



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 19 NOVEMBER 2009

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GOVERNMENT GAZETTE NOTICES

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

Department of the Premier and Cabinet
Adelaide, 19 November 2009

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

No. 55 of 2009—Constitution (Appointments) Act 2009. An Act to remove doubts relating to action taken by Lieutenant-Governors and Administrators of the State at any time since the commencement of the Australia Act 1986 of the Commonwealth; and for other purposes.

By command,

JANE LOMAX-SMITH, for Premier

DPC06/0875

Department of the Premier and Cabinet
Adelaide, 19 November 2009

HIS Excellency the Governor in Executive Council has revoked the appointment of Paul Andrew Cuthbertson as Deputy Presiding Member and Maurine Pyke as a Member of the Legal Practitioners Disciplinary Tribunal, pursuant to the provisions of the Legal Practitioners Act 1981 and section 36 of the Acts Interpretation Act 1915.

By command,

JANE LOMAX-SMITH, for Premier

AGO0067/07CS

Department of the Premier and Cabinet
Adelaide, 19 November 2009

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

Member: (from 19 November 2009 until 18 November 2012)
Simon Patrick O'Sullivan
Peter Francis Hoban
Maurine Pyke

Deputy Presiding Member: (from 19 November 2009 until 18 November 2012)
Maurine Pyke

By command,

JANE LOMAX-SMITH, for Premier

AGO0067/07CS

Department of the Premier and Cabinet
Adelaide, 19 November 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Motor Sport Board, pursuant to the provisions of the South Australian Motor Sport Act 1984:

Member: (from 19 November 2009 until 30 September 2011)
Richard Hayward
Francis Wong

By command,

JANE LOMAX-SMITH, for Premier

T&F09/072CS

Department of the Premier and Cabinet
Adelaide, 19 November 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Superannuation Funds Management Corporation of South Australia Board (Funds SA), pursuant to the provisions of the Superannuation Funds Management Corporation of South Australia Act 1995:

Director: (from 9 December 2009 until 8 December 2012)
Helen Marion Nugent

Director: (from 4 March 2010 until 3 March 2013)
Leigh Loddington Hall

By command,

JANE LOMAX-SMITH, for Premier

T&F09/075CS

Department of the Premier and Cabinet
Adelaide, 19 November 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Teachers Appeal Board, pursuant to the provisions of the Education Act 1972:

Section 45 (2) (b) Panel Member: (from 1 February 2010 until 31 January 2013)

Naomi Veronica Arnold
Karen Gayle Cornelius
Richard Sam Paul Costi
David Craig
Judith Christine Day
Janine Nicola Harvey
Anne Louise Millard
Rodney George Nancarrow
Gregory Petherick
Trevor John Radloff
Terry Louise Sizer
Mark Stewart Williams
Kathryn Mary Bruggemann
David Antony Chadwick
Christopher Stephen Deslandes
Christopher John Dolan
Phillipa Walpole Duihan
Brian Robert Featherston
Brian James Gabb
Christine Hatzl
Kerry Ann Kavanagh
Anne Louise Kibble
Judith Ann Leak
David John O'Brien
Beverley Anne Rogers
Brendyn David Semmens

Section 45 (2) (d) Panel Member: (from 1 February 2010 until 31 January 2013)

Joe Cappella
George Karapas
Sharon Dawn Kelly
Suzanne King
Charlton Steve Lane

Section 46 (2) (c) Panel Member: (from 1 February 2010 until 31 January 2013)

Geoffrey Dean Bailey
Gail Patricia Brunger
Penny Annette Cavanagh
Peter Michael Cavouras
Peter Christopher Ryan
Darryl James Carter
Murray Henderson
Gael Suzanne Little
Colin John McIntyre

Section 46 (2) (e) Panel Member: (from 1 February 2010 until 31 January 2013)

Diane Pamela Cocks
Loene Margaret Furler
Donald Peter
Alison Kathleen Cheetham
Alan Charles Matthews
Lewis Matthew Vaughan
Andrew Von Niedermueller

By command,

JANE LOMAX-SMITH, for Premier

MEDU09/036CS

Department of the Premier and Cabinet
Adelaide, 19 November 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Arid Lands Natural Resources Management Board, pursuant to the provisions of the Natural Resources Management Act 2004:

Member: (from 16 December 2009 until 15 December 2010)
Christopher Malcolm Reed

Member: (from 19 November 2009 until 13 April 2011)
Janet Mary Crommelin Brook
William Raymond McIntosh

Presiding Member: (from 16 December 2009 until 15 December 2010)
Christopher Malcolm Reed

By command,

JANE LOMAX-SMITH, for Premier

WBCS09/0029

Department of the Premier and Cabinet
Adelaide, 19 November 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Art Gallery Board, pursuant to the provisions of the Art Gallery Act 1939:

Member: (from 19 November 2009 until 11 November 2012)
Zena Kaye Winser
Robert John Whittington

By command,

JANE LOMAX-SMITH, for Premier

ASACAB007/02

Department of the Premier and Cabinet
Adelaide, 19 November 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the Honourable Paul Caica, MP, Minister for Agriculture, Food and Fisheries, Minister for Industrial Relations, Minister for Forests and Minister for Regional Development to be also Acting Minister for Employment, Training and Further Education, Acting Minister for Road Safety and Acting Minister for Science and Information Economy for the period from 28 November 2009 to 10 December 2009 inclusive, during the absence of the Honourable Michael Francis O'Brien, MP.

By command,

JANE LOMAX-SMITH, for Premier

METF09/003CS

Department of the Premier and Cabinet
Adelaide, 19 November 2009

HIS Excellency the Governor in Executive Council has been pleased to appoint the land valuers listed to the panels established in relation to the regions set out below from 27 November 2009 to 26 May 2010, pursuant to section 25A of the Valuation of Land Act 1971:

Bruce Gibson Ballantyne, AAPI
City of Adelaide and Central

Denis Roland Gilbert Barrett, AAPI
Murraylands

Janet Rosemary Hawkes, BAPP SC (Valuation) MBA, AAPI
City of Adelaide and Central

Malcolm George Potts, AREI, APPI
City of Adelaide, Central and Murraylands

By command,

JANE LOMAX-SMITH, for Premier

MFI09/031

CONTROLLED SUBSTANCES ACT 1984

Revocation of Prohibition Order

TAKE notice that on 28 October 2009, the Minister for Mental Health and Substance Abuse issued and served an order pursuant to section 57 (2) of the Controlled Substances Act 1984 (SA), in respect of:

Dr Janet Elizabeth Frost,
265 Wakefield Street,
Adelaide, S.A. 5000,

revoking the Prohibition Order issued and served on Dr Frost pursuant to section 57 (1) (c) of the Controlled Substances Act 1984 (SA) on 27 May 2005.

This Order is to take effect from the date of service of the Order (28 October 2009).

K. EVANS, Delegate for the Minister for
Mental Health and Substance Abuse

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, JAY WEATHERILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY:

1. Resume the land defined in The First Schedule.
2. Dedicate the Crown Land defined in The Second Schedule as a Reserve for Water Works Purposes and declare that such land shall be under the care, control and management of the South Australian Water Corporation.
3. Dedicate the Crown Land defined in The Third Schedule as a Reserve for Police Purposes and declare that such land shall be under the care, control and management of the Minister for Police.

The First Schedule

Waterworks Reserve, Section 497, Hundred of Lacepede, County of MacDonnell, the proclamation of which was published in the *Government Gazette* of 17 June 1976 at page 3061, The Third Schedule, being the whole of the land comprised in Crown Record Volume 5623, Folio 715.

The Second Schedule

Allotment 1 in Deposited Plan 60368, Hundred of Lacepede, County of MacDonnell, exclusive of all necessary roads, subject to a free and unrestricted right of way over that portion of Allotment 1 marked A on Deposited Plan 60368 appurtenant to Allotment 2 in Deposited Plan 60368.

The Third Schedule

Allotment 2 in Deposited Plan 60368, Hundred of Lacepede, County of MacDonnell, exclusive of all necessary roads, together with a free and unrestricted right of way over that portion of Allotment 1 marked A on Deposited Plan 60368.

Dated 19 November 2009.

JAY WEATHERILL, Minister for Environment
and Conservation

DEH 09/2617

DEVELOPMENT ACT 1993 SECTION 48 (2) (a)

*Notice by the Governor**Preamble*

1. Pursuant to subsection (1) of section 46 of the Development Act 1993, being of the opinion that a declaration was appropriate and necessary for the proper assessment of development of major environmental, social or economic importance, the Minister for Urban Development and Planning declared that section 46 of the Act applied to a proposal to develop a marina at Stansbury, Yorke Peninsula ('the development'). Notice of this declaration was published in the *Government Gazette* on 1 March 2007.

2. Subsequent to the declaration, the Stansbury Marina Development Company ('the proponent') lodged a Development Application on 18 September 2007.

3. Following receipt of a draft Environmental Impact Statement prepared by the proponent the Minister wrote to the proponent indicating that on the basis of a number of identified concerns in respect of the proposed development he may recommend to the Governor that the development not be granted a development authorisation. The Minister invited the proponent to respond to the identified concerns. The proponent responded to the Minister by letter dated 25 September 2009.

4. With the advice and consent of Executive in Council and having regard to all the information submitted by or on behalf of the proponent, including the letter of 25 September 2009, I have decided, pursuant to section 48 (2) (a) of the Development Act 1993, to indicate that I will not grant a development authorisation for the development.

NOTICE

PURSUANT to section 48 (2) (a) of the Development Act 1993 and with the advice and consent of the Executive Council, I indicate that I will not grant a development authorisation for the mixed use marina and housing development at Stansbury detailed in the development application lodged by the proponent on 18 September 2007.

Given under my hand at Adelaide on 19 November 2009.

KEVIN SCARCE, Governor

ELECTORAL ACT 1985

Part 6—Registration of Political Parties

NOTICE is hereby given, pursuant to section 42 of the Electoral Act 1985, that I have this day registered the following political party:

Name of Party: Dignity for Disability

Abbreviation of Party Name: D4D

Dated 19 November 2009.

K. MOUSLEY, Electoral Commissioner

ECSA 176/09

GAS ACT 1997

APPROVAL AND LABELLING OF GAS APPLIANCES

Notice by the Technical Regulator

PURSUANT to section 60 of the Gas Act 1997, I:

- (a) revoke the notice made under section 60 of the Gas Act 1997, dated 18 May 2006 and published in the *Government Gazette* on 25 May 2006, at page 1383;
- (b) declare Type A appliances, as defined in the Gas Regulations 1997 under the Gas Act 1997, to be a declared class of gas appliances for the purposes of that section; and

(c) declare the following bodies to be declared bodies for the purposes of that section:

- the Australian Gas Association (ABN 98 004 206 044);
- SAI Global Limited (ABN 050 611 642); and
- IAPMO R&T OCEANA Pty Ltd (ABN 78 121 986 169).

Dated 17 November 2009.

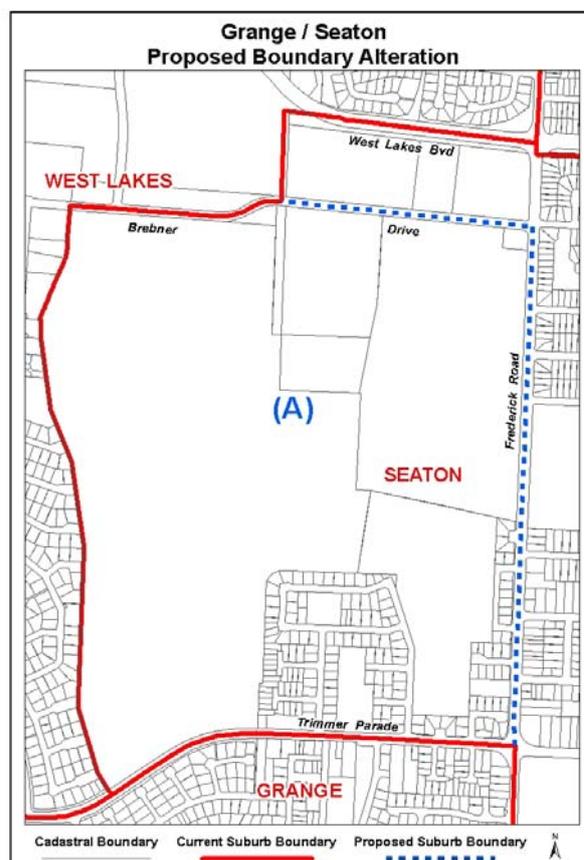
R. FAUNT, Technical Regulator

GEOGRAPHICAL NAMES ACT 1991

Notice to Alter the Boundary of a Place

NOTICE is hereby given pursuant to the provisions of the above Act, that I, Patrick Conlon, Minister for Infrastructure, Minister of the Crown to whom the administration of the Geographical Names Act 1991 is committed DO HEREBY exclude from **SEATON** and include into **GRANGE** the area marked (A) as shown on the plan below.

THE PLAN



Dated 9 November 2009.

PATRICK CONLON, Minister for Infrastructure
DTEI.22-413/09/0014

GEOGRAPHICAL NAMES ACT 1991

Notice of Declaration of Names of Places

NOTICE is hereby given pursuant to section 11A of the Geographical Names Act 1991, that the names of those places set out in The Schedule hereunder shall be the geographical names of those said places. Precise location of the said features can be obtained from the *South Australian Government Gazette* at www.placenames.sa.gov.au or by contacting the Geographical Names Unit, DTEI on (08) 8204 8539.

THE SCHEDULE

<i>Mapsheets</i>	<i>Feature</i>
1:50 000 Mapsheet 6737-2 (Wooltana)	Mount Elva
1:50 000 Mapsheet 6737-3 (Illawortina)	South East Range Wild Dog Creek
1:50 000 Mapsheet 6737-4 (Umberatana)	Edwards Waterhole Emmerona Water (spring) Overland Creek Rocky Spring Creek
1:100 000 Mapsheet 6837 (Paralana)	Four Mile Creek
1:50 000 Mapsheet 6533-1 (Kanyaka)	Crows Nest Creek
1:50 000 Mapsheet 6533-2 (Mookra)	Yackara Creek
1:50 000 Mapsheet 6533-3 (Quorn)	Acacia Creek
1:50 000 Mapsheet 6533-4 (Willochra)	Wyacca Range
1:50 000 Mapsheet 6534-2 (Hawker)	Morgan Creek Murphys Wash Mount Elm
1:50 000 Mapsheet 6534-3 (Neuroodla)	Rocky Point Gum Creek
1:50 000 Mapsheet 6633-4 (Yednalue)	Walpunda Hill
1:50 000 Mapsheet 5932-1 (Paney)	Policemans Point Policemans Spring (rockhole) Organ Pipes (rock)
1:50 000 Mapsheet 6432-1 (Davenport)	Cudmore Hill Gum Creek
1:50 000 Mapsheet 6432-2 (Mambray)	Douglas Point South

NOTE: Words shown in parentheses are not part of the name.

Certified that the above names have been examined in line with the policies of the Geographical Names Unit and that they comply with section 11A of the Geographical Names Act 1991.

Dated 12 November 2009.

P. M. KENTISH, Surveyor-General, Department
for Transport, Energy and Infrastructure

DTEI.22-413/07/0032

GEOGRAPHICAL NAMES ACT 1991

CORRIGENDA

Notice of Declaration of Names of Places

LISTED below are a series of names incorrectly declared as geographical placenames under the Act in various *Government Gazettes*. This notice corrects the spellings of these placenames as shown.

In *Government Gazette* of 27 June 1985, page 2250, notice under subheading 1:50 000 Mapsheet 6737-3 'Illinawortina':

<i>Declared in Error</i>	<i>Correct Spelling</i>
Echler Creek	Eichler Creek
Yadnina Creek	Idninha Vari or Creek
Yadnina Spring	Idninha Awi or Spring

In *Government Gazette* of 27 June 1985, page 2250, notice under subheading 1:50 000 Mapsheet 6737-1 'Yudnamutana':

<i>Declared in Error</i>	<i>Correct Spelling</i>
Glover Hill—should not have been declared as the official name	

In *Government Gazette* of 28 July 1994, page 186, notice under subheading 1:50 000 Mapsheet 6533-1 'Kanyaka':

<i>Declared in Error</i>	<i>Correct Spelling</i>
Slaty Rock Rock	Slaty Rock

In *Government Gazette* of 12 January 1995, page 113, under subheading 1:50 000 Mapsheet 6737-1 'Yudnamutana':

<i>Declared in Error</i>	<i>Correct Spelling</i>
Windowina Spring—should not have been declared as the official name	

In *Government Gazette* of 12 January 1995, page 113, under subheading 1:50 000 Mapsheet 6737-2 'Wooltana':

<i>Declared in Error</i>	<i>Correct Spelling</i>
Mount Pits Creek	Mount Pitts Creek
Ngudkungudkunha	Ngudku-ngudkunha

In *Government Gazette* of 12 January 1995, page 113, under subheading 1:50 000 Mapsheet 6737-1 'Yudnamutana':

<i>Declared in Error</i>	<i>Correct Spelling</i>
Weeina Waterhole	Weeina Waterhole

In *Government Gazette* of 22 February 1996, pages 1230 and 1231, appearing under subheading 1:50 000 Mapsheet 6737-4 'Umberatana':

<i>Declared in Error</i>	<i>Correct Spelling</i>
Bull Spring	Bulls Spring
Yeralina Spring Creek	Yeralina Creek

In *Government Gazette* of 21 August 1986, page 607, appearing under subheading 1:50 000 Mapsheet 6737-2 'Wooltana':

<i>Declared in Error</i>	<i>Correct Spelling</i>
Balancing Rock Creek	Balance Rock Creek
Bararranna Hole	Bararranna Waterhole
Mundoo Oopinna Waterhole	Mundoo Dopinna Waterhole

In *Government Gazette* of 22 May 1997, page 2644, appearing under subheading 1:50 000 Mapsheet 6737-3 'Illinawortina':

<i>Declared in Error</i>	<i>Correct Spelling</i>
Adlyuvundhu Awi	Adlyu Vundhu Awi

Dated 11 November 2009.

