairs

HEALTH CARE ACT 2008

Fees and Charges

On 18 May 2021, the Minister for Health and Wellbeing hereby gave notice pursuant to Section 44 of the *Health Care Act 2008*, of the fees to apply to compensable patients or patients who are not Medicare patients from 1 July 2021. The Notice was published in the South Australian Government Gazette of 3 June 2021.

Pursuant to Section 44 of the *Health Care Act 2008* and Section 40 of the *Legislation Interpretation Act 2021*, I now hereby make the following amendments to the Notice:

1- Amendment of Schedule 4 - Incorporated Hospitals and Public Hospital Sites: Accommodation, Rehabilitation, Transportation and Related Fees for Compensable or Non-Medicare Patients

Replace the title of Schedule 4, clause 2 “Hampstead Rehabilitation Hospital Facility” with the title “Central Adelaide Local Health Network Incorporated Rehabilitation Facilities”.

2- Amendment of Schedule 5 – Classification of Public Hospital Sites

Under the incorporated hospital ‘Central Adelaide Local Health Network Incorporated’ insert the following additional public hospital site, with the ED type for this site classified as: “Teaching” and the OP type for this site classified as: “Teaching”:

“Repatriation General Health Precinct Facility”.

All other parts of the fee Notice remain unchanged.

Dated: 1 September 2022

CHRIS PICTON
Minister for Health and Wellbeing

HEALTH CARE ACT 2008

Fees and Charges

On 31 May 2022, the Minister for Health and Wellbeing hereby gave notice pursuant to Section 44 of the *Health Care Act 2008*, of the fees to apply to compensable patients or patients who are not Medicare patients from 1 July 2022. The Notice was published in the South Australian Government Gazette of 16 June 2022.

Pursuant to Section 44 of the *Health Care Act 2008* and Section 40 of the *Legislation Interpretation Act 2021*, I now hereby make the following amendments to the Notice:

3- Amendment of Schedule 4 - Incorporated Hospitals and Public Hospital Sites: Accommodation, Rehabilitation, Transportation and Related Fees for Compensable or Non-Medicare Patients

Replace the title of Schedule 4, clause 2 “Hampstead Rehabilitation Hospital Facility” with the title “Central Adelaide Local Health Network Incorporated Rehabilitation Facilities”.

4- Amendment of Schedule 5 – Classification of Public Hospital Sites

Under the incorporated hospital ‘Central Adelaide Local Health Network Incorporated’ insert the following additional public hospital site, with the ED type for this site classified as: “Teaching” and the OP type for this site classified as: “Teaching”:

“Repatriation General Health Precinct Facility”.

All other parts of the fee Notice remain unchanged.

Dated: 1 September 2022

CHRIS PICTON
Minister for Health and Wellbeing

HEALTH CARE ACT 2008

NOTICE BY THE MINISTER

Declaration of Authorised Quality Improvement and Research Activity and Authorised Person Under Section 64

TAKE notice that I, Christopher James Picton, Minister for Health and Wellbeing, pursuant to sections 64 (1) (a) (ii) and (b) (ii) do hereby:

DECLARE the Activities described in the Schedule to this declaration (the Activities) to be authorised quality improvement and research activities to which Part 7 of the Act applies, and

DECLARE the Person or group of Persons (including a group formed as a committee) described in the Schedule to this declaration (the Persons) to be an authorised entity for the purposes of carrying out the authorised quality improvement activities to which Part 7 of the Act applies,

being satisfied that:

- (a) the performance of the activities within the ambit of the declaration and the functions or activities of the person or group of persons within the ambit of the declaration, would be facilitated by the making of the declaration; and
- (b) that the making of the declaration is in the public interest.

Dated: 30 August 2022

CHRISTOPHER JAMES PICTON
Minister for Health and Wellbeing

HOUSING IMPROVEMENT ACT 2016

Rent Control

The Minister for Human Services Delegate in the exercise of the powers conferred by the *Housing Improvement Act 2016*, does hereby fix the maximum rental per week which shall be payable subject to Section 55 of the *Residential Tenancies Act 1995*, in respect of each house described in the following table. The amount shown in the said table shall come into force on the date of this publication in the *Gazette*.

| Address of Premises | Allotment Section | Certificate of Title Volume/Folio | Maximum Rental per week payable |
|--|--|--------------------------------------|------------------------------------|
| 65 Peachey Road, Davoren Park SA 5113 | Allotment 720 Deposited Plan 7394 Hundred of Munno Para | CT6156/994 | \$80.00 |

Dated: 1 September 2022

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

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.

| Address of Premises | Allotment Section | Certificate of Title Volume Folio |
|--------------------------------------|--|--------------------------------------|
| 72 Gascoyne AVE, HILLCREST SA 5086 | Allotment 248 Deposited Plan 4950 Hundred of Yatala | CT5593/721 |
| 93 Semaphore Road, SEMAPHORE SA 5019 | Allotment 174 Filed Plan 3352 Hundred of Port Adelaide | CT5075/860 |

Dated: 1 September 2022

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

JUSTICES OF THE PEACE ACT 2005

SECTION 4

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

I, Dini Soulio, Commissioner for Consumer Affairs, delegate of the Attorney-General, pursuant to section 4 of the *Justices of the Peace Act 2005*, do hereby appoint the people listed as Justices of the Peace for South Australia as set out below. It being a condition of appointment that the Justices of the Peace must take the oaths required of a justice under the *Oaths Act 1936* and return the oaths of office form to Justice of the Peace Services within three months after the date of appointment:

For a period of ten years for a term commencing on 12 September 2022 and expiring on 11 September 2032:

Emma Kate WOHLSCHLAGER
Thi Lien VO
Kanwaldeep SINGH
Darcy William SHEPHERDSON
Timothy John ROSSER
Glenn Robert ROEBUCK
Jacqueline Louise MEANEY
Kirsty Lauren KUBENK
Alexandra Isabel JOSEPH
Madeleine Ann HARRIS
Chloe Anne FERN PRING
Johannes Christiaan DREYER
Jennifer Lorraine DEER
Beverley June Marie COUZNER
Nicole Yvonne COOPER
Stephanie Louise BRUCE
Zahra BAYANI
Nyrie Hannah BAILLIE
Sonia ADAMO

Dated: 26 August 2022

DINI SOULIO
Commissioner for Consumer Affairs
Delegate of the Attorney-General

JUSTICES OF THE PEACE ACT 2005

SECTION 4

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

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

For a period of ten years for a term commencing on 13 September 2022 and expiring on 12 September 2032:

Barry Malim WATTS
Desmond John WARNER
Carol Elizabeth TUNBRIDGE
Daniel Fiorino ROMEO
Robert Franklin REIMAN
Antony PEAK
Melissa Jane MULLER
James Peter MOSS
Stephen Charles MOLLOY
Robyn Anne MCPHERSON
Dominic Francis Peter MARAFIOTI
Wendy Eileen LEWIS
Joan Amelia LEE
Sherie Joy LAMB
Keith Wayne JONES
Paul Stuart JOHNSTON
Susan Kay JACKA
David George IRELAND
Robert Allan HANNANT
Thomas HAIG
Susan Michelle GREEN
Allan Thomas GOODALL
Tania Gaye GEYER
Mark Anthony FOYLE
Horst Adolf DUISBERG
Karen Joy DENTON
Ivan Peter COPLEY
Bruce Alan COCK
Julie Leeanne CAMPBELL

Dated: 30 August 2022

DINI SOULIO
Commissioner for Consumer Affairs
Delegate of the Attorney-General

LAND ACQUISITION ACT 1969

SECTION 16

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

The Commissioner of Highways (the Authority), of 50 Flinders Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an easement over the whole of the land being Allotment 10 in Filed Plan 257435 and contained wholly in Certificate of Title Volume 6265 Folio 302.

Extent of Interest Vested in the Authority

A full free and unrestricted right and liberty of entry egress and regress from time to time and at all times hereafter for the Authority and its agents, servants and workmen to break the surface of, dig, open up and use the land identified as allotment 10 in Filed Plan 257435 in the plan attached hereto for the purpose of laying down, fixing, taking up, repairing, re-laying or examining cathodic protection cabling, anode wells and infrastructure above and below the ground and to enter the land at any time (if necessary with vehicles and equipment) for any of those purposes.

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

2. Compensation

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

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

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

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

3. Inquiries

Inquiries should be directed to: Daniel Tuk
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 7109 7133

Dated: 29 August 2022

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

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

DIT 2022/03268/01

LAND ACQUISITION ACT 1969

SECTION 16

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

The Commissioner of Highways (the Authority), of 50 Flinders Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an estate in fee simple in that piece of land being the whole of Allotments 21 and 22 in Filed Plan No 7397 comprised in Certificate of Title Volume 6177 Folio 963, Subject to party wall right(s) over the land marked A (T 2464100) and together with party wall right(s) over the land marked B (T 2464099).

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

2. Compensation

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

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

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

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

3. Inquiries

Inquiries should be directed to: Petrula Pettas
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2619

Dated: 31 August 2022

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

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

DIT 2021/15305/01

LAND ACQUISITION ACT 1969

SECTION 16

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

The Commissioner of Highways (the Authority), of 50 Flinders Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment 19 in Filed Plan No 7397 comprised in Certificate of Title Volume 6177 Folio 962).

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

2. Compensation

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

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

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

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

3. Inquiries

Inquiries should be directed to: Petruła Pettas
GPO Box 1533
Adelaide SA 5001
Telephone: (08) 8343 2619

Dated: 31 August 2022

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

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

DIT 2021/15297/01

MENTAL HEALTH ACT 2009

Authorised Mental Health Professional

NOTICE is hereby given in accordance with Section 94(1) of the *Mental Health Act 2009*, that the Chief Psychiatrist has determined the following person as an Authorised Mental Health Professional:

Philip Summers
Terri Heavyside

A person's determination as an Authorised Mental Health Professional expires three years after the commencement date.

Dated: 26 August 2022

DR J. BRAYLEY
Chief Psychiatrist

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

SECTION 76

*Amendment to the Planning and Design Code**Preamble*

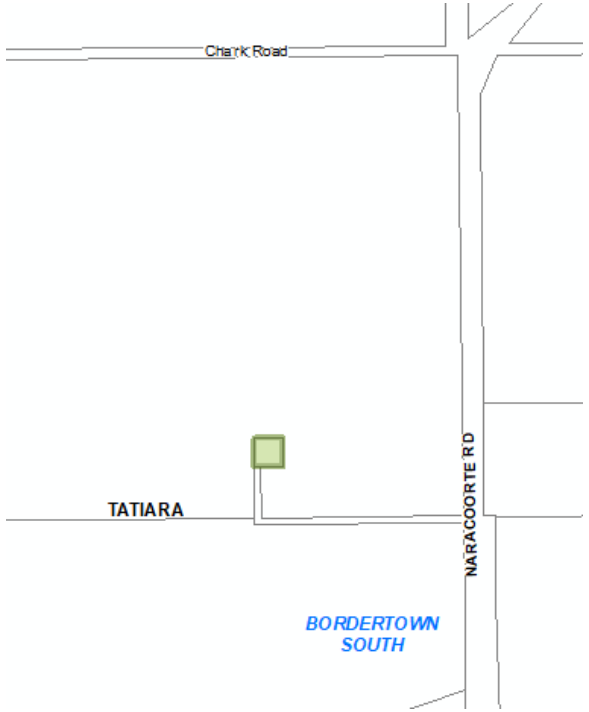
It is necessary to amend the Planning and Design Code (the Code) in operation at 18 August 2022 (Version 2022.15) in order to make changes of form relating to the Code's spatial layers and their relationship with land parcels. NOTE: There are no changes to the application of zone, subzone or overlay boundaries and their relationship with affected parcels or the intent of policy application as a result of this amendment.

1. PURSUANT to section 76 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), correct errors and make operational amendments 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 10 August 2022 and 23 August 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)
 - Concept Plan
 - Minimum Primary Street Setback
 - Minimum Side Boundary Setback
 - Future Local Road Widening Setback
 - Minimum Frontage
 - Minimum Site Area

- C. Overlays
- Affordable Housing
 - Character Area
 - Coastal Areas
 - Defence Aviation Area
 - Environment and Food Production Area
 - Future Local Road Widening
 - Future Road Widening
 - Hazard (Bushfire - High Risk)
 - Hazard (Bushfire - Medium Risk)
 - Hazard (Bushfire - General Risk)
 - Hazard (Bushfire - Urban Interface)
 - Hazard (Bushfire - Regional)
 - Hazard (Bushfire - Outback)
 - Heritage Adjacency
 - Historic Area
 - Limited Land Division
 - Local Heritage Place
 - Noise and Air Emissions
 - 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):

| Location (Column A) | Layers (Column B) |
|---|--|
| <p>H400600 S1011 - Tatiara</p>  <p>The map shows a road network with 'Clark Road' at the top, 'NARACOORTE RD' running vertically on the right, and 'TATIARA' and 'BORDERTOWN SOUTH' at the bottom. A green square highlights a parcel located south of Clark Road and west of Naracoorte Rd.</p> | <p>Overlays</p> <ul style="list-style-type: none"> - Key Outback and Rural Routes |

- 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: 29 August 2022

GREG VAN GAANS
 Director, Land and Built Environment
 Department for Trade and Investment
 Delegate of the Minister for Planning

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 18 August 2022 (Version 2022.15) in order to make changes:

- to correct errors in relation to:
 - the Local Heritage Place Overlay at Netherby which has been incorrectly applied to the wrong property
 - property address details for a Local Heritage Place at Coffin Bay
 - deleting a property from the Local Heritage list in Adelaide that was removed via a previous amendment (Development Plan Amendment)
 - the misapplication of the State Heritage Place Overlay / Local Heritage Place Overlay to adjacent, non-heritage, properties at North Adelaide and Adelaide.
- to remove from the Code Local Heritage Places that have been demolished at Kent Town, Tumby Bay and Joanna.
- irrelevant material (the Local Heritage Place Overlay) from new allotments (containing no items of Local Heritage value) that have been created following the subdivision of Local Heritage properties in the areas of Norwood, Marden and Mannum.
- include a new State Heritage Place at Callington.

3. PURSUANT to section 76 of the *Planning, Development and Infrastructure Act 2016* (the Act), I hereby amend the Code in order to make the following minor or operational amendments as follows:

- c. Amend the spatial layer of the Local Heritage Place Overlay so that it does not apply to 17 Finlayson Street, Netherby (Lot 9, CT5426/324) and make corresponding spatial adjustment to the Heritage Adjacency Overlay to reflect this change.
- d. Amend the spatial layer of the Local Heritage Place Overlay so that it applies to 1-7 Finlayson Street, Netherby (Lot 110, CT5542/298) and make corresponding spatial adjustment to the Heritage Adjacency Overlay to reflect this change
- e. In Part 11 of the Code, in the section applicable to ‘Mitcham’ replace the words ‘1-7 Finlayson Avenue, NETHERBY’ in the column titled ‘Property Address’ with the words ‘1-7 Finlayson Street, NETHERBY’.
- f. Amend the spatial layer of the Local Heritage Place Overlay at Kent Town so that it does not apply to the land bounded by the red line in **Attachment A** (comprising demolished Local Heritage Place formally known as 56 King William Street, Kent Town) and make corresponding spatial adjustment to the Heritage Adjacency Overlay to reflect this change
- g. In Part 11 of the Code, in the section applicable to ‘Norwood, Payneham and St Peters’ delete the following row in the table of Local Heritage Places:

| | | | |
|----------------------------------|---------------------------|-------|------|
| 56 King William Street KENT TOWN | Victorian Bluestone Villa | a b d | 5809 |
|----------------------------------|---------------------------|-------|------|

- h. In Part 11 of the Code, in the section applicable to ‘Tumby Bay’ delete the following row in the table of Local Heritage Places:

| | | | |
|-------------------------------|-----------------------|---|-------|
| Tumby Bay Foreshore TUMBY BAY | Old Jetty - Tumby Bay | f | 18908 |
|-------------------------------|-----------------------|---|-------|

- i. In Part 11 of the Code, in the section applicable to ‘Naracoorte Lucindale’ delete the following row in the table of Local Heritage Places:

| | | | |
|----------------------|-----------------------------------|-----|-------|
| Langkoop Road JOANNA | Former Stables; Whole of exterior | b d | 25538 |
|----------------------|-----------------------------------|-----|-------|

- j. In Part 11 of the Code, in the section applicable to ‘Lower Eyre Peninsula’ replace the words ‘Section 274, Hundred Lake Wangary COFFIN BAY’ in the column titled ‘Property Address’ with the words ‘Section 131, Hundred Lake Wangary COFFIN BAY’.

