



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

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ADELAIDE, THURSDAY, 28 JULY 2022

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

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## GOVERNOR'S INSTRUMENTS

### APPOINTMENT

Department of the Premier and Cabinet  
Adelaide, 28 July 2022

Her Excellency the Governor in Executive Council has been pleased to appoint Naomi Mary Kereru as Coroner for a term commencing on 11 August 2022 and expiring on 10 August 2023 - pursuant to section 6(1) of the Coroners Act 2003.

By command,

KATRINE ANNE HILDYARD, MP  
For Premier

AGO0080-22CS

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## PROCLAMATIONS

South Australia

## **Civil Liability (Institutional Child Abuse Liability) Amendment Act (Commencement) Proclamation 2022**

### **1—Short title**

This proclamation may be cited as the *Civil Liability (Institutional Child Abuse Liability) Amendment Act (Commencement) Proclamation 2022*.

### **2—Commencement of Act**

The *Civil Liability (Institutional Child Abuse Liability) Amendment Act 2021* (No 52 of 2021) comes into operation on 1 August 2022.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 28 July 2022

South Australia

## **Return to Work (Scheme Sustainability) Amendment Act (Commencement) Proclamation 2022**

### **1—Short title**

This proclamation may be cited as the *Return to Work (Scheme Sustainability) Amendment Act (Commencement) Proclamation 2022*.

### **2—Commencement of Act and suspension of certain provisions**

- (1) Subject to subclause (2), the *Return to Work (Scheme Sustainability) Amendment Act 2022* (No 4 of 2022) comes into operation on 1 August 2022.
- (2) The operation of the following provisions of the Act is suspended until a day or time or days or times to be fixed by subsequent proclamation or proclamations:
  - (a) section 3;
  - (b) section 4;
  - (c) section 5;
  - (d) section 8;
  - (e) section 9;
  - (f) section 10;
  - (g) section 11(1), (2) and (5);
  - (h) section 12;
  - (i) section 14;
  - (j) section 15;
  - (k) section 16;
  - (l) section 18;
  - (m) section 19;
  - (n) Schedule 1, clause 1(1), definitions of *Category 1 seriously injured worker*, *Category 2 seriously injured worker*, *designated worker*, *interim seriously injured worker* and *relevant day*;
  - (o) Schedule 1 clause 2;
  - (p) Schedule 1 clause 3;
  - (q) Schedule 1 clause 4;
  - (r) Schedule 1 clause 5.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 28 July 2022

South Australia

## **Return to Work (Scheme Sustainability) (Designated Day) Proclamation 2022**

under Schedule 1 clause 1 of the *Return to Work (Scheme Sustainability) Amendment Act 2022*

### **1—Short title**

This proclamation may be cited as the *Return to Work (Scheme Sustainability) (Designated Day) Proclamation 2022*.

### **2—Commencement**

This proclamation comes into operation on the day on which Schedule 1 clause 6 of the *Return to Work (Scheme Sustainability) Amendment Act 2022* comes into operation.

### **3—Designated day**

For the purposes of the definition of designated day in clause 1(1) of Schedule 1 of the *Return to Work (Scheme Sustainability) Amendment Act 2022*, 1 August 2022 is appointed as the designated day for the purposes of clauses 6, 7 and 8 of Schedule 1.

### **Made by the Governor**

with the advice and consent of the Executive Council  
on 28 July 2022

## REGULATIONS

South Australia

**Evidence Regulations 2022**under the *Evidence Act 1929***Contents**

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Domestic violence proceedings—recorded evidence
- 5 Identity parades
- 6 Prescribed South Australian courts
- 7 Fee for authorised news media representative

**Schedule 1—Repeal of *Evidence Regulations 2007*****1—Short title**

These regulations may be cited as the *Evidence Regulations 2022*.

**2—Commencement**

These regulations come into operation on 1 September 2022.

**3—Interpretation**

In these regulations—

*Act* means the *Evidence Act 1929*

**4—Domestic violence proceedings—recorded evidence**

- (1) If a statement in a section 13BB recording is in a language other than English, that statement must be translated into English, either in the recording or in a transcript made at a later time.
- (2) If a transcript is made in accordance with subregulation (1), the transcript must accompany the recording to which it relates if—
  - (a) the defendant elects to listen to or view the recording before it is admitted into evidence in proceedings; or
  - (b) the recording is admitted into evidence in proceedings.
- (3) If a person translates a statement in a section 13BB recording in accordance with subregulation (1)—
  - (a) the person must state, in the form of an affidavit, that the statement was accurately translated into English; and
  - (b) if the recording is admitted into evidence in proceedings—the affidavit must accompany the recording.
- (4) The court may require that a translation made in accordance with subregulation (1) be verified (in such manner as the court may direct) as an accurate translation of the relevant statement.

- (5) A person who has possession of, or access to, a section 13BB recording must not allow access to the recording by another person except—
- (a) for the legitimate purposes of any proceedings in which the recording has been admitted into evidence or to which the recording relates; or
  - (b) for use by a public official for purposes connected with their official functions; or
  - (c) as may be authorised by the prosecution.

Maximum penalty: \$5 000.

- (6) A complainant gives *informed consent* to the making of a recording for the purposes of the definition in section 13BB(10) of the Act if the consent is given in accordance with the following requirements:
- (a) a police officer must tell the complainant—
    - (i) that the police officer is recording the complainant; and
    - (ii) that the recording may be used in court; and
  - (b) the complainant must indicate (whether by words or conduct) that they consent to the making of the recording.
- (7) For the purposes of subregulation (6)(b) (and without limiting the manner in which a complainant may indicate that they consent to the making of a recording), a lack of objection to a recording may, in the circumstances, constitute a sufficient indication of consent to the recording.
- (8) In this regulation—

*public official* has the same meaning as in section 67G of the Act;

*section 13BB recording* means a recording made by a police officer that is, or may be, admissible in proceedings for a domestic violence offence under section 13BB of the Act.

## 5—Identity parades

- (1) For the purposes of section 34AB(2)(a)(i) of the Act, reasonable steps must be taken when making an audio visual record of an identity parade to ensure that—
- (a) the witness identifying, or attempting to identify, a person alleged to have committed an offence is visible at all relevant times during the conduct of the identity parade; and
  - (b) if the witness indicates that a person taking part in, or whose image is included in, the parade is alleged to have committed an offence—that person or image (as the case requires) is visible at the time the witness gives the indication; and
  - (c) anything said by the witness, and any other person present, during the conduct of the identity parade is recorded.
- (2) For the purposes of section 34AB(2)(a)(i) of the Act, the Commissioner of Police must keep an audio visual record of an identity parade relating to a person until—
- (a) if the person has been charged with an offence to which the identity parade relates but is subsequently discharged—the day on which the person is so discharged; or
  - (b) if the person has been convicted or acquitted of an offence to which the identity parade relates—

- (i) if an appeal has not been lodged within the period provided for lodging an appeal against the conviction or acquittal—the end of the period; or
- (ii) if an appeal has been lodged within the period provided for lodging an appeal against the conviction or acquittal—the appeal lapses or is finally determined,  
whichever is the later; or
- (c) if the person to whom the record relates has not been charged with an offence to which the identity parade relates—until the end of the period within which the person can be charged with the offence.

## 6—Prescribed South Australian courts

Pursuant to paragraph (e) of the definition of *South Australian court* in section 59IA of the Act, the following courts and tribunals are South Australian courts for the purposes of Part 6C of the Act:

- (a) the Environment, Resources and Development Court;
- (b) the South Australian Employment Tribunal;
- (c) the Youth Court of South Australia.

## 7—Fee for authorised news media representative

- (1) The fee prescribed for the purposes of section 69A of the Act in respect of an authorised news media representative must be paid not later than 1 June in each year for the next financial year.
- (2) If, however, the fee is paid for a term of less than 12 months, the fee payable is a proportion of the relevant fee, being the proportion that the number of whole months in the term bears to 12 months.

## Schedule 1—Repeal of *Evidence Regulations 2007*

The *Evidence Regulations 2007* are repealed.

### Editorial note—

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

## Made by the Governor

with the advice and consent of the Executive Council  
on 28 July 2022

No 57 of 2022



South Australia

# Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Regulations 2022

under the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*

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## Contents

1	Short title
2	Commencement
3	Interpretation
4	Forfeiture offences
5	Prescribed offences
6	Prescribed circumstances
7	Prescribed forms
8	Sale or disposal of motor vehicles
9	Service of notices

Schedule 1—Prescribed forms

Schedule 2—Repeal of *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Regulations 2007*

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### 1—Short title

These regulations may be cited as the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Regulations 2022*.

### 2—Commencement

These regulations come into operation on 1 September 2022.

### 3—Interpretation

In these regulations—

*Act* means the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*.

### 4—Forfeiture offences

For the purposes of the definition of *forfeiture offence* in section 3(1) of the Act, indictable offences against Part 3 Division 6 of the *Criminal Law Consolidation Act 1935* are prescribed.

### 5—Prescribed offences

For the purposes of the definition of *prescribed offence* in section 3(1) of the Act, the following offences are prescribed:

- (a) an aggravated offence against section 45 of the *Road Traffic Act 1961*;
- (b) an offence against section 44B, 45A, 46, 47, 47B, 47BA, 47E(3), 47E(3a), 47EAA(9), 47EAA(9a) or 47I of the *Road Traffic Act 1961*;
- (c) an offence against section 17AA or 54 of the *Summary Offences Act 1953*;
- (d) an offence against section 9 of the *Graffiti Control Act 2001*;

- (e) an offence against section 85 of the *Criminal Law Consolidation Act 1935* if the offence involves the marking of graffiti;
- (f) an offence against section 9 or 102 of the *Motor Vehicles Act 1959* (other than a first offence against either of those sections);
- (g) an offence against section 74(2), 74(2a), 74(2ab), 74(2ac) or 91(5) of the *Motor Vehicles Act 1959*.

## 6—Prescribed circumstances

The following circumstances in which a motor vehicle is used by a person are prescribed for the purposes of sections 8(2)(a) and 11(c)(i) of the Act:

- (a) the motor vehicle is being used by the person (not being the owner of the motor vehicle) in accordance with a contractual arrangement with the owner of the motor vehicle, other than a contractual arrangement that confers on the person an express or implied right or option to purchase the motor vehicle; and
- (b) the owner of the motor vehicle is a person who carries on a business that consists of, or involves, hiring or otherwise supplying motor vehicles to others for business or personal use.

### Examples—

A person visiting South Australia on holiday hires a car from a car hire company to use while in the State. While that person is driving the car in accordance with the hire contract, the car is being used in circumstances prescribed by this regulation.

A taxi driver drives a taxi that is owned, not by the driver, but by the taxi company for whom the driver works. While the taxi driver is using the taxi in accordance with their employment contract, the taxi is being used in circumstances prescribed by this regulation.

## 7—Prescribed forms

- (1) For the purposes of section 14(1) of the Act, the notice set out in Schedule 1 Form 1 is prescribed.
- (2) For the purposes of section 14(2) of the Act, the notice set out in Schedule 1 Form 1 is prescribed.
- (3) For the purposes of section 15(1) of the Act—
  - (a) if the relevant authority giving the notice is a police officer—the notice set out in Schedule 1 Form 1 is prescribed; or
  - (b) if the relevant authority giving the notice is the Sheriff or a person authorised by the Sheriff to exercise the powers of a relevant authority—the notice set out in Schedule 1 Form 2 is prescribed.

## 8—Sale or disposal of motor vehicles

For the purposes of exercising a power to sell a motor vehicle under section 20 of the Act, the Sheriff or the Commissioner may—

- (a) set a reserve price for the motor vehicle; and
- (b) move the motor vehicle to another location within the State.

## 9—Service of notices

In accordance with section 23(1)(d) of the Act, a notice required or authorised to be given to, or served on, a person for the purposes of the Act may, if the person is a company or registered body within the meaning of the *Corporations Act 2001* of the Commonwealth, be given to or served on the person in accordance with that Act.

## Schedule 1—Prescribed forms

### Form 1

To the owner of the following motor vehicle:

Registration No:

Description:

It is alleged that a relevant prescribed offence occurred as follows:

Date:

Time:

Location:

### Notice under section 14 of *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*

You are prohibited from—

- selling or disposing of the motor vehicle
- intentionally damaging or altering the motor vehicle or causing or permitting another person to damage or alter the motor vehicle

The prohibition continues until—

- the power under Part 2 of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* to clamp or impound has been exercised in relation to the relevant prescribed offence
- proceedings relating to the relevant prescribed offence have been finalised

It is an offence to contravene the prohibitions specified in this notice.

### Notice under section 15 of *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*

You are required to produce the motor vehicle—

Between the hours of:

On:

At:

If you are unable to do so, you must contact SAPOL during business hours before that day on the following number to arrange another time:

The motor vehicle is to be produced for the purpose of a relevant authority exercising a power under the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* in relation to the motor vehicle.

It is an offence to refuse or fail to comply with this notice without reasonable excuse.

Issuing police officer's ID number:

## Form 2

### Notice under section 15 of *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*

To the owner of the following motor vehicle:

Registration No:

Description:

An order for impounding or forfeiture of the motor vehicle has been made as follows:

Court:

Name and number of proceedings:

Date:

You are required to produce the motor vehicle—

Between the hours of:

On:

At:

If you are unable to do so, you must contact the Sheriff's office during business hours before that day on the following number to arrange another time:

The motor vehicle is to be produced for the purpose of a relevant authority exercising a power under the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* in relation to the motor vehicle.

It is an offence to refuse or fail to comply with this notice without reasonable excuse.

## Schedule 2—Repeal of *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Regulations 2007*

The *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Regulations 2007* are repealed.

### Editorial note—

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

### Made by the Governor

with the advice and consent of the Executive Council  
on 28 July 2022

No 58 of 2022

## STATE GOVERNMENT INSTRUMENTS

### BOXING AND MARTIAL ARTS ACT 2000

#### *Revocation of Rules*

TAKE NOTICE that pursuant to section 10 of the *Boxing and Martial Arts Act 2000*, I Kylie Taylor, Chief Executive of the Office for Recreation, Sport and Racing, as delegate for the Minister for Recreation, Sport and Racing to whom the administration of the *Boxing and Martial Arts Act 2000* is committed, have revoked the rules applicable to the conduct of boxing events to cease operation on this date of publication.

The revoked rules are set out below.

Dated: 7 July 2022

KYLIE TAYLOR  
Chief Executive, Office for Recreation, Sport and Racing  
as delegate for the Minister for Recreation, Sport and Racing

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Boxing Australia Technical and Competition Regulations amended 2 March 2022

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### BOXING AND MARTIAL ARTS ACT 2000

#### *Notice of Rules*

TAKE NOTICE that pursuant to section 10 of the *Boxing and Martial Arts Act 2000*, I Kylie Taylor, Chief Executive of the Office for Recreation, Sport and Racing, as delegate for the Minister for Recreation, Sport and Racing to whom the administration of the *Boxing and Martial Arts Act 2000* is committed, have approved the rules applicable to the conduct of boxing events to commence operation on this date of publication.