P. M. KENTISH, Surveyor-General

DTEI.22-413/07/0032

ENVIRONMENT PROTECTION ACT 1993

I, ANDREA KAYE WOODS, Team Leader, Container Deposit Legislation and Delegate of the Environment Protection Authority ('the Authority'), pursuant to section 68 of the Environment Protection Act 1993 (SA) ('the Act') hereby:

Approval of Category A Containers

Approve as Category A Containers subject to the conditions in subclauses 1, 2 and 3 below, each of the classes of containers identified by reference to the following matters described in the first 4 columns of Schedule 1 of this Notice which are sold in South Australia:

- (a) the product which each class of containers shall contain;
 - (b) the size of the containers;
 - (c) the type of containers; and
 - (d) the name of the holders of these approvals.
- (1) That containers of the class to which the approval relates must bear the refund marking specified by the Authority for containers of that class.
 - (2) The holder of the approval must have in place an effective and appropriate waste management arrangement in relation to containers of that class.
 - (3) The holder of these approvals must ensure that if a sticker bearing the refund marking has been approved, and is applied to the container, then the sticker must not be placed on any portion of the opening mechanism or in any other place that would require complete or partial removal of the sticker before the contents may be consumed.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Elephant Apple Soda	400	Glass	Ceylon Spices & Cargo Services	N/A—See Notes
Elephant Ginger Beer	1 500	PET	Ceylon Spices & Cargo Services	N/A—See Notes
Elephant Lemonade	400	Glass	Ceylon Spices & Cargo Services	N/A—See Notes
Elephant Portello	1 500	PET	Ceylon Spices & Cargo Services	N/A—See Notes
Fanta Strawberry Flavoured	340	Can—Aluminium	Ceylon Spices & Cargo Services	N/A—See Notes

ENVIRONMENT PROTECTION ACT 1993

Approval of Category B Containers

I, ANDREA KAYE WOODS, Team Leader, Container Deposit Legislation and Delegate of the Environment Protection Authority ('the Authority'), pursuant to section 68 of the Environment Protection Act 1993 (SA) ('the Act') hereby revoke the approvals of the classes of Category B Containers sold in South Australia as identified by reference to the following matters, which are described in the first 4 columns of Schedule 1 of this Notice:

Approval of Category B Containers

Approve as Category B Containers, subject to the conditions in subclauses (1), (2), (3) and (4) below, each of the classes of containers identified by reference to the following matters described in the first 4 columns of Schedule 1 of this Notice which are sold in South Australia:

- (a) the product which each class of containers shall contain;
 - (b) the size of the containers;
 - (c) the type of containers; and
 - (d) the name of the holders of these approvals.
- (1) That containers of the class to which the approval relates must bear the refund marking specified by the Authority for containers of that class.
 - (2) The holder of the approval must have in place an effective and appropriate waste management arrangement in relation to containers of that class. For the purpose of this approval notice the company named in Column 5 of Schedule 1 of this Notice is the nominated super collector.
 - (3) In the case of an approval in relation to Category B containers that the waste management arrangement must require the holder of the approval to provide specified super collectors with a declaration in the form determined by the Authority in relation to each sale of such containers by the holder of the approval as soon as practicable after the sale.
 - (4) The holder of these approvals must ensure that if a sticker bearing the refund marking has been approved and is applied to the container, then the sticker must not be placed on any portion of the opening mechanism or in any other place that would require complete or partial removal of the sticker before the contents may be consumed.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size (mL)	Container Type	Approval Holder	Collection Arrangements
Almdudler Limonade	330	Can—Aluminium	AVO Trading Pty Ltd	Statewide Recycling
Welchs Strawberry Soda	355	Can—Aluminium	AVO Trading Pty Ltd	Statewide Recycling
Ruski Chill Guava 4.5%	275	Glass	Bickfords Australia Pty Ltd	Statewide Recycling
Ruski Chill Passionfruit 4.5%	275	Glass	Bickfords Australia Pty Ltd	Statewide Recycling
Ruski Chill Pineapple 4.5%	275	Glass	Bickfords Australia Pty Ltd	Statewide Recycling
Ruski Chill Raspberry 4.5%	275	Glass	Bickfords Australia Pty Ltd	Statewide Recycling
My Wifes Bitter	650	Glass	Burleigh Brewing Company	Statewide Recycling
Pure Energy Classic Organic Guarana Drink	250	Can—Aluminium	Charming Waters	Statewide Recycling
L & P Lemon & Paeroa	600	PET	Condous Enterprises Pty Ltd	Marine Stores Ltd
Nitrous Liquid Energy Supplement	500	Can—Aluminium	Demon Drinks Ltd	Statewide Recycling
Smirnoff Premium Ice Mid Strength 3.5%	375	Can—Aluminium	Diageo Australia Pty Ltd	Statewide Recycling
Monteiths Black Beer	330	Glass	Drinkworks	Marine Stores Ltd
Monteiths Celtic Red Beer	330	Glass	Drinkworks	Marine Stores Ltd
Monteiths Crushed Apple Cider	330	Glass	Drinkworks	Marine Stores Ltd
Monteiths Golden	330	Glass	Drinkworks	Marine Stores Ltd
Monteiths Original Ale	330	Glass	Drinkworks	Marine Stores Ltd
Monteiths Pilsner Beer	330	Glass	Drinkworks	Marine Stores Ltd
Monteiths Radler Bier	330	Glass	Drinkworks	Marine Stores Ltd
Monteiths Summer Ale	330	Glass	Drinkworks	Marine Stores Ltd
Pure Blonde	700	Glass	Fosters Australia	Marine Stores Ltd
Strongbow Clear	355	Glass	Fosters Australia	Marine Stores Ltd
IGA Signature Dry Ginger Ale	300	Glass	Fryer Beverages Pty Ltd	Marine Stores Ltd
IGA Signature Ginger Beer	375	Glass	Fryer Beverages Pty Ltd	Marine Stores Ltd
IGA Signature Lemon Lime & Bitters	300	Glass	Fryer Beverages Pty Ltd	Marine Stores Ltd
IGA Signature Lemonade	300	Glass	Fryer Beverages Pty Ltd	Marine Stores Ltd
IGA Signature Tonic Water	300	Glass	Fryer Beverages Pty Ltd	Marine Stores Ltd
IGA Soda Water Carbonated Water	300	Glass	Fryer Beverages Pty Ltd	Marine Stores Ltd
Heinz Apple & Blackcurrant Fruit Drink	750	PET	HJ Heinz Company Australia Limited	Statewide Recycling
Heinz Apple & Cranberry Fruit Drink	750	PET	HJ Heinz Company Australia Limited	Statewide Recycling
Heinz Pear Fruit Drink	750	PET	HJ Heinz Company Australia Limited	Statewide Recycling
Santa Lucia Sparkling Mineral Water	750	Glass	Impulse Products Pty Ltd	Statewide Recycling
Santa Lucia Still Mineral Water	750	Glass	Impulse Products Pty Ltd	Statewide Recycling
Woodstock Kentucky Straight Bourbon & Cola 6%	375	Can—Aluminium	Independent Distillers (Aust) Pty Ltd	Statewide Recycling
Sail & Anchor Dry Dock Premium Lager	330	Glass	International Liquor Wholesalers	Marine Stores Ltd
Boags 1881 Lager	375	Can—Aluminium	Lion Nathan Australia Limited	Marine Stores Ltd
Little Creatures Bright Ale	568	Glass	Little Creatures Brewing Pty Ltd	Marine Stores Ltd
Stone & Wood Pale Lager	330	Glass	Little Creatures Brewing Pty Ltd	Marine Stores Ltd
White Rabbit Dark Ale	330	Glass	Little Creatures Brewing Pty Ltd	Marine Stores Ltd
Ice House Natural Spring Water	600	PET	Mountain H2O Pty Ltd	Statewide Recycling
Ice House Natural Spring Water	1 500	PET	Mountain H2O Pty Ltd	Statewide Recycling
Ice House Natural Spring Water	1 000	PET	Mountain H2O Pty Ltd	Statewide Recycling
Farmers Union Iced Coffee	750	HDPE	National Foods Milk Limited	Statewide Recycling
NW Nutrient Water Blackberry Goji D Stress	575	PET	Nutrientwater Pty Ltd formerly Natureau Pty Ltd	Statewide Recycling
Fever Tree Premium Lemonade	200	Glass	Rio Coffee Pty Ltd	Statewide Recycling
Sanpellegrino Aranciata	330	Can—Aluminium	Rio Coffee Pty Ltd	Statewide Recycling
Sanpellegrino Chinotto	330	Can—Aluminium	Rio Coffee Pty Ltd	Statewide Recycling
Sanpellegrino Limonata	330	Can—Aluminium	Rio Coffee Pty Ltd	Statewide Recycling
Paulaner Oktoberfest Bier	1 000	Can—Aluminium	Samuel Smith & Son Pty Ltd	Statewide Recycling
Cricketers Arms Lager	330	Glass	Sundance Brewing International	Marine Stores Ltd
Jose Cuervo The Original Margarita Mix Lime & Triple Sec Flavour	1 000	PET	Suntory (Aust) Pty Ltd	Statewide Recycling
FC Grubb Old Style Chocolate	330	Glass	Trend Drinks	Statewide Recycling
FC Grubb Old Style Soda Water	330	Glass	Trend Drinks	Statewide Recycling

HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published
		Volume	Folio	
9 Amber Avenue, Clearview	Allotment 272 in Deposited Plan 2964, Hundred of Yatala	5676	989	24.4.08, page 1422
46 Burton Road, Athelstone	Allotment 92 in Filed Plan 133182, Hundred of Adelaide	5701	755	29.11.01, page 5222
16 Cameron Street, Gawler	Allotment 202 in Deposited Plan 46422, Hundred of Mudla Wirra	5394	550	10.7.80, page 200
3 Dally Road, Gilles Plains	Allotment 64 in Deposited Plan 7771, Hundred of Yatala	5503	173	25.9.08, page 4700
17 Farley Grove, Salisbury North	Allotment 26 in Filed Plan 38912, Hundred of Munno Para	5520	910	27.4.06, page 1157
Flat at rear of 47 Florence Street, Port Pirie	Allotment 541 in Filed Plan 184623, Hundred of Pirie	5739	554	25.1.96, page 828
17 Fosters Road, Greenacres	Allotment 29 in Filed Plan 127263, Hundred of Yatala	5505	198	24.3.94, page 799
338 Goodwood Road, Clarence Park	Allotment 616 in Filed Plan 14105 Hundred of Adelaide	5760	105	24.7.97, page 198
24 Kintore Avenue, Kilburn	Allotment 83 in Deposited Plan 1515, Hundred of Yatala	5719	169	25.9.80, page 1781
30 Ninth Street, Port Pirie	Allotments 225 and 226 in Deposited Plan 622, Hundred of Pirie	5700	25	30.8.79, page 522
24 Park Terrace, Enfield	Allotment 68 in Deposited Plan 4685, Hundred of Yatala	5130	373	28.2.08, page 722
35 Richard Street, Mansfield Park	Allotment 21 in Deposited Plan 4560, Hundred of Yatala	5684	564	25.10.07, page 4033
65 Rosewater Terrace, Ottoway	Allotment 97 in Filed Plan 126577, Hundred of Port Adelaide	5523	80	30.11.89, page 1635
5 Strathcona Avenue, Panorama	Allotment 151 in Deposited Plan 3692, Hundred of Adelaide	5281	161	25.9.08, page 4700

Dated at Adelaide, 19 November 2009.

D. HUXLEY, Director, Corporate Services, Housing SA

HOUSING IMPROVEMENT ACT 1940

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

Address of House	Allotment, Section, etc.	Certificate of Title		Date and page of <i>Government Gazette</i> in which notice declaring house to be substandard published	Maximum rental per week payable in respect of each house \$
		Volume	Folio		
8 First Street, Orroroo	Allotments 3 and 5 in Filed Plan 105506, Hundred of Walloway	5160	881	25.7.96, page 182	96.00
Section 777 Carawatha Drive, Mypolonga	Section 777, Hundred of Mobilong in the area named Mypolonga	5915	612	10.9.09, page 4392	120.00
82 Montacute Road, Hectorville	Allotments 15 and 16 in Deposited Plan 1463, Hundred of Adelaide	5878	457	24.9.09, page 4696	175.00

Dated at Adelaide, 19 November 2009.

D. HUXLEY, Director, Corporate Services, Housing SA

HOUSING IMPROVEMENT ACT 1940

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

No. of House and Street	Locality	Allotment, Section, etc.	Certificate of Title	
			Volume	Folio
27 Cadell Street	Seaview Downs	Allotment 406 in Deposited Plan 3065, Hundred of Noarlunga	5096	441
12 Devon Street	Mile End	Allotment 99 in Filed Plan 119818, Hundred of Adelaide	5666	541
7 Fergusson Court	Lyndoch	Allotment 16 in Deposited Plan 10930, Hundred of Barossa	5495	629
67 Le Hunte Avenue,	Prospect	Allotment 101 in Deposited Plan 1749, Hundred of Yatala	5570	423
45 Railway Terrace East	Snowtown	Allotment 153 in Town of Snowtown, Hundred of Barunga	5241	86

Dated at Adelaide, 19 November 2009.

D. HUXLEY, Director, Corporate Services, Housing SA

HARBORS AND NAVIGATION ACT 1993: SECTION 83

TAKE notice that pursuant to section 83 of the Harbors and Navigation Act 1993, the class of persons in Schedule 1 are exempt from the operation of the Harbors and Navigation (Control of *Caulerpa Taxifolia*) Regulations 2002 only insofar as they may engage in the activities set out in Schedule 2 (the 'exempted activities'), subject to the conditions set out in Schedule 3 from 14 November 2009 until 28 November 2009 inclusive, unless varied or revoked earlier.

SCHEDULE 1

The City of Port Adelaide Enfield, Maritime Constructions and their agents.

SCHEDULE 2

Anchoring the barge 'Mr T' for the purposes of a fireworks display for the Twilight Christmas Parade and After Party.

SCHEDULE 3

1. While engaged in the exempted activity a copy of this notice must be kept on the vessel. Such notice must be produced to a PIRSA or Transport Safety Compliance Officer if requested.

2. The exemption holders must ensure that all anchors and associated equipment are cleaned on site. This must be followed by a thorough visual inspection, specifically checking for traces of *Caulerpa taxifolia*.

3. The exemption holders must immediately notify the Director of Fisheries of any suspected translocation of *Caulerpa taxifolia*.

4. The exemption holders must follow any directions of a PIRSA or Transport Safety Compliance Officer in the conduct or in connection with any exempted activity for the purpose of reducing the risk of spread of *Caulerpa taxifolia*.

5. Any aquatic plant material found on a person, vessel or associated gear whether identified as *Caulerpa* or not, must be sealed in a plastic bag and put into a bin.

Dated 10 November 2009.

M. SMALLRIDGE, Director of Fisheries

LAND ACQUISITION ACT 1969

(SECTION 16)

Notice of Acquisition

THE COMMISSIONER OF HIGHWAYS (the 'Authority'), 33 Warwick Street, Walkerville, S.A. 5081, acquires the following interests in the following land:

Definition of Land Acquired

An unencumbered estate in fee simple in portion of Piece 11 (incorrectly described in the Notice of Amendment of Notice of Intention to Acquire Land dated 23 July 2009 as Piece 111) in Filed Plan 148333, Hundred of Gilbert in the area named Tarlee being portion of land comprised in certificate of title volume 5280, folio 635 and more particularly marked 103 on an unapproved plan numbered D81773, that has been lodged at the Land Titles Office.

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

Compensation

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

Inquiries

Inquiries should be directed to:

Hanna Samuels,
P.O. Box 1,
Walkerville, S.A. 5081
Telephone: (08) 8402 1805

Dated 16 November 2009.

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

D. THOMAS, Manager, Property Planning and Management Services, Department for Transport, Energy and Infrastructure

DTEI 2008/10035/01

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Trevor Allan Orr and Tania June Rankine have applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence, variation to Entertainment Consent and an Extended Trading Authorisation in respect of premises situated at Highway One, Lochiel, S.A. 5510 and known as Lochiel Hotel.

The application has been set down for hearing on 22 December 2009 at 9.30 a.m.

Conditions

The following licence conditions are sought:

- Extended Trading Authorisation to include Areas 1 to 7 as per plans lodged with this office for the following days and times:

For consumption on the licensed premises:

Thursday to Saturday: Midnight to 2 a.m. the following day;

Sunday: 8 a.m. to 11 a.m. and 8 p.m. to midnight;

Good Friday: Midnight to 2 a.m.;

Christmas Day: Midnight to 2 a.m.;

Sunday, Christmas Eve: 8 p.m. to 2 a.m. the following day;

Days preceding other Public Holidays: Midnight to 2 a.m. the following day;

Sundays preceding Public Holidays: 8 p.m. to 2 a.m. the following day.

For consumption off the licensed premises:

Sunday: 8 p.m. to 9 p.m.

- Variation to Entertainment Consent in Area 1 to include the abovementioned days and times.
- Variation to Entertainment Consent to include Area 3 as per plans lodged with this office for the following days and times:

Saturday to Sunday: Midday to 9 p.m.;

Public Holidays (excluding Good Friday and Christmas Day): Midday to 9 p.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 15 December 2009).

The applicants' address for service is c/o Foreman Legal, 69 Mount Barker Road, Stirling, S.A. 5152.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 13 November 2009.

Applicants

LIQUOR LICENSING ACT 1997 AND GAMING MACHINES ACT 1992

Notice of Application

NOTICE is hereby given, pursuant to section 52 of the Liquor Licensing Act 1997 and section 29 of the Gaming Machines Act 1992, that Peter Robert Butler and Racquel Wendy Butler have applied to the Licensing Authority for the transfer of a Hotel and Gaming Machine Licence in respect of premises situated at 25 Railway Terrace, Quorn, S.A. 5433 and known as Grand Junction Hotel.

The application has been set down for hearing on 4 January 2010 at 9.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 28 December 2009).

The applicants' address for service is c/o Peter Butler, 11/3 Trinity Street, College Park, S.A. 5069.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 13 November 2009.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that The Riverbank Mannum Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 49 Randell Street, Mannum, S.A. 5238 and known as Palm Court Cafe—Mannum.

The application has been set down for hearing on 7 December 2009 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 4 December 2009).

The applicant's address for service is c/o Robert Fuss, 49 Randell Street, Mannum, S.A. 5238.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 16 November 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Jaspal Singh has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Shop 2, 542 Greenhill Road, Hazelwood Park, S.A. 5066, known as Chapati House and to be known as Burnside Curry House.

The application has been set down for hearing on 16 December 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 9 December 2009).

The applicant's address for service is c/o Jaspal Singh, Shop 2, 542 Greenhill Road, Hazelwood Park, S.A. 5066.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 11 November 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Glenelg District Cricket Club has applied to the Licensing Authority for a variation to Extended Trading Authorisation in respect of premises situated at Glenelg Oval, Brighton Road, Glenelg, S.A. 5045 and to be known as Glenelg District Cricket Club.

The application has been set down for hearing on 16 December 2009 at 9.30 a.m.

Conditions

The following licence conditions are sought:

- Variation to Extended Trading Authorisation from:

1 October to 31 March:

Sunday: 8 p.m. to midnight.

To:

All year:

Friday to Saturday: Midnight to 1 a.m. the following day;

Sunday: 8 p.m. midnight.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 9 December 2009).

The applicant's address for service is c/o Bob Snewin, Glenelg Oval, Brighton Road, Glenelg, S.A. 5045.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 12 November 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Whalers Operations Pty Ltd as trustee for Whalers Operations Unit Trust has applied to the Licensing Authority for the transfer of a Special Circumstance Licence in respect of premises situated at 121 Franklin Parade, Victor Harbor, S.A. 5211 and known as Whalers Inn Resort.