- k. In Part 11 of the Code, in the section applicable to ‘Adelaide’ delete the following row in the table of Local Heritage Places:

| | | | |
|--|---|--|------|
| Corner North Terrace and Frome Road ADELAIDE | * Nursing School, Royal Adelaide Hospital | | 1549 |
|--|---|--|------|

- l. Amend the spatial layer of the Local Heritage Place Overlay so that it does not apply to the following properties:

- 92A Osmond Terrace, Norwood (Lot 12, CT6207/360)
- 92B Osmond Terrace, Norwood (Lot 7, CT6191/3)
- 92C Osmond Terrace, Norwood (Lot 6, CT6191/2)
- 41 Church Avenue, Norwood (Lot 11, CT6191/7)
- 39 Church Avenue, Norwood (Lot 10, CT6191/6)
- 1A Broad Street, Marden (Lot 3, CT6229/507)
- 17 Edward Street, Mannum (Lot 2, CT6077/869)
- 19 Edward Street, Mannum (Lot 80, CT5914/153)

and make corresponding spatial adjustment to the Heritage Adjacency Overlay to reflect these changes.

- m. Amend the spatial layer of the State Heritage Place Overlay so that it does not apply to 15 Finnis Court, North Adelaide (Lot 4, CT5202/861) and make corresponding spatial adjustment to the Heritage Adjacency Overlay to reflect this change.

- n. Amend the spatial layer of the State Heritage Place Overlay so that it does not apply to land bounded by the red line in **Attachment B** (comprising properties 100 to 110 Waymouth Street, Adelaide) and make corresponding spatial adjustment to the Heritage Adjacency Overlay to reflect these changes.

- o. Amend the spatial layer of the State Heritage Place Overlay so that it applies to the following properties:

- Former Callington Smelting Works – Heritage Number 28123 – 20 & 36 Callington Road, Callington (CT5522/495 & CT5398/700)

and make corresponding spatial adjustment to the Heritage Adjacency Overlay to reflect these changes.

- p. 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.
- 4. 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.

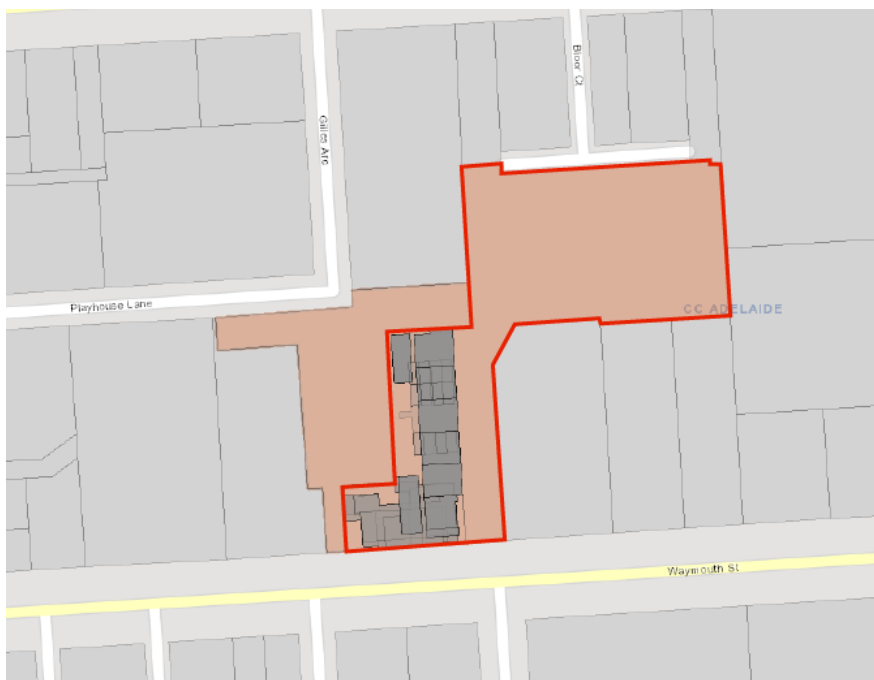
Dated: 31 August 2022

SALLY SMITH
Executive Director, Planning and Land Use Services
Department for Trade and Investment
Delegate of the Minister for Planning

ATTACHMENT A



ATTACHMENT B



PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

SECTION 108(1)

*Hawsons Iron Project**Preamble*

Section 108(1)(c) of the *Planning, Development and Infrastructure Act 2016* allows the Minister for Planning to apply Section 108 (impact assessed development) to a specified kind of development (either in the State generally, or in a specified part of the State) by making a declaration to that effect having taken into account principles prescribed by the regulations.

NOTICE

PURSUANT to section 108(1)(c) of the *Planning, Development and Infrastructure Act 2016*, having taken into account those principles prescribed under regulation 27(2) of the *Planning, Development and Infrastructure (General) Regulations 2017* (the Regulations) and having given consideration to the matters under regulation 27(3) of the Regulations, I declare that Section 108 of the Act applies to all development of a kind specified in Schedule 1, in those parts of the State specified in Schedules 2 and 3.

SCHEDULE 1

Specified Kinds of Development

Development for the purposes of establishing and operating a port facility north of Wallaroo at Myponie Point on Yorke Peninsula (being on the land specified in Schedule 2) and an associated pipeline infrastructure corridor from the port to the South Australian – New South Wales Border (being on the land specified in Schedules 3), including:

- (a) development associated with the construction and operation of a deep-water port facility, in that part of the State specified in Schedule 2, including any or all of:
 - (i) jetty and wharf structures;
 - (ii) ship loading systems;
 - (iii) navigation aids;
 - (iv) stockpile areas and materials handling systems;
 - (v) dewatering plant and associated infrastructure;
 - (vi) water treatment plants;
 - (vii) storage tanks and associated infrastructure;
 - (viii) ancillary infrastructure, including permanent site offices, workshops, stores, amenities, parking and access;
 - (ix) temporary laydown areas, construction compounds and concrete batching plants;
 - (x) temporary workers camps; and
 - (xi) development associated with paragraph (b)(i) – (iv).
- (b) development associated with the construction and operation of a pipeline infrastructure corridor, in that part of the State specified in Schedule 3, including any or all of:
 - (i) slurry pipelines and return water pipelines and associated infrastructure;
 - (ii) pumping stations and associated infrastructure;
 - (iii) storage tanks and associated infrastructure;
 - (iv) pressure relief and product storage facilities;
 - (v) temporary laydown areas, construction compounds and concrete batching plants; and
 - (vi) temporary workers camps.
- (c) development associated with any change in the use of land associated with any development within the ambit of the preceding paragraphs;
- (d) development (including development undertaken on land in the State, inclusive of the land specified in Schedules 2 and 3) associated with the construction, installation or provision of any or all of the following infrastructure, facilities and services:
 - (i) roads;
 - (ii) stormwater;
 - (iii) water supply;
 - (iv) power supply;
 - (v) telecommunications; and
 - (vi) effluent treatment or disposal.

in each case, associated with any development within the ambit of the preceding paragraphs;

- (e) development (including development undertaken on land in the State, inclusive of the land specified in Schedules 2 and 3) associated with any excavation or filling of land associated with any development within the ambit of the preceding paragraphs;
- (f) development (including development undertaken on land in the State, inclusive of the land specified in Schedules 2 and 3) associated with the division of land associated with any development within the ambit of the preceding paragraphs; and
- (g) any related or ancillary development (including development undertaken on land in the State, inclusive of the land specified in Schedules 2 and 3) associated with any development within the ambit of the preceding paragraphs.

SCHEDULE 2

Specified Part of the State

The following part of the State is specified for the purposes of Schedule 1 as shown on the attached map for Schedule 2:

- (a) The whole of the land comprised in Certificate of Title Volume 6010 Folio 6 (allotment 1034 in Deposited Plan 54962); and
- (b) The area of water and seabed within a 5km radius of Myponie Point, approximately 11km north of Wallaroo on Yorke Peninsula, being the area described as “5km Coastal Investigations Area – Pt Myponie” on the attached map for Schedule 2.

SCHEDULE 3

Specified Part of the State

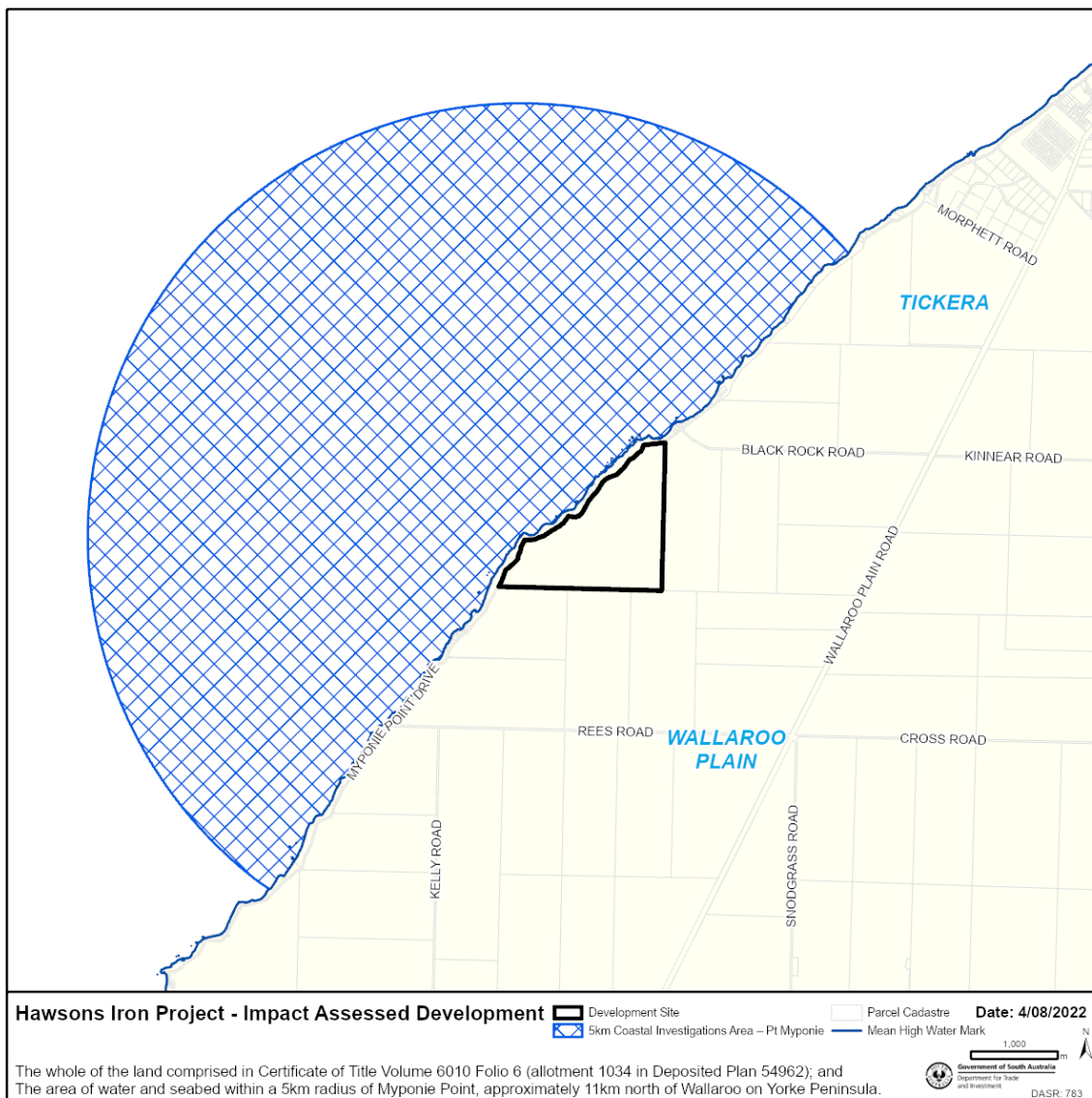
The following part of the State is specified for the purposes of Schedule 1 as shown on the attached map for Schedule 3:

- (a) A corridor of land running from the area described in Schedule 2(a) to a point on the South Australian – New South Wales Border approximately 41km south of Cockburn, via an alignment that passes north of the township of Spalding in the State’s mid-north, being the land described as “Pipeline Corridor (1km Investigations Area)” on the attached map for Schedule 3.

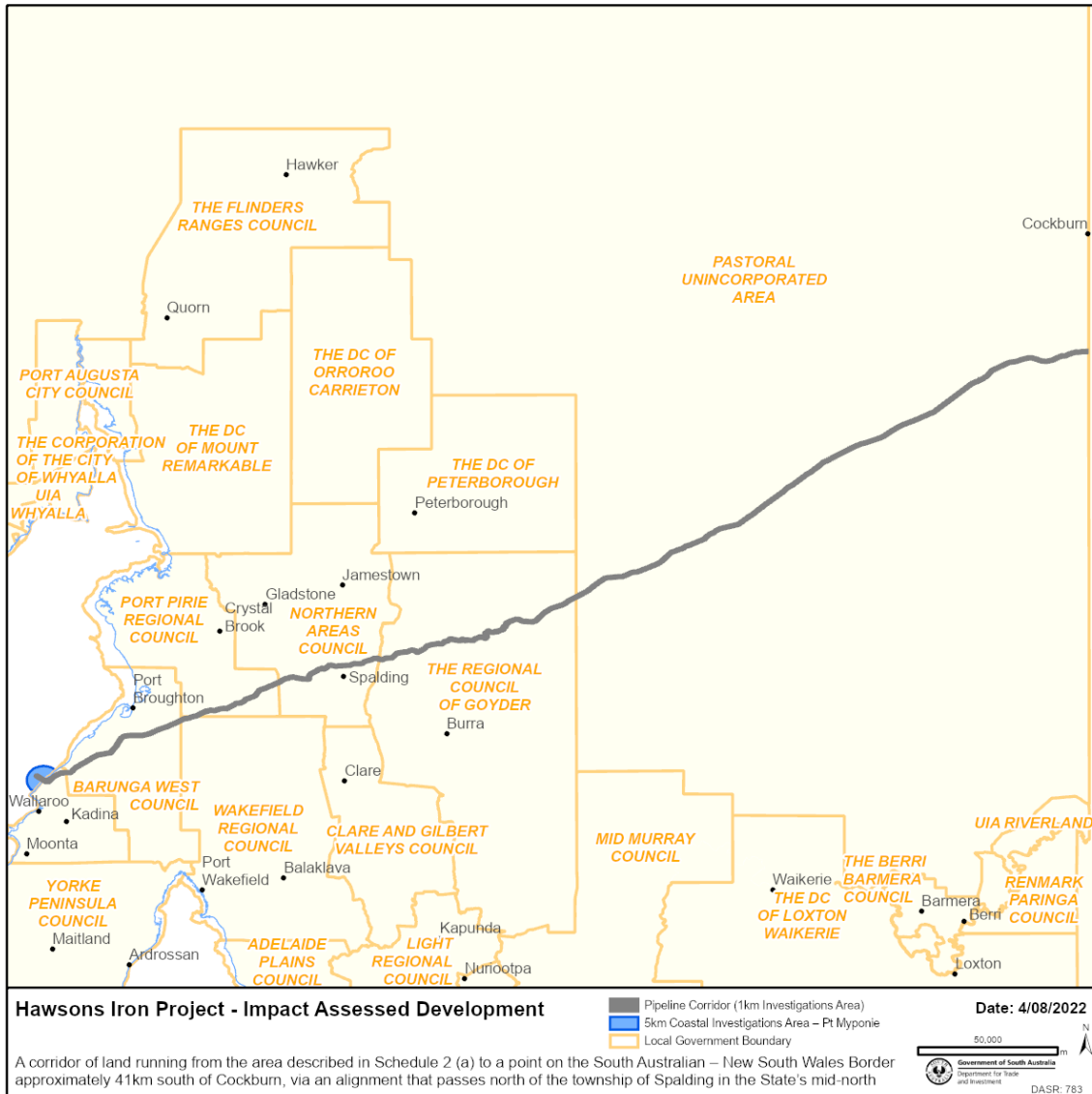
Dated: 30 August 2022

HON NICK CHAMPION MP
Minister for Planning

SCHEDULE 2



SCHEDULE 3



PROOF OF SUNRISE AND SUNSET ACT 1923

Almanac for October, November, December 2022

Pursuant to the requirements of the Proof of Sunrise and Sunset Act 1923, I Jon William Whelan, Chief Executive, Department for Infrastructure and Transport, at the direction of the Minister for Infrastructure and Transport, publish in the Schedule hereto an almanac setting out the times of sunrise and sunset on every day for the three calendar months October, November and December 2022.