The approved rules are set out below.

Dated: 7 July 2022

KYLIE TAYLOR  
Chief Executive, Office for Recreation, Sport and Racing  
as delegate for the Minister for Recreation, Sport and Racing

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Boxing Australia Technical and Competition Regulations amended 14 June 2022

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### ELECTORAL ACT 1985

#### *Results of House of Assembly By-election for the District of Bragg*

A WRIT for the election of a member of the House of Assembly District of Bragg was issued on Wednesday, 1 June 2022.

Polling took place on Saturday, 2 July 2022 and the Writ was returned on Tuesday, 12 July 2022.

The results of the election are as follows:

**District:** Bragg  
**Elected Candidate:** BATTY, Jack  
**Affiliation:** Liberal Party

Pursuant to Section 96(11) of the *Electoral Act 1985*, the following are the votes attributed to the two unexcluded candidates in the by-election for the District of Bragg:

#### DISTRICT OF BRAGG: FINAL VOTES AFTER DISTRIBUTION OF PREFERENCES OF EXCLUDED CANDIDATES

Candidate	Number	Percentage	Affiliation
BATTY, Jack (elected)	12,204	55.6%	Liberal Party
ROLLS, Alice	9,728	44.4%	Australian Labor Party

Dated: 28 July 2022

M. SHERRY  
Electoral Commissioner

### HOUSING IMPROVEMENT ACT 2016

#### *Rent Control*

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

Address of Premises	Allotment Section	Certificate of Title Volume/Folio	Maximum Rental per week payable
20 Short Road, Elizabeth SA 5112	Allotment 64 Deposited Plan 6049 Hundred of Munno Para	CT 5257/321	\$213.00
53 Old Sarum Road, Elizabeth North SA 5113	Allotment 4 Deposited Plan 31630 Hundred of Munno Para	CT 5421/209	\$155.00

Dated: 28 July 2022

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

## HOUSING IMPROVEMENT ACT 2016

*Rent Control Revocations*

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

Address of Premises	Allotment Section	Certificate of Title Volume Folio
53 Nimitz Road, Elizabeth East SA 5112	Allotment 140 Deposited Plan 6415 Hundred of Munno Para	CT5208/160
44 Garrin Street, Salisbury North SA 5108	Allotment 90 Deposited Plan 10068 Hundred of Munno Para	CT6010/627
216 Smith ST, Naracoorte SA 5271	Allotment 305 Filed Plan 199199 Hundred of Naracoorte	CT5806/810

Dated: 28 July 2022

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

## JUSTICES OF THE PEACE ACT 2005

## SECTION 4

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

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

For a period of ten years for a term commencing on 9 August 2022 and expiring on 8 August 2032:

David Gordon WAKELIN  
Maria VARANO  
Christopher David RICHER  
Rodney Ian QUINN  
Stacey Kaye PSARROS  
Mark William PETERSON  
Leon Francis O'DRISCOLL  
Michael John NICOLAI  
Kathryn Lee MCDOUGALL  
Anastasios KOUTSANTONIS  
Paula Jane KELLY  
Brian Edward HEMMING  
Justin Paul HAZELL  
Terence Anthony FANNING  
Jennifer Anne DOWDING  
Nicolaas Arie DE BRUYN  
Judith Lee DAVIS  
Stuart William COLE  
Brian William COATS  
Daniel Scott CLARK  
Jeffrey Eric BEARE

Dated: 20 July 2022

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

## MAGISTRATES COURT ACT 1991

South Australia

## Magistrates Court (Fees) (No 2) Notice 2022

under the *Magistrates Court Act 1991*

### 1—Short title

This notice may be cited as the *Magistrates Court (Fees) Notice 2022*

**Note—**

This is a fee notice made in accordance with the *Legislation (Fees) Act 2019* and revokes the *Magistrates Court (Fees) Notice 2022* dated 26 May 2022 as published in the South Australian Government Gazette on 9 June 2022 p. 1361. The fee notice has been varied to align to the *Magistrates Court (Fees) Notice 2021* which removed the fee for private applications for an intervention order where domestic violence is alleged. These fees are currently being waived.

### 2—Commencement

This notice has effect from the day on which it is published in the Gazette.

### 3—Interpretation

In this notice, unless the contrary intention appears—

*Act* means the *Magistrates Court Act 1991*;

*corporation* has the same meaning as in the *Corporations Act 2001* of the Commonwealth;

*not-for-profit organisation* means a corporation that is not for the purpose of trading or securing a pecuniary profit for its members from its transactions;

*prescribed corporation* means a corporation other than—

- (a) a small business; or
- (b) a not-for-profit organisation;

*small business* means a corporation that—

- (a) has less than 20 full-time equivalent employees; and
- (b) is not a subsidiary of a corporation that has 20 or more full-time employees;

*subsidiary* has the same meaning as in the *Corporations Act 2001* of the Commonwealth.

### 4—Fees

The fees set out in Schedule 1 are prescribed for the purposes of the Act and are payable to the Court in relation to—

- (a) in the case of Part 1 of that Schedule—
  - (i) proceedings in the Civil (General Claims) Division; or
  - (ii) proceedings in the Civil (Minor Claims) Division; or
  - (iii) proceedings in the Civil (Consumer and Business) Division; and
- (b) in the case of Part 2 of that Schedule—proceedings in the Criminal Division; and

- (c) in the case of Part 3 of that Schedule—proceedings in the Petty Sessions Division; and
- (d) in the case of Part 4 of that Schedule—proceedings under the *Fair Work Act 2009* of the Commonwealth.

## Schedule 1—Fees

### Part 1—Fees in Civil (General Claims) Division and Civil (Minor Claims) Division

1	On filing a final notice of claim—	
	(a) in the case of a notice of claim filed using the Electronic System	\$24.00
	(b) in any other case	\$57.50
2	On filing a minor civil action	\$162.00
3	On filing a cross action in the nature of a counter claim or a third party claim in a minor civil action	\$162.00
4	On filing a document to commence any other proceeding under the <i>Magistrates Court Act 1991</i> —	
	(a) where the claim is not for money—	
	(i) in the case of a prescribed corporation	\$599.00
	(ii) in any other case	\$353.00
	(b) where the amount claimed, or the value of the property the subject of the proceeding, exceeds \$12 000.00 but does not exceed \$25 000.00—	
	(i) in the case of a prescribed corporation	\$599.00
	(ii) in any other case	\$353.00
	(c) where the amount claimed, or the value of the property the subject of the proceeding, exceeds \$25 000.00 but does not exceed \$50 000.00—	
	(i) in the case of a prescribed corporation	\$853.00
	(ii) in any other case	\$454.00
	(d) where the amount claimed, or the value of the property the subject of the proceeding, exceeds \$50 000.00—	
	(i) in the case of a prescribed corporation	\$1 250.00
	(ii) in any other case	\$853.00
5	On filing a cross action in the nature of a counter claim or third party claim in any other proceeding under the <i>Magistrates Court Act 1991</i> —	
	(a) where the claim is not for money—	
	(i) in the case of a prescribed corporation	\$599.00
	(ii) in any other case	\$353.00
	(b) where the amount claimed, or the value of the property the subject of the proceeding, exceeds \$12 000.00 but does not exceed \$25 000.00—	



	(i) in the case of a prescribed corporation	\$599.00
	(ii) in any other case	\$353.00
	(c) where the amount claimed, or the value of the property the subject of the proceeding, exceeds \$25 000.00 but does not exceed \$50 000.00—	
	(i) in the case of a prescribed corporation	\$853.00
	(ii) in any other case	\$454.00
	(d) where the amount claimed, or the value of the property the subject of the proceeding, exceeds \$50 000.00—	
	(i) in the case of a prescribed corporation	\$1 250.00
	(ii) in any other case	\$853.00
6	For issuing and administering an investigation or examination summons under the <i>Magistrates Court Act 1991</i>	\$61.50
7	On commencement of a proceeding under any other Act	\$162.00
8	On filing a cross action in the nature of a counter claim or a third party claim in any proceeding under any other Act	\$162.00
9	On setting a date for trial—	
	(a) for a minor civil action—	
	(i) where the amount claimed does not exceed \$4 000.00	\$226.00
	(ii) in any other case	\$681.00
	(b) for any other proceeding under the <i>Magistrates Court Act 1991</i> —	
	(i) in the case of a prescribed corporation	\$1 136.00
	(ii) in any other case	\$853.00
10	For publishing an advertisement	actual costs reasonably incurred
11	For each request to search and/or inspect a record of the Court	\$26.75
12	For an unsealed copy of the record of the Court	\$26.75
13	For a sealed copy of the record of the Court	\$84.00
14	For copy of evidence—	
	(a) per page in electronic form	\$9.05
	(b) per page in hard-copy form	\$11.50
15	For copy of reasons for judgment—per page	\$9.05
	<b>Note—</b>	
	1 copy will be supplied to a party to the proceeding free of charge.	
16	For copy of any other document—per page	\$5.40
17	For production of transcript at request of a party where the Court does not require the transcript—per page	\$18.20

18	Suitors' Fund—on interest collected on funds in Court or credited to an account, payable on transfer of interest out of the fund or account or at such earlier time or times as required by the Court—	
	(a) if the interest is \$10.00 or less	no fee
	(b) in any other case	3% of amount of interest
19	Taxation of costs: on lodging a claim for costs in an existing proceeding (other than in a minor civil action)	\$84.00
20	For opening Registry (or Registry remaining open) after hours for urgent execution of process—for each hour or part of an hour	\$431.00
21	For opening Court (or Court remaining open) after hours for urgent hearing—for each hour or part of an hour	\$1 299.00

## Part 2—Fees in Criminal Division

1	On commencement of proceedings for summary applications, summary offences, minor indictable offences or indictable offences	\$303.00 plus if the information alleges more than 1 offence—\$55.00
	<b>Note—</b>	
	No fee is payable under this clause for a private application for an intervention order, pursuant to clause 2.	
2	For a private application for an intervention order under section 20 of the Intervention Orders (Prevention of Abuse) Act 2009, where domestic abuse is alleged	No fee
3	For each request to search and/or inspect a record of the Court	\$26.75
4	For an unsealed copy of the record of the Court	\$26.75
5	For a sealed copy of the record of the Court	\$84.00
	<b>Note—</b>	
	No fee is payable under clauses 3, 4 or 5 for a request made in respect of a record relating to criminal proceedings by or on behalf of the defendant or the victim of the offence that is the subject of those proceedings.	
6	For copy of evidence—	
	(a) per page in electronic form	\$9.05
	(b) per page in hard-copy form	\$11.50
7	For copy of reasons for judgment—per page	\$9.05
	<b>Note—</b>	
	1 copy will be supplied to a party to the proceeding free of charge.	
8	For copy of any other document—per page	\$5.40
9	For production of transcript at request of a party where the Court does not require the transcript—per page	\$18.20

### Part 3—Fee in Petty Sessions Division

- |   |   |         |
|---|---|---------|
| 1 | On an application under section 23 of the <i>Fines Enforcement and Debt Recovery Act 2017</i> for a review of a decision to refuse to revoke an enforcement determination | \$61.50 |
|---|---|---------|

### Part 4—Fee in Commonwealth *Fair Work Act 2009* jurisdiction

- |   |  |        |
|---|--|--------|
| 1 | On an application in relation to the jurisdiction of the Court under the <i>Fair Work Act 2009</i> of the Commonwealth | no fee |
|---|--|--------|

### Made by the Attorney-General

on 22 July 2022

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MAJOR EVENTS ACT 2013

SECTION 6B

*Major Event Declaration*

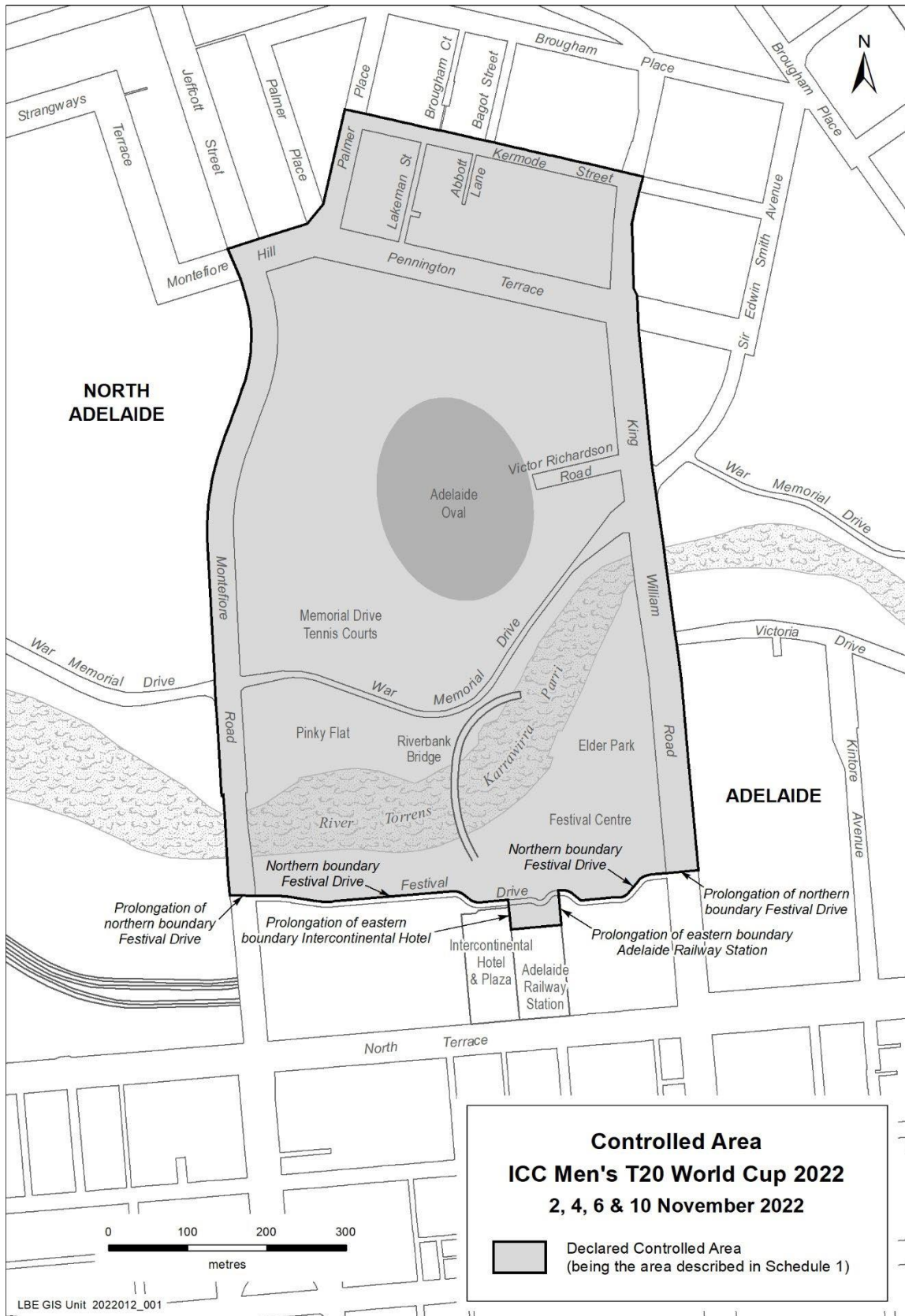
PURSUANT to section 6B of the *Major Events Act 2013*, I, Hon. Zoe Bettison MP, Minister for Tourism South Australia declare the ICC Men's T20 World Cup 2022 matches to be held at Adelaide Oval on 2 November 2022, 4 November 2022, 6 November 2022 and 10 November 2022 to be declared major events.