The application has been set down for hearing on 21 December 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least four days before the hearing date (viz: 17 December 2009).

The applicant's address for service is c/o Duncan Basheer Hannon Lawyers, G.P.O. Box 2, Adelaide, S.A. 5001 (Attention: Peter Pedler or David Tillett).

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 16 November 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Yattalinga Pty Ltd as trustee for Yattalinga Family Trust has applied to the Licensing Authority for Alterations and Redefinition Licence in respect of premises situated at 46 Main Road, Normanville, S.A. 5204 and known as Normanville Hotel.

The application has been set down for hearing on 22 December 2009 at 11 a.m.

Conditions

The following licence conditions are sought:

- Alterations and Redefinition to construct a new bottle shop and drive-through area adjacent to the current bottle shop and gaming area as per plans lodged with this office and for the following days and times:

Monday to Saturday: 9 a.m. to 11 p.m.;

Sunday: 11 a.m. to 8 p.m.

- Redefinition to designate the abovementioned proposed new bottle shop and drive-through as a sampling area as per plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 15 December 2009).

The applicant's address for service is c/o Peter Butler, 11/3 Trinity Street, College Park, S.A. 5069.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 13 November 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that The Haus-Hahndorf Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at 2/38 Main Street, Hahndorf, S.A. 5245 and known as Muggletons.

The application has been set down for hearing on 22 December 2009 at 11.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 15 December 2009).

The applicant's address for service is c/o Foreman Legal, 69 Mount Barker Road, Stirling, S.A. 5152.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 13 November 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Mount Barker District Golf Club Inc. has applied to the Licensing Authority for Entertainment Consent in respect of premises situated at corner of Bald Hills and Alexandrina Roads, Mount Barker, S.A. 5251 and known as Mount Barker-Hahndorf Golf Club.

The application has been set down for hearing on 22 December 2009 at 10.30 a.m.

Conditions

The following licence conditions are sought:

- Entertainment Consent is sought for the whole of the licensed premises as per plans lodged with this office and for the following days and times:

Monday to Thursday: 11 a.m. to midnight;
 Friday: 11 a.m. to 1 a.m. the following day;
 Saturday: 10 a.m. to 1 a.m. the following day;
 Sunday: 10 a.m. to 9 p.m.;
 Maunday Thursday: 10 a.m. to midnight;
 Christmas Eve: 10 a.m. to midnight;
 Sunday, Christmas Eve: 10 a.m. to 9 p.m.;
 New Year's Day: 10 a.m. to 2 a.m. the following day;
 Days preceding other Public Holidays: 10 a.m. to midnight;
 Sundays preceding Public Holidays: 10 a.m. to 9 p.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 15 December 2009).

The applicant's address for service is c/o Victoria Fox, P.O. Box 234, Mount Barker, S.A. 5251.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 12 November 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that The Italian Hospitality Group Pty Ltd has applied to the Licensing Authority for the transfer of a Residential Licence in respect of premises situated at 88 Frome Street, Adelaide, S.A. 5000, known as Mantra on Frome and to be known as the Italian Osteria.

The application has been set down for hearing on 22 December 2009 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 15 December 2009).

The applicant's address for service is c/o Kristian Livolsi, 173 Hutt Street, Adelaide, S.A. 5000.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 11 November 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Iwine Australia Pty Ltd, 28 North Street, Collinswood S.A. 5081 has applied to the Licensing Authority for a Direct Sales Licence in respect of the business to be known as Iwine Australia..

The application has been set down for hearing on 4 January 2010 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 28 December 2009).

The applicant's address for service is c/o Jarrod Ryan, 28 North Street, Collinswood, S.A. 5081.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 13 November 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that D. S. and R. A. Maddern Pty Ltd has applied to the Licensing Authority for a Residential Licence in respect of premises situated at 2 Sturt Street, Robe, S.A. 5276 and to be known as Harbour View Motel.

The application has been set down for hearing on 4 January 2010 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 28 December 2009).

The applicant's address for service is c/o Robyn Maddern, P.O. Box 189, Robe, S.A. 5276.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 13 November 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Vanessa Louise Sickerdick Altmann has applied to the Licensing Authority for a Producer's Licence in respect of premises situated at 19 De Gacher Street, Nairne, S.A. 5252 and to be known as Switch Organic Wine.

The application has been set down for hearing on 4 January 2009 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 28 December 2009).

The applicant's address for service is c/o Vanessa Altmann, P.O. Box 1426, Nairne, S.A. 5252.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 16 November 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Robert Trevor Howe and Rosalyn Leeanne Howe have applied to the Licensing Authority for a Restaurant Licence with Section 34 (1) (c) in respect of premises situated at Lot 340, Riverview Drive, Berri, S.A. 5343 and to be known as Cragg's Creek Cafe.

The application has been set down for hearing on 4 January 2010 at 10.30 a.m.

Conditions

The following licence conditions are sought:

- Approval is sought under Section 34 (1) (c) to sell liquor without meals for consumption on the licensed premises by persons:
 - (a) seated at a table; or
 - (b) attending a function at which food is provided.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the hearing date (viz: 28 December 2009).

The applicants' address for service is c/o Rosalyn Howe, P.O. Box 637, Barmera, S.A. 5343.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 13 November 2009.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Jarrad Trevor White, 3/4 Hollard Street, Frewville, S.A. 5063, has applied to the Licensing Authority for a Direct Sales Licence in respect of the business to be known as Global Wine Logistics.

The application has been set down for hearing on 4 January 2010 at 10.30 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 28 December 2009).

The applicant's address for service is c/o Jarrad White, P.O. Box 656, Kent Town, S.A. 5071.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 13 November 2009.

Applicant

MINING ACT 1971

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

Applicant: Southern Iron Pty Ltd

Location: Mount Brady area—Approximately 30 km east-south-east of Coober Pedy.

Term: 1 year

Area in km²: 232

Ref.: 2009/00117

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

J. MARTIN, Acting Mining Registrar

MINING ACT 1971

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

Applicant: Marmota Energy Limited

Location: Kulliparu area—Approximately 65 km east-south-east of Streaky Bay.

Term: 1 year

Area in km²: 167

Ref.: 2009/00154

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

J. MARTIN, Acting Mining Registrar

MINING ACT 1971

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

Applicant: Marmota Energy Limited

Location: Lake Frome-Moolawatana area—Approximately 180 km north-east of Leigh Creek.

Pastoral Leases: Woolatchi, Moolawatana, Lakeside

Term: 1 year

Area in km²: 745

Ref.: 2009/00171

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

J. MARTIN, Acting Mining Registrar

MINING ACT 1971

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

Applicant: Paradigm Geoscience (North America) Pty Ltd

Location: Mount Weir area—Approximately 20 km north-north-east of Marla.

Pastoral Leases: Lambina, Welbourne Hill

Term: 1 year

Area in km²: 241

Ref.: 2009/00211

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

J. MARTIN, Acting Mining Registrar

MINING ACT 1971

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

Applicant: Manhattan Corporation Limited (90%), Signature Resources Pty Ltd (10%).

Location: Wyambana area—Approximately 120 km south-east of Leigh Creek.

Pastoral Leases: Wirrealpa, Wertaloona, Erudina, Martins Well.

Term: 1 year

Area in km²: 672

Ref.: 2009/00328

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

J. MARTIN, Acting Mining Registrar

MINING ACT 1971

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

Applicant: FMG Resources Pty Ltd
 Location: Mount Mystery area—Approximately 30 km north-east of Marla.
 Pastoral Leases: Lambina
 Term: 1 year
 Area in km²: 916
 Ref.: 2009/00238

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

J. MARTIN, Acting Mining Registrar

NATIONAL PARKS AND WILDLIFE (NATIONAL PARKS) REGULATIONS 2001

Closure of The Dutchmans Stern Conservation Park

PURSUANT to Regulations 8 (3) (a) and 8 (3) (d) of the National Parks and Wildlife (National Parks) Regulations 2001, I, Edward Gregory Leaman, Director of National Parks and Wildlife, close to the public, the whole of The Dutchmans Stern Conservation Park from 6 a.m. on Monday, 11 January 2010 until 6 p.m. on Friday, 15 January 2010.

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

Use of Firearms within the Reserve

Pursuant to Regulations 8 (4), 20 (1) and 41 of the National Parks and Wildlife (National Parks) Regulations 2001, I, Edward Gregory Leaman, Director of National Parks and Wildlife, grant permission to members of the Sporting Shooters Association of Australia Hunting & Conservation Branch (SA) Inc. in possession of both a current Hunting Permit and a firearm to enter and remain in The Dutchmans Stern Conservation Park from 6 a.m. on Monday, 11 January 2010 until 6 p.m. on Friday, 15 January 2010 for the purpose of taking feral animals.

This permission is conditional upon the observance by each of those persons of the requirements of the National Parks and Wildlife Act 1972, National Parks and Wildlife (National Parks) Regulations 2001, and the National Parks and Wildlife (Hunting) Regulations 1996, including those requiring compliance with the Director's requests, requirements and orders of a Warden.

Dated 16 November 2009.

E. G. LEAMAN, Director of National Parks and Wildlife

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Condition
Petroleum Exploration Licence—PEL 255*

PURSUANT to section 76A of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that a condition of the abovementioned Petroleum Exploration Licence has been suspended under the provisions of the Petroleum and Geothermal Energy Act 2000, for the period from 1 March 2010 until 28 May 2010 inclusive, pursuant to delegated powers dated 1 October 2009.

Dated 11 November 2009.

C. D. COCKSHELL,
 Acting Director Petroleum and Geothermal
 Minerals and Energy Resources
 Primary Industries and Resources SA
 Delegate of the Minister for Mineral
 Resources Development

PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Condition
Extension of Licence Term
Petroleum Exploration Licence—PEL 105*

PURSUANT to section 76A of the Petroleum and Geothermal Energy Act 2000, notice is hereby given that a condition of the abovementioned Petroleum Exploration Licence has been suspended under the provisions of the Petroleum and Geothermal Energy Act 2000, for the period from 9 October 2010 until 8 January 2011 inclusive, with the corresponding extension of licence term, pursuant to delegated powers dated 1 October 2009.

The expiry date of PEL 105 has been extended to 8 January 2011.

Dated 11 November 2009.

C. D. COCKSHELL,
 Acting Director Petroleum and Geothermal
 Minerals and Energy Resources
 Primary Industries and Resources SA
 Delegate of the Minister for Mineral
 Resources Development

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Scrub Track, Koolunga*

BY Road Process Order made on 24 August 2009, the Port Pirie Regional Council ordered that:

1. Portion of Scrub Track situated adjoining Sections 192 and 193, Hundred of Koolunga, more particularly delineated and lettered 'A' in Preliminary Plan No. 09/0022 be closed.

2. The whole of the land subject to closure be transferred to Craig Robert Fuller in accordance with agreement for transfer dated 24 August 2009 entered into between the Port Pirie Regional Council and C. R. Fuller.

On 23 September 2009 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 82144 being the authority for the new boundaries.

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

Dated 19 November 2009.

P. M. KENTISH, Surveyor-General

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24**NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER***Road Closure, Port Augusta*

BY Road Process Order made on 12 October 2009, The Corporation of the City of Port Augusta ordered that:

1. Portion of the unnamed public road situate west of Footner Road and adjoining the north-east boundary of allotment 1000 in Deposited Plan 72887, more particularly delineated and lettered 'A' in Preliminary Plan No. 08/0085 be closed.

2. Issue a Certificate of Title to The Corporation of the City of Port Augusta for the whole of the land subject to closure which land is being retained by the Council for merging with the adjoining Council land.

On 28 October 2009 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 82513 being the authority for the new boundaries.

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

Dated 19 November 2009.

P. M. KENTISH, Surveyor-General



Christmas/New Year Holiday Publishing Information

Last Gazette for 2009 will be Wednesday, 23 December 2009.

Closing date for notices for publication will be
4 p.m. Monday, 21 December 2009.

First Gazette for 2010 will be Thursday, 7 January 2010.

Closing date for notices for publication will be
4 p.m. Tuesday, 5 January 2010.

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

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To apply from 1 July 2009

	\$		\$
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Meeting')		First Name	85.00
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Each Subsequent Name.....	10.90	Noxious Trade.....	31.75
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ALL private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to **Government Publishing SA** so as to be *received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: governmentgazette@dpc.sa.gov.au*. Send as attachments in Word format. Please include date the notice is to be published and to whom the notice will be charged. **The Government Gazette is available online at: www.governmentgazette.sa.gov.au.**

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Acts, Bills, Rules, Parliamentary Papers and Regulations						
Pages	Main	Amends	Pages	Main	Amends	
1-16	2.60	1.20	497-512	36.25	35.25	
17-32	3.50	2.20	513-528	37.25	36.00	
33-48	4.55	3.25	529-544	38.50	37.25	
49-64	5.75	4.40	545-560	39.50	38.50	
65-80	6.70	5.55	561-576	40.50	39.50	
81-96	7.80	6.45	577-592	41.75	40.00	
97-112	8.90	7.60	593-608	43.00	41.50	
113-128	9.95	8.75	609-624	43.75	42.75	
129-144	11.10	9.85	625-640	45.00	43.25	
145-160	12.20	10.90	641-656	46.00	45.00	
161-176	13.30	12.00	657-672	46.75	45.50	
177-192	14.50	13.10	673-688	48.75	46.75	
193-208	15.60	14.40	689-704	49.50	47.75	
209-224	16.50	15.20	705-720	50.25	49.00	
225-240	17.60	16.30	721-736	52.00	50.00	
241-257	18.90	17.20	737-752	52.50	51.00	
258-272	19.90	18.30	753-768	53.50	52.00	
273-288	21.00	19.70	769-784	54.50	53.50	
289-304	21.90	20.60	785-800	55.50	54.50	
305-320	23.20	21.80	801-816	57.00	55.00	
321-336	24.20	22.80	817-832	58.00	57.00	
337-352	25.40	24.10	833-848	59.00	58.00	
353-368	26.25	25.20	849-864	60.00	58.50	
369-384	27.50	26.25	865-880	61.50	60.00	
385-400	28.75	27.25	881-896	62.00	60.50	
401-416	29.75	28.25	897-912	63.50	62.00	
417-432	31.00	29.50	913-928	64.00	63.50	
433-448	32.00	30.75	929-944	65.00	64.00	
449-464	32.75	31.50	945-960	66.00	64.50	
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WATERWORKS ACT 1932

Restrictions on the Use of Water—Eyre Peninsula

PURSUANT to section 33A of the Waterworks Act 1932, the South Australian Water Corporation (SA Water) with the approval of the Minister for Water Security with effect from midnight on 16 November 2009, revokes the notice of Level 3 Enhanced Eyre Peninsula water restrictions imposed by notice dated 29 September 2009 (published in the *Government Gazette* on 1 October 2009) and, further pursuant to section 33A of the Waterworks Act 1932, SA Water with the approval of the Minister for Water Security with effect from 17 November 2009, until further notice hereby prohibits, restricts and regulates the purposes for which water supplied to properties by SA Water may be used, the manner in which water may be used, and the means by which water may be used, and the times at which water may be used as set out in the Schedule within the following Water Districts ('WD') and Country Lands Water Districts ('CLWD') on the Eyre Peninsula: Arno Bay WD, Ceduna WD, Cleve WD, Coffin Bay WD, Cowell WD, Cummins WD, Haslam WD, Kimba WD, Lipson WD, Lock WD, Louth Bay WD, Minnipa WD, Poochera WD, Port Lincoln WD, Port Neill WD, Rudall WD, Smoky Bay WD, Streaky Bay CLWD, Streaky Bay Township WD, Tod River CLWD, Tumby Bay WD, Ungarra WD, Warramboos WD, Wurrulla WD, Wudinna WD, Yaninee WD and Yeelanna WD or from a pipeline situated within any of the above Water Districts or Country Lands Water Districts (either directly or indirectly).

SCHEDULE

WATER RESTRICTIONS—LEVEL 3—ENHANCED—EYRE PENINSULA (Warm weather hours)

PURPOSE	WATER RESTRICTIONS
GARDENS and LAWNS	<p>Watering cans and buckets may be used at any time to water outdoor trees, shrubs, plants and lawns.</p> <p>Hand-held hoses fitted with a trigger nozzle or drip-watering system may be used for a maximum of 5 hours per week to water outdoor trees, shrubs, plants and lawns on any day of the week between 6-9 a.m. and/or 6-9 p.m.</p> <p>All sprinkler systems are prohibited for use in watering outdoor trees, shrubs, plants and lawns.</p>
SPORTS GROUNDS and RECREATIONAL FACILITIES	<p>Hand-held hoses fitted with a trigger nozzle may be used on any day but only before 8 a.m. or after 8 p.m.</p> <p>Watering cans and buckets may be used at any time.</p> <p>Sprinkler systems may be used once a week between the hours of 8 p.m. and 8 a.m. The day of the week and time of operation for each of the sprinkler systems is to be determined in conjunction with SA Water and subject to a permit.</p> <p>Testing of sprinklers will not be permitted without prior approval of SA Water.</p>
HARD SURFACES	<p>Water must not be used to wash paved or concreted areas, decking, walls or roofs of a building at any time unless it is necessary to do so to protect public health, ensure safety of people using the area, ensure the health and welfare of animals using the area or in case of accident, fire or other emergency.</p> <p>Windows may be cleaned from a bucket filled directly from a tap.</p>
FOUNTAINS and PONDS	<p>A fountain, pond or water feature that does not recycle water must not be operated and must not be topped up unless it supports fish.</p> <p>The level of water in a fountain, pond or water feature that recycles water may be topped up only with water from a hand-held hose or bucket.</p>
SWIMMING POOLS and SPAS	<p>Existing pools and spas must not be refilled from empty.</p> <p>The level of water in a swimming pool or spa that has been previously filled with water may be topped up or maintained only with water from a hand-held hose or bucket.</p> <p>New pools or spas may be filled only under the authority of a permit from SA Water. A permit will not be granted unless there is proof a cover has been purchased to prevent water loss through evaporation.</p> <p>Children's wading pools must not be filled with more than 250 litres of water.</p>
WASHING CARS and BOATS	<p>Water must not be used to wash a vehicle except by means of a commercial car wash or a bucket filled directly from a tap.</p> <p>Hoses are not to be used.</p> <p>Boat owners are permitted to flush out motors and rinse off metal parts to prevent corrosion.</p>
BUILDING DEVELOPMENT/ CONSTRUCTION ACTIVITIES	<p>Water must not be used for dust suppression and compaction unless it is applied from a hand-held hose fitted with a trigger nozzle or directly from a motor vehicle designed and approved to carry/deposit water.</p>
FARMS or RURAL PROPERTIES USING SA WATER SUPPLY	<p>A farm dam or tank must not be filled with water unless it is being used for domestic or stock consumption or fire-fighting. A permit is required to fill a dam or tank for any other reason.</p> <p>If a rainwater tank has been plumbed directly into a house by a licensed plumbing contractor it is acceptable to have a quantity of mains water in the tank.</p>
COMMERCIAL NURSERIES and GARDEN CENTRES	<p>Hand-held hoses fitted with a trigger nozzle, watering cans, buckets and drip-watering systems may be used at any time to water plants in commercial nurseries and garden centres. Sprinkler systems may be used between the hours of 8 p.m. and 8 a.m.</p> <p>On days when the maximum temperature is forecast to exceed 30 degrees sprinkler systems may also be used between the hours of 1 p.m. and 2 p.m.</p>

PURPOSE	WATER RESTRICTIONS
CARAVAN and CAMPING SITES	PERMITS ARE REQUIRED TO WATER OUTSIDE THE GARDEN AND LAWN GUIDELINES. Permits allow watering under the following conditions: <i>October-March</i> Grassed sites that have been damaged by cars, caravans and/or tents may be watered with a sprinkler for not more than 30 minutes on the day the area is vacated. If grassed areas are not being used then they may be watered with a sprinkler no more than once per week, for no more than 30 minutes at any time. <i>April-September</i> Grassed sites that have been damaged by cars, caravans and tents may be watered with a sprinkler no more than once per week at any time for no more than 30 minutes at any time.