Dated: 1 September 2022

JON WILLIAM WHELAN
Chief Executive, Department for Infrastructure and Transport

SCHEDULE

Sunrise & Sunset Times for Adelaide 2022

Latitude: South 34° 56' Longitude: East 138° 36'
 GMT +9.50 hours (Daylight saving GMT +10.5 hours)

| Date | October | | November | | December | |
|------|----------------|---------------|----------------|---------------|----------------|---------------|
| | Rise hr min | Set hr min | Rise hr min | Set hr min | Rise hr min | Set hr min |
| 1 | 05 53 | 18 18 | 06 14 | 19 45 | 05 55 | 20 14 |
| *2 | 06 51 | 19 19 | 06 13 | 19 46 | 05 55 | 20 15 |
| 3 | 06 50 | 19 20 | 06 12 | 19 47 | 05 55 | 20 16 |
| 4 | 06 49 | 19 21 | 06 11 | 19 48 | 05 55 | 20 17 |
| 5 | 06 47 | 19 22 | 06 10 | 19 49 | 05 55 | 20 18 |
| 6 | 06 46 | 19 22 | 06 09 | 19 50 | 05 55 | 20 18 |
| 7 | 06 45 | 19 23 | 06 08 | 19 51 | 05 55 | 20 19 |
| 8 | 06 43 | 19 24 | 06 07 | 19 52 | 05 55 | 20 20 |
| 9 | 06 42 | 19 25 | 06 07 | 19 53 | 05 55 | 20 21 |
| 10 | 06 40 | 19 26 | 06 06 | 19 54 | 05 55 | 20 22 |
| 11 | 06 39 | 19 26 | 06 05 | 19 55 | 05 55 | 20 22 |
| 12 | 06 38 | 19 27 | 06 04 | 19 56 | 05 55 | 20 23 |
| 13 | 06 36 | 19 28 | 06 03 | 19 57 | 05 55 | 20 24 |
| 14 | 06 35 | 19 29 | 06 03 | 19 58 | 05 56 | 20 25 |
| 15 | 06 34 | 19 30 | 06 02 | 19 59 | 05 56 | 20 25 |
| 16 | 06 33 | 19 31 | 06 01 | 20 00 | 05 56 | 20 26 |
| 17 | 06 31 | 19 31 | 06 01 | 20 01 | 05 56 | 20 26 |
| 18 | 06 30 | 19 32 | 06 00 | 20 02 | 05 57 | 20 27 |
| 19 | 06 29 | 19 33 | 06 00 | 20 03 | 05 57 | 20 28 |
| 20 | 06 27 | 19 34 | 05 59 | 20 04 | 05 58 | 20 28 |
| 21 | 06 26 | 19 35 | 05 58 | 20 05 | 05 58 | 20 29 |
| 22 | 06 25 | 19 36 | 05 58 | 20 06 | 05 59 | 20 29 |
| 23 | 06 24 | 19 37 | 05 58 | 20 07 | 05 59 | 20 30 |
| 24 | 06 23 | 19 38 | 05 57 | 20 08 | 06 00 | 20 30 |
| 25 | 06 22 | 19 38 | 05 57 | 20 08 | 06 00 | 20 31 |
| 26 | 06 20 | 19 39 | 05 56 | 20 09 | 06 01 | 20 31 |
| 27 | 06 19 | 19 40 | 05 56 | 20 10 | 06 01 | 20 31 |
| 28 | 06 18 | 19 41 | 05 56 | 20 11 | 06 02 | 20 32 |
| 29 | 06 17 | 19 42 | 05 56 | 20 12 | 06 03 | 20 32 |
| 30 | 06 16 | 19 43 | 05 55 | 20 13 | 06 03 | 20 32 |
| 31 | 06 15 | 19 44 | | | 06 04 | 20 32 |

*NOTE: Daylight Saving Time is subject to change.

Sunrise and Sunset times calculated on 02/11/21. Certified correct: G Papanikolas, 21 February 2022

ROAD TRAFFIC ACT 1961

Authorisation to Operate Breath Analysing Instruments

I, GRANT STEVENS, Commissioner of Police, do hereby notify that on and from 19 August 2022, the following persons were authorised by the Commissioner of Police to operate breath analysing instruments as defined in and for the purposes of the:

Road Traffic Act 1961;

Harbors and Navigation Act 1993;

Security and Investigation Industry Act 1995; and

Rail Safety National Law (South Australia) Act 2012.

| PD Number | Officer Name |
|-----------|------------------------|
| 10310 | BRAZIL, James Roger |
| 77051 | LOCKWOOD, Daniel Scott |
| 76940 | PULLEN, Allison Jane |
| 10932 | STORTI, Emily |
| 76941 | TANNER, Amber - Rose |
| 11079 | WHITE, Brittany May |

Dated: 1 September 2022

GRANT STEVENS
 Commissioner of Police

Reference: 2022-0142

SOUTH AUSTRALIAN SKILLS ACT 2008

Part 4 – Apprenticeships, Traineeships and Training Contracts

PURSUANT to the provision of the *South Australian Skills Act 2008*, the South Australian Skills Commission (SASC) gives notice that determines the following Trades or Declared Vocations in addition to the *gazette* notices of:

| | | | |
|------------------------|------------------------|------------------------|------------------------|
| 1. 25 September 2008 | 2. 23 October 2008 | 3. 13 November 2008 | 4. 4 December 2008 |
| 5. 18 December 2008 | 6. 29 January 2009 | 7. 12 February 2009 | 8. 5 March 2009 |
| 9. 12 March 2009 | 10. 26 March 2009 | 11. 30 April 2009 | 12. 18 June 2009 |
| 13. 25 June 2009 | 14. 27 August 2009 | 15. 17 September 2009 | 16. 24 September 2009 |
| 17. 9 October 2009 | 18. 22 October 2009 | 19. 3 December 2009 | 20. 17 December 2009 |
| 21. 4 February 2010 | 22. 11 February 2010 | 23. 18 February 2010 | 24. 18 March 2010 |
| 25. 8 April 2010 | 26. 6 May 2010 | 27. 20 May 2010 | 28. 3 June 2010 |
| 29. 17 June 2010 | 30. 24 June 2010 | 31. 8 July 2010 | 32. 9 September 2010 |
| 33. 23 September 2010 | 34. 4 November 2010 | 35. 25 November 2010 | 36. 16 December 2010 |
| 37. 23 December 2010 | 38. 17 March 2011 | 39. 7 April 2011 | 40. 21 April 2011 |
| 41. 19 May 2011 | 42. 30 June 2011 | 43. 21 July 2011 | 44. 8 September 2011 |
| 45. 10 November 2011 | 46. 24 November 2011 | 47. 1 December 2011 | 48. 8 December 2011 |
| 49. 16 December 2011 | 50. 22 December 2011 | 51. 5 January 2012 | 52. 19 January 2012 |
| 53. 1 March 2012 | 54. 29 March 2012 | 55. 24 May 2012 | 56. 31 May 2012 |
| 57. 7 June 2012 | 58. 14 June 2012 | 59. 21 June 2012 | 60. 28 June 2012 |
| 61. 5 July 2012 | 62. 12 July 2012 | 63. 19 July 2012 | 64. 2 August 2012 |
| 65. 9 August 2012 | 66. 30 August 2012 | 67. 13 September 2012 | 68. 4 October 2012 |
| 69. 18 October 2012 | 70. 25 October 2012 | 71. 8 November 2012 | 72. 29 November 2012 |
| 73. 13 December 2012 | 74. 25 January 2013 | 75. 14 February 2013 | 76. 21 February 2013 |
| 77. 28 February 2013 | 78. 7 March 2013 | 79. 14 March 2013 | 80. 21 March 2013 |
| 81. 28 March 2013 | 82. 26 April 2013 | 83. 23 May 2013 | 84. 30 May 2013 |
| 85. 13 June 2013 | 86. 20 June 2013 | 87. 11 July 2013 | 88. 1 August 2013 |
| 89. 8 August 2013 | 90. 15 August 2013 | 91. 29 August 2013 | 92. 6 February 2014 |
| 93. 12 June 2014 | 94. 28 August 2014 | 95. 4 September 2014 | 96. 16 October 2014 |
| 97. 23 October 2014 | 98. 5 February 2015 | 99. 26 March 2015 | 100. 16 April 2015 |
| 101. 27 May 2015 | 102. 18 June 2015 | 103. 3 December 2015 | 104. 7 April 2016 |
| 105. 30 June 2016 | 106. 28 July 2016 | 107. 8 September 2016 | 108. 22 September 2016 |
| 109. 27 October 2016 | 110. 1 December 2016 | 111. 15 December 2016 | 112. 7 March 2017 |
| 113. 21 March 2017 | 114. 23 May 2017 | 115. 13 June 2017 | 116. 18 July 2017 |
| 117. 19 September 2017 | 118. 26 September 2017 | 119. 17 October 2017 | 120. 3 January 2018 |
| 121. 23 January 2018 | 122. 14 March 2018 | 123. 14 June 2018 | 124. 5 July 2018 |
| 125. 2 August 2018 | 126. 9 August 2018 | 127. 16 August 2018 | 128. 30 August 2018 |
| 129. 27 September 2018 | 130. 4 October 2018 | 131. 18 October 2018 | 132. 1 November 2018 |
| 133. 15 November 2018 | 134. 22 November 2018 | 135. 29 November 2018 | 136. 6 December 2018 |
| 137. 20 December 2018 | 138. 24 January 2019 | 139. 14 February 2019 | 140. 30 May 2019 |
| 141. 6 June 2019 | 142. 13 June 2019 | 143. 20 June 2019 | 144. 27 June 2019 |
| 145. 11 July 2019 | 146. 8 August 2019 | 147. 22 August 2019 | 148. 12 September 2019 |
| 149. 19 September 2019 | 150. 14 November 2019 | 151. 28 November 2019 | 152. 12 December 2019 |
| 153. 19 December 2019 | 154. 23 January 2020 | 155. 27 February 2020 | 156. 21 April 2020 |
| 157. 25 June 2020 | 158. 10 September 2020 | 159. 17 September 2020 | 160. 8 October 2020 |
| 161. 29 October 2020 | 162. 5 November 2020 | 163. 10 December 2020 | 164. 17 December 2020 |
| 165. 24 December 2020 | 166. 21 January 2021 | 167. 11 February 2021 | 168. 25 February 2021 |
| 169. 25 March 2021 | 170. 1 April 2021 | 171. 8 April 2021 | 172. 6 May 2021 |
| 173. 10 June 2021 | 174. 1 July 2021 | 175. 12 August 2021 | 176. 9 September 2021 |
| 177. 23 September 2021 | 178. 30 September 2021 | 179. 14 October 2021 | 180. 21 October 2021 |
| 181. 9 November 2021 | 182. 2 December 2021 | 183. 23 December 2021 | 184. 24 February 2022 |
| 185. 10 March 2022 | 186. 24 March 2022 | 187. 12 May 2022 | 188. 16 June 2022 |
| 189. 23 June 2022 | 190. 11 August 2022 | 191. 25 August 2022 | |

TRADES OR DECLARED VOCATIONS AND REQUIRED QUALIFICATIONS AND TRAINING CONTRACT CONDITIONS FOR THE AGRICULTURE, HORTICULTURE AND CONSERVATION AND LAND MANAGEMENT (AHC) TRAINING PACKAGE

| *Trade / #Declared Vocation / Other Occupation | Qualification Code | Qualification Title | Nominal Term of Training Contract | Probationary Period | Supervision Level Rating |
|--|--------------------|--|-----------------------------------|---------------------|--------------------------|
| Farming # | AHC32422 | Certificate III in Irrigation Technology | 36 | 90 | M |
| Farming # | AHC51422 | Diploma of Agribusiness Management | 36 | 90 | M |

Dated: 1 September 2022

JOHN EVANGELISTA
Director, Traineeship and Apprenticeship Services
Department for Innovation and Skills

LOCAL GOVERNMENT INSTRUMENTS

CITY OF PLAYFORD

LOCAL GOVERNMENT ACT 1999 PERMITS AND PENALTIES BY-LAW 2022

By-law No. 1 of 2022

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

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Permits and Penalties By-law 2022*.

2. Commencement

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

3. Definitions

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

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

3.2 In this by-law:

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

4. Construction

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

Part 2 – Permits

5. Council May Grant Permits

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

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

Part 3 – Enforcement**6. Penalties**

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

7. Liability of Vehicles Owners and Expiation of Certain Offences

- 7.1 Without derogating from the liability of any other person, but subject to this paragraph, if a vehicle is involved in a prescribed offence, the owner of the vehicle is guilty of an offence and liable to the same penalty as is prescribed for the principal offence and the expiation fee that is fixed for the principal offence applies in relation to an offence against this paragraph.
- 7.2 The owner and driver of a vehicle are not both liable through the operation of this paragraph to be convicted of an offence arising out of the same circumstances, and consequently conviction of the owner exonerates the driver and conversely conviction of the driver exonerates the owner.
- 7.3 An expiation notice or expiation reminder notice given under the *Expiation of Offences Act 1996* to the owner of a vehicle for an alleged prescribed offence involving the vehicle must be accompanied by a notice inviting the owner, if they were not the driver at the time of the alleged prescribed offence, to provide the Council or officer specified in the notice, within the period specified in the notice, with a statutory declaration:
- 7.3.1 setting out the name and address of the driver; or
- 7.3.2 if they had transferred ownership of the vehicle to another prior to the time of the alleged offence and has complied with the *Motor Vehicles Act 1959* in respect of the transfer - setting out details of the transfer (including the name and address of the transferee).
- 7.4 Before proceedings are commenced against the owner of a vehicle for an offence against this section involving the vehicle, the Informant must send the owner a notice:
- 7.4.1 setting out particulars of the alleged prescribed offence; and
- 7.4.2 inviting the owner, if he or she was not the driver at the time of the alleged prescribed offence, to provide the Informant, within 21 days of the date of the notice, with a statutory declaration setting out the matters referred to in subparagraph 7.3.
- 7.5 Subparagraph 7.4 does not apply to:
- 7.5.1 proceedings commenced where an owner has elected under the *Expiation of Offences Act 1996* to be prosecuted for the offence; or
- 7.5.2 proceedings commenced against an owner of a vehicle who has been named in a statutory declaration under this section as the driver of the vehicle.
- 7.6 Subject to subparagraph 7.7, in proceedings against the owner of a vehicle for an offence against this paragraph, it is a defence to prove:
- 7.6.1 that, in consequence of some unlawful act, the vehicle was not in the possession or control of the owner at the time of the alleged prescribed offence; or
- 7.6.2 that the owner provided the Informant with a statutory declaration in accordance with an invitation under this paragraph.
- 7.7 The defence in paragraph 7.6.2 does not apply if it is proved that the owner made the declaration knowing it to be false in a material particular.
- 7.8 If:
- 7.8.1 an expiation notice is given to a person named as the alleged driver in a statutory declaration under this paragraph; or
- 7.8.2 proceedings are commenced against a person named as the alleged driver in such a statutory declaration,
- the notice or summons, as the case may be, must be accompanied by a notice setting out particulars of the statutory declaration that named the person as the alleged driver.
- 7.9 The particulars of the statutory declaration provided to the person named as the alleged driver must not include the address of the person who provided the statutory declaration.