By virtue of the provisions of the Major Events Act 2013, I do hereby:

1. Declare the ICC Men's T20 World Cup 2022 matches to be held at Adelaide Oval on 2 November, 4 November, 6 November and 10 November 2022 as major events.
2. Specify the period for the events, being 2 November, 4 November and 10 November 2022 from midday to midnight, and 6 November from 8:00am to midnight.
3. Declare the major event venue to be Adelaide Oval.
4. Specify an area bounded by Festival Drive, King William Road, Kermod Street, Palmer Place, Montefiore Hill and Montefiore Road as a controlled area in relation to the event.
5. Designate T20 World Cup 2020 Ltd to be the event organiser for the event.
6. Apply section 8 of the Major Events Act to the event.
7. Apply section 10 of the Major Events Act to the event.
8. Apply section 11 of the Major Events Act to the event.
9. Apply section 12 of the Major Events Act to the event.
10. Apply section 13 of the Major Events Act to the event.
11. Apply section 14 of the Major Events Act to the event by specifying the official title as ICC Men's T20 World Cup 2022 and the official logo as it appears below.



MAP OF CONTROLLED AREA FOR THE ICC MEN'S T20 WORLD CUP 2022 MATCHES TO BE HELD AT ADELAIDE OVAL



Dated: 28 July 2022

HON. ZOE BETTISON MP  
Minister for Tourism, South Australia

## MINING ACT 1971

## SECTION 56H

*Application for a Change in Operations*

Notice is hereby given in accordance with Section 56H of the *Mining Act 1971*, that an application for a change in operations over the undermentioned Mining Lease has been received:

Applicant: S.C. Heinrich & Co Pty. Ltd.  
Operation: Farrell Flat Quarry  
Mining Lease: 6198  
Area: 26 hectares approximately  
Location: CT 6096/3, Approximately 12 km east of Clare  
Purpose: Change in Operations  
Reference: T 02414

To arrange an inspection of the proposal at the Department for Energy and Mining, please call the Department on 08 8463 3103.

An electronic copy of the proposal can be found on the Department for Energy and Mining website:

<https://www.energymining.sa.gov.au/industry/minerals-and-mining/mining/community-engagement-opportunities>

Written submissions in relation to this application are invited to be received at the Department for Energy and Mining, Mining Regulation, Attn: Business Support Officer, GPO Box 320 ADELAIDE SA 5001 or [dem.miningregrehab@sa.gov.au](mailto:dem.miningregrehab@sa.gov.au) by no later than **9 August 2022**.

The delegate of the Minister for Energy and Mining is required to have regard to these submissions in determining whether to grant or refuse the application and, if granted, if there is a requirement to add, vary or revoke a term or condition of the relevant mineral tenement(s) under section 56U of the *Mining Act 1971*.

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

Dated: 28 July 2022

J. MARTIN  
Mining Registrar as delegate for the Minister for Energy and Mining  
Department for Energy and Mining

## PASSENGER TRANSPORT REGULATIONS 2009 (“REGULATIONS”)

## DETERMINATION

*Access Taxi Age Extension*

I, Sarah Clark, Acting Executive Director, Road and Marine Services in the Department for Infrastructure and Transport:

1. **REVOKE** the prior determination made under Regulation 135(2)(a)(iii) of the Regulations, published in the *South Australian Government Gazette* on 10 December 2020 in regards to *access taxis*; and
2. Pursuant to Regulation 135(6) of the Regulations hereby **DETERMINE** that the specified age that an *access taxi* cannot be granted an approval for the use of an older vehicle under Regulation 135(2) to be eleven (11) years.

Interpretation: All terms italicized in this Notice have the same meaning as in the *Passenger Transport Act 1994* and the Regulations.

The age of a vehicle is measured pursuant to Regulation 3(6).

This Determination shall have effect as of the date of approval and shall remain in force unless revoked by a subsequent Notice.

Dated: 22 July 2022

SARAH CLARK  
(a) A/Executive Director  
(b) Road and Marine Services

## PASSENGER TRANSPORT REGULATIONS 2009 (“REGULATIONS”)

## DETERMINATION

*Stretch Limousine Age Extension*

I, Sarah Clark, Acting Executive Director, Road and Marine Services in the Department for Infrastructure and Transport:

Pursuant to Regulation 135(2)(b)(i) of the Regulations hereby **DETERMINE** that the appropriate passenger safety and comfort standards are evidenced by:

1. An engineering report (valid for six (6) months from the date of issue) certifying that the vehicle’s structural integrity, including steering and suspension components, is not compromised. The engineering report must be issued by a Light Vehicle Engineering Signatory who is recognised by the Department for Infrastructure and Transport; AND
2. A passed roadworthy vehicle inspection (valid for four (4) weeks from the date of issue) as undertaken by the Department for Infrastructure and Transport.

This Determination shall have effect as of the date of approval and shall remain in force unless revoked by a subsequent Notice.

Dated: 22 July 2022

SARAH CLARK  
A/Executive Director  
Road and Marine Services

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Grant of Petroleum Production Licence—PPL 275*

Pursuant to section 92(1) of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the undermentioned Petroleum Production Licence has been granted under the provisions of the *Petroleum and Geothermal Energy Act 2000*, pursuant to delegated powers dated 29 June 2018.

No. of Licence	Licensee	Locality	Area in Km <sup>2</sup>	Reference
PPL 275	Santos QNT Pty Ltd Drillsearch (513) Pty Limited	Cooper Basin	2.95	MER-2022/0068

*Description of Area*

All that part of the State of South Australia, bounded as follows:

Commencing at a point being the intersection of latitude 27°48'25"S GDA 2020 and longitude 139°55'25"E GDA 2020, thence east to longitude 139°56'35"E GDA 2020, south to latitude 27°49'15"S GDA 2020, west to longitude 139°55'25"E GDA 2020 and north to the point of commencement.

AREA: **2.95** square kilometres approximately

Dated: 21 July 2022

MICHAEL MALAVAZOS  
A/Executive Director  
Energy Resources Division  
Department for Energy and Mining  
Delegate of the Minister for Energy and Mining

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Surrender of Petroleum Exploration Licence—PEL 630 and  
Associated Activities Licence—AAL 252*

Notice is hereby given that I have accepted the surrender of the abovementioned licences under the provisions of the *Petroleum and Geothermal Energy Act 2000*, pursuant to delegated powers dated 29 June 2018-

No. of Licence	Licensee	Locality	Effective Date of Surrender	Reference
PEL 630	Beach Energy Limited	Cooper Basin	8 April 2022	F2013/00457
AAL 252	Bridgeport (Cooper Basin) Pty Ltd			MER-2017/0866

Dated: 19 July 2022

MICHAEL MALAVAZOS  
A/Executive Director  
Energy Resources Division  
Department for Energy and Mining  
Delegate of the Minister for Energy and Mining

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Petroleum Exploration Licences—PELs 126 and 153*

Pursuant to Section 90 of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the abovementioned Petroleum Exploration Licences have been suspended for the period from 8 June 2022 until 7 September 2022 inclusive, pursuant to delegated powers dated 29 June 2018.

The expiry date of PELs 126 and 153 is now determined to be 27 October 2022.

Dated: 19 July 2022

MICHAEL MALAVAZOS  
A/Executive Director  
Energy Resources Division  
Department for Energy and Mining  
Delegate of the Minister for Energy and Mining

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Petroleum Retention Licences—PRLs 81, 82 and 84*

Pursuant to Section 90 of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the abovementioned Petroleum Retention Licences have been suspended for the period from 11 May 2022 until 10 May 2023 inclusive, pursuant to delegated powers dated 29 June 2018.

The expiry date of PRLs 81, 82 and 84 is now determined to be 11 May 2025.

Dated: 21 July 2022

MICHAEL MALAVAZOS  
A/Executive Director  
Energy Resources Division  
Department for Energy and Mining  
Delegate of the Minister for Energy and Mining

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Suspension of Petroleum Retention Licences—PRLs 108, 109 and 110*

Pursuant to Section 90 of the *Petroleum and Geothermal Energy Act 2000*, notice is hereby given that the abovementioned Petroleum Retention Licences have been suspended for the following periods, pursuant to delegated powers dated 29 June 2018.

PRL 108 for the period from and including 19 May 2022 to 18 May 2023; and

PRLs 109 and 110 for the period from and including 12 May 2022 to 11 May 2023.

The expiry date of PRLs 108, 109 and 110 is now determined to be 9 May 2028.

Dated: 18 July 2022

MICHAEL MALAVAZOS  
A/Executive Director  
Energy Resources Division  
Department for Energy and Mining  
Delegate of the Minister for Energy and Mining

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

## SECTION 25(5)(B)

*Variation of Petroleum Exploration Licence—PEL 630*

Notice is hereby given that under the provisions of the *Petroleum and Geothermal Energy Act 2000*, pursuant to delegated powers dated 29 June 2018, the conditions of the abovementioned Petroleum Exploration Licence has been varied as follows:

Condition 1 of the licence is omitted and the following substituted:

“ During the term of the licence, the Licensee shall carry out or cause to be carried out, exploratory operations on the area comprised in the licence in accordance with such work programs as are approved by the Minister from time to time. Years one to four exploratory operations are guaranteed. These exploratory operations shall include but not necessarily be limited to:

Year of Term of Licence	Minimum Work Requirements
One	<ul style="list-style-type: none"> <li>300 km<sup>2</sup> 3D seismic acquisition; and</li> <li>200 line km seismic reprocessing.</li> </ul>
Two	<ul style="list-style-type: none"> <li>400 km<sup>2</sup> passive-transient electromagnetic survey; and</li> <li>Geological and geophysical studies.</li> </ul>
Three	<ul style="list-style-type: none"> <li>Drill 4 wells.</li> </ul>
Four	<ul style="list-style-type: none"> <li>100 km 2D seismic acquisition; and</li> <li>Geological and geophysical studies.</li> </ul>
Five	<ul style="list-style-type: none"> <li>Geological and geophysical studies.</li> </ul>

The revised work program requirements as a result of this variation would not have altered the outcome of the original competitive tender process.

Dated: 19 July 2022

MICHAEL MALAVAZOS  
A/Executive Director  
Energy Resources Division  
Department for Energy and Mining  
Delegate of the Minister for Energy and Mining

## THE DISTRICT COURT OF SOUTH AUSTRALIA

## PORT AUGUSTA CIRCUIT COURT

*Sheriff's Office, Adelaide, 2 August 2022*

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

Tuesday 2 August 2022 at 10 a.m. on the first day of the sittings the only business taken will be the arraignment of prisoners in gaol and the passing of sentences on prisoners in gaol committed for sentence, the surrender of prisoners on bail committed for sentence, the surrender of persons in response to *ex officio informations* or of persons on bail and committed for trial who have signified their intentions to plead guilty and the passing of sentences for all matters listed for disposition by the District Court.

Juries will be summoned for 1 August 2022 and persons will be tried on this and subsequent days of the sittings.

*Prisoners in H.M. Gaol and on bail for sentence and for trial at the sittings of the Port Augusta Courthouse, commencing 2 August 2022.*

Alvarez, Monique Maria	Application for enforcement of a breached bond.	On bail
Ashton, Michelle Renee	Unlawful sexual intercourse (2).	On bail
Smith, John Charles		On bail
Baptiste, Daniel William	Maintaining an unlawful sexual relationship with a child.	On bail
Bates, Andrew Lyall	Maintaining an unlawful sexual relationship with a child; Unlawful sexual intercourse with a person under 14 years (4); Aggravated indecent assault (2); Gross indecency	On bail