Using water in a manner other than in accordance with the specified restricted use of water above is prohibited except under authority of a permit issued by SA Water pursuant to the Waterworks Regulations 1996.

Dated 16 November 2009.

SIGNED for and on behalf of the SOUTH AUSTRALIAN WATER CORPORATION, by a person duly authorised so to do in the presence of:

ANNE HOWE, Chief Executive
GEOFF HENSTOCK, Corporation Secretary

WATERWORKS ACT 1932

Restrictions on the Use of Water from the River Murray and Myponga Reservoir

PURSUANT to section 33A of the Waterworks Act 1932, the South Australian Water Corporation (SA Water) with the approval of the Minister for Water Security with effect from midnight on 16 November 2009, revokes the notice of Level 3 Enhanced water restrictions imposed by notice dated 29 September 2009 (published in the *Government Gazette* on 1 October 2009) and, further pursuant to section 33A of the Waterworks Act 1932, SA Water with the approval of the Minister for Water Security with effect from 17 November 2009, until further notice hereby prohibits, restricts and regulates the purposes for which water supplied to properties by SA Water may be used, the manner in which water may be used, and the means by which water may be used, and the times at which water may be used as set out in Schedule 1 within the following Water Districts ('WD') and Country Lands Water Districts ('CLWD'): Adelaide WD, Alford WD, Angaston WD, Appila WD, Ardrossan WD, Arthurton WD, Balaklava WD, Barmera WD, Barossa CLWD, Beetaloo CLWD, Berri WD, Birdwood WD, Blanchetown WD, Blyth WD, Booborowie WD, Booleroo Centre WD, Bowmans WD, Brinkley CLWD, Brinkworth WD, Bundaleer CLWD, Burdett CLWD, Burra WD, Bute WD, Cadell WD, Callington WD, Caltowie WD, Cambrai WD, Clayton WD, Clinton WD, Cobdogla WD, Coobowie WD, Cooltong WD, Coonalpyn Downs CLWD, Coonalpyn WD, Crystal Brook WD, Cudlee Creek WD, Curramulka WD, Dublin WD, Eden Valley WD, Edithburgh WD, Encounter Bay CLWD, Eudunda WD, Farrell Flat WD, Georgetown WD, Gladstone WD, Glossop WD, Goolwa WD, Greenock WD, Gulnare WD, Gumeracha WD, Halbury WD, Hamley Bridge WD, Hampden WD, Hoyleton WD, Iron Knob CLWD, Jamestown CLWD, Jervois WD, Jutland CLWD, Kadina WD, Kanmantoo CLWD, Kanmantoo WD, Kapunda WD, Karoonda WD, Keith WD, Kersbrook WD, Kingston-on-Murray WD, Koolunga WD, Laura WD, Loxton CLWD, Lyndoch WD, Maitland WD, Mallala WD, Mannum WD, Mannum-Adelaide CLWD, Marrabel WD, Meningie WD, Middleton WD, Milang WD, Minlaton WD, Moculta WD, Monash WD, Monteith WD, Moonta Mines WD, Moonta WD, Moorook CLWD, Moorook WD, Morgan WD, Morgan-Whyalla CLWD, Mount Compass WD, Mount Pleasant WD, Mundallio CLWD, Mundoora WD, Murray Bridge WD, Myponga WD, Napperby WD, Narrung WD, Nectar Brook CLWD, Neeta-Cowirra WD, Nuriootpa WD, Owen WD, Palmer WD, Paringa Township WD, Paskeville WD, Peterborough WD, Pine Point WD, Point Pass WD, Pompoota WD, Port Augusta WD, Port Broughton WD, Port Elliot WD, Port Germein WD, Port Hughes WD, Port Parham/Webb Beach WD, Port Pirie WD (subject to SCHEDULE 2 conditions), Port Victor WD, Port Victoria WD, Port Vincent WD, Price WD, Redbanks WD, Redhill WD, Renmark WD, Rhynie WD, Riverton WD, Robertstown WD, Roseworthy WD, Rowland Flat WD, Saddleworth WD, Sedan WD, Seppeltsfield WD, Snowtown WD, South Kilkerran WD, Spalding WD, Springton WD, St Kilda WD, Stansbury WD, Stockport WD, Stockwell WD, Strathalbyn CLWD, Strathalbyn WD, Sutherlands WD, Swan Reach WD, Tailem Bend WD, Tanunda WD, Tarlee WD, The Township of Freeling WD, Tintinara WD, Township of Auburn WD, Township of Clare WD, Township of Jamestown WD, Township of Loxton WD, Truro WD, Tungkillo WD, Two Wells WD, Virginia WD, Waikerie WD, Wakefield WD, Wall WD, Wallaroo Mines WD, Wallaroo WD, Warnertown WD, Warren CLWD, Wasley WD, Whyalla WD (subject to SCHEDULE 2 conditions), Williamstown WD, Windsor WD, Wirrabara WD, Wool Bay WD, Yacka WD, Yongala WD, Yorke Peninsula CLWD, Yorketown WD, Township of Leasingham WD, Township of Mintaro WD, Township of Penwortham WD, Township of Sevenhill WD, Township of Watervale WD, together with all properties under a Supply by Measure Agreement connected directly or indirectly to any of the following trunk mains: Morgan-Whyalla No. 1, Morgan-Whyalla No. 2, Swan Reach-Stockwell, Mannum-Adelaide, Murray Bridge-Onkaparinga, Tailem Bend-Keith, or from a pipeline situated within any of the above Water Districts or Country Lands Water Districts (either directly or indirectly).

SCHEDULE 1

WATER RESTRICTIONS—LEVEL 3—ENHANCED (Warm weather hours)

PURPOSE	WATER RESTRICTIONS
GARDENS and LAWNS	<p>Watering cans and buckets may be used at any time to water outdoor trees, shrubs, plants and lawns.</p> <p>Hand-held hoses fitted with a trigger nozzle or drip-watering system may be used for a maximum of 5 hours per week to water outdoor trees, shrubs, plants and lawns on any day of the week between 6-9 a.m. and/or 6-9 p.m.</p> <p>All sprinkler systems are prohibited for use in watering outdoor trees, shrubs, plants and lawns.</p>
SPORTS GROUNDS and RECREATIONAL FACILITIES	<p>Hand-held hoses fitted with a trigger nozzle may be used on any day but only before 8 a.m. or after 8 p.m.</p> <p>Watering cans and buckets may be used at any time.</p> <p>Sprinkler systems may be used once a week between the hours of 8 p.m. and 8 a.m. The day of the week and time of operation for each of the sprinkler systems is to be determined in conjunction with SA Water and subject to a permit.</p> <p>Testing of sprinklers will not be permitted without prior approval of SA Water.</p>
HARD SURFACES	<p>Water must not be used to wash paved or concreted areas, decking, walls or roofs of a building at any time unless it is necessary to do so to protect public health, ensure safety of people using the area, ensure the health and welfare of animals using the area or in case of accident, fire or other emergency.</p> <p>Windows may be cleaned from a bucket filled directly from a tap.</p>
FOUNTAINS and PONDS	<p>A fountain, pond or water feature that does not recycle water must not be operated and must not be topped up unless it supports fish.</p> <p>The level of water in a fountain, pond or water feature that recycles water may be topped up only with water from a hand held hose or bucket.</p>

PURPOSE	WATER RESTRICTIONS
SWIMMING POOLS and SPAS	Existing pools and spas must not be refilled from empty. The level of water in a swimming pool or spa that has been previously filled with water may be topped up or maintained only with water from a hand-held hose or bucket. New pools or spas may be filled only under the authority of a permit from SA Water. A permit will not be granted unless there is proof a cover has been purchased to prevent water loss through evaporation. Children's wading pools must not be filled with more than 250 litres of water.
WASHING CARS and BOATS	Water must not be used to wash a vehicle except by means of a commercial car wash or a bucket filled directly from a tap. Hoses are not to be used. Boat owners are permitted to flush out motors and rinse off metal parts to prevent corrosion.
BUILDING DEVELOPMENT/ CONSTRUCTION ACTIVITIES	Water must not be used for dust suppression and compaction unless it is applied from a hand-held hose fitted with a trigger nozzle or directly from a motor vehicle designed and approved to carry/deposit water.
FARMS or RURAL PROPERTIES USING SA WATER SUPPLY	A farm dam or tank must not be filled with water unless it is being used for domestic or stock consumption or fire-fighting. A permit is required to fill a dam or tank for any other reason. If a rainwater tank has been plumbed directly into a house by a licensed plumbing contractor it is acceptable to have a quantity of mains water in the tank.
COMMERCIAL NURSERIES and GARDEN CENTRES	Hand held hoses fitted with a trigger nozzle, watering cans, buckets and drip-watering systems may be used at any time to water plants in commercial nurseries and garden centres. Sprinkler systems may be used between the hours of 8 p.m. and 8 a.m. On days when the maximum temperature is forecast to exceed 30 degrees sprinkler systems may also be used between the hours of 1 p.m. and 2 p.m.
CARAVAN and CAMPING SITES	PERMITS ARE REQUIRED TO WATER OUTSIDE THE GARDEN AND LAWN GUIDELINES. Permits allow watering under the following conditions: <i>October-March</i> Grassed sites that have been damaged by cars, caravans and/or tents may be watered with a sprinkler for not more than 30 minutes on the day the area is vacated. If grassed areas are not being used then they may be watered with a sprinkler no more than once per week, for no more than 30 minutes at any time. <i>April-September</i> Grassed sites that have been damaged by cars, caravans and tents may be watered with a sprinkler no more than once per week at any time for no more than 30 minutes at any time.

SCHEDULE 2

WATER RESTRICTIONS Designated Zone in Whyalla and all of Port Pirie
Residents living in the designated zone in Whyalla (being in the area bounded by Playford Avenue, McBryde Terrace, Broadbent/Newton Street and the foreshore) and all residents living in Port Pirie are permitted to water gardens and lawns and paths and roofs as follows: Hand held hoses fitted with a trigger nozzle may be used at any time to hose off dust from paths and roofs. Hand held hoses fitted with a trigger nozzle may be used between 8 p.m. and 8 a.m. to water outdoor trees, shrubs, plants and lawns. Sprinklers may be used to water outdoor trees, shrubs, plants and lawns in accordance with the following: <ul style="list-style-type: none"> • Even numbered properties on Tuesday and Saturday between 6-9 a.m. and/or 6-9 p.m. • Odd numbered properties on Wednesday and Sunday between 6-9 a.m. and/or 6-9 p.m. Except as set out above all water restrictions set out in Schedule 1 apply to Whyalla and Port Pirie.

Using water in a manner other than in accordance with the specified restricted use of water above is prohibited except under authority of a permit issued by SA Water pursuant to the Waterworks Regulations 1996.

Dated 16 November 2009.

SIGNED for and on behalf of the SOUTH AUSTRALIAN WATER CORPORATION, by a person duly authorised so to do in the presence of:

ANNE HOWE, Chief Executive
GEOFF HENSTOCK, Corporation Secretary

WATERWORKS ACT 1932

Instrument of Authority to give Expiation Notices and to make Enquiries under Regulation 46 of the Waterworks Regulations 1996

PURSUANT to a delegation by the former Minister for Infrastructure (now the Minister for Water Security) dated 4 May 1997, the South Australian Water Corporation authorises the persons named in the Schedule to give expiation notices under the Waterworks Act 1932.

Pursuant to Regulation 46 of the Waterworks Regulations 1996, the South Australian Water Corporation also authorises the persons named in the Schedule to undertake the duties covered by Regulation 46.

This instrument revokes all previous authorities in regard to the giving of expiation notices and undertaking the duties covered by Regulation 46 under the Waterworks Act 1932.

SCHEDULE

Adderton, Shane Mark	Ettridge, Brian James	Palmer, Paul Leslie
Adkins, Stephen Charles	Evans, Roger Francis	Panagiotopoulos, Basilios
Allan, Vivian Jumbo	Faulkner, Martin Paul	Pannunzio, Tony
Ambrose, Shaun Michael	Fitzpatrick, Lee Kent	Pavy, Peter
Amos, Robert John	Flynn, Shona Linda	Penny, Amy Dawn-Marie
Baker, David Michael	Ford, Mark Robert	Perotti, Fulvio
Baldock, Cameron Keith	Fountain, Tony Walter	Perriam, Christopher Ian
Ball, Geoffrey Alan	Frick, Neville Kenneth	Perry, Roger Neil
Barratt, Wesley John	Friel, Karen Dorothy	Persinos, John
Bascombe, David John	Froud, Mark Ainsley	Pett, Leanne Margaret
Battle, Jamie Leonard	Gagliardi, Eddie	Phillips, Peter Warren
Beard, Robert Malcolm Roland	Galama, James Alexander	Pickett, John William
Bell, Bryce Rodney	Gallina, Kirsty Jane	Plant, Thomas Christopher
Bennetts, Wayne Victor	Gill, Roger Colin	Pratt, Ingrid
Binney, Sharon Monica	Green, Matthew James	Radecki, Steven Anthony
Bishop, Lynton Andrew John	Hadfield, John Joseph	Raneberg, Rebecca Jayne
Boakes, Mark Matthew	Hall, John Allan	Rann, Anthony John
Bollenhagen, Julianne Anne	Hall, Natasha Jane	Richards, Douglas Thomas
Boothey, Rodney Deane	Hamden, Lynda Rae	Richardson, Gavin Lindsay
Bottrell, David James	Hannan, David James	Riddell, Amanda Jane
Bowman, Kelvin Daryl	Hannant, Lisa	Rishworth, James Philip
Bozsoki, Laszlo	Hartwell, Luke John	Roberts, Keith John
Breslauer, Robert Lewis	Harvey, Neil Roy	Rose, Steven John
Brine, Jasmine Amalie	Hawken, Graham Robert	Ruszkiewicz, Anna Malgorzata
Brooks, Clara	Hayes, Joel Sidney	Samuel, Peter Ronald
Brooks, Mark David	Hendry, Andrew Clive	Sandlant, Timothy James
Bruniges, Keith Edward	Hoffrichter, Kym	Santostefano, Robert
Bryowsky, Steven Ronald	Hogan, Susan Margaret	Sargent, Ford Stanley
Bugden, Paula Jane	Hogben, Noel John	Saunders, Steven Sydney
Butcher, Brian Charles	Hollitt, Wayne Ronald	Seal, Benjamin Andrew
Butler, Peter John	Hucks, Anthony Walter	Sharman, Steven James
Caddy, Joel Robert	Huffa, Lewis John	Shiel, William Vincent
Calabria, Amy Ellen	Hughes, Robert Edward	Shuttleworth, Peter James
Calio, Gaetano Anthony	Hutchins, David George	Simpson, Jamie Patrick
Campbell, Mark Charles	Irvine, Patrick John	Skelton, Mark Adam
Carmen, David Ian	Jenner, Brenton Jared	Skipworth, Neville Brian
Celentano, Carmelina Lucia	Jones, Darryl Lee	Smart, Ian Robert
Centofanti, Alfonso	Katschner, Suzanna Slavica	Smith, Antony James
Chapman, Mark Raymond	Knevelt, Kimberley Sasha	Spence, Andrew William
Cheesman, Alexandra Marie	Knowles, Robert John	Stark, Julie-Anne Thomson
Cherini, Andrew	Kobelt, Trevor John	Sterzl, Paul Gregory
Claridge, Kevin Trevor	Kohn, Raymond Bruce	Szyndler, George
Clark, Jeffrey Don	Kraft, Scott Michael	Szyndler, Stanley
Cornelius, Paul Herbert	Kruger, Timothy Regan	Tapscott, Sallyann
Costa, Teresa	Lambert, Philip Graham	Telford, Terence John
Cousins, Jason Andrew	Langman, David John	Thornton, Marcus John
Cragen, Peter Charles	Lehmann, Derek Allan	Tilly, David Maynard
Crawford, Warwick Graham	Mann, Richard Anthony	Trout, Noel David
Curtis, Gary Frank	Marschall, Mark Matthew	Uern, Shannon Glenn
Dal Santo, Dino	Martin, Nicholas Geoffrey	Usher, David John
Daly, David Gerard	Matheson, Donald Ian	Van Rooyen, Jakobus
Dearman, Herbert Bruce	Maxwell, Leah	Veldhoen, Ben Peter
Dellaverde, Paolo	McLean, Neil John	Walden, Jeffrey Charles
Dennehy, Dianne	McMahon, Richard John	Walker, John Frederick
Di Mella, Antoinette	McPharlin, Andrew Ferguson	Walter, Gary John
Dimitriadis, Evangelos	Meakin, John Francis	Warner, Scott
Dislers, Maris Eriks	Michelmore, Keith Edward	Waters, Lee Charles
Donnellan, Leo Francis	Mikuzis, Jon Vytantas	Whelan, Shane Lee
Douglass, Timothy James	Minagall, Matthew John	Wilkinson, Brian
Dowling, Robin David	Minagall, Shannon Lee	Williams, Barry John
Eakins, James David	Murray, Brian John	Williams, Richard Mark
Edwards, Darryl Gene	Neeson, James Michael	Williamson, Brian Lewis
Eerden, Lambertus Hendricus	Neumeister, Herbert Franz Georg	Wolter, Trevor John
Ellis, Neil Jeffery	Nikolajevic, Jovan	

Dated 12 November 2009.