8. Evidence

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

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

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

Part 4 – Miscellaneous**9. Revocation**

Council's *By-law No. 1 – Permits and Penalties*, published in the *Gazette* on 1 October 2015, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Playford held on the 23rd day of August 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.

Mr Sam Green
Chief Executive Officer

CITY OF PLAYFORD
LOCAL GOVERNMENT ACT 1999
MOVEABLE SIGNS BY-LAW 2022
By-law No. 2 of 2022

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

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Moveable Signs By-law 2022*.

2. Commencement

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

3. Definitions

- 3.1 **'A' frame sign** means a moveable sign that is hinged or joined at the top and is of such construction that its sides are securely fixed or locked in position when in position, and includes a sandwich board sign or inverted 'T' sign;
- 3.2 **banner** means a moveable sign constituted of a strip of cloth, plastic or other material hung or attached to a pole, fence or other structure, but does not include an 'A' frame sign;
- 3.3 **event** has the same meaning as in Section 33 of the *Road Traffic Act 1961*;
- 3.4 **footpath** means:
- 3.4.1 a footway, lane or other place made or constructed for the use of pedestrians; or
- 3.4.2 that part of road between the property boundary of the road and the edge of the carriageway on the same side as that boundary;
- 3.5 **local government land** has the same meaning as in the *Local Government Act 1999*;
- 3.6 **moveable sign** has the same meaning as the *Local Government Act 1999*;
- 3.7 **road** has the same meaning as in the *Local Government Act 1999*;
- 3.8 **road related area** has the same meaning as in the *Road Traffic Act 1961*;
- 3.9 **vehicle** has the same meaning as in the *Road Traffic Act 1961*.

Part 2 – Moveable Signs on Roads

4. 'A' Frame Signs

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

4.1 Design and Construction

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

- 4.1.1 be constructed so as not to present a hazard to any member of the public;
- 4.1.2 be constructed so as to be stable when in position and to be able to keep its position in adverse weather conditions;
- 4.1.3 not be unsightly or offensive in appearance;
- 4.1.4 not contain flashing or moving parts;
- 4.1.5 be not more than 90cm high, 60cm in width or 60cm in depth;
- 4.1.6 in the case of an inverted 'T' sign, contain no struts or members that run between the display area of the sign and the base of the sign.

4.2 Placement

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

- 4.2.1 not be placed anywhere except on the footpath;
- 4.2.2 not be placed on a sealed footpath, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 metres wide;
- 4.2.3 be placed at least 40cm from the kerb (or if there is no kerb, from the edge of the roadway);
- 4.2.4 not be placed on a landscaped area, other than on landscaping that comprises only lawn;
- 4.2.5 not be placed on a designated parking area or within 1 metre of an entrance to any premises;
- 4.2.6 not be fixed, tied or chained to, leaned against or placed closer than 2 metres to any other structure, object or plant (including another moveable sign);
- 4.2.7 not be placed in a position that puts the safety of any person at risk;
- 4.2.8 not be placed on a median strip, roundabout, traffic island or on a carriageway; and
- 4.2.9 not be placed within 10 metres of an intersection of a road.

4.3 Restrictions

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

- 4.3.1 only contain material which advertises a business being conducted on commercial premises adjacent to the sign, or the goods and services available from that business;
- 4.3.2 be limited to one per business premises;
- 4.3.3 not be displayed unless the business to which it relates is open to the public;
- 4.3.4 be securely placed in position such that it cannot be blown over or swept away;

- 4.3.5 not be displayed during the hours of darkness unless it is clearly visible.
- 4.4 **Appearance**
An 'A' frame sign displayed on a road must:
- 4.4.1 be painted or otherwise detailed in a competent and professional manner;
- 4.4.2 be legible and simply worded to convey a precise message;
- 4.4.3 be of such design and contain such colours that are compatible with the architectural design of the premises adjacent to the sign and are compatible with the townscape and overall amenity of the locality in which the sign is situated;
- 4.4.4 contain a combination of colours and typographical styles that blend in with and reinforce the heritage qualities of the locality and the buildings in which the sign is situated;
- 4.4.5 not have any balloons, flags, streamers or other things attached to it.

5. **Banners and Signs**

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

5.1 **Design and Construction**

A banner or sign must:

- 5.1.1 only be displayed on a road or road related area;
- 5.1.2 be securely fixed to a pole, fence or other structure so that it does not hang loose or flap;
- 5.1.3 not be attached to any building, structure, fence, vegetation or other item owned by the Council on a road, or other improvement to a road owned by the Council;
- 5.1.4 be constructed so as not to present a hazard to any member of the public;
- 5.1.5 not be unsightly or offensive in appearance;
- 5.1.6 not contain flashing or moving parts;
- 5.1.7 not exceed 3m² in size;

5.2 **Placement**

A banner or sign displayed on a road must:

- 5.2.1 be placed at least 1 metre from the kerb (or if there is no kerb, from the edge of the roadway);
- 5.2.2 not be placed on a landscaped irrigated area;
- 5.2.3 not be placed on a designated parking area or within 1 metre of an entrance to any premises;
- 5.2.4 not be placed in a position that puts the safety of any person or road user at risk;
- 5.2.5 not be placed on a median strip, roundabout, traffic island or on a carriageway;
- 5.2.6 not be placed within 50 metres of an intersection of a road with a posted speed limit of not more than 60km/h;
- 5.2.7 not be placed within 80 metres of an intersection of a road with a posted speed limit of more than 60km/h but less than 100km/h; and
- 5.2.8 not be displayed more than one month before and two days after the event it advertises.

5.3 **Appearance**

A banner or sign displayed on a road must:

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

Part 3 – Moveable Signs on Local Government Land

6. **Requirement to Obtain Permission**

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

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

Part 4 – Enforcement**7. Removal of Unauthorised Moveable Signs**

- 7.1 If:
- 7.1.1 a moveable sign has been placed on any road or footpath in contravention of this by-law or of section 226 of the *Local Government Act 1999*, an authorised person may order the owner of the sign to remove the moveable sign from the road or footpath;
 - 7.1.2 the authorised person cannot find the owner, or the owner fails to comply immediately with the order, the authorised person may remove and dispose of the sign;
 - 7.1.3 a moveable sign is removed under subparagraph 7.1.2 of this by-law and is not claimed within 30 days of such removal the authorised person may sell, destroy or otherwise dispose of the moveable sign as the authorised person thinks fit.
- 7.2 Any person who displays an unauthorised moveable sign or who is the owner of an unauthorised moveable sign which has been removed under subparagraph 7.1 of this by-law must pay the Council any reasonable costs incurred in removing, storing or attempting to dispose of the moveable sign before being entitled to recover the moveable sign.

8. Removal of Authorised Moveable Signs

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

Part 5 – Miscellaneous**9. Specified Exemptions**

- 9.1 This by-law does not apply to a moveable sign which:
- 9.1.1 is a moveable sign that is placed on a public road pursuant to an authorisation under the *Local Government Act 1999* or another Act;
 - 9.1.2 directs people to the open inspection of any land or building that is available for purchase or lease;
 - 9.1.3 directs people to a garage sale that is being held on residential premises;
 - 9.1.4 is related to a State or Commonwealth election and is displayed during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day;
 - 9.1.5 is related to a referendum and is displayed during the course and for the purpose of that referendum;
 - 9.1.6 is displayed with permission of the Council and in accordance with any conditions attached to that permission;
 - 9.1.7 is a sign of a class prescribed in regulations; or
 - 9.1.8 directs people to a charitable function.
- 9.2 Paragraphs 4.3.2 and 4.3.3 of this by-law do not apply to a flat sign containing only the banner or headlines of a newspaper or magazine.

10. Revocation

Council's *By-law No. 2 – Moveable Signs*, published in the *Gazette* on 1 October 2015, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Playford on the 23rd day of August 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.

Mr Sam Green
Chief Executive Officer

CITY OF PLAYFORD

LOCAL GOVERNMENT ACT 1999

LOCAL GOVERNMENT LAND BY-LAW 2022

By-law No. 3 of 2022

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

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Local Government Land By-law 2022*.

2. Commencement

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

3. Definitions

In this by-law:

- 3.1 **animal** includes birds, insects and fish;
- 3.2 **boat** includes a raft, canoe, personal watercraft or any other similar device;
- 3.3 **camp** includes setting up a camp, or cause a tent, caravan or motorhome to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 3.4 **children's playground** means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within 5 metres of such devices if there is no enclosed area);
- 3.5 **community garden** means an area of land set aside by the Council for the purposes of being gardened collectively by a group of people;
- 3.6 **domestic animal** includes any duck, reptile or fish;
- 3.7 **e-cigarette** means:
- 3.7.1 a device that is designed to generate or release an aerosol or vapour for inhalation by its user in a manner similar to the inhalation of smoke from an ignited tobacco product; or
- 3.7.2 a device of a kind resolved by the Council and notified by notice in the *Gazette* to be an e-cigarette;
- 3.8 **electoral matter** has the same meaning as in the *Electoral Act 1985* provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 3.9 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 3.10 **foreshore** means the land extending from the low water mark on the seashore to the nearest road or section boundary, or to a distance of 50 metres from the high water mark, whichever is the lesser distance;
- 3.11 **funeral ceremony** means a ceremony only (ie a memorial service) and does not include a burial;
- 3.12 **inflatable castle** includes a bouncy castle, jumping castle and any other inflatable structure used for recreational purposes;
- 3.13 **liquor** has the same meaning as defined in the *Liquor Licensing Act 1997*;
- 3.14 **livestock** has the same meaning as defined in the *Livestock Act 1997* but does not include a dog or cat;
- 3.15 **local government land** has the same meaning as in the *Local Government Act 1999* and includes the foreshore but does not include any road;
- 3.16 **low water mark** means the lowest meteorological tide;
- 3.17 **model aircraft** includes a drone;
- 3.18 **ocean** means that part of the foreshore comprising water;
- 3.19 **open container** means a container which:
- 3.19.1 after the contents thereof have been sealed at the time of manufacture and:
- 3.19.1.1 being a bottle, has had its cap, cork or top removed (whether or not it has since been replaced);
- 3.19.1.2 being a can, it has been opened or punctured;
- 3.19.1.3 being a cask, has had its tap placed in a position to allow it to be used;
- 3.19.1.4 being any form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to the contents thereof; or
- 3.19.2 is a flask, glass or mug or other container used for drinking purposes;
- 3.20 **personal watercraft** means a device that:
- 3.20.1 is propelled by a motor; and
- 3.20.2 has a fully enclosed hull; and
- 3.20.3 is designed not to retain water if capsized; and
- 3.20.4 is designed to be operated by a person who sits astride, stands, or kneels on the device, and includes the device commonly referred to as a jet ski;
- 3.21 **smoke** means:
- 3.21.1 in relation to a tobacco product, smoke, hold, or otherwise have control over, an ignited tobacco product; or

- 3.21.2 in relation to an e-cigarette, to inhale from, hold or otherwise have control over, an e-cigarette that is in use;
- 3.22 **traffic control device** has the same meaning as in the *Road Traffic Act 1961*;
- 3.23 **variable message sign** includes a permanent, portable or vehicle mounted electronic sign (except when the sign is used as a traffic control device);
- 3.24 **waters** means any body of water including a pond, lake, river, creek or wetlands under the care, control and management of Council, but does not include the ocean.

Part 2 – Management of Local Government Land

4. Activities Requiring Permission

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

- 4.1 **Access to waters**
subject to the provisions of the *Harbors and Navigation Act 1993* and the *Marine Safety (Domestic Commercial Vessel) National Law* enter any waters, or swim or use a boat in or on waters except:
- 4.1.1 in an area where a nearby sign erected by the Council states that one or more of these activities is permitted; and
- 4.1.2 in accordance with any condition stated in the sign;
- 4.2 **Advertising & Signage**
- 4.2.1 display any sign for the purpose of commercial advertising, other than a moveable sign that is displayed in accordance with the *Moveable Signs By-law 2022*;
- 4.2.2 erect, install, place or display a variable message sign;
- 4.3 **Aircraft**
subject to the *Civil Aviation Act 1988* (Cth), land or take off any aircraft on or from the land;
- 4.4 **Alteration to Local Government Land**
make an alteration to the land, including:
- 4.4.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property; or
- 4.4.2 erecting or installing a structure (including pipes, wires, cables, pavers, fixtures, fittings and other objects) in, on, across, under or over the land; or
- 4.4.3 changing or interfering with the construction, arrangement or materials of the land; or
- 4.4.4 changing, interfering with or removing a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the land; or
- 4.4.5 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land;
- 4.5 **Amplification**
use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound to the public;
- 4.6 **Animals on local government land**
- 4.6.1 other than the foreshore:
- 4.6.1.1 ride, lead or drive any livestock, except on any track or car park on local government land that the Council has set aside (through the erection of signage) for the use by, or in connection with that animal;
- 4.6.1.2 cause or allow any livestock to stray onto, move over, graze or be left unattended on any land;
- 4.6.1.3 cause or allow any animal under his or her control to swim or bathe in the any waters to which the Council has resolved this subparagraph shall apply;
- 4.6.2 comprising the foreshore:
- 4.6.2.1 cause or allow any livestock to enter or bathe in the ocean;
- 4.6.2.2 lead, drive, or exercise any livestock;
- 4.6.3 release or leave any domestic animal;
- 4.7 **Attachments**
attach anything to:
- 4.7.1 a tree or plant; or
- 4.7.2 a structure or fixture;
- 4.8 **Aquatic Life**
take, interfere with, introduce or disturb any aquatic life in any waters to which the Council has resolved this subparagraph shall apply;
- 4.9 **Bees**
place, or allow to remain, any bee hive;