Beaumont, Kevin Thomas Cyril	Indecent Assault (5); Aggravated indecent assault (3).	On bail
Bishop, Stephen Graham	Maintaining an unlawful sexual relationship with a child.	On bail
Buss, Joshua John	Arson.	In gaol
Byrne, Francis James	Unlawfully choking, suffocating or strangling another; Aggravated assault.	On bail
Connelly, Phillip Kunmanara	Intentionally cause a bushfire.	In gaol
Coombe, Simon Geoffrey	Unlawfully choking, suffocating or strangling another; Aggravated assault (2); Aggravated assault causing harm.	On bail
Coulthard, Troy Wapala	Aggravated robbery; Aggravated causing harm with intent to cause harm.	On bail
Crabbe, Peter Matthew	Aggravated Assault (4), Aggravated threatening life.	In gaol
Damon, Travis Blake	Trafficking in a large commercial quantity of a controlled drug.	On bail
Degenaro, David Reginald	Deception; Attempted deception.	On bail
Dodd, David Paul	Aggravated assault causing harm; Aggravated causing harm with intent.	On bail
Doolan, Anthony Coadie	Aggravated causing harm with intent to cause harm.	On bail
Evans, Daniel Peter	Causing harm with intent to cause harm; Aggravated causing harm with intent to cause harm; Aggravated threatening life.	On bail
Griffiths, Steven	Unlawfully choking, suffocating or strangling another.	In gaol
Habermann, Zackery Alexander	Arson; Damaging property.	On bail
Hatches, Franklin Treacle	Aggravated assault; Aggravated causing harm with intent to cause harm.	On bail
Haynes, Adrian Ronald	Trafficking in a controlled drug.	On bail
Hill, Jacsyn Douglas	Maintaining an unlawful sexual relationship with a child; Aggravated assault (7); Unlawful sexual relationship with a person under 17 years; Rape; Knowingly distribute invasive image of a person under 17 years.	In gaol
H, T R	Maintaining an unlawful sexual relationship with a child	On bail
Humphries, Caihle James	Assault (2); Unlawfully choking, suffocating or strangling another (4); Aggravated Assault (2); Assault causing harm with intent to cause harm.	On bail
Iatika, Jacques	Rape (3).	In gaol
Kellett, Jeffrey	Maintaining an unlawful sexual relationship with a child.	On bail
Kilpatrick, Tallen Douglas	Aggravated causing harm with intent to cause harm (3); Theft; Assault.	On bail
Kilpatrick, Dillon Brian		On bail
Sims, Mark Wayne		On bail
Kirkland, Damian Paul	Maintaining unlawful sexual relationship with a child.	On bail
Klingberg, Roxann Elizabeth	Trafficking in a large commercial quantity of a controlled drug.	On bail
Kumer, Steven Anthony	Aggravated indecent assault (2); Gross indecency.	On bail
Longman, Daniel Robert Wayne	Attempted rape; Aggravated indecent assault (2); Maintaining an unlawful sexual relationship with a child.	On bail
Longman, Daniel Robert Wayne	Unlawful Sexual intercourse with a person under 17 years; Rape (2).	On bail
Maher, Arley Lee	Aggravated serious criminal trespass in a place of residence; Theft.	In gaol
King, Zoe Marie		On bail
Martin, Tegan Lee	Aggravated serious criminal trespass in a place of residence; Aggravated causing harm with intent.	On bail
Martin-Smith, Sumara Kate	Arson.	In gaol
McClelland, Jake William	Rape.	On bail
McCourt, Darren Wayne	Possess child abuse material using carriage service; Use carriage service to access child abuse material.	On bail
McGrath, James Clarence	Rape.	On bail
McInnis, Angus David	Indecent assault (4); Gross indecency; Rape (2); Unlawful sexual intercourse with a person under 17 years (2)	In gaol
McInnis, Angus David	Maintaining an unlawful sexual relationship with a child.	In gaol
McInnis, Angus David	Unlawful sexual intercourse (2).	In gaol
McKenna, Jake Yuill McQuarrie	Aggravated Assault (3); Unlawfully choking, suffocating or strangling another.	In gaol
Mclean, Jamahl	Aggravated causing harm with intent to cause harm.	In gaol
McNamee, Brian Anthony John	Rape.	On bail
Meaney, Hamish	Discharge firearm to injure, annoy or frighten a person.	In gaol
Milera, Clifford Arthur	Aggravated robbery; Robbery.	In gaol
Mohi, Sonny Ngawhakatoki	Attempting to dissuade a witness (3).	On bail
Molling, Luke Anthony	Aggravated recklessly causing serious harm.	On bail
O'Bryan, Ranae Elma	Trafficking in a controlled drug.	On bail
Olds, Mark David	Aggravated assault causing harm; Unlawfully choking, suffocating or strangling another (2).	On bail
Omond, Charles Anthony	Aggravated possess child exploitation material.	On bail
Pedler, Dylan Pace, Joel Lloyd	Unlawful sexual intercourse with a person under 17 years; Rape (3)	On bail
Retallick, Kevin Rosslyn	Indecent Assault (2); Unlawful sexual intercourse (4); Maintaining unlawful sexual relationship with a child (3).	On bail
Retallick, Christine June		On bail
Roberts, Benjamin	Arson.	On bail
Robinson, David Michael	Trafficking in a controlled drug (13); Money Laundering (2).	On bail
Salmoni, Robert Heath	Unlawfully choking, suffocating or strangling another; Aggravated assault.	On bail
Schmerl, James Terrance	Aggravated causing harm with intent; Aggravated assault causing harm.	On bail
Simic, Andre	Maintaining an unlawful sexual relationship with a child.	On bail
Smart, Lionel David	Aggravated threatening life; Aggravated assault; Aggravated threatening to cause harm; Possess firearm without licence; Possess prescribed firearm without identifying mark.	In gaol
Smith, Shane Andrew	Aggravated indecent assault (2).	On bail
Steen, Kelly Jane	Trafficking in a controlled drug.	On bail
Taylor, Lucas	Trafficking in a large commercial quantity of a controlled drug.	On bail
Turnbull, Charles Dennis	Trafficking in a large commercial quantity of a controlled drug; Money Laundering.	On bail



Votino, Antonio	Trafficking in a controlled Drug; Deliver, introduce, have possession of a controlled drug in a correctional institution.	On bail
Warrior, Adrian Williams	Maintaining an unlawful sexual relationship with a child	In gaol
Waters, Joseph Scott	Aggravated assault (3); Unlawfully choking, suffocating or strangling another	In gaol
W, D A	Maintaining an unlawful sexual relationship with a child	In gaol
Waye, Douglas Matthew	Indecent assault; Rape (2)	In gaol
Whelan, Bayden	Maintaining an unlawful sexual relationship with a child; Unlawful sexual intercourse; Producing child exploitation material	On bail
W, J T	Aggravated causing serious harm; Aggravated Threatening life; Aggravated assault (2); Unlawfully choking, suffocating or strangling another.	In gaol
W, J T	Maintaining an unlawful sexual relationship with a child (2)	In gaol
Young, Mark Gregory	Maintaining an unlawful sexual relationship with a child	On bail

Prisoners on bail must surrender at 10 a.m. of the day appointed for their respective trials. If they do not appear when called upon their recognizances and those of their bail will be estreated and a bench warrant will be issued forthwith.

By order of the Court;

A. GRANSDEN  
Sheriff

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YOUTH COURT ACT 1993

South Australia

## Youth Court (Fees) Notice (No 2) 2022

under the *Youth Court Act 1993*

### 1—Short title

This notice may be cited as the *Youth Court (Fees) Notice 2022*.

#### Note—

This is a fee notice made in accordance with the Legislation (Fees) Act 2019 and revokes the Youth Court (Fees) Notice 2022 dated 26 May 2022 as published in the South Australian Government Gazette on 9 June 2022 p. 1448. The fee notice has been varied to align to the Youth Court (Fees) Notice 2021 which removed the fee for private applications for an intervention order where domestic violence is alleged. These fees are currently being waived.

### 2—Commencement

This notice has effect from the day on which it is published in the Gazette.

### 3—Interpretation

In this notice, unless the contrary intention appears—

*Act* means the *Youth Court Act 1993*.

### 4—Fees

The fees set out in Schedule 1 are prescribed for the purposes of the Act and are payable to the Court.

## Schedule 1—Fees

- |   |   |   |
|---|---|---|
| 1 | On commencement of proceedings for summary applications, summary offences, minor indictable offences or indictable offences | \$303.00 plus if the complaint or information alleges more than 1 offence—\$55.00 |
|   | Note— No fee is payable under this clause for a private application for an intervention order, pursuant to clause 2.        |   |

2	For a private application for an intervention order under section 20 of the Intervention Orders (Prevention of Abuse) Act 2009, where domestic abuse is alleged	No fee
3	On application for an adoption order under the <i>Adoption Act 1988</i>	\$195.00
4	For copy of evidence—	
	(a) per page in electronic form	\$9.05
	(b) per page in hard-copy form	\$11.50
5	For copy of reasons for judgment—per page	\$9.05
	<b>Note—</b>	
	A party to proceedings is entitled to 1 copy of the reasons without charge.	
6	For copy of any other document—per page	\$5.40
7	For production of transcript at request of a party where the Court does not require the transcript—per page	\$18.20

**Made by the Attorney-General**

On 22 July 2022

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## LOCAL GOVERNMENT INSTRUMENTS

### CITY OF CHARLES STURT

#### *Adoption of Valuations and Declaration of Rates*

NOTICE is hereby given that at its meeting held on 11 July 2022, the Council for the financial year ending 30 June 2023:

1. Adopted the most recent valuations of the Valuer-General available to the Council of the Capital Value of land within the Council's area, totalling \$42,816,204,900 (of which \$41,230,116,275 is for rating purposes).
2. Declared differential general rates as follows:
  - (a) 0.209613845 cents in the dollar on rateable land of Category 1;
  - (b) 0.7677619490 cents in the dollar on rateable land of Categories 2, 3 and 4;
  - (c) 0.8762431000 cents in the dollar on rateable land of Categories 5 and 6;
  - (d) 0.5226429479 cents in the dollar on rateable land of Category 7;
  - (e) 0.737237120 cents in the dollar on rateable land of Category 8;
  - (f) 0.338984753 cents in the dollar on rateable land of Category 9.
3. Declared a minimum amount payable by way of general rates of \$1109.
4. Declared a separate rate of 0.007838 cents in the dollar on all rateable land in the Council area in respect of the Regional Landscape Levy.

Dated: 11 July 2022

P. SUTTON  
Chief Executive Officer

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### RURAL CITY OF MURRAY BRIDGE

#### *Resignation of Area Councillor*

Notice is hereby given in accordance with section 54(6) of the *Local Government Act 1999*, that a vacancy has occurred in the office of Area Councillor for the Rural City of Murray Bridge due to the resignation of Councillor Tyson Matthews, effective 30 June 2022.

Dated: 28 July 2022

MICHAEL SEDGMAN  
Chief Executive Officer

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## CITY OF ONKAPARINGA

DOGS BY-LAW 2022  
By-law No. 7 of 2022

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

## PART 1 – PRELIMINARY

1. **Title**  
This By-law may be cited as the *Dogs By-law 2022* and is By-law No. 7 of the City of Onkaparinga.
  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 section 18A of the *Harbors and Navigation Act 1993*.
  3. **Purpose**  
The objectives of this By-law are to control and manage dogs in the Council area:
    - 3.1 to protect the convenience, comfort and safety of members of the public;
    - 3.2 to reduce the incidence of environmental nuisance caused by dogs;
    - 3.3 to promote responsible dog ownership; 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<sup>1</sup>:  
*By-law No. 7 – Dogs 2015.*<sup>2</sup>
    - 4.2 This By-law will expire on 1 January 2030.<sup>3</sup>
- Note-**
1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 249(5) of the Act).
  2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.
  3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.
5. **Application**
    - 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law*.
    - 5.2 Subject to clause 5.3, this By-law applies throughout the Council's area.
    - 5.3 Clauses 9.1 and 10.4 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 *Planning, Development and Infrastructure Act 2016* for the keeping of dogs on a temporary or permanent basis;
    - 6.3 **assistance dog** means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled;
    - 6.4 **children's playground** means an enclosed area in which there is equipment or other installed devices for the purpose of children's play (or within three (3) metres of such devices if there is no enclosed area);
    - 6.5 **Council** means the City of Onkaparinga;
    - 6.6 **dog** (except as indicated in clause 7.2) has the same meaning as in the *Dog and Cat Management Act 1995*;
    - 6.7 **effective control** means a person exercising effective control of a dog either:
      - 6.7.1 by means of physical restraint (as defined under section 8 of the *Dog and Cat Management Act 1995*);
      - 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 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules- Ancillary and Miscellaneous Provisions) Regulations 2014*;
    - 6.9 **foreshore** means:
      - 6.9.1 beach areas comprising land extending from the low water mark on the sea shore to the nearest road or section boundary;
      - 6.9.2 any park or reserve under the Council's care, control and management that is adjacent to a beach area (as defined under clause 6.9.1); and
      - 6.9.3 land comprising pedestrian and/or vehicular access routes to beach areas including (but not limited to) boat ramps, pedestrian ramps, steps, walkways or other access routes;
    - 6.10 **keep** includes the provision of food or shelter;
    - 6.11 **Local Government land** means land owned by the Council or under the Council's care, control and management;
    - 6.12 **organised sport** means an organised sporting competition that is approved by the Council, including any related training session or match but does not include social play;
    - 6.13 **park or reserve** includes any parkland, public square, ornamental garden, plantation pond, lake, oval, sports ground, or similar public open space, or any part thereof, but does not include a foreshore;
    - 6.14 **premises** includes land, whether used or occupied for domestic or non-domestic purposes;
    - 6.15 **public place** means a place to which the public has access (whether an admission fee is charged or not) and includes coastal waters adjacent to the foreshore extending inland from the low water mark for a distance of fifty (50) metres;
    - 6.16 **rural dwelling** means a dwelling that is not in a residential zone and on an allotment (or combination of allotments) that is greater than 2 hectares in area;
    - 6.17 **shared path** has the same meaning as under the *Australian Road Rules*;
    - 6.18 for the purposes of clause 9 of the By-law, a dog is under **effective control by means of a leash** if the dog is secured to a leash, chain or cord that does not exceed 2 metres in length and the leash, chain or cord is either:
      - 6.18.1 secured to a fixed object; or

- 6.18.2 held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons;
- 6.19 a **Hooded Plover dog-prohibited zone** is any portion of land on the foreshore, Local Government land or any other public place that:
- 6.19.1 an authorised person or other person authorised by the Council in writing (which authorisation may be subject to any conditions the Council sees fit to impose) has enclosed by a temporary fence or other barrier; and
- 6.19.2 is identified by a sign that includes the words '*hooded plover breeding site*' that is erected on or near the fence or other barrier; and
- 6.20 a **Hooded Plover dog on-leash zone** is any land on the foreshore, Local Government land or any other public place that is within one hundred (100) metres of any sign thereon that includes the words '*hooded plover*' or otherwise indicates hooded plovers are or may be present in the area.

**Note-**

Section 12 of the *Legislation Interpretation Act 2021* provides that an expression used in this By-law has, unless the contrary intention appears, the same meaning as in the Acts under which the By-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 7.3, a person must not, without Council permission, keep or cause, suffer or permit to be kept:
- 7.1.1 more than three (3) dogs in a rural dwelling; or
- 7.1.2 more than two (2) dogs in any premises that are not a rural dwelling.
- 7.2 For the purposes of clause 7.1, '**dog**' means a dog that is three (3) months of age or older or, a dog that has lost its juvenile teeth.
- 7.3 Clause 7.1 does not apply to:
- 7.3.1 approved kennel establishments operating in accordance with all required approvals and consents; or
- 7.3.2 any business involving the keeping of dogs provided that the business is registered in accordance with the *Dog and Cat Management Act 1995* and operating in accordance with all required approvals and consents.
- 7.4 An application for permission to keep an additional dog must be in the form determined by the Council and be accompanied by information regarding:
- 7.4.1 the type and size of the property on which it is proposed to keep the dogs;
- 7.4.2 the manner in which it is proposed that the dogs will be contained; and
- 7.4.3 any other information that the Council requires to ensure proper consideration of the application.
- 7.5 The Council may require that premises which are the subject of an application for permission to keep additional dogs are inspected by an authorised person (before the application is determined) for the purpose of assessing the suitability of the premises for housing dogs.
- 7.6 No dog is to be kept on any premises where the Council reasonably considers there is no secure or appropriate area where a dog may be effectively confined.

**PART 3 – DOG CONTROLS****8. Dog exercise areas**

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

**Note-**

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

**9. Dog on leash areas**

Subject to clause 10, a person must not, without the Council's permission, allow a dog under that person's control, charge or authority (except an assistance dog that is required to remain off-lead in order to fulfil its functions) to be or remain:

- 9.1 on any Local Government land or public place to which the Council has resolved this subclause applies and other than in accordance with any times or conditions specified in any resolution by the Council for this purpose;
- 9.2 between the hours of 10:00am and 8:00pm on any day when daylight savings is in operation, on any foreshore to which the Council has resolved this subclause applies;
- 9.3 on any park or reserve where organised sport is played as indicated on signage on or in the vicinity of the park or reserve during such times that organised sport is being played on that park or reserve; or
- 9.4 on or within a Hooded Plover dog on-leash zone—

unless the dog is under effective control by means of a leash.

**10. Dog prohibited areas**

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

- 10.1 in any children's playground;
- 10.2 in relation to a jetty that extends from the foreshore or other land within the Council's area, on any part of the jetty;
- 10.3 within 20 metres of a skate park on Local Government land excluding any shared path in that area;
- 10.4 on any Local Government land, foreshore, or public place to which the Council has resolved this subclause applies and other than in accordance with any times or other conditions specified in a resolution by the Council for this purpose; or
- 10.5 on or within a Hooded Plover dog-prohibited zone.