Signed for and on behalf of the SOUTH AUSTRALIAN WATER CORPORATION by a person duly authorised so to do:

A. D. HOWE, Chief Executive

In the presence of

G. HENSTOCK, Head of Regulation and Governance

SAW 97/02783 Pt 4
SAW 05/00306

TRADE STANDARDS ACT 1979

Discretionary Exemption

TAKE notice that I, Gail Gago, Minister for Consumer Affairs in the State of South Australia, do hereby exempt the goods named in Schedule 1 below from the Declaration of Dangerous Goods previously made and described in Schedule 2 below, pursuant to Part 7, section 36 (1) (b) and (c) of the Trade Standards Act 1979.

SCHEDULE 1

Expanding novelty toy known as 'Growing Hatch Dinosaur Egg', Item No. 631. The 'Growing Hatch Dinosaur Egg' toys are characterised by clear packaging containing the toy inside a dissolvable egg.

SCHEDULE 2

The goods described in Schedule 1 above are exempt from the requirements of the Declaration of Dangerous Goods signed by the Minister for Consumer Affairs on 9 August 1990 and published in the *Government Gazette* of 30 August 1990.

Dated 13 November 2009.

GAIL GAGO, Minister for Consumer
Affairs

South Australia

Forestry (Forest Reserve) Variation Proclamation 2009

under section 3(3) of the *Forestry Act 1950*

Preamble

- 1 The following land is forest reserve under the *Forestry Act 1950* (see proclamation, *Gazette 19.3.1992 p877*, as varied) and forms part of the Mount Gambier Forest District.
Section 836, Hundred of Caroline.
 - 2 It is intended, for administrative convenience, that the land cease to be forest reserve in order for it to be able to be redeclared as forest reserve in combination with other land.
 - 3 It is intended that the following land (comprising the land referred to in clause 1 and portion of Allotment 4 of DP 60272) be declared to be forest reserve as part of the Mount Gambier Forest District:
Allotment 6 of approved plan No. DP 76679, Hundred of Caroline, lodged in the Lands Titles Registration Office at Adelaide.
-

Part 1—Preliminary

1—Short title

This proclamation may be cited as the *Forestry (Forest Reserve) Variation Proclamation 2009*.

2—Commencement

- (1) Subject to this clause, this proclamation comes into operation on the day on which it is made.
- (2) Clause 4(1) of this proclamation will come into operation on the day following the day on which the certificate of title for Allotment 4 of DP 60272 (referred to in the Preamble) is cancelled.
- (3) Clause 4(2) of this proclamation will come into operation immediately after the commencement of clause 4(1).

3—Variation provisions

In this proclamation, a provision under a heading referring to the variation of a specified proclamation varies the proclamation so specified.

**Part 2—Variation of proclamation under *Forestry Act 1950*
declaring forest reserve (*Gazette 19.3.1992 p877*) as varied**

4—Variation of Schedule

- (1) Schedule, clause 5(c)—delete "833—836" and substitute:

833—835

- (2) Schedule, clause 5(c)—after "Lot 1 Filed Plan 35834" insert:

, Lot 6 of approved plan No. DP 76679, lodged in the Lands Titles Registration
Office at Adelaide

Made by the Governor

with the advice and consent of the Executive Council
on 19 November 2009

MFOR09/002CS

South Australia

Highways (Road Closure—Public Road abutting West Terrace and West Terrace, Copley) Proclamation 2009

under section 27AA of the *Highways Act 1926*

1—Short title

This proclamation may be cited as the *Highways (Road Closure—Public Road abutting West Terrace and West Terrace, Copley) Proclamation 2009*.

2—Commencement

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

3—Road closure

The portion of public road delineated as allotment 151 in approved Plan No FP 51949 lodged in the Lands Titles Registration Office is closed.

Made by the Governor

on the recommendation of the Commissioner of Highways and with the advice and consent of the Executive Council

on 19 November 2009

MTR09/095

South Australia

Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2009

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

- 4 Variation of Schedule 1—Short term dry areas
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2009*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

4—Variation of Schedule 1—Short term dry areas

- (1) Schedule 1, item headed "Alexandrina Council—Area 1 (Chiton Rocks)", column headed "Period"—delete "6 p.m. on 31 December 2008 to 6 a.m. on 1 January 2009." and substitute:
6 pm on 31 December 2009 to 6 am on 1 January 2010.
- (2) Schedule 1, item headed "Alexandrina Council—Area 2 (Port Elliot)", column headed "Period"—delete "6 p.m. on 31 December 2008 to 6 a.m. on 1 January 2009." and substitute:
6 pm on 31 December 2009 to 6 am on 1 January 2010.
- (3) Schedule 1, item headed "Alexandrina Council—Area 3 (Middleton)", column headed "Period"—delete "6 p.m. on 31 December 2008 to 6 a.m. on 1 January 2009." and substitute:
6 pm on 31 December 2009 to 6 am on 1 January 2010.

- (4) Schedule 1, item headed "Alexandrina Council—Area 4 (Goolwa Beach Carpark)", column headed "Period"—delete "6 p.m. on 31 December 2008 to 6 a.m. on 1 January 2009." and substitute:

6 pm on 31 December 2009 to 6 am on 1 January 2010.

- (5) Schedule 1, item headed "Alexandrina Council—Area 5 (Rotunda Reserve Area)", column headed "Period"—delete "6 p.m. on 31 December 2008 to 6 a.m. on 1 January 2009." and substitute:

6 pm on 31 December 2009 to 6 am on 1 January 2010.

- (6) Schedule 1, item headed "Alexandrina Council—Area 6 (Basham Beach Area)", column headed "Period"—delete "6 p.m. on 31 December 2008 to 6 a.m. on 1 January 2009." and substitute:

6 pm on 31 December 2009 to 6 am on 1 January 2010.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 19 November 2009

No 267 of 2009

09MCA0041CS

South Australia

Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2009

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

- 4 Variation of Schedule 1—Short term dry areas
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2009*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

4—Variation of Schedule 1—Short term dry areas

Schedule 1—after the item headed "Spalding—Area 1" insert:

Stirling—Area 1

(there is no plan for this area)

The area in Stirling as follows:

- | | | | |
|-----|---|--|---|
| (a) | Mt Barker Road between Pomona Road and Pritchard Drive; | 12 noon on
27 November 2009
to 12 noon on
28 November 2009. | The consumption
of liquor is
prohibited and the
possession of
liquor is prohibited. |
| (b) | Druid Avenue between Mt Barker Road and Milan Terrace; | | |
| (c) | the Council Library and lawn area, comprising Lot 79 FP 158325; | | |
| (d) | Stirling Oval, comprising Lot 22 FP 158268. | | |

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 19 November 2009

No 268 of 2009

09MCA0042CS

South Australia

Liquor Licensing (Dry Areas—Long Term) Variation Regulations 2009

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Liquor Licensing (Dry Areas—Long Term) Regulations 1997*

- 4 Variation of Schedule 1—Long term dry areas
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Long Term) Variation Regulations 2009*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas—Long Term) Regulations 1997*

4—Variation of Schedule 1—Long term dry areas

- (1) Schedule 1, item headed "Paringa—Area 1", column headed "Period"—delete "2009" and substitute:
2011
- (2) Schedule 1, item headed "Renmark—Area 1", column headed "Period"—delete "2009" and substitute:
2011
- (3) Schedule 1, item headed "Renmark—Area 2", column headed "Period"—delete "2009" and substitute:
2011

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 19 November 2009

No 269 of 2009

09MCA0044CS

South Australia

Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2009

under the *Liquor Licensing Act 1997*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

- 4 Variation of Schedule 1—Short term dry areas
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Variation Regulations 2009*.

2—Commencement

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

3—Variation provisions

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

Part 2—Variation of *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*

4—Variation of Schedule 1—Short term dry areas

Schedule 1, item headed "Spalding—Area 1", column headed "Period"—delete "12 noon on 8 November 2008 to 12 noon on 9 November 2008." and substitute:

12 noon on 28 November 2009 to 12 noon on 29 November 2009.

Note—

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

Made by the Governor

with the advice and consent of the Executive Council
on 19 November 2009

No 270 of 2009

09MCA0043CS

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ADELAIDE CITY COUNCIL

Declaration as Public Road

NOTICE is hereby given, that at its meeting held on 26 October 2009, Council declared the following:

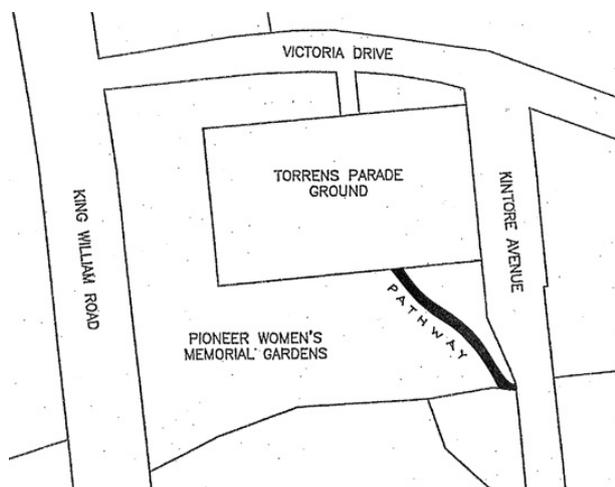
In exercise of its powers in section 210 of the Local Government Act 1999, the Council of the Corporation of the City of Adelaide declares the following road to be Public Road:

The private road off Hocking Court contained in certificate of title volume 5975, folio 521.

Naming of Road

Notice is hereby given, that at its meeting held on 14 September 2009, Council declared the following:

In exercise of its powers in section 219 of the Local Government Act 1999, the Council of the Corporation of the City of Adelaide declares the name 'Adelaide Rifles Pathway' be assigned to the pathway in Karrawirra (Park 12) as shown in the following plan:



P. SMITH, Chief Executive Officer

ADELAIDE CITY COUNCIL

Appointment of Additional Public Officer

NOTICE is hereby given that at its meeting on 9 November 2009, the Adelaide City Council resolved to appoint Peter Michael Smith, Chief Executive Officer and in his absence or, if he has an inability to act, Michael Sedgman, General Manager, Corporate Strategy and Performance, to the position of Public Officer of the Council's Development Assessment Panel, pursuant to section 56A (22) of the Development Act 1993.

Contact Details:

G.P.O. Box 2252,
Adelaide, S.A. 5001.
Telephone: (08) 8203 7234.

P. SMITH, Chief Executive Officer

CITY OF MARION

ROADS (OPENING AND CLOSING) ACT 1991

Morphett Road, Seacombe Heights

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that The Corporation of The City of Marion proposes to make a Road Process Order to close portion of the Public Road (Morphett Road) adjoining the southern boundary of Allotment 219 in Deposited Plan 4762, more particularly delineated and lettered 'A' in the Preliminary Plan No. 09/0079.

Closed road 'A' is to be transferred to Agostino and Tiresa Tonietta Caruso.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Council, 245 Sturt Road, Sturt and the Adelaide office of the Surveyor-General during normal office hours.

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

The application for easement or objection must be made in writing to the Council, P.O. Box 21, Oaklands Park, S.A. 5046 within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated 13 November 2009.

M. SEARLE, Chief Executive Officer

CITY OF MARION

ROADS (OPENING AND CLOSING) ACT 1991

Darlington Street, Sturt

NOTICE is hereby given, pursuant to section 10 of the Roads (Opening and Closing) Act 1991, that The Corporation of The City of Marion proposes to make a Road Process Order to close portion of the Public Road (Darlington Street) adjoining the northern boundary of Allotment 65 in Deposited Plan 53077, more particularly delineated and lettered 'A' in the Preliminary Plan No. 09/0080.

Closed road 'A' is to be transferred to K. J. Elliss Nominees Pty Ltd.

A copy of the plan and a statement of persons affected are available for public inspection at the offices of the Council, 245 Sturt Road, Sturt and the Adelaide office of the Surveyor-General during normal office hours.

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

The application for easement or objection must be made in writing to the Council, P.O. Box 21, Oaklands Park, S.A. 5046 within 28 days of this notice and a copy must be forwarded to the Surveyor-General, G.P.O. Box 1354, Adelaide, S.A. 5001. Where a submission is made, the Council will give notification of a meeting at which the matter will be considered.

Dated 13 November 2009.

M. SEARLE, Chief Executive Officer

RURAL CITY OF MURRAY BRIDGE

Change of Road Name

NOTICE is hereby given that the Council of the Rural City of Murray Bridge, at its meeting held on 9 November 2009, resolved pursuant to section 219 (1) of the Local Government Act 1999, that the name of a certain road be changed as follows:

Murray Street, between Cooke Street and Monash Terrace, be changed to Oxford Street.

A plan delineating the road subject to change of street name, together with a copy of Council's resolutions is available for inspection at the Local Government Centre, 2 Seventh Street, Murray Bridge, during normal business hours.

D. MOLONEY, Chief Executive Officer

CITY OF PORT ADELAIDE ENFIELD

Periodical Review

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

Pursuant to the provisions of section 12 (13) (a) of the Local Government Act 1999, the Electoral Commissioner has certified that the Periodical Review has complied with the requirements of section 12 of the said Act. The revised representation arrangements take effect as from the day of the first general election held after the expiration of five months from the publication of this notice.

The findings of the review are as follows:

1. The elected composition will remain a total of 18 elected members comprised of:
 - The position of Mayor as principal member of the Council elected at large.
 - 17 Ward Councillors elected from seven wards.
2. The existing ward structure, which divides the Council area into seven wards, is to be retained with only minor boundary adjustments. The wards will continue to be entitled as follows and the ward elected composition will be:

	Councillors
Outer Harbor Ward.....	2
Semaphore Ward.....	2
Port Adelaide Ward.....	2
Parks Ward.....	3
Enfield Ward.....	3
Northfield Ward.....	3
Klemzig Ward.....	2

Outer Harbor Ward, Semaphore Ward, Port Adelaide Ward, Parks Ward, Enfield Ward, Northfield Ward and Klemzig Ward of the City of Port Adelaide Enfield as defined in The First to Seventh Schedules.

THE FIRST SCHEDULE

Outer Harbor Ward: Comprising that portion of the Hundred of Port Adelaide, County of Adelaide, more particularly delineated on the plan published herewith.



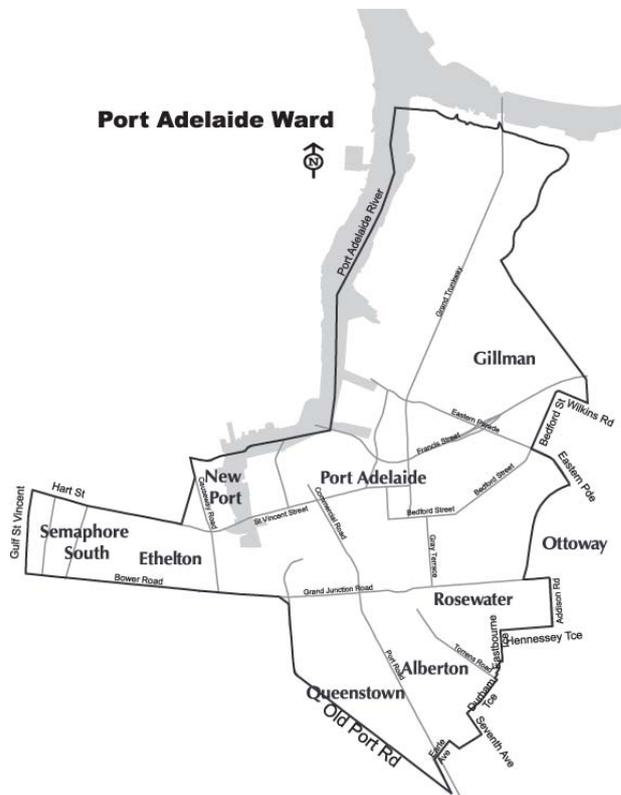
THE SECOND SCHEDULE

Semaphore Ward: Comprising that portion of the Hundred of Port Adelaide, County of Adelaide, more particularly delineated on the plan published herewith.



THE THIRD SCHEDULE

Port Adelaide Ward: Comprising portions of the Hundreds of Port Adelaide and Yatala, County of Adelaide, more particularly delineated on the plan published herewith.



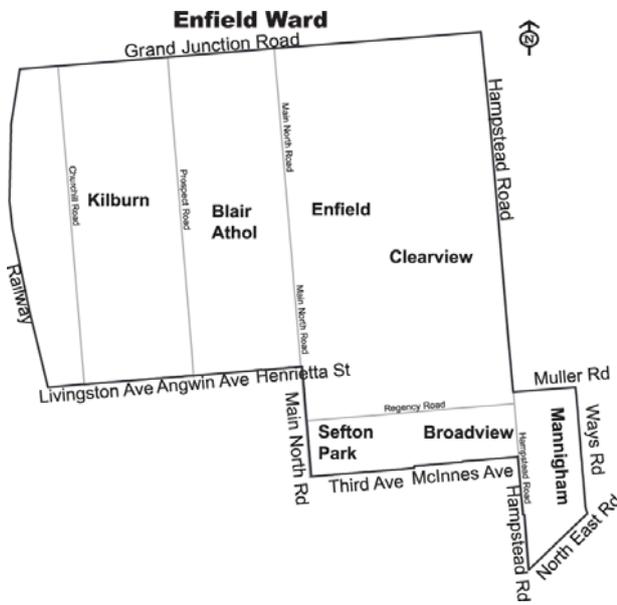
THE FOURTH SCHEDULE

Parks Ward: Comprising portions of the Hundreds of Port Adelaide and Yatala, County of Adelaide, more particularly delineated on the plan published herewith.



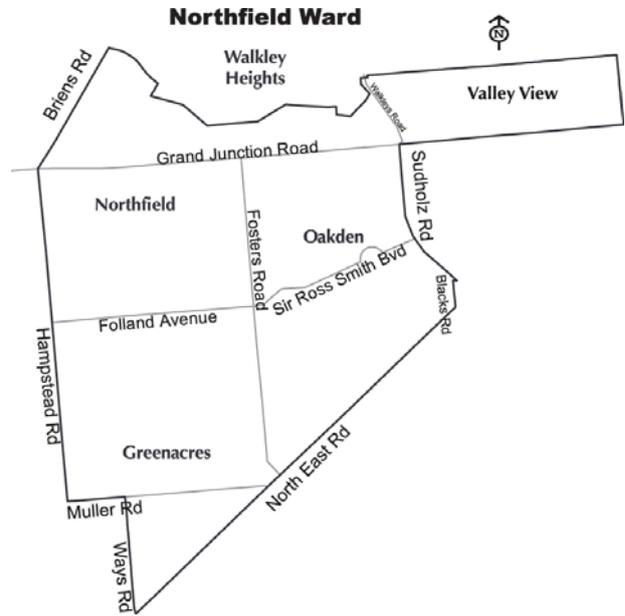
THE FIFTH SCHEDULE

Enfield Ward: Comprising portion of the Hundred of Yatala, County of Adelaide, more particularly delineated on the plan published herewith.