- 4.10 **Boats**
subject to the provisions of the *Harbors and Navigation Act 1993* and the *Marine Safety (Domestic Commercial Vessel) National Law*:
- 4.10.1 hire or offer for hire a boat, raft, pontoon or other watercraft;
- 4.10.2 launch or retrieve a boat, raft, pontoon or other watercraft to or from any waters;
- 4.10.3 propel, float or otherwise use any boat, raft, pontoon or other watercraft on any waters;
- 4.10.4 launch or operate a model boat on any waters to which the Council has resolved this subparagraph shall apply;
- 4.11 **Bridge Jumping**
jump from or dive from a bridge;
- 4.12 **Buildings & Structures**
- 4.12.1 erect or install a building;
- 4.12.2 use a building or structure other than for its intended purpose;
- 4.13 **Camping**
- 4.13.1 erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation;
- 4.13.2 camp or sleep overnight;
- except where a sign or signs erected by the Council indicate that camping on the land is permitted or where the person is in a caravan park (the proprietor of which has been given permission to operate the caravan park on that land);
- 4.14 **Cemeteries**
Comprising a cemetery:
- 4.14.1 bury or inter any human or animal remains;
- 4.14.2 erect any memorial;
- 4.15 **Closed lands**
enter or remain on any part of the land:
- 4.15.1 at any time during which the Council has declared that it shall be closed to the public, and which is indicated by a sign to that effect; or
- 4.15.2 where the land is enclosed with fences and/or walls and gates, at any time when the gates have been closed and locked; or
- 4.15.3 where admission charges are payable, without paying those charges;
- 4.16 **Distribution**
distribute anything to any bystander, passerby or other person;
- 4.17 **Donations**
ask for or receive or indicate that he or she desires a donation of money or any other thing;
- 4.18 **Fires**
light any fire except:
- 4.18.1 in a place provided by the Council for that purpose; or
- 4.18.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four metres; and
- 4.18.3 in accordance with the *Fire and Emergency Services Act 2005*;
- 4.19 **Fireworks**
discharge any fireworks;
- 4.20 **Fishing**
- 4.20.1 fish in any waters on local government land to which the Council has resolved this subparagraph shall apply; or
- 4.20.2 fish from any bridge or other structure on local government land to which the Council has resolved this subparagraph shall apply;
- 4.21 **Flora fauna and other living things**
subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:
- 4.21.1 except in a community garden, damage, pick, or interfere with any plant, fungi or lichen thereon; or
- 4.21.2 tease, remove or cause harm to any animal or bird or the eggs or young of any animal or bird or aquatic creature;
- 4.21.3 use, possess or have control of any device for the purpose of killing or capturing any animal or bird;
- 4.22 **Funerals and scattering ashes**
conduct or participate in a funeral ceremony, or scatter ashes on land to which the Council has resolved this subparagraph will apply;

- 4.23 **Golf**
play or practice golf, except on local government where a nearby sign erected by the Council states that the playing or practicing of golf is permitted.
- 4.24 **Lighting**
4.24.1 use or operate any fixed floodlight;
4.24.2 use or operate any portable floodlight between sunrise and sunset on land to which the Council has resolved this subparagraph shall apply;
- 4.25 **Model aircraft, boats and cars**
4.25.1 subject to the *Civil Aviation Act 1988*, fly or operate a model aircraft, model boat or model/remote control car which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of local government land or detract from or be likely to detract from another person's lawful use and enjoyment of the land;
4.25.2 fly or operate a model aircraft, model boat or model/remote control car on land to which the Council has resolved this subparagraph shall apply;
- 4.26 **No liquor**
4.26.1 consume, carry or be in possession or charge of any liquor on any local government land to which the Council has resolved this subparagraph shall apply (provided the land constitutes a park or reserve);
4.26.2 excepting sealed containers, consume, carry or be in possession or charge of any liquor in an open container on any local government land to which the Council has resolved this subparagraph shall apply (provided the land constitutes a park or reserve);
- 4.27 **Picking of fruit, nuts or berries**
except in any community garden, pick fruit, nuts, seeds or berries from any plant;
- 4.28 **Playing games**
4.28.1 play or practice a game in any area where a sign indicates that the game is prohibited;
4.28.2 promote, organise or take part in any organised athletic sport in any area to which the Council has resolved this subparagraph shall apply;
4.28.3 play any organised competition sport, as distinct from organised social play, in any area to which the Council has resolved this subparagraph shall apply;
- 4.29 **Preaching and Canvassing**
preach, canvass, harangue or otherwise solicit for religious purposes except on any land or part thereof where the Council has, by resolution, determined this restriction shall not apply;
- 4.30 **Public Exhibitions and Displays**
4.30.1 sing, busk or play a musical instrument for the apparent purpose of either entertaining others or receiving money;
4.30.2 conduct or hold any concert, festival, show, public gathering, circus, performance or any other similar activity;
4.30.3 erect or inflate any inflatable castle;
4.30.4 cause any public exhibitions or displays;
- 4.31 **Removing**
carry away or remove any earth, rocks, minerals, plant material (dead or living), animal remains (including shells and fossils) or any part of the land;
- 4.32 **Selling**
sell anything or display anything for sale;
- 4.33 **Skateboards and small wheeled devices**
subject to the *Road Traffic Act 1961*, and the *Local Government Act 1999*, ride on a skateboard or use roller skates or roller blades on land to which the Council has resolved this subparagraph will apply;
- 4.34 **Vehicles**
4.34.1 drive or propel a motor vehicle thereon, unless on an area or road constructed or set aside by the Council for the parking or travelling of motor vehicles;
4.34.2 take part in any race, test or trial of any kind utilising a motor vehicle except in an area that has been properly constructed or set aside by the Council for that purpose; or
4.34.3 promote or organise any race, test or trial of any kind in which motor vehicles take part unless the race, test or trial is to take place on an area that has been properly constructed or set aside by the Council for that purpose;
- 4.35 **Weddings**
conduct or participate in a marriage ceremony on land to which the Council has resolved this subparagraph will apply;
- 4.36 **Wetlands**
subject to the *Natural Resources Management Act 2004*, where that land constitutes a wetland:
4.36.1 operate a model boat;

- 4.36.2 fish, or take any aquatic creature;
- 4.36.3 introduce any fish or aquatic creature;
- 4.36.4 take or draw water;
- 4.37 **Working on vehicles**
perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.
5. **Prohibited Activities**
A person must not, on any local government land:
- 5.1 **Animals**
- 5.1.1 cause or allow any animal to enter, swim, bathe, or remain in any waters to the inconvenience, annoyance or danger of any other person bathing or swimming;
- 5.1.2 allow an animal in that persons control, charge or ownership to damage Council property;
- 5.1.3 lead, drive, or exercise any horse or other animal in such a manner as to endanger the safety of any other person;
- 5.2 **Annoyances**
unreasonably annoy or interfere with any other person's use of the land by making a noise or creating a disturbance that has not been authorised by the Council;
- 5.3 **Children's playgrounds**
use any device, equipment or apparatus installed in a children's playground if that person is of or over the age indicated by sign or notice as the age limit for using such equipment, apparatus or other installed device;
- 5.4 **Fishing**
- 5.4.1 return any noxious species including European carp (*Cyprinus carpio*) or redfin perch (*Perca fluviatilis*) caught by the person to any land or waters;
- 5.4.2 deposit or leave any dead fish (in part or whole) or offal;
- 5.5 **Interference with Permitted Use**
interrupt, disrupt or interfere with any other person's use of local government land which is permitted or for which permission has been granted;
- 5.6 **Smoking**
smoke tobacco or any other substance:
- 5.6.1 in any building or part of any building; or
- 5.6.2 on any local government land;
- to which the Council has resolved this subparagraph shall apply;
- 5.7 **Toilets**
in any public convenience:
- 5.7.1 urinate other than in a urinal or pan or defecate other than in a pan provided for that purpose;
- 5.7.2 smoke tobacco or any other substance;
- 5.7.3 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
- 5.7.4 use it for a purpose for which it was not designed or constructed;
- 5.8 **Use of Council rubbish bins**
deposit any commercial waste or other rubbish emanating from commercial premises in any Council rubbish bin;
- 5.9 **Use of equipment**
use any item of equipment or property belonging to the Council other than in the manner and for the purpose for which it was designed or set aside.

Part 3 – Miscellaneous

6. **Directions**
A person must comply with any reasonable direction or request from an authorised person relating to:
- 6.1 that person's use of the land;
- 6.2 that person's conduct and behaviour on the land;
- 6.3 that person's safety on the land;
- 6.4 the safety and enjoyment of the land by other persons.
7. **Removal of Animals and Exclusion of Persons**
- 7.1 If any animal is found on local government land in breach of this by-law:
- 7.1.1 any person in charge of the animal shall forthwith remove it from that land on the request of an authorised person; and
- 7.1.2 any authorised person may remove any animal from the land if the person fails to comply with the request, or if no person is in charge of the animal.
- 7.2 An authorised person may direct any person who is considered to be committing, or has committed, a breach of this by-law to leave local government land.

8. Removal of Encroachment or Interference

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

- 8.1 cease the encroachment or interference; and
- 8.2 remove the source of the encroachment or interference; and
- 8.3 reinstate the land to the same standard it was prior to the encroachment, interference or alteration.

9. Council May do Work

If a person:

- 9.1 fails to remove an encroachment or interference on local government land in accordance with a request of an authorised person pursuant to paragraph 8 of this by-law; or
 - 9.2 intentionally or negligently damages local government land,
- an authorised person may:
- 9.3 undertake the work to comply with the request pursuant to paragraph 8 and/or repair the damage; and
 - 9.4 recover the cost of completing the work from the person.

10. Exemptions

- 10.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to an emergency worker performing emergency duties.
- 10.2 The restrictions in paragraph 4.2.2, 4.7.2, 4.16, 4.29, 4.30.1, 4.30.2 and 4.30.4 of this by-law do not apply to:
 - 10.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing at 5:00pm on the day before on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
 - 10.2.2 matters which relate to, and occur during the course of and for the purpose of a referendum.

11. Application

Any of paragraphs 4.6.1.3, 4.8, 4.10.4, 4.20, 4.22, 4.24.2, 4.25.2, 4.26, 4.28.2, 4.28.3, 4.33, 4.35, 5.6 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246(3)(e) of the *Local Government Act 1999*.

12. Revocation

Council's *By-law No. 3 – Local Government Land*, published in the *Gazette* on 1 October 2015, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Playford on the 23rd day of August 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.

Mr Sam Green
Chief Executive Officer

CITY OF PLAYFORD
 LOCAL GOVERNMENT ACT 1999
 DOG AND CAT MANAGEMENT ACT 1995
 DOGS BY-LAW 2022
 By-law No. 4 of 2022

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

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Dogs By-law 2022*.

2. Commencement

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

3. Definitions

In this by-law:

- 3.1 **approved kennel establishment** means a building, structure or area approved by the relevant authority, pursuant to the *Development Act 1993* or *Planning, Development and Infrastructure Act 2016* for the keeping of dogs on a temporary or permanent basis;
- 3.2 **assistance dog** means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled and includes a dog undergoing training of a kind approved by the Board for assistance dogs;
- 3.3 **Board** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.4 **children's playground** means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within 5 metres of such devices if there is no enclosed area);
- 3.5 **control**, in relation to a dog, includes the person having ownership, possession or charge of, or authority over, the dog;
- 3.6 **dog** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.7 **effective control** means a person exercising effective control of a dog either:
- 3.7.1 by means of a physical restraint;
- 3.7.2 by command, the dog being in close proximity to the person, and the person being able to see the dog at all times;
- 3.8 **keep** includes the provision of food or shelter;
- 3.9 **local government land** has the same meaning as in the *Local Government Act 1999*;
- 3.10 **wetland area** includes any park, reserve, scrub, trail or other land adjacent to a wetland.

Part 2 – Dog Management and Control

4. Dog Free Areas

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

5. Dog on Leash Areas

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

- 5.1 on local government land or public place to which the Council has resolved that this subparagraph applies;
- 5.2 on any park or reserve during times when organised sport is being played;
- 5.3 within 5 metres of children's playground equipment;
- 5.4 in any wetland area;

unless the dog is secured by a strong leash not exceeding 2 metres in length which is either tethered securely to a fixed object capable of securing the dog or held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

6. Dog Exercise Areas

6.1 A person may enter upon any part of local government land identified by the Council as a dog exercise area in accordance with paragraph 8 for the purpose of exercising a dog under his or her control.

6.2 Where a person enters upon such part of local government land for that purpose, he or she must ensure that the dog under his or her control remains under effective control while on that land.

7. Limit on Dog Numbers

7.1 The limit on the number of dogs kept on any premises is two dogs.

7.2 A person must not, without permission, keep any dog on any premises where the number of dogs on the premises exceeds the limit unless:

- 7.2.1 the premises is an approved kennel establishment; or
- 7.2.2 the Council has exempted the premises from compliance with this sub-paragraph; or
- 7.2.3 the dog is under 3 months of age.

Part 3 – Miscellaneous

8. Application

8.1 Any of paragraphs 4, 5.1 and 6.1 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246 of the *Local Government Act 1999* and as are denoted by signs erected by the Council and information provided to the public in a manner determined by the Council's Chief Executive Officer.

9. Revocation

Council's *By-law No. 4 – Dogs*, published in the *Gazette* on 1 October 2015, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Playford held on the 23rd day of August 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.

Mr Sam Green
 Chief Executive Officer

CITY OF PLAYFORD
LOCAL GOVERNMENT ACT 1999
DOG AND CAT MANAGEMENT ACT 1995

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

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

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Cats By-law 2022*.

2. Commencement

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

3. Definitions

3.1 In this by-law:

- 3.1.1 **authorised person** has the same meaning as in the *Dog and Cat Management Act 1995*;
 - 3.1.2 **cattery** means a building, structure, premises or area approved by the relevant authority pursuant to the *Development Act 1993* or the *Planning, Development and Infrastructure Act 2016* for the keeping of cats on a temporary or permanent basis;
 - 3.1.3 **cat** means an animal of the species *Felis catus* over three months of age;
 - 3.1.4 **keep** includes the provision of food or shelter;
 - 3.1.5 **premises** includes:
 - 3.1.5.1 land;
 - 3.1.5.2 a part of any premises or land;
 - 3.1.6 **prescribed premises** means:
 - 3.1.6.1 a cattery;
 - 3.1.6.2 a veterinary practice;
 - 3.1.6.3 a pet shop; or
 - 3.1.6.4 any premises for which the Council has granted an exemption;
 - 3.1.7 **public notice** has the same meaning as in Section 4(1aa) of the *Local Government Act 1999*;
- 3.2 For the purposes of this by-law:
- 3.2.1 the **prescribed limit**, in respect of the number of cats to be kept on premises, is two cats;
 - 3.2.2 the **prescribed manner** in which a cat is to be identified at all times while the cat is not effectively confined to premises of which the owner of the cat is the occupier is by means of a collar around its neck to which a tag is attached legibly setting out:
 - 3.2.2.1 the name of the owner of the cat, or of a person entitled to possession of the cat; and
 - 3.2.2.2 either:
 - (a) the address of the owner or other person; or
 - (b) the telephone number of the owner or other person.

Part 2 – Identification of Cats

4. Identification of Cats

- 4.1 Every cat must be identified in the prescribed manner at all times while the cat is not effectively confined to premises of which the owner of the cat is the occupier.
- 4.2 If a cat is not identified in the prescribed manner required by paragraph 4.1, any person who owns or is responsible for the control of the cat is guilty of an offence.
- 4.3 A person is not guilty of an offence by reason of the fact that the cat is not identified in the prescribed manner if:
 - 4.3.1 the cat:
 - 4.3.1.1 is travelling with the person; and
 - 4.3.1.2 is not usually kept within the area of the Council; or
 - 4.3.1.3 is suffering from injury, disease or sickness to the extent that the wearing of a collar would be injurious to the health of the cat; or
 - 4.3.2 the person is responsible for the control of the cat only by reason of the cat being kept, for business purposes, at prescribed premises; or
 - 4.3.3 the Council has granted the owner of the cat an exemption from the requirements of this paragraph or an extension of time within which to comply with the requirements.

Part 3 – Cat Management and Control

5. Limit on Cat Numbers

- 5.1 A person must not, without permission, keep any cat on any premises where the number of cats on the premises exceeds the prescribed limit.
- 5.2 Permission under this paragraph may be given if the Council is satisfied that:
 - 5.2.1 no insanitary condition exists on the premises as a result of the keeping of cats;
 - 5.2.2 a nuisance is not caused to any neighbour as a result of the keeping of cats on the premises; and

5.2.3 all cats kept on the premises are desexed and microchipped in accordance with any requirements of the *Dog and Cat Management Act 1995*.