**Note -**

The foreshore controls under this by-law operate such that dogs:

- are not permitted on any foreshore that is designated as a dog prohibited area under clause 10; and
- must otherwise be exercised on-leash on those foreshore areas that are designated as an on-leash area under clause 9.2 between 10:00am and 8:00pm when daylight savings is in operation; and
- may, outside of 10:00am and 8:00pm during daylight savings and subject to any resolution of the Council to the contrary under clause 9.2, be exercised off-leash provided they are under effective control.

**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* to remove and dispose of dog faeces deposited in a public place).

**PART 4 – EXEMPTIONS****12. Council may grant exemptions**

- 12.1 The restrictions in clauses 9 and 10 do not apply to:
- 12.1.1 a dog that is being used for a law enforcement purpose that is under the control of a Police Officer who is acting in the course of the Police Officer's official duties; or
  - 12.1.2 a dog that is being used by an emergency worker for a search and rescue purpose, or otherwise in connection with the emergency worker's official duties.
- 12.2 The Council may, by notice in writing, on application or on its own initiative, exempt a person (or a class of persons) from the operation of a specified provision of this By-law.
- 12.3 An exemption granted under subclause 12.2:
- 12.3.1 may be granted or refused at the discretion of the Council;
  - 12.3.2 may operate indefinitely or for a period specified in the notice of exemption; and
  - 12.3.3 is subject to any conditions specified in the notice of exemption. The Council may, by notice in writing, vary, revoke or add a condition of an exemption.
- 12.4 The Council may, in its discretion, revoke an exemption for a contravention of a condition of the exemption, or for any other reason it thinks fit.

**PART 5 – ENFORCEMENT****13. Orders**

- 13.1 If a person engages in conduct that is in contravention of this By-law, an authorised person may order that person:
- 13.1.1 if the conduct is still continuing – to stop the conduct; and
  - 13.1.2 whether or not the conduct is still continuing – to take specified action to remedy the contravention.
- 13.2 A person must comply with an order under this clause.
- 13.3 If a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may seek to recover its costs of any action so taken from the person to whom the order was directed in a Court of competent jurisdiction.
- 13.4 However, an authorised person may not use force against a person.

**Note-**

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

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

This By-law was duly made and passed at a meeting of the City of Onkaparinga held on the **19 July 2022** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

Julia Grant  
Acting Chief Executive Officer

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CITY OF PORT ADELAIDE ENFIELD  
**PERMITS AND PENALTIES BY-LAW 2022**  
**By-law No. 1 of 2022**

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

**PART 1 – PRELIMINARY**

1. **Title**  
This By-law may be cited as the *Permits and Penalties By-law 2022* and is By-law No. 1 of the City of Port Adelaide Enfield.
  2. **Authorising law**  
This By-law is made under section 246 of the Act.
  3. **Purpose**  
The objectives of this By-law are to provide for the good rule and government of the Council area, and for the convenience, comfort and safety of its inhabitants by:
    - 3.1 creating a permit system for Council By-laws;
    - 3.2 providing for the enforcement of breaches of Council By-laws and fixing penalties; and
    - 3.3 clarifying the construction of Council By-laws.
  4. **Commencement, revocation and expiry**
    - 4.1 The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation<sup>1</sup>:  
*By-law No.1 – Permits and Penalties 2015.*<sup>2</sup>
    - 4.2 This By-law will expire on 1 January 2030.<sup>3</sup>
- Note-**
1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 249(5) of the Act).
  2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.
  3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.
5. **Application**  
This By-law applies throughout the Council's area.
  6. **Interpretation**  
In this By-law, unless the contrary intention appears:
    - 6.1 **Act** means the *Local Government Act 1999*;
    - 6.2 **Council** means the City of Port Adelaide Enfield; and
    - 6.3 **person** includes a natural person or a body corporate.
- Note-**
- Section 12 of the *Legislation Interpretation Act 2021* provides that an expression used in this By-law has, unless the contrary intention appears, the same meaning as in the Act.
7. **Construction of By-laws generally**
    - 7.1 Every By-law of the Council is subject to any Act of Parliament and Regulations made thereunder.
    - 7.2 In any By-law of the Council and unless the contrary intention appears, permission means permission granted by the Council (or its delegate) in writing prior to the act, event or activity to which it relates, and includes permission of general application granted by way of the Council adopting a policy for that purpose.

**PART 2 – PERMITS AND PENALTIES**

8. **Permits**
  - 8.1 Where a By-law requires that permission be obtained, any person seeking the grant of permission must submit a written application to the Council in the form (if any) and accompanied by the fee (if any) prescribed by the Council.
  - 8.2 The Council (or such other person as the Council may authorise) may attach such conditions as it thinks fit to a grant of permission and may vary or revoke such conditions or impose new conditions by notice in writing to the person granted permission.
  - 8.3 A person granted permission under a By-law must comply with every such condition. Failure to do so is an offence (to the extent that the failure gives rise to a contravention of a By-law).
  - 8.4 The Council (or such other person authorised by the Council) may suspend or revoke a grant of permission under a By-law at any time by notice in writing to the person granted permission.
9. **Offences and penalties**
  - 9.1 A person who commits a breach of any By-law of the Council is guilty of an offence and may be liable to pay:
    - 9.1.1 a maximum penalty being the maximum penalty referred to in the Act that may be fixed by a By-law for any breach of a By-law; or
    - 9.1.2 subject to any resolution of the Council to the contrary, the expiation fee fixed by the Act for alleged offences against By-laws, being a fee equivalent to 25 per cent of the maximum penalty fixed for any breach of a By-law.
  - 9.2 A person who commits a breach of a By-law of the Council of a continuing nature is guilty of an offence and, in addition to any other penalty that may be imposed, is liable to a further penalty for every day on which the offence continues, such penalty being the maximum amount referred to in the Act that may be fixed by a By-law for a breach of a By-law of a continuing nature.

**Note-**

The maximum penalty for a breach of a By-law is prescribed by section 246(3)(g) of the Act.  
 Pursuant to section 246(5) of the Act expiation fees may be fixed for alleged offences against by-laws either by a by-law or by resolution of the Council. However, an expiation fee fixed by the Council cannot exceed 25 per cent of the maximum penalty for the offence to which it relates.

This By-law was duly made and passed at a meeting of the City of Port Adelaide Enfield held on **12 July 2022** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MARK WITHERS  
 Chief Executive Officer

**CITY OF PORT ADELAIDE ENFIELD  
MOVEABLE SIGNS BY-LAW 2022  
By-law No. 2 of 2022**

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

**PART 1 – PRELIMINARY**

1. **Title**  
This By-law may be cited as the *Moveable Signs By-law 2022* and is By-law No. 2 of the City of Port Adelaide Enfield.
2. **Authorising law**  
This By-law is made under sections 226, 238, 239 and 246 of the Act.
3. **Purpose**  
The objectives of this By-law are to set standards for moveable signs on roads:
  - 3.1 to protect the comfort and safety of road users and members of the public;
  - 3.2 to enhance the amenity of roads and surrounding parts of the Council 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 operation<sup>1</sup>:
    - By-law No. 2 – *Moveable Signs 2015*.<sup>2</sup>
  - 4.2 This By-law will expire on 1 January 2030.<sup>3</sup>

**Note-**

1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 249(5) of the Act).
2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.
3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.

5. **Application**

- 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2022*.
- 5.2 This By-law applies throughout the Council area and is subject to the exemptions set out in clause 11.

6. **Interpretation**

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

- 6.1 **Act** means the *Local Government Act 1999*;
- 6.2 **authorised person** means a person appointed as an authorised person pursuant to section 260 of the Act;
- 6.3 **banner** means a slip of cloth, plastic or other material hung up or carried on a pole, fence or other structure;
- 6.4 **business premises** means premises from which a business is being conducted;
- 6.5 **Council** means the City of Port Adelaide Enfield;
- 6.6 **footpath area** means:
  - 6.6.1 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; and
  - 6.6.2 a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;
- 6.7 **Local Government land** has the same meaning as in the Act;
- 6.8 **moveable sign** has the same meaning as in the Act;
- 6.9 **road** has the same meaning as in the Act; and
- 6.10 **vehicle** has the same meaning as in the *Road Traffic Act 1961*.

**Note-**

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

**PART 2 – MOVEABLE SIGNS**7. **Construction and design**

A moveable sign placed on a road must:

- 7.1 be of a kind known as an 'A' frame or sandwich board sign, an inverted 'T' sign, a flat sign or, with the permission of the Council (including as may be set out in a Council policy of general application from time to time), a sign of some other kind;
- 7.2 be designed, constructed and maintained in good quality and condition, including so as not to present a hazard to any member of the public;
- 7.3 be of strong construction and sufficiently stable or securely fixed so as to keep its position despite 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 rotate or contain flashing parts;
- 7.8 not exceed 900mm in height, 600mm in width and 600mm in depth;
- 7.9 in the case of an 'A' frame or sandwich board sign:
  - 7.9.1 be hinged or joined at the top; and
  - 7.9.2 be of such construction that its sides are securely fixed or locked in position when erected; and
- 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 other than the footpath area;
- 8.2 placed on a footpath that is less than 2.6 metres wide;
- 8.3 placed within 1 metre of an entrance or exit to any business premises;
- 8.4 placed on the sealed part of a footpath area if there is an unsealed part on which the sign can be placed in accordance with this By-law;
- 8.5 placed so as to unreasonably interfere (as determined by an authorised person) with the reasonable movement of persons or vehicles using the footpath or road in the vicinity of where the moveable sign is placed;



- 8.6 placed closer than 0.6 metres to the kerb (or, if there is no kerb, to the edge of the carriageway of a road or the shoulder of the road, whichever is the greater);
- 8.7 placed on a landscaped area, other than landscaping that comprises only lawn;
- 8.8 placed within 10 metres of an intersection;
- 8.9 placed on a footpath area with a minimum height clearance from a structure above it of less than 2 metres;
- 8.10 placed on a designated parking area;
- 8.11 placed on a median strip, traffic island, roundabout or any other traffic control device on a road;
- 8.12 tied, fixed or attached to, or placed closer than 2 metres to any other structure, object or thing (including another moveable sign);
- 8.13 displayed during the hours of darkness unless it is clearly lit and visible; or
- 8.14 placed in such a position or in such circumstances that in the opinion of an authorised person, it would or would be likely to endanger the safety of any person.
- 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 a road at any time.
- 10.2 A person must not cause or allow a moveable sign to be placed on a road unless:
- 10.2.1 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
- 10.2.2 the business premises to which it relates is open to the public during such times as the sign is displayed.
- 10.3 A person must not, without the permission of the Council, display or cause to be displayed, a moveable sign on or attached to or adjacent to a vehicle that is parked on Local Government land, or a road, primarily for the purpose of advertising or offering for sale a product (including the vehicle) or business to which the sign relates.
- 10.4 If in the opinion of the Council a footpath area is unsafe for a moveable sign to be displayed, the Council (or its delegate) may prohibit or restrict the display of a moveable sign thereon on such conditions as the Council thinks fit.
- 11. Exemptions**
- 11.1 Subclauses 8.8, 8.12, 10.1 and 10.2 of this By-law do not apply to a moveable sign which:
- 11.1.1 advertises a garage sale taking place from residential premises; or
- 11.1.2 is a directional sign to an event run by a community organisation or charitable body.
- 11.2 Subclause 10.1 of this By-law does not apply to a flat sign which only contains newspaper headlines 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 a moveable sign (or class of moveable sign) to be displayed contrary to that requirement (which permission may be granted by way of the Council adopting a policy of general application for this purpose).
- 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:
- 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 or writs for the election and ending at the close of polls 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 that is made pursuant to section 227(1) of the Act.
- Note-**  
Pursuant to section 227(1) of the Act, an authorised person may order the owner of a moveable sign to remove the sign from the road if:
- the design, construction or positioning of a moveable sign does not comply with a requirement of this By-law;
  - any other requirement of this By-law is not complied with; or
  - the moveable sign unreasonably restricts the use of the Road or endangers the safety of other persons.
- 12.2 The owner of or other person entitled to recover a moveable sign removed by an authorised person pursuant to section 227(2) of the Act may be required to pay to the Council any reasonable costs incurred by the Council in removing, storing, and/or disposing of the moveable sign before being entitled to recover the moveable sign.
- 12.3 The owner, or other person responsible for a moveable sign must remove or relocate the moveable sign at the request of an authorised person:
- 12.3.1 if, in the opinion of an authorised person, and not withstanding compliance with this By-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign; or
- 12.3.2 for the purpose of special events, parades, roadworks or in any other circumstances which, in the opinion of the authorised person, require relocation or removal of the moveable sign to protect public safety or to protect or enhance the amenity of a particular locality.
- 13. Liability of vehicle owners**
- 13.1 For the purposes of this clause 13, *owner* in relation to a vehicle has the same meaning as contained in section 4 of the Act.
- 13.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this By-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This By-law was duly made and passed at a meeting of the City of Port Adelaide Enfield held on **12 July 2022** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MARK WITHERS  
Chief Executive Officer

**CITY OF PORT ADELAIDE ENFIELD  
LOCAL GOVERNMENT LAND BY-LAW 2022  
By-law No. 3 of 2022**

*A By-law to manage and 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 2022* and is By-law No. 3 of the City of Port Adelaide Enfield.
  2. **Authorising law**  
This By-law is made under sections 238 and 246 of the *Local Government Act 1999* and section 18A of the *Harbors and Navigation Act 1993*.
  3. **Purpose**  
The objectives of this By-law are to regulate the access to and use of Local Government land (other than roads), and certain public places:
    - 3.1 to prevent and mitigate nuisances;
    - 3.2 to prevent damage to Local Government land;
    - 3.3 to protect the convenience, comfort and safety of members of the public;
    - 3.4 to enhance the amenity of the Council's area; and
    - 3.5 for the good rule and government of the Council's area.
  4. **Commencement, revocation and expiry**
    - 4.1 The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation<sup>1</sup>:
 