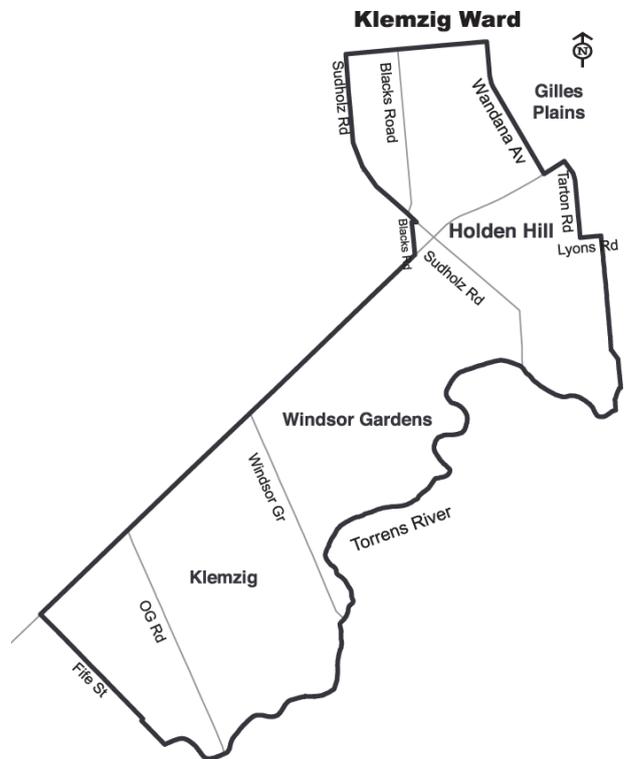
THE SIXTH SCHEDULE

Northfield Ward: Comprising portion of the Hundred of Yatala, County of Adelaide, more particularly delineated on the plan published herewith.



THE SEVENTH SCHEDULE

Klemzig Ward: Comprising portion of the Hundred of Yatala, County of Adelaide, more particularly delineated on the plan published herewith.



M. JONAS, Acting City Manager

CITY OF PORT LINCOLN

DEVELOPMENT ACT 1993

*General and Better Development Plan (BDP) DPA—
Public Consultation*

NOTICE is hereby given that the City of Port Lincoln, pursuant to sections 24 and 25 of the Development Act 1993, has prepared a Development Plan Amendment Report (DPA) to amend its Development Plan.

The DPA proposes to amend the Port Lincoln (City) Development Plan by replacing the current Development Plan with a new Development Plan that has had its content sourced from Planning SA's standard set of Better Development Plan (BDP) policy modules (for both the General and Zone sections).

The DPA report will be on public consultation from Thursday, 19 November 2009 until Thursday, 28 January 2010.

Copies of the DPA report are available during normal office hours at the City of Port Lincoln at Level One, Civic Centre, 60 Tasman Terrace, Port Lincoln. Alternatively the DPA report can be viewed on the Internet at www.portlincoln.sa.gov.au.

Written submissions regarding the DPA should be submitted no later than 5 p.m. on Thursday, 28 January 2010. All submissions should be addressed to the Chief Executive Officer, City of Port Lincoln, P.O. Box 1787, Port Lincoln, S.A. 5607 and should clearly indicate whether you wish to be heard in support of your submission at the public hearing. If you wish to lodge your submission electronically, please email it to plcc@plcc.sa.gov.au.

Copies of all submissions will be available for inspection at the City of Port Lincoln, Level One, Civic Centre, 60 Tasman Terrace, Port Lincoln from Monday, 1 February 2010, until the conclusion of the public meeting.

A public meeting will be held on Wednesday, 10 February 2010 at 7.30 p.m. in the Council Chambers, Level One, Civic Centre, 60 Tasman Terrace, Port Lincoln at which time interested persons may be heard in relation to the DPA and the submissions. The public meeting will not be held if no submissions are received or if no submission makes a request to be heard.

If you would like further information about the DPA, contact Bob Milic on 8621 2318 or bob.milic@plcc.sa.gov.au.

Dated 19 November 2009.

G. DODD, Chief Executive Officer

CITY OF VICTOR HARBOR

Periodical Review of Elector Representation

NOTICE is hereby given that the City of Victor Harbor has completed a review of its elector representation arrangements, including its composition and ward structure, in accordance with the requirements of section 12 (4) of the Local Government Act 1999 ('the Act').

Pursuant to section 12 (13) (a) of the Act, the Electoral Commissioner has certified that the review undertaken by Council satisfies the requirements of section 12 of the Act. As such the following structure will be put into effect as from the day of the first general election held after the expiration of five months from the publication of this notice:

- Principal Member, being the Mayor, elected by the community.
- Retention as a single area Council, having no wards.
- Nine area Councillors.

G. K. MAXWELL, City Manager

CITY OF WHYALLA

Review of Elector Representation

NOTICE is hereby given that the City of Whyalla has completed a review of its elector representation arrangements, including its composition and ward structure, in accordance with the requirements of section 12 (4) of the Local Government Act 1999 (the Act).

Pursuant to section 12 (13) (a) of the Act, the Electoral Commissioner has certified that the review undertaken by Council satisfies the requirements of section 12 of the Act. As such, the

following structure will be put into effect as from the day of the first general election held after the expiration of five months from the publication of this notice:

- The council area will not be divided into wards.
- The elected Council will comprise the Mayor and nine area councillors who represent the Council area as a whole.

P. CAMERON, City Manager

THE BAROSSA COUNCIL

Review of Elector Representation

NOTICE is hereby given that The Barossa Council has completed a review of its elector representation arrangements, including its composition and ward structure, in accordance with the requirements of section 12 (4) of the Local Government Act 1999 (the Act).

Pursuant to section 12 (13) (a) of the Act, the Electoral Commissioner has certified that the review undertaken by Council satisfies the requirements of section 12 of the Act. As such, the following structure will be put into effect as from the day of the first general election held after the expiration of five months from the publication of this notice:

- The Council area will not be divided into wards.
- The elected Council will comprise the Mayor and 11 area councillors who represent the Council area as a whole.

D. MORCOM, Chief Executive Officer

DISTRICT COUNCIL OF KIMBA

Review of Elector Representation

NOTICE is hereby given that the District Council of Kimba has completed a review of its elector representation arrangements, including its composition and ward structure, in accordance with the requirements of section 12 (4) of the Local Government Act 1999 (the Act).

Pursuant to section 12 (13) (a) of the Act, the Electoral Commissioner has certified that the review undertaken by Council satisfies the requirements of section 12 of the Act. As such, the following structure will be put into effect as from the day of the first general election held after the expiration of five months from the publication of this notice.

- The Council area will not be divided into wards; and
- The elected Council will comprise the Chairperson and seven area councillors who represent the Council area as a whole.

D. A. CEARNES, Chief Executive Officer

DISTRICT COUNCIL OF KIMBA

Temporary Road Closure

NOTICE is hereby given that at a Council meeting held on 11 November 2009, Council resolved the following:

That:

1. The District Council of Kimba exercise the power subject to section 33 of the Road Traffic Act 1961 and clause F of the instrument of general approval of the Minister dated 17 June 2006 to make an order that High Street from Martin Terrace to the southern side of North Terrace be closed between 4.45 p.m. and 8 p.m. and that High Street between Cross Street and the southern side of North Terrace remain closed between 8 p.m. and 10 p.m. on Saturday, 19 December 2009 for the purpose of holding Kimba's Christmas pageant and festivities.

2. Pursuant to section 33 (1) (b) of the Road Traffic Act 1961, make an order directing that persons taking part in the event be exempted, in relation to roads, from the duty to observe the Australian Road Rules specified and attached to the exemption:

Rule 230—Crossing a Road—General.

Rule 298—Driving with a person in a trailer provided the speed of the vehicle does not exceed 25 km/h.

D. A. CEARNES, Chief Executive Officer

KINGSTON DISTRICT COUNCIL

Review of Elector Representation

NOTICE is hereby given that the Kingston District Council has completed a review of its elector representation arrangements, including its composition and ward structure, in accordance with the requirements of section 12 (4) of the Local Government Act 1999 (the Act).

Pursuant to section 12 (13) (a) of the Act, the Electoral Commissioner has certified that the review undertaken by Council satisfies the requirements of section 12 of the Act. As such, the following structure will be put into effect as from the day of the first general election held after the expiration of five months from the publication of this notice:

- The Council area will not be divided into wards.
- The elected Council will comprise the Mayor and seven area councillors, elected by the whole of the community to represent the Council area as a whole.

M. MCCARTHY, Chief Executive Officer

DISTRICT COUNCIL OF PETERBOROUGH

Road Renaming

NOTICE is hereby given that Council, at its meeting held on 16 November 2009, resolved to rename Chadwick Road, between Fewster Road and Whyngoon Road to Arscott Road.

T. D. BARNES, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1 of 2009—Permits and Penalties

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

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Permits and Penalties By-law 2009 and is By-law No. 1 of the District Council of Robe.

2. *Authorising Law*

This by-law is made under section 246 of the Act and subsections 667 (1) 3.LIV and 9.XVI of the Local Government Act 1934, as amended.

3. *Purpose*

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

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

4. *Commencement, Revocation and Expiry*

- 4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:
 - 4.1.1 By-law No. 1—Permits and Penalties 2002.²
- 4.2 This by-law will expire on 1 January 2017.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is *gazetted*: section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the *gazetted* of the by-law.

5. *Application*

5.1 This by-law applies throughout the Council area.

6. *Interpretation*

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

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

Note:

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

7. *Construction of By-laws generally*

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

PART 2—PERMITS AND PENALTIES

8. *Permits*

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

9. *Offences and Penalties*

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

NOTE:

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

This by-law was duly made and passed at a meeting of the District Council of Robe held on 8 September 2009, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

B. HENDER, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2 of 2009—Local Government Land

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

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Local Government Land By-law 2009 and is By-law No. 2 of the District Council of Robe.

2. *Authorising Law*

This by-law is made under sections 238 and 246 of the Act and subsections 667 (1) 4.1 and 9.XVI of the Local Government Act 1934, as amended.

3. *Purpose*

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

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

4. *Commencement, Revocation and Expiry*

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

4.1.1 By-law No. 4—Local Government Land.²

4.2 This by-law will expire on 1 January 2017.³

NOTE:

¹ Generally a by-law comes into operation four months after the day on which it is *gazetted*: section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the *gazetted* of the by-law.

5. *Application*

5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2009.

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

5.3 Clauses 9.3, 9.23.3, 9.25, 10.1.1, 10.1.3, 10.1.4, 10.5, 10.6 and 10.12.3 of this by-law only apply in such part or parts of the Council area as the Council may by resolution direct in accordance with section 246 (3) (e) of the Act.

5.4 Clause 9.34.1 of this by-law only applies throughout the Council area except in such part or parts of the Council area as the Council may by resolution direct in accordance with section 246 (3) (e) of the Act.

6. *Interpretation*

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *animal or animals* includes birds and insects but does not include a dog;
- 6.3 *boat* includes a raft, pontoon or personal watercraft or other similar device;
- 6.4 *camp* includes setting up a camp, or causing a tent, caravan or motor home to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 6.5 *children's playground* means an enclosed area in which there is equipment or other devices installed for the purpose of children's play (or within 3 m of such devices if there is no enclosed area);
- 6.6 *Council* means District Council of Robe;
- 6.7 *electoral matter* has the same meaning as in the Electoral Act 1985, provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;

6.8 *effective control* means a person exercising effective control of an animal either:

- 6.8.1 by means of a physical restraint; or
- 6.8.2 by command, the dog being in close proximity to the person and the person being able to see the dog at all times;

6.9 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999;

6.10 *emergency vehicle* has the same meaning as in the Australian Road Rules;

6.11 *foreshore* has the same meaning as 'adjacent land' in the Harbors and Navigation Act 1993;

6.12 *funeral ceremony* means a ceremony only (i.e. a memorial service) and does not include a burial;

6.13 *liquor* has the same meaning as in the Liquor Licensing Act 1997;

6.14 *Local Government Land* means all land owned by the Council or under the Council's care, control and management (except roads);

6.15 *low water mark* means the lowest meteorological tide;

6.16 *offensive* includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;

6.17 *open container* means a container which:

- (a) after the contents of the container have been sealed at the time of manufacture:
 - (i) being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
 - (ii) being a can, it has been opened or punctured;
 - (iii) being a cask, it has had its tap placed in a position to allow it to be used;
 - (iv) being any other form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to its contents; or
- is a flask, glass, mug or other container able to contain liquid;

6.18 *tobacco product* has the same meaning as in the Tobacco Products Regulation Act 1997;

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

6.20 *vessel* means a dingy, jet ski, boat, yacht, ship or other motorised vessel;

6.21 *waters* includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council.

NOTE:

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

PART 2—ACCESS TO LOCAL GOVERNMENT LAND

7. *Access*

NOTE:

Pursuant to section 238 (7) of the Act, if a Council makes a by-law about access to or use of a particular piece of Local Government Land (under section 238), the Council must erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the by-law applies.

The Council may:

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

8. *Closed Lands*

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

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

PART 3—USE OF LOCAL GOVERNMENT LAND

9. Activities Requiring Permission

NOTE:

Pursuant to section 238 (7) of the Act, if a Council makes a by-law about access to or use of a particular piece of Local Government Land (under section 238), the Council must erect a sign in a prominent position on, or in the immediate vicinity of, the land to which the by-law applies.

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

9.1 Advertising

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

9.2 Aircraft

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

9.3 Alcohol

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

9.4 Amplification

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

9.5 Animals

9.5.1 On Local Government Land other than the foreshore:

- (a) cause or allow an animal to stray onto, move over, graze or be left unattended on Local Government Land;
- (b) cause or allow an animal to enter, swim, bathe or remain in any waters located on Local Government Land; or
- (c) lead, herd or exercise an animal, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind, and provided that the animal or animals are under effective control.

9.5.2 On Local Government Land comprising the foreshore:

- (a) cause or allow a sheep, cow, goat or horse to enter, swim, bathe or remain in any waters; or
- (b) lead, herd or exercise a sheep, cow, goat or horse.

9.6 Annoyance

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

- (a) using that land; or
 - (b) occupying nearby premises,
- by making a noise or creating a disturbance.

9.7 Attachments

Subject to Clause 14.2, attach anything to a tree, plant, equipment, fence, post, structure or fixture on Local Government Land.

9.8 Bees

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

9.9 Boats

Subject to the provisions of the Harbors and Navigation Act 1993:

- 9.9.1 launch or retrieve a boat to or from any waters where the Council has determined that this subclause applies;
- 9.9.2 launch or retrieve a boat other than from a boat ramp constructed for that purpose;
- 9.9.3 propel, float or otherwise use a boat on or in any waters;
- 9.9.4 hire out a boat or otherwise use a boat for commercial purposes; or
- 9.9.5 moor a boat on any waters or to a pontoon attached to Local Government Land.

9.10 Bridge Jumping

Jump or dive from a bridge on Local Government Land.

9.11 Buildings

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

9.12 Burials and Memorials

- 9.12.1 Bury, inter or spread the ashes of any human or animal remains.
- 9.12.2 Erect any memorial.

9.13 Camping and Tents

- 9.13.1 Erect a tent or other structure of calico, canvas, plastic or similar material as a place of habitation.
- 9.13.2 Camp or sleep overnight except where a person is in a caravan park on Local Government Land, the proprietor of which has been given permission to operate the caravan park on that land.

9.14 Canvassing

Convey any advertising, religious or other message to any bystander, passer-by or other.

9.15 Distribution

Subject to Clause 14.2, place on a vehicle (without the consent of the owner of the vehicle), or give out or distribute any hand bill, book, notice, leaflet or other printed matter to any bystander, passer-by or other person.

9.16 Donations

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

9.17 Entertainment and Busking

- 9.17.1 Sing, busk or play a recording or use a musical instrument for the apparent purpose of either entertaining others or receiving money.
- 9.17.2 Conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.

9.18 Equipment

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

9.19 Fires

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

- 9.19.1 in a place provided by the Council for that purpose; or
- 9.19.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least 4 m.

9.20 Fireworks

Ignite or discharge any fireworks.

9.21 *Flora and Fauna*

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

- 9.21.1 damage, pick, disturb, interfere with or remove any plant or flower thereon;
- 9.21.2 cause or allow an animal to stand or walk on any flower bed or garden plot;
- 9.21.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;
- 9.21.4 take, interfere with, tease, harm or disturb any animal, bird or marine creature or the eggs or young of any animal, bird or marine creature;
- 9.21.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;
- 9.21.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;
- 9.21.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or marine creature; or
- 9.21.8 burn any timber or dead wood.

9.22 *Foreshore*

On Local Government Land comprising the foreshore:

- 9.22.1 drive or propel a vehicle onto or from the foreshore other than by a ramp or thoroughfare constructed or set aside by the Council for that purpose;
- 9.22.2 drive or propel a vehicle on the foreshore except on an area that is constructed or set aside by the Council for that purpose;
- 9.22.3 launch or retrieve a boat from the foreshore without using a boat ramp or thoroughfare constructed or set aside by the Council for that purpose;
- 9.22.4 allow a vehicle to remain stationary on a boat ramp longer than is necessary to launch or retrieve a boat; or
- 9.22.5 hire out a boat on or from the foreshore.

9.23 *Games*

- 9.23.1 Participate in, promote or organise any organised competition or sport, as distinct from organised social play.
- 9.23.2 Play or practise any game which involves kicking, hitting or throwing a ball or other object on Local Government Land which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land.
- 9.23.3 Play or practise the game of golf on Local Government Land to which the Council has resolved this subclause applies.

9.24 *Litter*

- 9.24.1 Throw, cast, place, deposit or leave any rubbish, dirt or refuse of any kind whatsoever except in a garbage container provided for that purpose.
- 9.24.2 Deposit any soil, clay, stone, gravel, green waste or other putrescible waste or any other matter.

9.25 *Marina*

Within Lake Butler marina to which the Council has determined this Clause applies:

- 9.25.1 lay an anchor or moor a vessel;
- 9.25.2 moor or otherwise secure a vessel within a marina berth;

- 9.25.3 allow, cause or permit a vessel to be left unattended unless, subject to this by-law, it is securely moored within a marina berth.

9.26 *Marine Life*

Introduce any marine life to any waters located on Local Government Land.

9.27 *Model Aircraft, Boats and Cars*

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

9.28 *Overhanging Articles or Displaying Personal Items*

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

9.29 *Playing Area*

Use or occupy a playing area:

- 9.29.1 in such a manner as to damage or be likely to damage the surface of the playing area or infrastructure (above and under ground level);
- 9.29.2 in a manner contrary to the purpose for which the playing area was intended to be used or occupied; or
- 9.29.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area.

9.30 *Pontoons*

Install or maintain a pontoon or jetty in any waters.

9.31 *Posting of Bills*

Subject to Clause 14.2, post or allow or cause to be posted any bills, advertisements or other papers or items on a building or structure on Local Government Land or in a public place.

9.32 *Preaching*

Preach, harangue or solicit for religious purposes.