5.3 The prescribed limit does not apply to prescribed premises.

Part 4 – Miscellaneous

6. Revocation

Council's *By-law No. 5 – Cats*, published in the *Gazette* on 1 October 2015, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Playford held on the 23rd day of August 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.

Mr Sam Green
Chief Executive Officer

CITY OF PLAYFORD
LOCAL GOVERNMENT ACT 1999
DOG AND CAT MANAGEMENT ACT 1995
BIRD SCARING DEVICES BY-LAW 2022
By-law No. 6 of 2022

To regulate the use of bird scaring devices for the prevention and suppression of nuisances.

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Bird Scaring Devices By-law 2022*.

2. Commencement

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

3. Definitions

In this By-law:

3.1 activate a device means:

- 3.1.1 for a gas powered device – the use or employment of a device to create one detonation producing a single emission; and
- 3.1.2 for an electronic noise generating device – the use or employment of a device to create a single noise emission or one which produces a continuous sequence of noise emissions but which does not exceed 30 seconds in duration; and
- 3.1.3 includes to cause or permit a device to be activated;

3.2 animal means any animal except a bird;

3.3 device means any noise generating device designed and used for the purpose of scaring birds from land;

3.4 flammable undergrowth means any organic material that is either flammable or potentially flammable;

3.5 land means any piece or section of land or any aggregation of contiguous land subject to the same ownership or occupation;

3.6 multiple detonation device means a device that has more than one detonation in any 10 minute period; and

3.7 noise sensitive premises means a dwelling not associated with the land upon which the device is located, a library, a child care centre, a kindergarten, a school or other educational institution, a hospital, a surgery or other medical institution, a public park or garden or recreation space.

Part 2 – Restrictions on use of Devices

4. Prohibited Activities

4.1 No person being the owner or occupier of land, shall activate, use or employ any device:

- 4.1.1 in such a manner as to be a nuisance or danger to any other person or animal;
- 4.1.2 being a multiple detonation device;
- 4.1.3 on Christmas Day or Good Friday;
- 4.1.4 unless all flammable undergrowth within a 4 metre radius of the device is destroyed by cutting, slashing or other lawful means; and
- 4.1.5 unless all other flammable material within a 4 metre radius of the device is removed.

4.2 No person being the owner or occupier of land, shall activate, use or employ:

- 4.2.1 any device on less than 5 hectares of land;
- 4.2.2 more than 1 device on land greater than 5 and less than 10 hectares in area;
- 4.2.3 more than 2 devices on land greater than 10 and less than 15 hectares in area;
- 4.2.4 on land greater than 10 hectares in area, 1 additional device for each subsequent 5 hectare area of the land.

5. Permissive Activities

5.1 Subject to clause 4 of this by-law, the owner or occupier of land must not without the permission of the Council:

- 5.1.1 activate a device:
 - 5.1.1.1 other than between the hours of 7.00am and 8.00pm;
 - 5.1.1.2 at a frequency greater than six times per hour;
 - 5.1.1.3 within 300 metres of noise sensitive premises;
 - 5.1.1.4 in a building or structure;
 - 5.1.1.5 within 300 metres of any animal;
- 5.1.2 direct a device towards noise sensitive premises.

Part 3 – Miscellaneous

6. Notice

6.1 Where there is a breach of any provision of this by-law, the Council may serve notice in writing on the owner or occupier of any land upon which a device is being used or employed requiring that person to reduce the number of activations of a device or to disarm or to remove a device.

6.2 Any person on whom a notice is served shall comply with the notice.

6.3 If the notice is not complied with, the Council may carry out or cause to be carried out the measures required by the notice and may recover the cost of so doing from the person to whom the notice was directed.

7. Protection of Council

The Council shall not be liable for any loss caused in exercising its powers under this by-law.

8. Revocation

Council's *By-law No.6 – Bird Scaring Devices*, published in the *Gazette* on 1 October 2015, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Playford held on the 23rd day of August 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.

Sam Green
Chief Executive Officer

CITY OF PLAYFORD
LOCAL GOVERNMENT ACT 1999
ROADS BY-LAW 2022
By-law No. 7 of 2022

For the management of public roads.

Part 1 – Preliminary

1. **Short Title**
This by-law may be cited as the *Roads By-law 2022*.
2. **Commencement**
This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.
3. **Definitions**
In this by-law, unless the contrary intention appears:
 - 3.1 **animal** includes birds and poultry but does not include a dog;
 - 3.2 **camp** includes setting up a camp, or causing a tent, caravan or motorhome to remain on the road for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the road;
 - 3.3 **dog** has the same meaning as in the *Dog and Cat Management Act 1995*;
 - 3.4 **electoral matter** has the same meaning as in the *Electoral Act 1985* provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
 - 3.5 **emergency vehicle** means a vehicle driven by a person who is an emergency worker;
 - 3.6 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*;
 - 3.7 **road** has the same meaning as in the *Local Government Act 1999*.

Part 2 – Management of Roads

4. **Activities Requiring Permission**
A person must not on any road, without the permission of the Council:
 - 4.1 **Advertising**
display any sign for the purpose of commercial advertising, other than a moveable sign which is displayed on a public road in accordance with the Council's *Moveable Signs By-law 2022*;
 - 4.2 **Amplification**
use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements or advertisements;
 - 4.3 **Animals**
 - 4.3.1 cause or allow any animal, to stray onto, graze, wander on or be left unattended on any road except where the Council has set aside a track or other area for use by or in connection with an animal of that kind and, then only if under the effective control of a person;
 - 4.3.2 lead, drive or exercise any animal in such a manner as to endanger the safety of any person;
 - 4.4 **Bicycles**
chain, lock or affix a bicycle to any pole, fence or other structure on a Road where the bicycle may cause an obstruction or damage the structure, other than on a structure specifically designed and set aside by the Council for that purpose;
 - 4.5 **Bridge Jumping**
jump or dive from any bridge or other structure;
 - 4.6 **Camping**
 - 4.6.1 erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation;
 - 4.6.2 camp or sleep overnight;
 - 4.6.3 camp or sleep overnight in a motorhome, except where a sign or signs erected by the Council indicate that camping on the road in such a vehicle is permitted;
 - 4.7 **Canvassing**
convey any advertising, religious or other message to any bystander, passerby or other person;
 - 4.8 **Donations**
ask for or receive or indicate that he or she desires a donation of money or any other thing;
 - 4.9 **Preaching**
preach, canvass, harangue or otherwise solicit for religious purposes except on any road or part thereof where the Council has, by resolution, determined this restriction shall not apply;
 - 4.10 **Public Exhibitions and Displays**
 - 4.10.1 sing, busk or play a musical instrument for the apparent purpose of either entertaining others or receiving money;
 - 4.10.2 conduct or hold any concert, festival, public gathering, show, street party, circus, performance or any other similar activity;

- 4.10.3 erect a stage or structure for the purpose of conducting or holding a concert, festival, show, circus, performance or a similar activity;
- 4.10.4 cause any public exhibitions or displays;
- 4.11 **Touting for Business**
tout for business;
- 4.12 **Use of Council Rubbish Bins**
deposit any commercial waste or other rubbish emanating from commercial premises in any Council rubbish bin;
- 4.13 **Working on Vehicles**
perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.

Part 3 – Miscellaneous**5. Directions**

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

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

6. Removal of Animals

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

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

7. Exemptions

- 7.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to an emergency worker when driving an emergency vehicle.
- 7.2 The restrictions in paragraph 4.7, 4.9 and 4.10 of this by-law do not apply to:
 - 7.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
 - 7.2.2 matters which relate to, and occur during the course of and for the purpose of a referendum.

8. Revocation

Council's *By-law No. 7 – Roads*, published in the *Gazette* on 1 October 2015, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Playford held on the 23rd day of August 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.

Mr Sam Green
Chief Executive Officer

CITY OF PLAYFORD
LOCAL GOVERNMENT ACT 1999
WASTE MANAGEMENT BY-LAW 2022
By-law No. 8 of 2022

For the facilitation of the collection and removal of waste from premises.

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Waste Management By-law 2022*.

2. Commencement

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

3. Definitions

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

- 3.1 **Premises** means premise, excluding vacant land, as to which the Council's Waste collection services is made available;
- 3.2 **Road** has the same meaning as in the *Local Government Act 1999*;
- 3.3 **Waste** means Domestic Waste, Recyclables and Green Organics; and
- 3.4 **Waste Containers** means Domestic Waste Containers, Recyclables Containers and Green Organics Containers.

4. Collection Services

An occupier of premises must 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:

- 4.1 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
- 4.2 in a position:
 - 4.2.1 adjacent to the kerb (not on the carriageway) so that the front of the bin faces the road; and
 - 4.2.2 as may otherwise be approved or directed by the Council and, wherever practicable, notified to the occupier in writing; and
- 4.3 remove all waste containers from the road on the same day as or the morning after the collection of waste has occurred.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Playford held on the 23rd day of August 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.

Mr Sam Green
Chief Executive Officer

CITY OF PROSPECT

LOCAL GOVERNMENT ACT 1999

PERMITS AND PENALTIES BY-LAW 2022

By-law No. 1 of 2022

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

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

This by-law may be cited as the *Permits and Penalties By-law 2022*.

2. Commencement

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

3. Definitions

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

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

3.2 In this by-law:

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

4. Construction

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

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

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

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

Part 3 – Enforcement**6. Penalties**

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

7. Liability of Vehicles Owners and Expiation of Certain Offences

- 7.1 Without derogating from the liability of any other person, but subject to this paragraph, if a vehicle is involved in a prescribed offence, the owner of the vehicle is guilty of an offence and liable to the same penalty as is prescribed for the principal offence and the expiation fee that is fixed for the principal offence applies in relation to an offence against this paragraph.
- 7.2 The owner and driver of a vehicle are not both liable through the operation of this paragraph to be convicted of an offence arising out of the same circumstances, and consequently conviction of the owner exonerates the driver and conversely conviction of the driver exonerates the owner.
- 7.3 An expiation notice or expiation reminder notice given under the *Expiation of Offences Act 1996* to the owner of a vehicle for an alleged prescribed offence involving the vehicle must be accompanied by a notice inviting the owner, if they were not the driver at the time of the alleged prescribed offence, to provide the Council or officer specified in the notice, within the period specified in the notice, with a statutory declaration:
- 7.3.1 setting out the name and address of the driver; or
- 7.3.2 if they had transferred ownership of the vehicle to another prior to the time of the alleged offence and has complied with the *Motor Vehicles Act 1959* in respect of the transfer - setting out details of the transfer (including the name and address of the transferee).
- 7.4 Before proceedings are commenced against the owner of a vehicle for an offence against this section involving the vehicle, the Informant must send the owner a notice:
- 7.4.1 setting out particulars of the alleged prescribed offence; and
- 7.4.2 inviting the owner, if he or she was not the driver at the time of the alleged prescribed offence, to provide the Informant, within 21 days of the date of the notice, with a statutory declaration setting out the matters referred to in subparagraph 7.3.
- 7.5 Subparagraph 7.4 does not apply to:
- 7.5.1 proceedings commenced where an owner has elected under the *Expiation of Offences Act 1996* to be prosecuted for the offence; or
- 7.5.2 proceedings commenced against an owner of a vehicle who has been named in a statutory declaration under this section as the driver of the vehicle.
- 7.6 Subject to subparagraph 7.7, in proceedings against the owner of a vehicle for an offence against this paragraph, it is a defence to prove:
- 7.6.1 that, in consequence of some unlawful act, the vehicle was not in the possession or control of the owner at the time of the alleged prescribed offence; or
- 7.6.2 that the owner provided the Informant with a statutory declaration in accordance with an invitation under this paragraph.
- 7.7 The defence in paragraph 7.6.2 does not apply if it is proved that the owner made the declaration knowing it to be false in a material particular.
- 7.8 If:
- 7.8.1 an expiation notice is given to a person named as the alleged driver in a statutory declaration under this paragraph; or
- 7.8.2 proceedings are commenced against a person named as the alleged driver in such a statutory declaration,
- the notice or summons, as the case may be, must be accompanied by a notice setting out particulars of the statutory declaration that named the person as the alleged driver.
- 7.9 The particulars of the statutory declaration provided to the person named as the alleged driver must not include the address of the person who provided the statutory declaration.

8. Evidence

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

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

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

Part 4 – Miscellaneous**9. Revocation**

Council's *Permits and Penalties By-law 2015*, published in the *Gazette* on 3 September 2015, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Prospect held on the 23rd day of August 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.

Mr Chris White
Chief Executive Officer

CITY OF PROSPECT
LOCAL GOVERNMENT ACT 1999
MOVEABLE SIGNS BY-LAW 2022

By-law No. 2 of 2022

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

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Moveable Signs By-law 2022*.

2. Commencement

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

3. Definitions

In this by-law:

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

Part 2 – Provisions Applicable to Moveable Signs

4. Design and Construction

A moveable sign displayed on a road must:

- 4.1 be constructed so as not to present a hazard to any member of the public;
- 4.2 be constructed so as to be stable when in position and to be able to keep its position in adverse weather conditions;
- 4.3 not be unsightly or offensive in appearance;
- 4.4 not contain flashing or moving parts;
- 4.5 be not more than 1 metre high, 60 centimetres in width or 60 centimetres in depth;
- 4.6 not have a display area on any side exceeding 1m²;
- 4.7 in the case of an ‘A’ frame or sandwich board sign:
- 4.7.1 be hinged or joined at the top;
- 4.7.2 be of such construction that its sides can be and are securely fixed or locked in position when erected;
- 4.8 in the case of an inverted ‘T’ sign, contain no struts or members than run between the display area of the sign and the base of the sign.

5. Placement

A moveable sign displayed on a road must:

- 5.1 not be placed anywhere except on the footpath;
- 5.2 not be placed on a footpath that is less than 2.1 metres wide;
- 5.3 not be placed on a sealed footpath, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 metres wide;
- 5.4 not be placed on a footpath, unless there is at least 2 metres between the sign and any structure above the sign;
- 5.5 be placed at least 40 centimetres from the kerb (or if there is no kerb, from the edge of the roadway);
- 5.6 not be placed on a landscaped area, other than on landscaping that comprises only lawn;
- 5.7 not be placed on a designated parking area or within 1 metre of an entrance to any premises; and
- 5.8 not be fixed, tied or chained to, leaned against or placed closer than 2 metres to any other structure, object or plant (except another moveable sign);
- 5.9 not be fixed, tied or chained to, leaned against or placed closer than 2 metres to another moveable sign;
- 5.10 not be placed in a position that puts the safety of any person at risk;
- 5.11 not be placed on a median strip, traffic island or on a carriageway;
- 5.12 within 10 metres of an intersection of a road.

6. Restrictions

A moveable sign displayed on a road must:

- 6.1 only contain material which advertises a business being conducted on commercial premises adjacent to the sign, or the goods and services available from that business;
- 6.2 be limited to one per business premises;

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

7. **Appearance**

A moveable sign displayed on a road must:

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

8. **Banners**

A banner must:

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

Part 3 – Enforcement

9. **Removal of Unauthorised Moveable Signs**

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

10. **Removal of Authorised Moveable Signs**

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

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

Part 4 – Miscellaneous

11. **Specified Exemptions**

- 11.1 This by-law does not apply to a moveable sign which:
 - 11.1.1 is a moveable sign that is placed on a public road pursuant to an authorisation under the *Local Government Act 1999* or another Act;
 - 11.1.2 directs people to the open inspection of any land or building that is available for purchase or lease;
 - 11.1.3 directs people to a garage sale that is being held on residential premises;
 - 11.1.4 directs people to a charitable function;
 - 11.1.5 is related to a State or Commonwealth election and is displayed during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day;
 - 11.1.6 is related to a referendum and is displayed during the course and for the purpose of that referendum;
 - 11.1.7 is displayed with permission of the Council and in accordance with any conditions attached to that permission; or
 - 11.1.8 is a sign of a class prescribed in regulations.
- 11.2 Paragraphs 6.2 and 6.3 of this by-law do not apply to a flat sign containing only the banner or headlines of a newspaper or magazine.
- 11.3 Paragraphs 4, 6.2, 6.3 and 7 of this by-law do not apply to a directional sign to an event run by a charitable body.