*By-law No. 3 – Local Government Land 2015.*<sup>2</sup>
    - 4.2 This By-law will expire on 1 January 2030.<sup>3</sup>
- Note-**
1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 249(5) of the Act).
  2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.
  3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.
5. **Application**
    - 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2022*.
    - 5.2 Subject to subclauses 5.3 and 5.4, this By-law applies throughout the Council's area and to foreshore areas within the Harbor of Port Adelaide.
    - 5.3 Subclauses 9.3, 9.5.3.1, 9.23.3, 9.27.2, 9.40, 10.6 and 10.11 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 Subclauses 9.5.3.2, 9.8.1.1, 9.8.2, 9.8.3, 9.22.1, 9.24.2, 9.26 and 9.36.1 of this By-law apply throughout the Council area except in such parts of the Council area as the Council may by resolution direct in accordance with section 246(3)(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 and insects but does not include a dog unless otherwise stated;
    - 6.3 **aquatic life** means any animal or plant living or growing in water including, but not limited to, molluscs, fish, insects, insect pupa or larvae and water plants;
    - 6.4 **authorised person** is a person appointed by the Council as an authorised person under section 260 of the Act;
    - 6.5 **boat** includes a raft, pontoon, personal watercraft or other similar device;
    - 6.6 **coastal waters** means ocean waters extending offshore from the low water mark but excluding any waters overlying land between the low water mark and the high water mark;
    - 6.7 **Council** means the City of Port Adelaide Enfield;
    - 6.8 **electoral matter** has the same meaning as in the *Electoral Act 1985* provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
    - 6.9 **effective control** means a person exercising effective control of an animal either:
      - 6.9.1 by means of a physical restraint; or
      - 6.9.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
    - 6.10 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules- Ancillary and Miscellaneous Provisions) Regulations 2014*;
    - 6.11 **Harbor of Port Adelaide** has the same meaning as in Schedule 3 of the *Harbors and Navigation Regulations 2009*;
    - 6.12 **high-water mark** means the point on land that is the highest astronomical tide;
    - 6.13 **foreshore** means land extending:
      - 6.13.1 from the low water mark on the seashore to the nearest road or section boundary; or
      - 6.13.2 to a distance of 50 metres from the high-water mark, (whichever is the lesser distance) and to avoid doubt includes the foreshore within the Harbor of Port Adelaide;
    - 6.14 **funeral ceremony** means a ceremony only (i.e. a memorial service) and does not include a burial;
    - 6.15 **liquor** has the same meaning as in the *Liquor Licensing Act 1997*;
    - 6.16 **Local Government land** means all land owned by the Council or under the Council's care, control and management (except roads);
    - 6.17 **low water mark** means the point of the lowest astronomical tide on the foreshore;
    - 6.18 **offensive** includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;
    - 6.19 **open container** means a container that:
      - 6.19.1 after the contents of the container have been sealed at the time of manufacture:
        - 6.19.1.1 being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
        - 6.19.1.2 being a can, it has been opened or punctured;
        - 6.19.1.3 being a cask, it has had its tap placed in a position to allow it to be used;
        - 6.19.1.4 being any other form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to its contents; or
      - 6.19.2 is a flask, glass, mug or other container able to contain liquid;
    - 6.20 **personal watercraft** has the same meaning as in the *Harbors and Navigation Act 1993*, which is a device that-

- 6.20.1 is propelled by a motor;  
 6.20.2 has a fully enclosed hull;  
 6.20.3 is designed not to retain water if capsized; and  
 6.20.4 is designed to be operated by a person who sits astride, stands, or kneels on the device;  
 and includes the device commonly referred to as a jet ski;
- 6.21 **tobacco product** has the same meaning as in the *Tobacco and E-Cigarette Products Act 1997*;  
 6.22 **road** has the same meaning as in the Act;  
 6.23 **special event** means an organised gathering of more than fifty (50) persons for any social, sporting or cultural purpose;  
 6.24 **vehicle** has the same meaning as in the *Road Traffic Act 1961*;  
 6.25 **waters** includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council but excludes coastal waters; and  
 6.26 **wheeled recreational device** has the same meaning as in the *Road Traffic Act 1961*.

**Note-**

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

**PART 2 – ACCESS TO LOCAL GOVERNMENT LAND****7. Access****Note-**

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

The Council may:

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

**8. Closed lands**

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

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

**PART 3 – USE OF LOCAL GOVERNMENT LAND****9. Activities requiring permission****Note-**

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

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

- 9.1 **Advertising**  
 Display, paint or erect or cause to be displayed, painted or erected, including on a structure, building or fixture there upon any sign, advertising 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 in an open container on Local Government land comprising a park or reserve 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 amplifying sound or broadcasting announcements or advertisements.
- 9.5 **Animals**  
 9.5.1 Cause or allow an animal to stray onto, move over, graze or be left unattended.  
 9.5.2 Subject to subclause 9.5.3, cause or allow an animal to enter, swim, bathe or remain in any waters located thereupon.  
 9.5.3 Lead, ride or otherwise allow a horse:  
 9.5.3.1 to be on or remain on any foreshore to which the Council has resolved this clause applies;  
 or  
 9.5.3.2 to bathe in any waters except waters to which the Council has resolved this clause applies.  
 9.5.4 Lead, herd or exercise an animal, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind and provided that the animal or animals are under effective control.
- 9.6 **Aquatic life**  
 Introduce any marine life to any waters located on Local Government land.
- 9.7 **Attachments**  
 Subject to subclause 9.1, attach or cause to be attached, hang or fix anything to a tree, plant, equipment, fence, post, structure or fixture on Local Government land.
- 9.8 **Boats and mooring**  
 Subject to the *Harbors and Navigation Act 1993* and the *Marine Safety (Domestic Commercial Vessel) National Law*:  
 9.8.1 launch or retrieve a boat from or to the foreshore or other Local Government land except:  
 9.8.1.1 in an area to which the Council has resolved this subclause applies; or  
 9.8.1.2 in an area where a nearby sign states that such activity is allowed and in accordance with any conditions stated in the sign;  
 9.8.2 hire out a boat or otherwise use a boat for commercial purposes except in any area to which the Council has resolved this subclause applies;

- 9.8.3 moor any boat on or to Local Government land except on or to any Local Government land to which the Council has determined this subclause applies and in accordance with any conditions the Council has resolved applies to such use; or
- 9.8.4 obstruct any boat or mooring place or access to any mooring place.
- 9.9 **Bridge jumping**  
Jump or dive from a bridge or jetty on Local Government land.
- 9.10 **Buildings**  
Use a building, or structure on Local Government land for a purpose other than its intended purpose.
- 9.11 **Burials and memorials**
- 9.11.1 Bury, inter or spread the ashes of any human or animal remains (including a dog).
- 9.11.2 Erect any memorial.
- 9.12 **Canvassing**  
Subject to subclause 14.2, convey any advertising, religious or other message to any bystander, passer-by or other.
- 9.13 **Defacing property**  
Deface, remove, paint, spray, write upon, cut names, letters or make marks on any tree, rock, gate, fence, object, monument, building, sign, bridge or property of the Council.
- 9.14 **Depositing soil**  
Deposit any soil, clay, gravel, sand, timber, stones, pebbles or other matter on the land.
- 9.15 **Donations**  
Ask for or receive or indicate that he or she desires a donation of money or any other thing.
- 9.16 **Encroachment**  
Erect or cause to be erected or placed any fencing, post or other structures or any other items so as to encroach onto the land.
- 9.17 **Entertainment and busking**
- 9.17.1 Sing, busk or play a recording or use a musical instrument for the purpose of entertaining others whether or not 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 other than in accordance with any conditions of use contained on a sign or notice in the vicinity of the equipment, facility or property.
- 9.19 **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 four (4) metres.
- 9.20 **Fireworks**  
Ignite, discharge or use 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 plant, damage, pick, cut, disturb, interfere with or remove any plant, tree or flower thereon;
- 9.21.2 cause or allow an animal (including a dog) 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 aquatic life or the eggs or young of any animal, bird or aquatic life;
- 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 aquatic life; or
- 9.21.8 collect or take any dead wood or timber or burn any timber or dead wood; –  
with the exception that subclauses 9.21.4 and 9.21.7 do not apply to lawful fishing activities.
- 9.22 **Foreshore**  
On the foreshore:
- 9.22.1 drive or propel a vehicle onto or on the foreshore except onto or on any foreshore area to which the Council has resolved this clause applies; and
- 9.22.2 allow a vehicle to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat.
- 9.23 **Games and sport**
- 9.23.1 Participate in, promote or organise any organised competition or sport, as distinct from organised social play.
- 9.23.2 Play, practise or participate in any game which involves the use of a ball, missile or other object which by the use thereof may cause or be likely to cause injury or discomfort to any person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land.
- 9.23.3 Engage or participate in or conduct any organised group fitness activity or training on Local Government land to which the Council has resolved this subclause applies.
- 9.23.4 Participate in any game, recreational activity or event where the Council has caused a notice to be erected indicating the game, recreational activity or event is prohibited.
- 9.24 **Golf**  
Play or practise golf except on:
- 9.24.1 a properly constructed golf course or practice fairway; or
- 9.24.2 Local Government land to which the Council has resolved this clause applies.
- 9.25 **Interference with land**  
Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:
- 9.25.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
- 9.25.2 erecting or installing a structure in, on, across, under or over the land;
- 9.25.3 changing or interfering with the construction, arrangement or materials of the land;

- 9.25.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
- 9.25.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.
- 9.26 **Kite surfing and kite buggies**  
Launch or use a kite designed or used for the purpose of pulling or carrying a person, except from or on Local Government land or any foreshore to which the Council has resolved this subclause applies.
- 9.27 **Model aircraft, boats and cars**
- 9.27.1 Fly or operate a model or drone aircraft, boat or model or remote control vehicle in a manner which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of the land, or detract from or be likely to detract from another person's lawful use of and enjoyment of the land.
- 9.27.2 Fly or operate a model or drone aircraft, boat or model or remote control vehicle on any Local Government land or foreshore to which the Council has resolved this subclause applies.
- 9.28 **Overhanging articles**  
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 in the opinion of an authorised person.
- 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 on or in the vicinity of the playing area.
- 9.30 **Pontoons**  
Install or maintain a pontoon in any waters.
- 9.31 **Preaching**  
Preach, harangue or solicit for religious purposes.
- 9.32 **Removal of sand**  
Remove, clear or destroy any sand, seaweed, soil, rocks, minerals, vegetation or shells.
- 9.33 **Ropes**  
Subject to the provisions of the *Harbors and Navigation Act 1993* and the *Marine Safety (Domestic Commercial Vessel) National Law*, place a buoy, cable, chain, hawser, rope or net in or across any waters.
- 9.34 **Rubbish bins**  
Remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a bin on any Local Government land, or placed on Local Government land for collection by the Council (or its agent).
- 9.35 **Sand dunes, pebble dunes, coastal slopes and cliffs**
- 9.35.1 Carry out any activity that may damage or threaten the integrity of dunes, pebble dunes, coastal slopes or cliffs.
- 9.35.2 Introduce non-indigenous flora or fauna or dump any material in a sand dune or pebble dune.
- 9.35.3 Destroy, remove or cause interference to any vegetation, whether living or dead, on or within a sand dune, coastal slope or coastal cliff.
- 9.36 **Swimming**
- 9.36.1 Subject to the *Harbors and Navigation Act 1993* and subclause 9.35.2, swim in, bathe or enter any waters except:
- 9.36.1.1 in an area which the Council has determined may be used for such purposes; and
- 9.36.1.2 in accordance with any conditions that the Council has determined by resolution apply to such use (if any) and which are specified on signage on or in the vicinity of the area.
- 9.36.2 Swim or bathe at a time when swimming or bathing in that place has been prohibited by the Council (for the reasons of public safety) as indicated by a sign or signs displayed on the land.
- 9.37 **Trading**
- 9.37.1 Sell, buy, offer or display anything for sale, hire or lease any goods, merchandise, commodity, article or thing.
- 9.37.2 Carry on or cause to be carried on any business.
- 9.37.3 Set up a van or other vehicle, stall, stand, table or other structure, tray, carpet or device for the purpose (as determined by an authorised officer acting reasonably) of buying, selling, offering, displaying for sale or the hiring or leasing of any goods merchandise, commodity, article or thing.
- 9.38 **Vehicles**
- 9.38.1 Drive or propel a vehicle except on an area or road constructed and set aside by the Council for that purpose.
- 9.38.2 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.
- 9.38.3 Repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown.
- 9.39 **Weddings, functions and special events**
- 9.39.1 Hold, conduct or participate in a marriage ceremony, funeral or special event.
- 9.39.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral or special event.
- 9.39.3 Hold or conduct any filming where the filming is for a commercial purpose.
- 9.40 **Wheeled recreational devices**  
Subject to the *Road Traffic Act 1961*, ride or operate a wheeled recreational device on Local Government land to which the Council has determined this subclause applies.
10. **Prohibited activities**  
A person must not do any of the following on Local Government land or on the foreshore.
- 10.1 **Ablutionary facilities**  
In any ablutionary facility (including showers, washing and toilet facilities) on Local Government land:
- 10.1.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
- 10.1.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage or damage to the facility or any drain, pipe or property associated with the facility;

- 10.1.3 use the facility for a purpose for which it was not designed or constructed;
- 10.1.4 deface, or make use of a facility other than for its proper purpose or cause any unsanitary or unclean condition in any ablutionary facility; and
- 10.1.5 subject to the *Equal Opportunity Act 1984* (SA), enter any ablutionary facility that is set aside for use of the opposite gender except:
- 10.1.5.1 where a child under the age of ten (10) years is accompanied by an adult parent or guardian of that gender;
- 10.1.5.2 to provide assistance to a person with a disability; or
- 10.1.5.3 in the case of a genuine emergency.

**Note-**

To avoid doubt, subclause 10.1 does not operate to prohibit a transgender person or, a person who identifies as 'gender diverse', from lawfully using an ablutionary facility for the gender with which that person identifies.

- 10.2 **Animals**
- 10.2.1 Cause or allow any animal (including a dog) to enter, swim, bathe or remain in any waters to the inconvenience, annoyance or danger of any other person bathing or swimming.
- 10.2.2 Cause or allow an animal to damage a flowerbed, garden plot, tree, lawn or similar.
- 10.2.3 Lead, herd or exercise a horse in such manner as to cause a nuisance or endanger the safety of a person.
- 10.3 **Annoyances**
- 10.3.1 Annoy, or unreasonably interfere with any other person's use of Local Government land by making a noise or by creating a disturbance that has not been authorised by the Council.
- 10.3.2 Spit, urinate or defecate other than in toilet provided thereon.
- 10.4 **Climbing**
- Climb on or over any fixture, fitting, plant, object or building thereon other than in a playground or similar area that the Council has set aside for that purpose.
- 10.5 **Buildings and 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.
- 10.6 **Fishing**
- Fish in any waters to which the Council has determined this subclause applies.
- 10.7 **Glass**
- Willfully break any glass, china or other brittle material.
- 10.8 **Interference with permitted use**
- Interrupt or unreasonably interfere with any other person's use of Local Government land where the person is using the land in a manner permitted by the Council or in accordance with any permission that has been granted by the Council.
- 10.9 **Nuisance**
- Behave in such an unreasonable manner so as to cause discomfort, inconvenience, annoyance or offence to any other person including by using profane, indecent or obscene language.
- 10.10 **Playing games**
- Play or practise a game:
- 10.10.1 which is likely to cause damage to the land or anything on it; or
- 10.10.2 in any area where a sign indicates that the game is prohibited.
- 10.11 **Smoking**
- Subject to the *Tobacco and E-Cigarette Products Act 1997*, smoke, hold or otherwise have control over an ignited tobacco product on any land to which the Council has determined this subclause applies.
- 10.12 **Obstruction**
- Obstruct or cause to be obstructed:
- 10.12.1 any path or track;
- 10.12.2 any door, entrance, stairway or aisle in any building; or
- 10.12.3 any gate or entrance thereon.
- 10.13 **Solicitation**
- Tout or solicit customers for the parking of vehicles or for any other purpose whatsoever.
- 10.14 **Throwing objects**
- Throw, roll, project or discharge a stone, substance or other missile, excluding sport and recreational equipment designed to be used in that way.
- 10.15 **Waste and rubbish**
- 10.15.1 Deposit or leave thereon anything obnoxious or offensive.
- 10.15.2 Deposit any rubbish other than in receptacles provided by the Council for that purpose.
- 10.15.3 Deposit in any rubbish bin:
- 10.15.3.1 any trash emanated from a domestic, trade or commercial source; or
- 10.15.3.2 any rubbish contrary to any information on signs on the bin or in its vicinity.