9.33 *Ropes*

Place a buoy, cable, chain, hawser, rope or net in or across any waters.

9.34 *Swimming*

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

- 9.34.1 in an area which the Council has determined may be used for such purposes; and
- 9.34.2 in accordance with any conditions that the Council may have determined by resolution apply to such use.

9.35 *Toilets*

In any public convenience on Local Government Land:

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

- 9.36 *Trading*
Sell, buy, offer or display anything for sale.
- 9.37 *Vehicles*
- 9.37.1 Drive or propel a vehicle except on an area or road constructed and identified by the Council for that purpose, by means of signs, devices or fencing and the like.
- 9.37.2 Promote, organise or take part in a race, test or trial of any kind in which vehicles take part, except on an area properly constructed for that purpose.
- 9.37.3 Repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown.
- 9.38 *Weddings, Functions and Special Events*
- 9.38.1 Hold, conduct or participate in a marriage ceremony, funeral or special event.
- 9.38.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral or special event.
- 9.38.3 Hold or conduct any filming where the filming is for a commercial purpose.
10. *Prohibited Activities*
A person must not do any of the following on Local Government Land.
- 10.1 *Animals*
- 10.1.1 Cause or allow any animal to enter, swim, bathe or remain in any waters to which the Council has determined this subclause applies to the inconvenience, annoyance or danger of any other person bathing or swimming.
- 10.1.2 Cause or allow an animal to damage a flower-bed, garden plot, tree, lawn or like thing or place.
- 10.1.3 Lead, herd, drive, ride or exercise any horse, cattle, camel or sheep or permit any horse, cattle, camel or sheep to be led, herded, driven, ridden or exercised on any land to which the Council has determined this subclause applies.
- 10.1.4 Allow any horse, cattle, camel or sheep to be let loose or left unattended on any land to which the Council has determined this subclause applies.
- 10.2 *Coastal Areas*
Subject to the Coastal Protection Act 1972 and the Native Vegetation Act 1991:
- 10.2.1 destabilise sand on a sand dune;
- 10.2.2 destroy, remove or interfere with dead or live vegetation within a sand dune, coastal slope or cliff;
- 10.2.3 introduce flora or fauna or dump any material in a sand dune;
- 10.2.4 carry out any activity that may damage or threaten the integrity of any sand dune, coastal slope or cliff.
- 10.3 *Defacing Property*
Deface, paint, spray, write, cut names, letters or make marks on any tree, rock, gate, fence, building, sign, bridge or property of the Council.
- 10.4 *Equipment*
Use any item of equipment, facilities or property belonging to the Council other than in the manner and for the purpose for which it was designed, constructed or intended to be used or in such manner as is likely to damage or destroy it.
- 10.5 *Fishing*
- 10.5.1 Fish in any waters to which the Council has determined this subclause applies.
- 10.5.2 Fish from a bridge or other structure to which the Council has determined this subclause applies.
- 10.6 *Foreshore*
Drive a vehicle on any foreshore area to which the Council has determined this Clause applies.
- 10.7 *Glass*
Willfully break any glass, china or other brittle material.
- 10.8 *Interference with Land*
Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:
- 10.8.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
- 10.8.2 erecting or installing a structure in, on, across, under or over the land;
- 10.8.3 changing or interfering with the construction, arrangement or materials of the land;
- 10.8.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
- 10.8.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.
- 10.9 *Interference with Permitted Use*
Interrupt, disrupt or interfere with any other person's use of Local Government Land which is permitted or for which permission has been granted.
- 10.10 *Nuisance*
Behave in such a manner as to cause discomfort, inconvenience, annoyance or offence to any other person.
- 10.11 *Playing Games*
Play or practise a game:
- 10.11.1 which is likely to cause damage to the land or anything on it;
- 10.11.2 in any area where a sign indicates that the game is prohibited.
- 10.12 *Smoking*
Smoke, hold or otherwise have control over an ignited tobacco product:
- 10.12.1 in any building or public convenience;
- 10.12.2 in any children's playground; or
- 10.12.3 on any land to which the Council has determined this subclause applies.
- 10.13 *Throwing Objects*
Throw, roll, project or discharge a stone substance or other missile, excluding sport and recreational equipment designed to be used in that way.
- 10.14 *Solicitation*
Tout or solicit customers for the parking of vehicles or for any other purpose whatsoever.
- 10.15 *Waste*
- 10.15.1 Deposit or leave thereon:
- (a) anything obnoxious or offensive;
- (b) any offal, dead animal, dung or filth; or
- (c) any mineral, mineral waste, industrial waste or by-products.
- 10.15.2 Foul or pollute any waters situated thereon.
- 10.15.3 Deposit any rubbish other than in receptacles provided by the Council for that purpose.
- 10.15.4 Deposit in a receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.

PART 4—ENFORCEMENT

11. *Directions*

- 11.1 A person on Local Government Land must comply with a reasonable direction from an authorised person relating to:
- 11.1.1 that person's use of the land;
 - 11.1.2 that person's conduct and behaviour on the land;
 - 11.1.3 that person's safety on the land; or
 - 11.1.4 the safety and enjoyment of other persons on the land.
- 11.2 A person who, in the opinion of an authorised person, is likely to commit or has committed, a breach of this by-law must immediately comply with a direction of an authorised person to leave that part of Local Government Land.

12. *Orders*

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

Note:

Section 262 (1) of the Act states:

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

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

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

13. *Removal of Animals and Objects*

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

PART 5—MISCELLANEOUS

14. *Exemptions*

- 14.1 The restrictions in this by-law do not apply to a Police Officer, emergency worker, Council Officer or employee acting in the course and within the scope of that persons normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer.
- 14.2 The restrictions in Clauses 9.1, 9.7, 9.15 and 9.31 of this by-law do not apply to electoral matter authorised by a candidate and which is:
- 14.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
 - 14.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
 - 14.2.3 related to, and occurs during the course of and for the purpose of a referendum.

This by-law was duly made and passed at a meeting of the District Council of Robe held on 8 September 2009, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

B. HENDER, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3 of 2009—Roads

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

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Roads By-law 2009 and is By-law No. 3 of the District Council of Robe.

2. *Authorising Law*

This by-law is made under sections 239 and 246 of the Act, Regulation 13 (1) (c) of the Local Government (Implementation) Regulations 1999 and subsections 667 (1), 4.I, 5.VII, 7.II and 9.XVI of the Local Government Act 1934, as amended.

3. *Purpose*

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

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

4. *Commencement, Revocation and Expiry*

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

4.1.1 By-law No. 3—Roads.²

4.2 This by-law will expire on 1 January 2017.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is *gazetted*: section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the *gazetted* of the by-law.

5. *Application*

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2009.
- 5.2 Subject to subclause 5.3 this by-law applies throughout the Council area.
- 5.3 Clause 7.2.3 of this by-law only applies in such part or parts of the Council area as the Council may by resolution direct in accordance with section 246 (3) (e) of the Act.

6. *Interpretation*

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *animal* includes birds, insects and poultry but does not include a dog or a cat;
- 6.3 *camp* includes setting up a camp, or causing a tent, caravan or motor home to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 6.4 *Council* means District Council of Robe;

- 6.5 *effective control* means a person exercising effective control of an animal either:
- 6.5.1 by means of a physical restraint;
- 6.5.2 by command, the animal being in close proximity to the person, and the person being able to see the animal at all times;
- 6.6 *electoral matter* has the same meaning as in the Electoral Act 1995, provided that such electoral matter is not capable of causing physical damage or injury to a person within its immediate vicinity;
- 6.7 *emergency worker* has the same meaning as in the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999;
- 6.8 *vehicle* has the same meaning as in the Road Traffic Act 1961.

Note:

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

PART 2—USE OF ROADS

7. *Activities Requiring Permission*

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

7.1 *Amplification*

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

7.2 *Animals*

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

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

7.2.3 Lead, herd, ride, drive or exercise any horse, cattle, camel or sheep on any road to which the Council has determined this subclause applies.

7.3 *Camping and Tents*

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

7.3.2 Camp or sleep overnight.

7.4 *Donations*

Ask for or receive or indicate a desire for a donation of money or any other thing, or otherwise solicit for religious or charitable purposes.

7.5 *Obstructions*

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

7.6 *Posting of Bills*

Subject to Clause 11.2, post or allow or cause to be posted any bills, advertisements, or other papers or items on a building or structure on a road.

7.7 *Preaching*

Preach, harangue or solicit for religious purposes.

7.8 *Public Exhibitions and Displays*

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

7.8.2 Conduct or hold a concert, festival, show, circus, performance or a similar activity.

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

7.8.4 Cause any public exhibitions or displays.

7.9 *Vehicles*

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

NOTE:

Moveable signs on roads are regulated by sections 226 and 227 of the Act and the Council's Moveable Signs By-law (if any).

PART 3—ENFORCEMENT

8. *Directions*

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

9. *Orders*

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

Note:

Section 262 (1) of the Act states:

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

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

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

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

10. *Removal of Animals and Objects*

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

PART 4—MISCELLANEOUS

11. *Exemptions*

11.1 The restrictions in this by-law do not apply to a Police Officer, emergency worker, Council Officer or employee acting in the course and within the scope of that persons normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council officer.

11.2 The restrictions in Clause 7.6 of this by-law do not apply to electoral matter authorised by a candidate and which is:

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

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

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

This by-law was duly made and passed at a meeting of the District Council of Robe held on 8 September 2009, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

B. HENDER, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4 of 2009—Moveable Signs

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

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Moveable Signs By-law 2009 and is By-law No. 4 of the District Council of Robe.

2. Authorising Law

This by-law is made under sections 239 and 246 of the Act and subsections 667 (1), 4.1 and 9.XVI of the Local Government Act 1934, as amended.

3. Purpose

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

- 3.1 to protect the comfort and safety of road users and members of the public;
- 3.2 to enhance the amenity of roads and surrounding parts of the Council area;
- 3.3 to prevent nuisances occurring on roads;
- 3.4 to prevent unreasonable interference with the use of a road; and
- 3.5 for the good rule and government of the Council area.

4. Commencement, Revocation and Expiry

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

4.1.1 By-law No. 2—Moveable Signs.²

4.2 This by-law will expire on 1 January 2017.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is *gazetted*: section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the *gazetted* of the by-law.

5. Application

5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2009.

5.2 This by-law applies throughout the Council area.

6. Interpretation

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *business premises* means premises from which a business is being conducted;
- 6.3 *Council* means District Council of Robe;
- 6.4 *footpath area* means:
 - 6.4.1 that part of a road between the property boundary of the road and the edge of the carriageway on the same side as that boundary;

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

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

Note:

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

PART 2—MOVEABLE SIGNS

7. Construction and Design

A moveable sign placed on a footpath area must:

- 7.1 be of a kind known as an 'A' Frame or Sandwich Board sign, an inverted 'T' sign, or a flat sign or, with the permission of the Council, a sign of some other kind;
- 7.2 be designed, constructed and maintained in good quality and condition;
- 7.3 be of strong construction and sufficiently stable or securely fixed so as to keep its position in adverse weather conditions;
- 7.4 have no sharp or jagged edges or corners;
- 7.5 not be unsightly or offensive in appearance or content;
- 7.6 be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 7.7 not exceed 900 mm in height, 600 mm in width and 600 mm in depth;
- 7.8 not rotate or contain flashing parts;
- 7.9 in the case of an 'A' Frame or Sandwich Board sign:
 - 7.9.1 be hinged or joined at the top;
 - 7.9.2 be of such construction that its sides are securely fixed or locked in position when erected; and
 - 7.9.3 not have a base area in excess of 0.6 m²;
- 7.10 in the case of an inverted 'T' sign, not contain struts or members that run between the display area and the base of the sign.

8. Placement

A moveable sign must not be:

- 8.1 placed on any part of a road apart from the footpath area;
- 8.2 placed on a footpath that is less than 2.5 m wide;
- 8.3 placed closer than 2 m from another structure, fixed object, tree, bush or plant;
- 8.4 placed within 1 m of an entrance to any business premises;
- 8.5 placed on the sealed part of a footpath, if there is an unsealed part on which the sign can be placed in accordance with this by-law;
- 8.6 placed so as to interfere with the reasonable movement of persons or vehicles using the footpath or road in the vicinity of where the moveable sign is placed;
- 8.7 placed closer than 1.5 m to the kerb (or, if there is no kerb, to the edge of the carriageway of a road or the shoulder of the road, which ever is the greater);
- 8.8 placed on a landscaped area, other than landscaping that comprises only lawn;
- 8.9 placed within 10 m of an intersection of two or more roads;
- 8.10 placed on a footpath area with a minimum height clearance from a structure above it of less than 2 m;
- 8.11 placed on a designated parking area or within 1 m of an entrance to premises;
- 8.12 tied, fixed or attached to, or placed closer than 2 m to any other structure, object or thing (including another moveable sign);

8.13 displayed during the hours of darkness unless it is clearly lit; or

8.14 placed in such a position or in such circumstances that the safety of a user of the footpath area or road is at risk.

9. Banners

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

Note:

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

10. Restrictions

10.1 The owner or operator of a business must not cause or allow more than one moveable sign for each business premises to be displayed on the footpath area of a road at any time.

10.2 A person must not without the Council's permission display a moveable sign on or attached to or adjacent to a vehicle that is parked on Local Government Land (including roads) primarily for the purpose of advertising or offering for sale a product (including the vehicle) or business to which the sign relates.

10.3 A person must not cause or allow a moveable sign to be placed on a footpath area unless:

10.3.1 it only displays material which advertises a business being conducted on premises adjacent to the moveable sign or the goods and services available from that business; and

10.3.2 the business premises to which it relates is open to the public.

10.4 If in the opinion of the Council a footpath area is unsafe for a moveable sign to be displayed the Council may prohibit or restrict the display of a moveable sign on such conditions as the Council thinks fit.

11. Exemptions

11.1 Except for Clauses 7.3, 7.4, 8.1, 8.6 and 8.14, the requirements of this by-law do not apply to a moveable sign which:

11.1.1 advertises a garage sale taking place from residential premises;

11.1.2 is a directional sign to an event run by a community organisation or charitable body.

11.2 Except for Clauses 7.3, 7.4, 8.1, 8.6 and 8.14, the requirements of this by-law do not apply to a flat sign which only contains a newspaper headline and the name of a newspaper or magazine.

11.3 A requirement of this by-law will not apply where the Council has granted permission for the moveable sign to be displayed contrary to that requirement.

NOTE:

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

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

PART 3—ENFORCEMENT

12. Removal of Moveable Signs

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

12.2 The owner of or other person entitled to recover a moveable sign removed by an authorised person pursuant to section 227 (2) of the Act, may be required to pay to the Council any reasonable costs incurred by the Council in removing, storing and disposing of the moveable sign before being entitled to recover the moveable sign.

12.3 The owner, or other person responsible for a moveable sign must remove or relocate the moveable sign at the request of an authorised person:

12.3.1 if, in the opinion of an authorised person, and 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

12.3.2 for the purpose of special events, parades, road-works or in any other circumstances which, in the opinion of the authorised person, require relocation or removal of the moveable sign to protect public safety or to protect or enhance the amenity of a particular locality.

This by-law was duly made and passed at a meeting of the District Council of Robe held on 8 September 2009, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

B. HENDER, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

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

By-law No. 5 of 2009—Dogs

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

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Dog By-law 2009 and is By-law No. 5 of the District Council of Robe.

2. Authorising Law

This by-law is made under section 90 (5) of the Dog and Cat Management Act 1995, sections 238 and 246 of the Act and subsection 667 (1), 9.XVI of the Local Government Act 1934, as amended.

3. Purpose

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

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

4. Commencement, Revocation and Expiry

4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation¹:

4.1.1 By-law No. 5—Dogs.²

4.2 This by-law will expire on 1 January 2017.³

Note:

¹ Generally a by-law comes into operation four months after the day on which it is *gazetted*: section 249 (5) of the Act.

² Section 253 of the Act provides that the revocation of a by-law by another by-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a by-law to a part or parts of the Council area.

³ Pursuant to section 251 of the Act, a by-law will expire on 1 January following the seventh anniversary of the *gazetted* of the by-law.

5. Application

5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2009.

5.2 Subject to subclause 5.3 this by-law applies throughout the Council area.

5.3 Clauses 8.1, 9.1.1 and 10.1.2 of this by-law only apply in such part or parts of the Council area as the Council may by resolution direct in accordance with section 246 (3) (e) of the Act.

6. Interpretation

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

6.1 *Act* means the Local Government Act 1999;

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

6.3 *children's playground* means an enclosed area in which there is equipment or other installed devices for the purpose of children's play (or within 3 m of such devices if there is no enclosed area);

6.4 *Council* means District Council of Robe;

6.5 *detached dwelling*, *row dwelling* and *semi-detached dwelling* have the same meanings as in the Development Act 1993;

6.6 *dog* has the same meaning as in the Dog and Cat Management Act 1995, except that the dog must be three months of age or older or, have lost its juvenile teeth;

6.7 *Dog Management Officer* and *Cat Management Officer* is a person appointed by Council as such, pursuant to the Dog and Cat Management Act 1995;

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

6.8.1 by means of a physical restraint; or

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

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

6.10 *premises* includes land whether used or occupied for domestic or non-domestic purposes except an approved kennel establishment;

6.11 *small dwelling* means a self-contained residence that is:

6.11.1 a residential flat building;

6.11.2 contained in a separate strata unit;

6.11.3 on an allotment less than 400-600 m² in area; or

6.11.4 without a secure yard of at least 100 m² in area;

6.12 *working dog* means a dog used principally for droving or tending livestock.

Note:

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

PART 2—LIMITS ON DOG NUMBERS

7. Limits on Dog Numbers in Private Premises

7.1 Subject to Clauses 7.2 and 7.4, a person must not, without the Council's permission keep:

7.1.1 in a township, more than one dog in a small dwelling;

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

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

7.2 Clause 7.1 does not apply to:

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

7.2.2 premises from which a business involving dogs is operating provided that business is registered in accordance with the Dog and Cat Management Act 1995.

7.3 The Council may require that premises which are the subject of an application for permission to keep additional dogs, must be inspected by a dog management officer for the purpose of assessing the suitability of the premises for keeping the dogs.

7.4 No dog is to be kept on any premises where in the opinion of a Dog Management Officer, there is no secure or appropriate area where a dog may be effectively confined.

PART 3—DOG CONTROLS

8. Dog Exercise Areas

8.1 A person may enter a public place or part of Local Government Land to which the Council has determined this subclause applies, for the purpose of exercising a dog under his or her effective control.

8.2 A person entering a dog exercise area designated by the Council must ensure that any dog under that person's control, charge or authority is under effective control at all times.

9. Dog on Leash Areas

9.1 A person must not, without the Council's permission, allow a dog under that person's control, charge or authority (except an accredited guide dog, hearing dog or disability dog) to be or remain:

9.1.1 on Local Government Land or public place to which the Council has determined that this subclause applies; and

9.1.2 on any park or reserve during times when organised sport is being played,

unless the dog is secured by a strong leash not exceeding 2 m 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.