12. **Revocation**

Council's *Moveable Signs By-law 2015*, published in the *Gazette* on 3 September 2015, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Prospect held on the 23rd day of August 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.

Mr Chris White
Chief Executive Officer

CITY OF PROSPECT

LOCAL GOVERNMENT ACT 1999

LOCAL GOVERNMENT LAND BY-LAW 2022

By-law No. 3 of 2022

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

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Local Government Land By-law 2022*.

2. Commencement

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

3. Definitions

In this by-law:

- 3.1 **animal** includes birds, insects and fish;
- 3.2 **aquatic reserve** means an area of local government land (including any waters) declared by the Council, by resolution, to be an aquatic reserve for the purposes of this by-law;
- 3.3 **boat** includes a raft, canoe, personal watercraft or any other similar device;
- 3.4 **camp** includes setting up a camp, or cause a tent, caravan or motorhome to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 3.5 **children's playground** means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within 5 metres of such devices if there is no enclosed area);
- 3.6 **community garden** means an area of land set aside by the Council for the purposes of being gardened collectively by a group of people;
- 3.7 **domestic animal** includes any duck, reptile or fish;
- 3.8 **e-cigarette** means:
- 3.8.1 a device that is designed to generate or release an aerosol or vapour for inhalation by its user in a manner similar to the inhalation of smoke from an ignited tobacco product; or
- 3.8.2 a device of a kind resolved by the Council and notified by notice in the *Gazette* to be an e-cigarette;
- 3.9 **electoral matter** has the same meaning as in the *Electoral Act 1985* provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 3.10 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 3.11 **funeral ceremony** means a ceremony only (ie a memorial service) and does not include a burial;
- 3.12 **inflatable castle** includes a bouncy castle, jumping castle and any other inflatable structure used for recreational purposes;
- 3.13 **liquor** has the same meaning as defined in the *Liquor Licensing Act 1997*;
- 3.14 **local government land** has the same meaning as in the *Local Government Act 1999*, but does not include any road;
- 3.15 **model aircraft** includes a drone;
- 3.16 **open container** means a container which:
- 3.16.1 after the contents thereof have been sealed at the time of manufacture and:
- 3.16.1.1 being a bottle, has had its cap, cork or top removed (whether or not it has since been replaced);
- 3.16.1.2 being a can, it has been opened or punctured;
- 3.16.1.3 being a cask, has had its tap placed in a position to allow it to be used;
- 3.16.1.4 being any form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to the contents thereof; or
- 3.16.2 is a flask, glass or mug or other container used for drinking purposes;
- 3.17 **personal watercraft** means a device that:
- 3.17.1 is propelled by a motor; and
- 3.17.2 has a fully enclosed hull; and
- 3.17.3 is designed not to retain water if capsized; and
- 3.17.4 is designed to be operated by a person who sits astride, stands, or kneels on the device, and includes the device commonly referred to as a jet ski;

- 3.18 **smoke** means:
- 3.18.1 in relation to a tobacco product, smoke, hold, or otherwise have control over, an ignited tobacco product; or
- 3.18.2 in relation to an e-cigarette, to inhale from, hold or otherwise have control over, an e-cigarette that is in use;
- 3.19 **traffic control device** has the same meaning as in the *Road Traffic Act 1961*;
- 3.20 **variable message sign** includes a permanent, portable or vehicle mounted electronic sign (except when the sign is used as a traffic control device);
- 3.21 **waters** means any body of water including a pond, lake, river, creek or wetlands under the care, control and management of Council;
- 3.22 **wheeled recreational device** has the same meaning as in the *Road Traffic Act 1961*.

Part 2 – Management of Local Government Land

4. Activities Requiring Permission

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

- 4.1 **Advertising & Signage**
- 4.1.1 display any sign for the purpose of commercial advertising;
- 4.1.2 erect, install, place or display a variable message sign;
- 4.2 **Aircraft**
- subject to the *Civil Aviation Act 1988* (Cth), land or take off any aircraft on or from the land;
- 4.3 **Alteration to Local Government Land**
- make an alteration to the land, including:
- 4.3.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property; or
- 4.3.2 erecting or installing a structure (including pipes, wires, cables, pavers, fixtures, fittings and other objects) in, on, across, under or over the land; or
- 4.3.3 changing or interfering with the construction, arrangement or materials of the land; or
- 4.3.4 changing, interfering with or removing a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the land; or
- 4.3.5 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land;
- 4.4 **Amplification**
- use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound;
- 4.5 **Animals on local government land**
- 4.5.1 cause or allow any animal to stray onto, move over, graze or be left unattended;
- 4.5.2 cause or allow any animal under his or her control to enter, swim or bathe in any waters where the Council has, by resolution, determined this restriction will apply;
- 4.5.3 release or leave any domestic animal;
- 4.6 **Attachments**
- attach anything to a tree, plant, structure or fixture on local government land;
- 4.7 **Bees**
- place, or allow to remain, any bee hive;
- 4.8 **Boats**
- 4.8.1 hire or offer for hire a boat, raft, pontoon or other watercraft;
- 4.8.2 launch or retrieve a boat, raft, pontoon, model boat or other watercraft to or from any waters to which the Council has resolved this subparagraph will apply;
- 4.8.3 propel, float or otherwise use any boat, raft, pontoon, model boat or other watercraft on any waters to which the Council has resolved this subparagraph will apply;
- 4.9 **Bridge Jumping**
- jump from or dive from a bridge;
- 4.10 **Buoys etc.**
- place any buoy, cable, chain, hawser, rope or net in or across any waters;
- 4.11 **Buildings & Structures**
- 4.11.1 erect or install a building;
- 4.11.2 use a building or structure other than for its intended purpose;
- 4.12 **Camping**
- 4.12.1 erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation;
- 4.12.2 camp or sleep overnight;
- except where a sign or signs erected by the Council indicate that camping on the land is permitted or where the person is in a caravan park (the proprietor of which has been given permission to operate the caravan park on that land);

- 4.13 **Cemeteries**
Comprising a cemetery:
4.13.1 bury or inter any human or animal remains;
4.13.2 erect any memorial;
- 4.14 **Closed lands**
enter or remain on any part of the land:
4.14.1 at any time during which the Council has declared that it shall be closed to the public, and which is indicated by a sign to that effect; or
4.14.2 where the land is enclosed with fences and/or walls and gates, at any time when the gates have been closed and locked; or
4.14.3 where admission charges are payable, without paying those charges;
- 4.15 **Distribution**
give out or distribute to any bystander or passer-by any handbill, book, notice, or other printed matter;
- 4.16 **Donations**
ask for or receive or indicate that he or she desires a donation of money or any other thing;
- 4.17 **Fires**
light any fire except:
4.17.1 in a place provided by the Council for that purpose; or
4.17.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four metres; and
4.17.3 in accordance with the *Fire and Emergency Services Act 2005*;
- 4.18 **Fireworks**
discharge any fireworks;
- 4.19 **Fishing**
4.19.1 fish in any waters on local government land to which the Council has resolved this subparagraph shall apply; or
4.19.2 fish from any bridge or other structure on local government land to which the Council has resolved this subparagraph shall apply;
- 4.20 **Flora fauna and other living things**
subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:
4.20.1 except in a community garden, damage, pick, or interfere with any plant, fungi or lichen thereon; or
4.20.2 tease, remove or cause harm to any animal or bird or the eggs or young of any animal or bird or aquatic creature;
4.20.3 use, possess or have control of any device for the purpose of killing or capturing any animal or bird;
- 4.21 **Funerals and scattering ashes**
conduct or participate in a funeral ceremony, or scatter ashes on land to which the Council has resolved this subparagraph will apply;
- 4.22 **Golf**
play or practice golf on any land to which the Council has resolved this subparagraph will apply;
- 4.23 **Lighting**
4.23.1 use or operate any fixed floodlight;
4.23.2 use or operate any portable floodlight between sunrise and sunset on land to which this subparagraph applies;
- 4.24 **Model aircraft and cars**
4.24.1 subject to the *Civil Aviation Act 1988*, fly or operate a model aircraft;
4.24.2 operate a model car;
- 4.25 **No liquor**
4.25.1 consume, carry or be in possession or charge of any liquor on any local government land to which the Council has resolved this subparagraph will apply (provided the land constitutes a park or reserve);
4.25.2 excepting sealed containers, consume, carry or be in possession or charge of any liquor in an open container on any local government land to which the Council has resolved this subparagraph will apply (provided the land constitutes a park or reserve);
- 4.26 **Obstructions**
obstruct:
4.26.1 any path or cycle track;
4.26.2 any door, entrance, stairway or aisle on any building; or
4.26.3 any gate or entrance to the land;

- 4.27 **Picking of fruit, nuts or berries**
except in any community garden, pick fruit, nuts, seeds or berries from any plant;
- 4.28 **Playing Area**
use or occupy any playing area:
- 4.28.1 in such a manner as is likely to or does damage the surface of the playing area and/or infrastructure (above or below ground level);
- 4.28.2 in any manner contrary to the purpose for which the playing area was intended to be used or occupied; or
- 4.28.3 contrary to the directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area;
- 4.29 **Preaching and Canvassing**
preach, canvass, harangue or otherwise solicit for religious purposes except on any land or part thereof where the Council has, by resolution, determined this restriction shall not apply;
- 4.30 **Public Exhibitions and Displays**
- 4.30.1 sing, busk or play a musical instrument for the apparent purpose of either entertaining others or receiving money;
- 4.30.2 conduct or hold any concert, festival, show, public gathering, circus, performance or any other similar activity;
- 4.30.3 erect or inflate any inflatable castle;
- 4.30.4 cause any public exhibitions or displays;
- 4.31 **Pontoons**
install or maintain a pontoon, fixed floating jetty, or other jetty;
- 4.32 **Removing**
carry away or remove any earth, rocks, minerals, plant material (dead or living), animal remains (including shells and fossils) or any part of the land;
- 4.33 **Selling**
sell anything or display anything for sale;
- 4.34 **Swimming**
swim, bathe or enter any waters to which the Council has resolved this subparagraph will apply;
- 4.35 **Vehicles**
- 4.35.1 drive or propel a motor vehicle thereon, unless on an area or road constructed or set aside by the Council for the parking or travelling of motor vehicles;
- 4.35.2 except on an area properly constructed for the purpose, promote, organise or take part in any race, test or trial of any kind in which motor vehicles, motor cycles, motor scooters or bicycles take part;
- 4.36 **Weddings**
conduct or participate in a marriage ceremony on land to which the Council has resolved this subparagraph will apply;
- 4.37 **Working on vehicles**
perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.
5. **Prohibited Activities**
A person must not, on any local government land:
- 5.1 **Animals**
- 5.1.1 cause or allow any animal to enter, swim, bathe or remain in any waters to the inconvenience, annoyance or danger of any other person bathing or swimming;
- 5.1.2 cause or allow an animal in that persons control, charge or ownership to damage Council property;
- 5.2 **Annoyances**
unreasonably annoy or interfere with any other person's use of the land by making a noise or creating a disturbance that has not been authorised by the Council;
- 5.3 **Children's playgrounds**
use any device, equipment or apparatus installed in a children's playground if that person is of or over the age indicated by sign or notice as the age limit for using such equipment, apparatus or other installed device;
- 5.4 **Interference with Permitted Use**
interrupt, disrupt or interfere with any other person's use of local government land which is permitted or for which permission has been granted;
- 5.5 **Playing games**
- 5.5.1 play or practice a game in any area where a sign indicates that the game is prohibited;
- 5.5.2 promote, organise or take part in any organised athletic sport in any area to which the Council has resolved this subparagraph will apply;
- 5.5.3 play any organised competition sport, as distinct from organised social play, in any area to which the Council has resolved this subparagraph will apply;

- 5.6 **Smoking**
smoke:
5.6.1 in any building or part of any building; or
5.6.2 on any local government land;
to which the Council has resolved this subparagraph will apply;
- 5.7 **Toilets**
in any public convenience:
5.7.1 urinate other than in a urinal or pan or defecate other than in a pan provided for that purpose;
5.7.2 smoke tobacco or any other substance;
5.7.3 deposit anything in a pan, urinal or drain which is likely to cause a blockage;
5.7.4 use it for a purpose for which it was not designed or constructed;
- 5.8 **Use of equipment**
use any item of equipment or property belonging to the Council other than in the manner and for the purpose for which it was designed or set aside;
- 5.9 **Wheeled Recreational Devices**
subject to the *Road Traffic Act 1961* and the *Local Government Act 1999*, ride a wheeled recreational device on any local government land to which the Council has resolved this subparagraph will apply.

Part 3 – Miscellaneous

6. **Directions**
A person must comply with any reasonable direction or request from an authorised person relating to:
6.1 that person's use of the land;
6.2 that person's conduct and behaviour on the land;
6.3 that person's safety on the land;
6.4 the safety and enjoyment of the land by other persons.
7. **Removal of Animals and Exclusion of Persons**
7.1 If any animal is found on local government land in breach of this by-law:
7.1.1 any person in charge of the animal shall forthwith remove it from that land on the request of an authorised person; and
7.1.2 any authorised person may remove any animal from the land if the person fails to comply with the request, or if no person is in charge of the animal.
7.2 An authorised person may direct any person who is considered to be committing, or has committed, a breach of this by-law to leave local government land.
8. **Exemptions**
8.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to an emergency worker performing emergency duties.
8.2 The restrictions in paragraph 4.3.2, 4.6, 4.15, 4.29, 4.30.1, 4.30.2 and 4.30.4 of this by-law do not apply to:
8.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
8.2.2 matters which relate to, and occur during, the course of and for the purpose of a referendum.
9. **Application**
Any of paragraphs 4.5.2, 4.8.2, 4.8.3, 4.19, 4.21, 4.22, 4.23.2, 4.25, 4.34, 4.36, 5.5.2, 5.5.3, 5.6 and 5.9 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246(3)(e) of the *Local Government Act 1999*.
10. **Revocation**
Council's *Local Government Land By-law 2015*, published in the *Gazette* on 3 September 2015, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Prospect held on the 23rd day of August 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.

Mr Chris White
Chief Executive Officer

CITY OF PROSPECT
LOCAL GOVERNMENT ACT 1999
ROADS BY-LAW 2022
By-law No. 4 of 2022

For the management of public roads.