**PART 4 – ENFORCEMENT****11. Directions**

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

**12. Orders**

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

**Note-**

Section 262(1) of the Act states:

*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; or
- dismantle and remove a structure erected on Local Government land without permission.

**13. Removal of animals and objects**

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

**PART 5 – MISCELLANEOUS****14. Exemptions**

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

14.2 The restrictions in subclauses 9.12 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;
- 14.2.2 related to an election under the Act or the Local Government (Elections) Act 1999 and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
- 14.2.3 related to, and occurs during the course of and for the purpose of a referendum.

**15. Liability of vehicle owners**

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

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

This By-law was duly made and passed at a meeting of the City of Port Adelaide Enfield held on **12 July 2022** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MARK WITHERS  
Chief Executive Officer

**CITY OF PORT ADELAIDE ENFIELD  
ROADS BY-LAW 2022  
By-law No. 4 of 2022**

*A By-law to manage, control and regulate certain activities on roads in the Council's area.*

**PART 1 – PRELIMINARY****1. Title**

This By-law may be cited as the *Roads By-law 2022* and is By-law No. 4 of the City of Port Adelaide Enfield.

**2. Authorising law**

This By-law is made under sections 239 and 246 of the Act and regulation 28 of the *Local Government (General) Regulations 2013*.

**3. Purpose**

The objectives of this By-law are to manage, control and regulate certain activities on roads in the Council's area:

- 3.1 to protect the convenience, comfort and safety of road users and members of the public;
- 3.2 to prevent damage to buildings and structures on roads;
- 3.3 to prevent certain nuisances occurring on roads; and
- 3.4 for the good rule and government of the Council 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<sup>1</sup>:

*By-law No. 4 – Roads 2015.*<sup>2</sup>

4.2 This By-law will expire on 1 January 2030.<sup>3</sup>

**Note-**

1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 249(5) of the Act).
2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.
3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.

**5. Application**

5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2022*.

5.2 This By-law applies throughout the Council area.

**6. Interpretation**

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

- 6.1 **Act** means the *Local Government Act 1999*;
- 6.2 **animal** includes birds, insects and poultry but does not include a dog;
- 6.3 **authorised person** means a person appointed as an authorised person pursuant to section 260 of the Act;
- 6.4 **Council** means the City of Port Adelaide Enfield;
- 6.5 **effective control** means a person exercising effective control of an animal either:

- 6.5.1 by means of a physical restraint; or  
 6.5.2 by command, the animal being in close proximity to the person, and the person being able to see the animal at all times;
- 6.6 **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 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 2014*;
- 6.8 **moveable sign** has the same meaning as in the Act;
- 6.9 **road** has the same meaning as in the Act being, a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes—  
 6.9.1 a bridge, viaduct or subway; or  
 6.9.2 an alley, laneway or walkway; and
- 6.10 **vehicle** has the same meaning as in the *Road Traffic Act 1961*.

**Note-**

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

**PART 2 – USE OF ROADS****7. Activities requiring permission**

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

**7.1 Advertising**

Display or cause to be displayed on a road or on a structure on a road (including a tree), any poster, advertising or sign for the purpose of advertising goods or services or for any other purpose, other than a moveable sign that is displayed in accordance with the Council's *Moveable Signs By-law 2022*.

**Note-**

Moveable signs on roads are regulated by sections 226 and 227 of the Act and the Council's *Moveable Signs By-law 2022*.

**7.2 Amplification**

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

**7.3 Animals**

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

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

**7.4 Obstructions**

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

**7.5 Preaching and canvassing**

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

7.5.2 Subject to subclause 11, convey any religious or other message to any bystander, passerby or other person.

**7.6 Public exhibitions and displays**

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

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

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

7.6.4 Cause any public exhibitions or displays.

7.6.5 Undertake filming for a commercial purpose.

**7.7 Repairs to 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.

**7.8 Rubbish bins**

Deposit in any Council bin on a road any rubbish:

7.8.1 emanating from a domestic, commercial or trade source; or

7.8.2 that is not rubbish of the type permitted to be placed in the bin, as indicated on signs on the bin or in its vicinity.

**7.9 Soliciting**

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

**PART 3 – ENFORCEMENT****8. Directions**

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

**9. Orders**

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

**Note-**

Section 262(1) of the Act states:

*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; or
- remove an object or structure blocking a footpath.



10. **Removal of animals and objects**
- 10.1 The Council (or its delegate) may, pursuant to section 234 of the Act, remove an animal or object that is on a road in breach of a By-law if the Council (or its delegate) reasonably believes that no person is in charge of the animal or object.
- 10.2 The Council may seek to recover from the owner of an object removed under subclause 10.1 the costs it incurs in removing that object.
- PART 4 – MISCELLANEOUS**
11. **Exemptions**
- 11.1 The restrictions in this By-law do not apply to any Police Officer, emergency worker, Council officer or Council employee acting in the course of and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision or in accordance with a direction of a Council officer.
- 11.2 The restrictions in clause 7.5.2 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.
12. **Liability of vehicle owners**
- 12.1 For the purposes of this clause 12, **owner** in relation to a vehicle has the same meaning as contained in section 4 of the Act.
- 12.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this By-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This By-law was duly made and passed at a meeting of the City of Port Adelaide Enfield held on **12 July 2022** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MARK WITHERS  
Chief Executive Officer

**CITY OF PORT ADELAIDE ENFIELD  
DOGS BY-LAW 2022  
By-law No. 5 of 2022**

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

**PART 1 – PRELIMINARY**

1. **Title**  
This By-law may be cited as the *Dogs By-law 2022* and is By-law No. 5 of the City of Port Adelaide Enfield.
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 section 18A of the *Harbors and Navigation Act 1993*.
3. **Purpose**  
The objectives of this By-law are to control and manage dogs in the Council area:
- 3.1 to protect the convenience, comfort and safety of members of the public;
- 3.2 to reduce the incidence of environmental nuisance caused by dogs;
- 3.3 to promote responsible dog ownership; 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<sup>1</sup>:
- By-law No. 5 – Dogs 2015.*<sup>2</sup>
- 4.2 This By-law will expire on 1 January 2030.<sup>3</sup>
- Note-**
1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 249(5) of the Act).
2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, 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 gazetting of the By-law.
5. **Application**
- 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2022*.
- 5.2 Subject to clause 5.3, this By-law applies throughout the Council's area and to foreshore areas within the Harbor of Port Adelaide.
- 5.3 Clauses 9.1.1 and 10 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 approved by a relevant authority, pursuant to the *Planning, Development and Infrastructure Act 2016* for the keeping of dogs on a temporary or permanent basis;
- 6.3 **assistance dog** means a dog trained and used for the purpose of assisting a person who is wholly or partially disabled;
- 6.4 **children's playground** means an enclosed area in which there is equipment or other installed devices for the purpose of children's play (or within five (5) metres of such devices if there is no enclosed area);
- 6.5 **Council** means the City of Port Adelaide Enfield;
- 6.6 **dog** (except as indicated in clause 7.2) has the same meaning as in the *Dog and Cat Management Act 1995*;
- 6.7 **effective control** means a person exercising effective control of a dog either:
- 6.7.1 by means of a physical restraint; or

- 6.7.2 by command, the dog being in close proximity to the person and the person being able to see the dog at all times;
- 6.8 **foreshore** means land extending:
- 6.8.1 from the low water mark on the seashore in the Council's area to the nearest road or section boundary, or
- 6.8.2 for a distance of 50 metres from the high water mark, (whichever is the lesser) and to avoid doubt, includes the foreshore within the Harbor of Port Adelaide;
- 6.9 **Harbor of Port Adelaide** has the same meaning as in Schedule 3 of the *Harbors and Navigation Regulations 2009*;
- 6.10 **keep** includes the provision of food or shelter;
- 6.11 **organised sport** means an organised sporting competition including any related training session or match but does not include social play;
- 6.12 **park** means the foreshore, or a park, garden, reserve or other similar public open space within the area of the Council;
- 6.13 **premises** includes land, whether used or occupied for domestic or non-domestic purposes; and
- 6.14 for the purposes of clause 9 of the By-law, a dog is under **effective control by means of a leash** if the dog is secured to a leash, chain or cord that does not exceed 2 metres in length and the leash, chain or cord is either:
- 6.14.1 secured to a fixed object; or
- 6.14.2 held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons.

**Note-**

Section 12 of the *Legislation Interpretation Act 2021* provides that an expression used in this By-law has, unless the contrary intention appears, the same meaning as in the Acts under which the By-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 7.3, a person must not, without Council permission, keep or cause, suffer or permit to be kept, more than two (2) dogs on any premises.
- 7.2 For the purposes of clause 7.1, **dog** means a dog that is three (3) months of age or older or, a dog that has lost its juvenile teeth.
- 7.3 Clause 7.1 does not apply to:
- 7.3.1 approved kennel establishments operating in accordance with all required approvals and consents; or
- 7.3.2 any business involving the keeping of dogs provided that the business is registered in accordance with the *Dog and Cat Management Act 1995* and operating in accordance with all required approvals and consents.
- 7.4 An application for permission to keep an additional dog must be in the form determined by the Council and be accompanied by any information that the Council requires to ensure proper consideration of the application.
- 7.5 Any premises which is the subject of an application for permission to keep additional dogs may be inspected by an authorised person (before the application is determined) for the purpose of assessing the suitability of the premises for housing dogs.
- 7.6 No dog is to be kept on any premises where, in the opinion of an authorised person, there is no secure or appropriate area where a dog may be effectively confined.

**PART 3 – DOG CONTROLS****8. Dog exercise areas**

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

**Note-**

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

**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 assistance dog that is required to remain off-lead in order to fulfil its functions) to be or remain:
- 9.1.1 on Local Government land or foreshore, or public place to which the Council has resolved that this subclause applies (including in accordance with any times specified in any resolution for this purpose); and
- 9.1.2 on any park or reserve during times when organised sport is being played— unless the dog is under effective control by means of a leash.

**10. Dog prohibited areas**

A person must not allow a dog under that person's control, charge or authority (except an assistance dog) to enter or remain on any Local Government land, foreshore, or public place to which the Council has resolved this subclause applies (including in accordance with any times specified in any resolution for this purpose).

**11. Dog faeces**

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

**PART 4 – EXEMPTIONS****12. Council may grant exemptions**

- 12.1 The Council may, by notice in writing, on application or on its own initiative, exempt a person (or a class of persons) from the operation of a specified provision of this By-law.
- 12.2 An exemption:
- 12.2.1 may be granted or refused at the discretion of the Council;
- 12.2.2 may operate indefinitely or for a period specified in the instrument of exemption; and
- 12.2.3 is subject to any conditions specified in the instrument of exemption.
- 12.3 The Council may, by notice in writing, vary, revoke or add a condition of an exemption.
- 12.4 The Council may, in its discretion, revoke an exemption for a contravention of a condition of the exemption, or for any other reason it thinks fit.

**PART 5 – ENFORCEMENT****13. Orders**

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

- 13.1.1 if the conduct is still continuing – to stop the conduct; and  
 13.1.2 whether or not the conduct is still continuing – to take specified action to remedy the contravention.
- 13.2 A person must comply with an order under this clause.
- 13.3 If a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may seek to recover its costs of any action so taken from the person to whom the order was directed (however, an authorised person may not use force against a person).

**Note-**

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

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

This By-law was duly made and passed at a meeting of the City of Port Adelaide Enfield held on **12 July 2022** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MARK WITHERS  
Chief Executive Officer

**CITY OF PORT ADELAIDE ENFIELD  
ANIMAL MANAGEMENT BY-LAW 2022  
By-law No. 6 of 2022**

*A By-law to manage and regulate the keeping of certain animals on residential premises, including for the prevention of nuisances*

**PART 1 – PRELIMINARY**

1. **Title**  
This By-law may be cited as the *Animal Management By-law 2022* and is By-law No. 6 of the City of Port Adelaide Enfield.
2. **Authorising law**  
This By-law is made under section 246 of the Act.
3. **Objectives**  
The objectives of this By-law are to manage the keeping of certain animals in the Council's area:
- 3.1 to promote responsible animal management;
- 3.2 to reduce the incidence of public and environmental nuisance caused by the keeping of those animals;
- 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 and expiry**
- 4.1 This By-law will come into operation four months after the day on which it is published in the Gazette in accordance with section 249(5) of the Act.<sup>1</sup>
- 4.2 This By-law will expire on 1 January 2030.<sup>2</sup>
- Note-**
1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 249(5) of the Act).
2. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.
5. **Application**
- 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2022*.
- 5.2 This By-law applies throughout the Council's area.
6. **Definitions**  
In this By-law:
- 6.1 **Act** means the *Local Government Act 1999*;
- 6.2 **Bee hive** means any structure in which bees of any species, including honeybees are kept;
- 6.3 **Council** means the City of Port Adelaide Enfield;
- 6.4 **keep** in relation to a prescribed animal includes to care, feed, provide shelter for, control or possess that animal, whether on a temporary or permanent basis;
- 6.5 **prescribed animal** means:
- 6.5.1 a rooster that is two (2) months or older;
- 6.6 **premises** includes any land, (whether used or occupied for domestic or non-domestic purposes); and
- 6.7 **residential premises** means premises with a residential land use category within the meaning of *Local Government (General) Regulations 2013*.

**PART 2 – DOMESTIC ANIMAL MANAGEMENT**

7. **Permission required to keep prescribed animal**
- 7.1 A person must not, without the permission of the Council, keep or cause, suffer or permit to be kept, a prescribed animal on:
- 7.1.1 any residential premises; or
- 7.1.2 premises within 100 metres of the boundary of neighbouring residential premises.
- 7.2 The Council (or its delegate) may require that the premises, which are the subject of an application for permission to keep a prescribed animal, are inspected by an authorised person for the purpose of assessing the suitability of the premises for keeping a prescribed animal.
- 7.3 The Council must consider the following matters in determining whether or not to grant permission under subclause 7.1:
- 7.3.1 whether an insanitary condition exists or has existed on the premises as a result of the keeping of animals;
- 7.3.2 whether a nuisance is caused or has been caused to any neighbour as a result of the keeping of the animal on the premises or is likely to be caused;
- 7.3.3 the nature and size of the premises and whether the animal can be adequately contained thereon; or
- 7.3.4 any other matters the Council (or its delegate) considers should be taken into account.

**PART 3 – BEE HIVES**

8. **Limit on number of bee hives**
- 8.1 A person must not, without the permission of the Council, manage, keep or cause, suffer or permit to be kept, more than two (2) bee hives on any premises.
- 8.2 The Council (or its delegate) may require that the premises, which are the subject of an application for permission to keep more than two (2) bee hives, are inspected by an authorised person for the purpose of assessing the suitability of the premises for keeping additional hives.