10. Dog Prohibited Areas

10.1 A person must not allow a dog under that person's control, charge or authority (except an accredited guide dog, hearing dog or disability dog) to enter or remain:

10.1.1 on any children's playground on Local Government land;

10.1.2 on any other Local Government Land or public place to which the Council has determined that this subclause applies.

11. Dog Faeces

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

PART 4—ENFORCEMENT

12. Orders

12.1 If a person engages in conduct that is a contravention of this by-law, an authorised person or Dog Management Officer may order that person:

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

12.1.2 whether or no the conduct is still continuing—to take specified action to remedy the contravention.

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

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

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

Note:

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

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

This by-law was duly made and passed at a meeting of the District Council of Robe held on 13 October 2009, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

B. HENDER, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

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

By-law No. 6 of 2009—Cats

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

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Cats By-law 2009 and is By-law No. 6 of the District Council of Robe.

2. Authorising Law

This by-law is made under subsection 90 (5) of the Dog and Cat Management Act 1995, section 246 of the Act and subsection 667 (1), 4.1 and 9.XVI of the Local Government Act 1934, as amended.

3. Purpose

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

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

4. Commencement, Revocation and Expiry

- 4.1 This by-law will expire on 1 January 2017.¹

Note:

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

5. Application

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2009.
- 5.2 This by-law applies throughout the Council area.

6. Interpretation

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *approved cattery* means a building, structure or area approved by a relevant authority, pursuant to the Development Act 1993, for the keeping of cats on a temporary or permanent basis;

6.3 *Council* means District Council of Robe;

6.4 *identified cat* means a cat identified in the manner set out in Regulation 9 of the Dog and Cat Management Regulations 1995;

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

6.6 *nuisance* means:

- 6.6.1 unreasonably interfering with the peace, comfort or convenience of a person;
- 6.6.2 injurious to a person's real or personal property; or
- 6.6.3 obnoxious, offensive or hazardous to health;

6.7 *premises* includes land whether used or occupied for domestic or non-domestic purposes except an approved cattery.

Note:

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

PART 2—LIMITS ON CAT NUMBERS

7. Limits on Cat Numbers

7.1 Subject to Clause 7.2, a person must not, without the Council's permission keep in any premises:

- 7.1.1 more than two cats; or
- 7.1.2 a cat of or over the age of three months, or which has lost its juvenile canine teeth, unless the cat is an identified cat.

7.2 Clause 7.1 does not apply to approved catteries operating in accordance with all required approvals and consents.

8. Cats not to be a Nuisance

8.1 An owner or occupier of premises is guilty of an offence if a cat or cats kept or allowed to remain on the premises causes a nuisance by reason of:

- 8.1.1 noise or odour created by the cat or cats;
- 8.1.2 wandering from the land; or
- 8.1.3 the aggressive nature of the cat or cats.

PART 3—ENFORCEMENT

9. Orders

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

- 9.1.1 if the conduct is still continuing—to stop the conduct; and
- 9.1.2 whether or not the conduct is still continuing—to take specified action to remedy the contravention.

9.2 A person must comply with an order under this Clause.

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

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

NOTE:

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

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

This by-law was duly made and passed at a meeting of the District Council of Robe held on 13 October 2009, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

B. HENDER, Chief Executive Officer

DISTRICT COUNCIL OF ROBE

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 7 of 2009—Bird Scarers

A by-law to regulate the use of bird scaring devices to prevent nuisances but at the same time, enables land owners reasonable means by which to protect crops, and further encourages land owners and occupiers to use a wide range of bird control techniques.

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Bird Scarers By-law 2009 and is By-law No. 7 of the District Council of Robe.

2. *Authorising Law*

This by-law is made under section 667 (1) 4.I of the Local Government Act 1934, as amended and section 246 of the Local Government Act 1999.

3. *Purpose*

The objects of this by-law are to manage and regulate the use of bird scaring devices within the Council area:

- 3.1 to encourage landowners and occupiers to use a wide range of bird control techniques;
- 3.2 to prevent and mitigate nuisances;
- 3.3 to protect the convenience, comfort and safety of members of the public; and
- 3.4 for the good rule and government of the Council area.

4. *Expiry*

- 4.1 This by-law will expire on 1 January 2017.¹

Note:

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

5. *Application*

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2009.
- 5.2 This by-law applies throughout the Council area.

6. *Interpretation*

In this by-law:

- 6.1 *Device* means any noise-generating device designed and used for the purpose of scaring birds from land.
- 6.2 *Activation* is:
 - 6.2.1 for a gas gun, one discharge;
 - 6.2.2 noise emission from any electronic device/ 'tweeter' which does not exceed 30 seconds duration.
- 6.3 *Bird Deterrent Management Plan* means a written plan of activities and strategies to deter birds from causing damage to produce on land.
- 6.4 *Discharge* in the context of a gas gun is a single detonation of the gas gun.
- 6.5 *Flammable undergrowth* means grass, weeds and other flammable or potentially flammable growth.
- 6.6 *Horticulture* means the use of land for market gardening, viticulture, floriculture, orchards, wholesale plant nurseries or commercial turf growing.

PART 2—CONTROL OF BIRD SCARING DEVICES

7. *Prohibited Activities*

No person being the owner or occupier of land, shall for the purpose of scaring birds from the land, use or employ any mechanical or other device:

- 7.1 in such a manner as to be, in the opinion of the Council, an unreasonable nuisance or danger to any other person;
- 7.2 on Christmas Day or Good Friday; and
- 7.3 where the device is gas powered:

7.3.1 unless the flammable undergrowth within a 4 m radius of the device is destroyed by cutting, slashing or utilising other means; and

7.3.2 unless other flammable material within a 4 m radius of the device is removed.

8. *Activities Requiring Permission*8.1 *General*

No person shall without permission:

- 8.1.1 activate a device unless it is operated as part of a Bird Deterrent Management Plan;
- 8.1.2 activate a device other than during the hours of 6 a.m. to 7 p.m.;
- 8.1.3 activate more than one device per 10 hectares of land under the ownership or control of that person;
- 8.1.4 activate a device other than within the confines of an area of the land used for the purposes of horticulture;
- 8.1.5 direct a device towards a dwelling other than that person's dwelling;
- 8.1.6 activate a device within 200 m of a public roadway without first placing notification on the boundary of the property and the public road of the existence of the device;
- 8.1.7 activate a device in a building or structure.

8.2 *Gas Guns*

- 8.2.1 Discharge a gas gun at frequencies greater than five per hour.
- 8.2.2 Activate a gas gun within 300 m of a residence (other than that person's residence) a childcare centre, school or hospital building.

8.3 *Electronic Devices*

- 8.3.1 Activate an electronic device for no greater than a 30 second duration.
- 8.3.2 Activate an electronic device within 200 m of a residence (other than that person's residence) a childcare centre, school or hospital building.

9. *Marking of Devices*

- 9.1 Any person using a bird scaring device must ensure that the device is clearly marked with the owner's full name and 24 hour contact phone number(s).

PART 3—INTENTION TO USE A DEVICE

10. *Notification of Intention to use a Device*

- 10.1 Persons intending to operate a bird scaring device(s) must notify the Council of their intention to do so outlining:
 - 10.1.1 their name and address;
 - 10.1.2 the number of devices intended to be used;
 - 10.1.3 the type of each device; and
 - 10.1.4 the minimum distance from occupied neighbouring premises.

PART 4—ENFORCEMENT

11. *Notice*

- 11.1 Where there is a breach of any provision of this by-law the Council shall serve notice in writing on the owner or occupier of any land requiring that person to remove the device, and not to replace the device unless in full compliance with this by-law.
- 11.2 The person on whom the notice is served shall comply with the notice.
- 11.3 If the notice is not complied with, the Council shall carry out the requirements of the notice and may recover the cost of so doing from the person to whom the notice was directed.

12. Exemption

If an Environment Protection Order issued under Part 7 of the Environment Protection (Noise) Policy 2007, regulates any activities that are the subject of a permit granted by the Council pursuant to Clause 3 of this by-law, the Order prevails to the extent of any inconsistency.

This by-law was duly made and passed at a meeting of the District Council of Robe held on 8 September 2009, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

B. HENDER, Chief Executive Officer

DISTRICT COUNCIL OF STREAKY BAY

Supplementary Election for Councillor in Flinders Ward

NOMINATIONS to be a candidate for election as a member of District Council of Streaky Bay will be received between Thursday, 26 November and 12 noon on Thursday, 10 December 2009. Candidates must submit a profile of not more than 150 words with their nomination form and may also provide a photograph, predominantly head and shoulders, taken within the previous 12 months.

Nomination kits are available from the Council Office, 29 Alfred Terrace, Streaky Bay.

A briefing session for intending candidates will be held at 7 p.m. on Monday, 30 November 2009 at the Council Chambers, 29 Alfred Terrace, Streaky Bay.

K. MOUSLEY, Returning Officer

TATIARA DISTRICT COUNCIL

Appointment of Mayor

NOTICE is hereby given that Council at its meeting held on 10 November 2009, elected Councillor Diana Penniment as its Principal Member and Councillor John Ross remains in the role of Deputy.

R. J. HARKNESS, Chief Executive Officer

TATIARA DISTRICT COUNCIL

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

By-law No. 5 of 2009—Dogs

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

PART 1—PRELIMINARY

1. Title

This by-law may be cited as the Dog By-law 2009 and is By-law No. 5 of the Tatiara District Council.

2. Authorising Law

This by-law is made under section 90 (5) of the Dog and Cat Management Act 1995, sections 238 and 246 of the Act and subsection 667 (1), 9.XVI of the Local Government Act 1934, as amended.

3. Purpose

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

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

4. Commencement, Revocation and Expiry

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

4.1.1 By-Law No. 5—Dogs

- 4.2 This by-law will expire on 1 January 2017.

5. Application

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2009.
- 5.2 Subject to subclauses 5.3 and 5.4, this by-law applies throughout the Council area.
- 5.3 Clauses 9.1.1 and 10.1.2, of this by-law only apply in such part or parts of the Council area as the Council may by resolution direct in accordance with section 246 (3) (e) of the Act.

6. Interpretation

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *Approved kennel establishment* means a building, structure or area approved by a relevant authority, pursuant to the Development Act 1993, for the keeping of dogs on a temporary or permanent basis;
- 6.3 *Children's playground* means an enclosed area in which there is equipment or other installed devices for the purpose of children's play (or within 3 m of such devices if there is no enclosed area);
- 6.4 *council* means Tatiara District Council;
- 6.5 *detached dwelling, row dwelling and semi-detached dwelling* have the same meanings as in the Development Act 1993;
- 6.6 *dog* has the same meaning as in the Dog and Cat Management Act 1995, except that the dog must be three months of age or older; or have lost its juvenile teeth;
- 6.7 *effective control* means a person exercising effective control of a dog either:
 - 6.7.1 by means of a physical restraint; or
 - 6.7.2 by command, the dog being in close proximity to the person and the person being able to see the dog at all times;
- 6.8 *keep* includes the provision of food or shelter;
- 6.9 *premises* includes land whether used or occupied for domestic or non-domestic purposes except an approved kennel establishment;
- 6.10 *small dwelling* means a self-contained residence that is:
 - 6.10.1 a residential flat building;
 - 6.10.2 contained in a separate strata unit;
 - 6.10.3 on an allotment less than [400-500 m²] in area; or
 - 6.10.4 without a secure yard of at least [100 m²] in area;
- 6.11 *working dog* means a dog used principally for droving or tending livestock.

PART 2—LIMITS ON DOG NUMBERS

7. Limits on dog numbers in private premises

- 7.1 Subject to clauses 7.2 and 7.4, a person must not, without the Council's permission keep:
 - in a township, more than one dog in a small dwelling;
 - in a township, more than two dogs in premises other than a small dwelling; and
 - outside of a township, more than three dogs (other than working dogs).
- 7.2 Clause 7.1 does not apply to:
 - 7.2.1 approved kennel establishments operating in accordance with all required approvals and consent; or
 - 7.2.2 premises from which a business involving dogs operates provided that the business is registered in accordance with the Dog and Cat Management Act 1995.

- 7.3 The Council may require that premises which are the subject of an application for permission to keep additional dogs, must be inspected by a dog management officer for the purpose of assessing the suitability of the premises for housing dogs.
- 7.4 No dog is to be kept on any premises where in the opinion of a dog management officer, there is no secure or appropriate area where a dog may be effectively confined.

PART 3—DOG CONTROLS

8. *Dog Exercise Areas*

- 8.1 Subject to clauses 9 and 10 of this by-law, a person may enter a park in the Council area for the purpose of exercising a dog under his or her effective control.
- 8.2 A person entering a dog exercise area designated by the Council must ensure that any dog under that person's control, charge or authority is under effective control at all times.

9. *Dog on Leash Areas*

- 9.1 A person must not, without the Council's permission, allow a dog under that person's control, charge or authority (except an accredited guide dog, hearing dog or disability dog) to be or remain:
- 9.1.1 on Local Government land or public place to which the Council has determined that this subclause applies; and
- 9.1.2 on any park or reserve during times when organised sport is being played:
- unless the dog is secured by a strong leash not exceeding 2 m 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.

10. *Dog Prohibited Areas*

- 10.1 A person must not allow a dog under that person's control, charge or authority (except an accredited guide dog, hearing dog or disability dog) to enter or remain:
- 10.1.1 on any children's playground on Local Government land; or
- 10.1.2 on any other Local Government land or public place to which the Council has determined that this subclause applies.

11. *Dog Faeces*

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

PART 4—ENFORCEMENT

12. *Orders*

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

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

This by-law was duly made and passed at a meeting of the Tatiara District Council held on 10 November 2009 by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. J. HARKNESS, Chief Executive Officer

TATIARA DISTRICT COUNCIL

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

By-law No. 6 of 2009—Cats

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

PART 1—PRELIMINARY

1. *Title*

This by-law may be cited as the Cats By-law 2009 and is By-law No. 6 of the Tatiara District Council.

2. *Authorising Law*

This by-law is made under subsection 90 (5) of the Dog and Cat Management Act 1995, section 246 of the Act and subsection 667 (1), 4.1 and 9.XVI of the Local Government Act 1934, as amended.

3. *Purpose*

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

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

4. *Commencement, Revocation and Expiry*

- 4.1 The following by-laws previously made by the Council are revoked from the day on which this by-law comes into operation:
- 4.1.1 NIL (previously did not have a Cat by-law);
- 4.2 This by-law will expire on 1 January 2017.

5. *Application*

- 5.1 This by-law operates subject to the Council's Permits and Penalties By-law 2009.
- 5.2 This by-law applies throughout the Council area.

6. *Interpretation*

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

- 6.1 *Act* means the Local Government Act 1999;
- 6.2 *approved cattery* means a building, structure or area approved by a relevant authority, pursuant to the Development Act 1993 for the keeping of cats on a temporary or permanent basis;
- 6.3 *Council* means Tatiara District Council;
- 6.4 'identified cat' means a cat identified in the manner set out in regulation 9 of the Dog and Cat Management Regulations 1995.
- 6.5 *keep* includes the provision of food or shelter;
- 6.6 *nuisance* means:
- 6.6.1 unreasonably interfering with the peace, comfort or convenience of a person;
- 6.6.2 injurious to a person's real or personal property; or
- 6.6.3 obnoxious, offensive or hazardous to health;

- 6.7 *premises* includes land whether used or occupied for domestic or non-domestic purposes except an approved cattery.

PART 2—LIMITS ON CAT NUMBERS

7. *Limits on Cat Numbers*

- 7.1 Subject to clause 7.2, a person must not, without the Council's permission keep in any premises:
- 7.1.1 more than three cats;
- 7.2 Clause 7.1 does not apply to approved catteries operating in accordance with all required approvals and consents.

8. *Cats not to be a Nuisance*

- 8.1 An owner or occupier of premises is guilty of an offence if a cat or cats kept or allowed to remain on the premises causes a nuisance by reason of:
- 8.1.1 noise or odour created by the cat or cats;
- 8.1.2 wandering from the land; or
- 8.1.3 the aggressive nature of the cat or cats.

PART 4—ENFORCEMENT

9. *Orders*

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

This by-law was duly made and passed at a meeting of the Tatiara District Council held on 10 November 2009, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

R. J. HARKNESS, Chief Executive Officer

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

Dermody, Brian Edward, late of 64 Coromandel Parade, Blackwood, retired transport driver, who died on 27 June 2009.

Englert, Mavis Robina, late of 410 Henley Beach Road, Lockleys, of no occupation, who died on 22 August 2009.

Furner, Robert George, late of 26 Hendrix Crescent, Paralowie, retired metal machinist, who died on 16 August 2009.

Goldsack, Beryl Margaret, late of 7-8 Oakmont Court, Salisbury East, of no occupation, who died on 13 September 2009.

Hobbs, Kevin Albert, late of 160 O.G. Road, Felixstow, retired dental technician, who died on 24 July 2009.

James, Donald Cooper, late of corner of Seaford Road and Grand Boulevard, Seaford, retired potter, who died on 3 September 2009.

Kerr, June Christina, late of 227 Brodie Road, Morphett Vale, home duties, who died on 1 August 2009.

Lloyd, Paul John, late of 13 The Strand, Port Elliot, retired security officer, who died on 1 September 2008.

Richter, Hans Joachim, late of Kennedy Court, Largs Bay, retired quality controller, who died on 16 April 2009.

Schulmeister, Wanda, late of 4 Harris Street, Goolwa, retired waitress, who died on 17 February 2008.

Selway, Lorna Mavis, late of 112 Hampstead Road, Broadview, home duties, who died on 20 July 2009.

Suter, Veronica Joan, late of 78-96 Dumfries Avenue, Northgate, of no occupation, who died on 7 April 2009.

Taylor, Karrita, late of 49 Burton Street, North Adelaide, of no occupation, who died on 22 July 2009.

Whitfield, Myrtle Agnes, late of 367-379 Waterloo Corner Road, Burton, widow, who died on 19 May 2009.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, the Inheritance (Family Provision) Act 1972, and the Family Relationships Act 1975, that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 18 December 2009, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver the same to the Public Trustee.

Dated 19 November 2009.

M. I. BODYCOAT, Public Trustee

ATTENTION

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

For any corrections to your notice please phone 8207 1045 or Fax 8207 1040 **before** 10 a.m. on Thursday.

If we do not receive any communication by 10 a.m. on Thursday (day of publication) we will presume the notice is correct and will print it as it is.

Remember—the onus is on you to inform us of any corrections necessary to your notice.

NOTE: Closing time for lodging new copy (electronically, fax or hard copy) is 4 p.m. on Tuesday preceding the day of publication. Phone 8207 1045—Fax 8207 1040.

Email: governmentgazette@dpc.sa.gov.au