Part 1 – Preliminary

1. **Short Title**
This by-law may be cited as the *Roads By-law 2022*.
2. **Commencement**
This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.
3. **Definitions**
In this by-law, unless the contrary intention appears:
 - 3.1 **adjacent land** has the same meaning as in the *Australian Road Rules*;
 - 3.2 **animal** includes birds and poultry but does not include a dog;
 - 3.3 **camp** includes setting up a camp, or causing a tent, caravan or motorhome to remain on the road for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the road;
 - 3.4 **dog** has the same meaning as in the *Dog and Cat Management Act 1995*;
 - 3.5 **electoral matter** has the same meaning as in the *Electoral Act 1985* provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
 - 3.6 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*;

Part 2 – Management of Roads

4. **Activities Requiring Permission**
A person must not on any road, without the permission of the Council:
 - 4.1 **Advertising**
display any sign for the purpose of commercial advertising, other than a moveable sign which is displayed on a public road in accordance with the Council's *Moveable Signs By-law 2022*;
 - 4.2 **Amplification**
use an amplifier or other device whether mechanical or electrical for the purposes of amplifying sound;
 - 4.3 **Animals**
 - 4.3.1 cause or allow any animal, to stray onto, graze, wander on or be left unattended on any road;
 - 4.3.2 lead, drive or exercise any animal in such a manner as to endanger the safety of any person;
 - 4.4 **Bridge Jumping**
jump from or dive from a bridge;
 - 4.5 **Camping**
 - 4.5.1 erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation;
 - 4.5.2 camp or sleep overnight;
 - 4.5.3 camp or sleep overnight in a motorhome, except where a sign or signs erected by the Council indicate that camping on the road in such a vehicle is permitted;
 - 4.6 **Donations**
ask for or receive or indicate that he or she desires a donation of money or any other thing;
 - 4.7 **Driving on Formed Surface**
drive a motor vehicle other than on a portion of the road that has been formed or otherwise set aside by the Council for the driving of motor vehicles, unless it is not reasonably practical to do so;
 - 4.8 **Fishing**
fish from any bridge or other structure on a road to which the Council has resolved this subparagraph shall apply;
 - 4.9 **Preaching**
preach or harangue;
 - 4.10 **Public Exhibitions and Displays**
 - 4.10.1 sing, busk or play a musical instrument for the apparent purpose of either entertaining others or receiving money;
 - 4.10.2 conduct or hold any concert, festival, show, public gathering, circus, meeting, performance or any other similar activity;
 - 4.10.3 cause any public exhibitions or displays;
 - 4.11 **Working on vehicles**
perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.

5. **Prohibited Activities**

A person who owns or is in charge of any horse or cattle must, if the horse or cattle defecates on a road, immediately remove the faeces and dispose of them in a lawful and suitable manner.

Part 3 – Miscellaneous

6. **Directions**

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

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

7. **Removal of Animals**

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

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

8. **Exemptions**

- 8.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to an emergency worker performing emergency duties.
- 8.2 The restrictions in paragraph 4.9 and 4.10 of this by-law do not apply to:
 - 8.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
 - 8.2.2 matters which relate to, and occur during the course of and for the purpose of a referendum.
- 8.3 Paragraph 4.7 of this by-law does not apply to a motor vehicle being driven to or from adjacent land by the shortest practical route.

9. **Revocation**

Council's *Roads By-law 2015*, published in the *Gazette* on 3 September 2015, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Prospect held on the 23rd day of August 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.

Mr Chris White
Chief Executive Officer

CITY OF PROSPECT
LOCAL GOVERNMENT ACT 1999
DOG AND CAT MANAGEMENT ACT 1995

DOGS BY-LAW 2022

By-law No. 5 of 2022

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

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Dogs By-law 2022*.

2. Commencement

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

3. Definitions

In this by-law:

- 3.1 **approved kennel establishment** means a building, structure or area approved by the relevant authority, pursuant to the *Development Act 1993* or *Planning, Development and Infrastructure Act 2016* for the keeping of dogs on a temporary or permanent basis;
- 3.2 **assistance dog** means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled and includes a dog undergoing training of a kind approved by the Board for assistance dogs;
- 3.3 **children's playground** means any enclosed area in which there is equipment, apparatus or other installed devices for the purpose of children's play (or within 5 metres of such devices if there is no enclosed area);
- 3.4 **control**, in relation to a dog, includes the person having ownership, possession or charge of, or authority over, the dog;
- 3.5 **dog** has the same meaning as in the *Dog and Cat Management Act 1995* but does not include a dog that is under 3 months of age;
- 3.6 **effective control** means a person exercising effective control of a dog either:
 - 3.6.1 by means of a physical restraint;
 - 3.6.2 by command, the dog being in close proximity to the person, and the person being able to see the dog at all times;
- 3.7 **keep** includes the provision of food or shelter;
- 3.8 **leash** includes any chain, cord or leash;
- 3.9 **local government land** has the same meaning as in the *Local Government Act 1999*;
- 3.10 **park** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.11 **premises** includes:
 - 3.11.1 land;
 - 3.11.2 a part of any premises or land;
- 3.12 **public place** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 3.13 **wetland area** includes any park, reserve, scrub, trail or other land adjacent to a wetland.

Part 2 – Dog Management and Control

4. Dog Prohibited Areas

- 4.1 A person must not allow a dog in that person's control to be in, or remain in a dog prohibited area.
- 4.2 For the purposes of this paragraph, a **dog prohibited area** is any:
 - 4.2.1 local government land or public place to which the Council has resolved this sub-paragraph applies; or
 - 4.2.2 children's playground.
- 4.3 The restrictions in subparagraph 4.1 do not apply to any assistance dog.

5. Dog on Leash Areas

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

6. Dog Off Leash Areas

- 6.1 Subject to paragraphs 4 and 5, a person may enter any dog off leash area for the purpose of exercising a dog under his or her control.
- 6.2 For the purposes of this paragraph, a **dog off leash area** is any:
 - 6.2.1 park; or

- 6.2.2 local government land that the Council has resolved is a dog off-leash area.
- 6.3 A person must ensure that any dog under their control remains under effective control while the dog is in a dog off-leash area.

7. **Limit on Dog Numbers**

- 7.1 The limit on the number of dogs kept on any premises is two dogs.
- 7.2 A person must not, without permission, keep any dog on any premises where the number of dogs on the premises exceeds the limit unless the premises is:
- 7.2.1 an approved kennel establishment;
 - 7.2.2 a veterinary practice;
 - 7.2.3 a pet shop;
 - 7.2.4 any premises that the Council has exempted from the requirements of this paragraph; or
 - 7.2.5 any business involving dogs provided that the business is registered in accordance with the *Dog and Cat Management Act 1995*.

Part 3 – Miscellaneous

8. **Application**

- 8.1 The Council may from time to time, by resolution, identify local government land as a dog off-leash area in accordance with subparagraph 6.2.2 of this by-law.
- 8.2 Any of paragraphs 4.2.1 and 5.2.1 of this by-law shall apply only in such portion or portions of the area as the Council may from time to time, by resolution, direct in accordance with Section 246 of the *Local Government Act 1999*.
- 8.3 Where the Council makes a resolution under either of subparagraphs 8.1 or 8.2, the Council's Chief Executive Officer must ensure that:
- 8.3.1 the area is denoted by signs erected by the Council; and
 - 8.3.2 information is provided to the public on the Council's website and in any other manner determined by the Council's Chief Executive Officer.

9. **Revocation**

- Council's *Dogs By-Law 2015*, published in the *Gazette* on 3 September 2015, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Prospect held on the 23rd day of August 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.

Mr Chris White
Chief Executive Officer

CITY OF PROSPECT
LOCAL GOVERNMENT ACT 1999
WASTE MANAGEMENT BY-LAW 2022
By-law No. 6 of 2022

To regulate and control the removal of domestic, recyclable and green organic waste from premises, for the prevention and suppression of nuisances, and for regulating the management of property of the Council.

Part 1 – Preliminary

1. **Short Title**

This by-law may be cited as the *Waste Management By-law 2022*.

2. **Commencement**

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

3. **Definitions**

In this by-law:

- 3.1 **carriageway** means that part of a road designed for and used by vehicular traffic (including bicycles) as distinct from that part of a road designed for and used by pedestrians;
- 3.2 **green organics** means any clean organic matter, free of any excess soil, consisting of lawn clippings, plants, vegetables, eggs, shells, bones, leaves, prunings, horse manure, pet waste, nesting material or other materials as specified by the Council;
- 3.3 **green organics container** means a container for the reception of green organics;
- 3.4 **hard rubbish** means any internal and external household items such as whitegoods, entertainment appliances, furniture and mattresses able to be lifted and carried by two persons but excludes any household waste;
- 3.5 **household waste** means any kind of domestic and kitchen waste generated from residences, but excludes liquids, metals (other than food containers), building materials, stones, bricks, soil, lead, acid batteries and any dangerous or toxic waste;
- 3.6 **household waste container** means a container for the reception of household waste;
- 3.7 **recyclables** means newspapers, magazines, paper, cardboard, plastic containers of a type specified by the Council, tins, cans, glass, milk and juice containers, solid plastic material and other materials as specified by the Council;
- 3.8 **recyclables container** means a container for the reception of recyclables.

Part 2 – Waste Collection

4. **Provide Containers**

- 4.1 An occupier of domestic premises must keep on his or her premises a household waste container and a recyclables container as approved by the Council.
- 4.2 An occupier of domestic premises may keep on his or her premises a green organics container as approved by the Council.

5. **Management of Waste Collection Service**

An occupier of premises must:

5.1 **Household Waste**

- 5.1.1 ensure that the household waste container kept on his or her premises is approved by the Council; and
- 5.1.2 ensure that the household waste container contains only household waste;

5.2 **Recyclables**

- 5.2.1 ensure that the recyclables container kept on his or her premises is approved by the Council; and
- 5.2.2 ensure that the recyclables container contains only recyclables;

5.3 **Green Organics**

- 5.3.1 ensure that the green organics container be a container that is approved by the Council; and
- 5.3.2 ensure that the green organics container contains only green organics;

5.4 **Keep Container Clean**

cause each container to be kept in a clean and sanitary condition, maintained in good order and repair, and kept waterproof at all times;

5.5 **Sealing of Container**

cause the lid of each container to continuously and securely cover the container body except when waste is being deposited in or removed from the container;

5.6 **Damage**

ensure that each container is maintained so that it is not damaged or worn to the extent that:

- 5.6.1 it is not robust;
- 5.6.2 the container body is not watertight;
- 5.6.3 it is unable to be moved on its wheels efficiently;
- 5.6.4 the lid does not seal on the container when closed;
- 5.6.5 its efficiency or use is otherwise impaired;

5.7 **Collection Services**

- 5.7.1 An occupier of premises must facilitate the collection and removal of household waste, recyclables or green organics from their premises by placing the relevant waste container out for collection in accordance with:
- 5.7.1.1 the **collection service requirements** specified in clause 5.7.2; or
- 5.7.1.2 the terms of any permit granted by the Council for the placement of waste containers; or
- 5.7.1.3 as otherwise approved by the Council.
- 5.7.2 The collection service requirements for the collection of household waste containers, recyclables containers and green organics containers are:
- 5.7.2.1 the container must be placed out for collection no earlier than 24 hours prior to the appointed collection time;
- 5.7.2.2 where there is a kerb, the container must be placed on the footpath, verge or nature strip directly adjacent the premises, as near as practicable to the kerb so that the side of the container on which the hinges of the lid are situated face the premises;
- 5.7.2.3 where there is no kerb, the container must be placed on the road verge directly adjacent the premises, abutting the edge of (but not on) the carriageway and positioned so that the side of the container on which the hinges of the lid are situated face the premises;
- 5.7.2.4 the container must not be placed within 1 meter of another waste container;
- 5.7.2.5 the container must not be placed under the overhanging branches of any tree;
- 5.7.2.6 the container must be removed from its position on the same day as the collection, after the collection has taken place.

6. **Interference With Garbage/Hard Rubbish**

A person must not remove, disturb or interfere with any recyclables or hard rubbish (including bottles, newspapers, cans, containers or packaging) that has been placed:

- 6.1 for disposal in or near a container; or
- 6.2 on a public street or road for collection by the Council, its agents or contractors, except with the permission of the Council or with the authority of the owner.

Part 3 – Miscellaneous7. **Revocation**

Council's *Waste Management By-law 2015*, published in the *Gazette* on 1 October 2015, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Prospect on the 23rd day of August 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.

Mr Chris White
Chief Executive Officer

DISTRICT COUNCIL OF MOUNT REMARKABLE*Adoption of Valuations and Declaration of Rates 2022/2023*

NOTICE is hereby given that the District Council of Mount Remarkable at a Special Meeting held on 10 August 2022 for the financial year ending 30 June 2023 adopted its Annual Business Plan and Budget and:

Adoption of Valuations

Adopted, for rating purposes, the Valuer-General's most recent valuations of capital values applicable to land within the area of Council, which totals \$1,124,420,260.

Declaration of General Rates

Declared a general rate comprising two components, one based on the value of the land subject of the rate of 0.2287 cents in the dollar and the other being a fixed charge of \$365.00 upon each rateable assessment.

*Declaration of Separate Rate
Regional Landscape Levy*

Declared a separate rate of 0.0210 cents in the dollar on all rateable land located within the area of the Council to reimburse the Council for the amount payable to the Northern and Yorke Landscape Board.

Annual Service Charges

1. Imposed an annual service charge for the collection, treatment and disposal of wastewater in respect of all assessments within the townships of Wilmington, Melrose, Booleroo Centre and Wirrabara to which Council makes available a Community Wastewater Management Scheme as follows:

| | |
|------------------|--|
| Wilmington: | \$550.00 per unit on each assessment of land, and; |
| Melrose: | \$550.00 per unit on each assessment of land, and; |
| Booleroo Centre: | \$550.00 per unit on each assessment of land, and; |
| Wirrabara: | \$550.00 per unit on each assessment of land. |

2. Imposed an annual service charge of \$380.00 for the weekly collection and disposal of waste in a mobile garbage bin and the fortnightly collection and disposal of recyclables and green waste in a mobile garbage bin, on:
- a) all occupied land in the defined townships of Appila, Booleroo Centre, Hammond, Melrose, Murray Town, Port Germein, Weeroona Island, Willowie, Wilmington and Wirrabara for which the service is provided or made available; and
- b) each section of land outside of the townships abutting the defined collection route on which a habitable dwelling exists for which the service is provided or made available, provided that the sliding scale set out in Regulation 13 of the Local Government (General) Regulations 2013 will apply to reduce the service charge as prescribed.
3. Imposed an annual service (and supply) charge based on the nature of the service and the level of usage of the service of:

- a) \$290.00 for the nature of the service on each assessment of rateable and non-rateable land within the township of Weeroona Island to which Council provides or makes available the 'Weeroona Island Water Supply'; and
- b) Including a level of usage charge of \$2.90 per kilolitre for each kilolitre of water supplied to each assessment of rateable and non-rateable land to which Council provides or makes available the 'Weeroona Island Water Supply'.

Dated: 1 September 2022

S. JOHNSON
Chief Executive Officer

PUBLIC NOTICES

NATIONAL GAS LAW

Initiation of a Rule Change Request and Extension of Final Determination

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

Under s 303, the Victorian Minister for Energy, Environment and Climate Action has requested the *DWGM interim LNG storage measures* (Ref. GRC0065) proposal. The proposal seeks to reduce the risks to system security and public safety and improve the reliability of supply in the Victorian declared wholesale gas market (DWGM) between winter 2023 and 2025. The AEMC intends to expedite the proposal under s 304 as it considers the proposed Rule is urgent, subject to requests not to do so. Written requests not to expedite the proposal must be received by **15 September 2022**. Submissions must be received by **29 September 2022**.

Under s 317, the time for the making of the final determination on the *DWGM interim LNG storage measures* (Ref. GRC0065) proposal has been extended to **24 November 2022**.

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

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

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

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

Dated: 1 September 2022

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.

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

Gazette notices must be submitted as Word files, in the following format:

- Title—the governing legislation
- Subtitle—a summary of the notice content
- 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

Please provide the following information in your email:

- Date of intended publication
- Contact details of the person responsible for the notice content
- Name and organisation to be charged for the publication—Local Council and Public notices only
- Purchase order, if required—Local Council and Public notices only

EMAIL: governmentgazettesa@sa.gov.au

PHONE: (08) 7109 7760

WEBSITE: www.governmentgazette.sa.gov.au

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