- 8.3 The Council must consider the following matters in determining whether or not to grant permission under subclause 8.1:
- 8.3.1 whether a nuisance is caused or has been caused, or is likely to be caused, to any neighbour as a result of the keeping of bees on the premises;
- 8.3.2 the nature and size of the premises and proximity to neighbouring premises; or
- 8.3.3 any other matters the Council (or its delegate) considers should be taken into account.

**PART 4 – EXEMPTIONS****9. Council may grant exemptions**

- 9.1 Council may, by notice in writing, on application or on its own initiative, exempt a person (or a class of persons) from the operation of a specified provision of this By-law.
- 9.2 An exemption:
- 9.2.1 may be granted or refused at the discretion of the Council;
- 9.2.2 may operate indefinitely or for a period specified in the instrument of exemption; and
- 9.2.3 is subject to any conditions specified in the instrument of exemption.
- 9.3 The Council may, by notice in writing, vary, revoke or add a condition of an exemption.
- 9.4 The Council may, in its discretion, revoke an exemption for a contravention of a condition of the exemption, or for any other reason it thinks fit.

**PART 5 – ENFORCEMENT****10. Orders**

- 10.1 If a person engages in conduct that is a contravention of this By-law, an authorised person may order that person:
- 10.1.1 if the conduct is still continuing – to stop the conduct; and
- 10.1.2 whether or not the conduct is still continuing – to take specified action to remedy the contravention.
- 10.2 A person must comply with an order under this clause.
- 10.3 If a person does not comply with an order, the authorised person may take action reasonably required to have the order carried out, and the Council may seek to recover its costs of any action so taken from the person to whom the order was directed.

**Note-**

For example, an authorised person may order a person to cease keeping a prescribed animal on that person's premises.

This By-law was duly made and passed at a meeting of the City of Port Adelaide Enfield held on **12 July 2022** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MARK WITHERS  
Chief Executive Officer

**CITY OF PORT ADELAIDE ENFIELD  
WASTE MANAGEMENT BY-LAW 2022  
By-law No. 7 of 2022**

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

**PART 1 – PRELIMINARY**

1. **Title**  
This By-law may be cited as the *Waste Management By-law 2022* and is By-law No. 7 of the City of Port Adelaide Enfield.
2. **Authorising law**  
This By-law is made under sections 238, 239 and 246 of the *Local Government Act 1999*, and regulation 28(b) of the *Local Government (General) Regulations 2014*.
3. **Purpose**  
The objectives of this By-law are:
- 3.1 to prevent and suppress nuisances associated with the storage and collection of domestic waste and other waste;
- 3.2 to prevent damage to Council property and land;
- 3.3 to outline the requirements for the use of Council's domestic kerbside waste collection service;
- 3.4 to protect the convenience, comfort and safety of members of the public;
- 3.5 to enhance the amenity of the Council area; and
- 3.6 for the good rule and government of the 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<sup>1</sup>:
- By-law No. 7 – Waste Management 2015.*<sup>2</sup>
- 4.2 This By-law will expire on 1 January 2030.<sup>3</sup>
- Note-**
1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 249(5) of the Act).
2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.
3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.
5. **Application**
- 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2022*.
- 5.2 This By-law applies throughout the Council's area.
6. **Interpretation**  
In this By-law, unless the contrary intention appears:
- 6.1 **Act** means the *Local Government Act 1999*;
- 6.2 **authorised person** means a person appointed as an authorised person pursuant to section 260 of the Act;
- 6.3 **Council** means the City of Port Adelaide Enfield;
- 6.4 **domestic waste** means any kind of domestic waste generated from residences including, but not limited to, broken crockery, clothing, material, broken and cooking glass items, hoses, polystyrene, ropes, and soft plastics, but excludes building materials, effluent, liquids, metal, rocks, soil, lead acid batteries, wood, any toxic waste and any other waste specified by the Council and noted on its website;
- 6.5 **domestic waste container** means a container for the disposal of domestic waste to be collected by the Council that is approved by the Council (whether or not it is provided by the Council);

- 6.6 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 6.7 **hard waste** means white goods, furniture, mattresses, roofing and fencing iron, bundled pruning's no longer than 2m length and 30cm diameter, broken toys and bikes, electrical items including toasters, TV's and computers, old and unwanted household items; but excludes ammunition, bricks, car bodies, concrete, explosives, gas bottles, liquid waste, large scrap metal, recyclable material that can be disposed of in the kerbside recycling bin and rocks;
- 6.8 **occupier** has the same meaning as in the *Local Government Act 1999*;
- 6.9 **organics container** means a container for the disposal of organic waste to be collected by the Council that is approved by the Council (whether or not it is provided by the Council);
- 6.10 **organic waste** is compostable waste, and includes food waste, garden organic waste, paper towel and tissues;
- 6.11 **permission** means a general permission given by the Council by notification from time to time to occupiers of premises in writing by delivery to letterbox or post box and which may contain conditions to which the grant of permission is subject;
- 6.12 **premises** means premises to which the Council's domestic waste collection service is made available;
- 6.13 **recyclables** means newspapers, magazines, clean paper and cardboard, clean plastic containers of a type specified by the Council, clean tins and cans, clean glass and clean milk and juice containers and any other item specified by the Council and noted on its website;
- 6.14 **recyclables container** means a container for the disposal of recyclables to be collected by the Council that is approved by the Council (whether or not it is provided by the Council);
- 6.15 **road** has the same meaning as in the Act;
- 6.16 **waste** means domestic waste, recyclable, hard waste, organic waste or any other item being disposed of as it is no longer required; and
- 6.17 **waste containers** means domestic waste containers, recyclables containers and green organics containers or any other container used to store waste.

## PART 2 – REGULATION OF WASTE MANAGEMENT ACTIVITIES

7. **Rubbish and waste collection**  
A person must not leave waste on a road or public place for collection by the Council except in accordance with this By-law or otherwise with the permission of the Council.
8. **Waste collection service**  
An occupier of premises may put domestic waste, organic waste and recyclable materials out for collection by the Council or its contractors provided that:
- 8.1 the domestic waste, organic waste and recyclables are contained within a waste container designated for that type of waste and that is approved by the Council;
- 8.2 the number of waste containers placed out for collection does not exceed the number permitted by the Council; and
- 8.3 the domestic waste, organic waste and recyclable materials are placed as required by the Council (including in any location specified by the Council and in accordance with this By-law) and stated on the Council's website or as otherwise notified to the occupier by the Council in writing.
9. **Obligations of occupiers**  
Every occupier of premises must:
- 9.1 **Domestic waste**  
not place, cause, suffer or permit any waste other than domestic waste to be in a domestic waste container;
- 9.2 **Recyclables**  
not place, cause, suffer or permit waste other than recyclables to be in a recyclables container;
- 9.3 **Organics waste**  
not place, cause, suffer or permit waste other than organic waste to be in an organics container;
- 9.4 **Damage**  
immediately arrange for the replacement or repair of a waste container kept on the premises if the same becomes damaged or worn to the extent that:
- 9.4.1 it is not robust or watertight;
- 9.4.2 it is unable to be moved on its wheels efficiently when empty or full;
- 9.4.3 the lid does not seal the container when closed; or
- 9.4.4 its efficiency or use is otherwise impaired;
- 9.5 **Keep container clean**  
cause each waste container kept on the premises to be kept in a clean and sanitary condition, maintained in good order and repair and kept watertight at all times;
- 9.6 **Sealing of container**  
cause each waste container to be continuously and securely covered or sealed except when waste is being deposited in or removed from the container;
- 9.7 **Collecting services**  
facilitate the collection and removal of waste from the premises by ensuring all waste containers containing waste for collection by the Council are placed on the road for collection:
- 9.7.1 on the day appointed by the Council for the collection of waste from those premises or after 4pm the night before (and not before this time); and
- 9.7.2 in a position:
- 9.7.2.1 adjacent to the kerb (not on the carriageway) so that the front of the bin faces the road; and
- 9.7.2.2 as may otherwise be required by the Council (including in any location specified by the Council) and stated on the Council's website or as otherwise notified to the occupier by the Council in writing;
- 9.8 **Removal of container**  
remove all waste containers from the road no later than 11:59pm on the day following the date that the collection of waste has occurred;
- 9.9 **Waste**  
not place any waste container on the road for collection by the Council its agents or contractors unless the waste container contains only the type of waste that is permitted to be disposed of in that waste container; and
- 9.10 **Hard waste**  
not place any Hard Waste on the road for collection by the Council its agents or contractors other than in accordance with any directions issued by the Council and notified to the occupier in writing or specified on the Council's website.

10. **Unlawful interference with waste**  
A person must not, without the Council's permission, take or interfere with any waste that has been left on a road for collection by the Council, its contractors or agents.

**PART 3 – ENFORCEMENT**

11. **Orders**  
If a person fails to comply with an order of an authorised person made pursuant to section 262 of the Act in respect of a breach of this By-law, the Council may seek to recover its costs of any action taken under section 262(3) of the Act from the person to whom the order was directed.
12. **Exemptions**
- 12.1 The restrictions in this By-law do not apply to a Police Officer, emergency worker, Council officer or Council employee acting in the course of and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council officer.
- 12.2 The Council may, by notice in writing, on application or on its own initiative, exempt a person (or a class of persons) from the operation of a specified provision of this By-law.
- 12.3 An exemption:
- 12.3.1 may be granted or refused at the discretion of the Council;
- 12.3.2 may operate indefinitely or for a period specified in the instrument of exemption; and
- 12.3.3 is subject to any conditions specified in the instrument of exemption.
- 12.4 The Council may, by notice in writing, vary, revoke or add a condition of an exemption.
- 12.5 The Council may, in its discretion, revoke an exemption for a contravention of a condition of the exemption, or for any other reason it thinks fit.

This By-law was duly made and passed at a meeting of the City of Port Adelaide Enfield held on 12 July 2022 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MARK WITHERS  
Chief Executive Officer

**CITY OF PORT ADELAIDE ENFIELD  
CARAVANS & CAMPING BY-LAW 2022  
By-law No. 8 of 2022**

*A By-law to regulate camping and the use of caravans in the Council's area*

**PART 1 – PRELIMINARY**

1. **Title**  
This By-law may be cited as the *Caravans & Camping By-law 2022* and is By-law No. 8 of the City of Port Adelaide Enfield.
2. **Authorising law**  
This By-law is made under sections 238 and 246 of the *Local Government Act 1999*, regulation 28 of the *Local Government (General) Regulations 2013*, and section 18A of the *Harbors and Navigation Act 1993*.
3. **Purpose**  
The objectives of this By-law are to regulate camping on Local Government land, roads and foreshore areas:
- 3.1 to prevent and mitigate nuisances;
- 3.2 to prevent damage to Local Government land and roads;
- 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 and expiry**
- 4.1 This By-law will come into operation four months after the day on which it is published in the Gazette in accordance with section 249(5) of the Act.<sup>1</sup>
- 4.2 This By-law will expire on 1 January 2030.<sup>2</sup>
5. **Application**
- 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2022*.
- 5.2 Subject to subclause 5.3, this By-law applies throughout the Council area unless stated otherwise and to foreshore areas within the Harbor of Port Adelaide.
- 5.3 Subclause 7.1.1.2 of this By-law applies throughout the Council area except in such parts of the Council area as the Council may by resolution determine in accordance with section 246(3)(e) of the Act.
- Note-**
1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 249(5) of the Act).
2. 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.
6. **Interpretation**  
In this By-law, unless the contrary intention appears:
- 6.1 **Act** means the *Local Government Act 1999*;
- 6.2 **camp** includes setting up a camp, or causing:
- 6.2.1 a tent or other structure of calico, canvas, plastic or other similar material;
- 6.2.2 a swag or similar bedding; or
- 6.2.3 subject to the *Road Traffic Act 1961*, a caravan, tent trailer, motor home, or other camping vehicle, to remain on land overnight, whether or not any person is in attendance or sleeps on the land;
- 6.3 **Council** means the City of Port Adelaide Enfield;
- 6.4 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 6.5 **foreshore** means land extending:
- 6.5.1 from the low water mark on the seashore in the Council's area to the nearest road or section boundary, or
- 6.5.2 for a distance of 50 metres from the high water mark, (whichever is the lesser) and to avoid doubt includes foreshore areas within the Harbor of Port Adelaide;
- 6.6 **Harbor of Port Adelaide** has the same meaning as in Schedule 3 of the *Harbors and Navigation Regulations 2009*;
- 6.7 **land** means any Local Government land, road or foreshore or part thereof;

- 6.8 **Local Government land** means all land owned by the Council or under the Council's care, control and management;
- 6.9 **road** has the same meaning as in the *Local Government Act 1999*; and
- 6.10 **vehicle** has the same meaning as in the *Road Traffic Act 1961*.
- PART 2 – REGULATION OF CAMPING**
7. **General camping controls**  
A person must not, without permission of the Council, engage in or undertake the following on any land:
- 7.1 **Camping**
- 7.1.1 Camp or sleep overnight except:
- 7.1.1.1 in a caravan park which the proprietor has permission to operate; or
- 7.1.1.2 on any land which the Council has resolved this subclause applies (and thereby designates as a camping area) and only then, in accordance with any conditions determined by resolution of the Council and contained on signage erected on the land or in its vicinity.
- 7.2 **Caravans**  
Subject to clause 7.1, use or occupy, or cause suffer or permit to be used or occupied, any caravan, motorhome or other vehicle on land for or in connection with camping activities, including (but not limited to) washing, cooking and sleeping.
- PART 3 – ENFORCEMENT**
8. **Orders**  
If a person fails to comply with an order of an authorised person made pursuant to section 262 of the Act in respect of a breach of this By-law, the Council may seek to recover its costs of any action taken under section 262(3) of the Act from the person to whom the order was directed.
9. **Exemptions**
- 9.1 The restrictions in this By-law do not apply to a Police Officer, emergency worker, Council officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council officer or in accordance with a direction of a Council officer.
- 9.2 The Council may, by notice in writing, on application or on its own initiative, exempt a person (or a class of persons) from the operation of a specified provision of this By-law.
- 9.3 An exemption:
- 9.3.1 may be granted or refused at the discretion of the Council;
- 9.3.2 may operate indefinitely or for a period specified in the instrument of exemption; and
- 9.3.3 is subject to any conditions specified in the instrument of exemption.
- 9.4 The Council may, by notice in writing, vary, revoke or add a condition of an exemption.
- 9.5 The Council may, in its discretion, revoke an exemption for a contravention of a condition of the exemption, or for any other reason it thinks fit.
10. **Liability of vehicle owners**
- 10.1 For the purposes of this clause 10, **owner** in relation to a vehicle has the same meaning as contained in section 4 of the Act.
- 10.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this By-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This By-law was duly made and passed at a meeting of the City of Port Adelaide Enfield held on 12 July 2022 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

MARK WITHERS  
Chief Executive Officer

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## CITY OF PROSPECT

### *Adoption of Valuation and Declaration of Rates 2022-2023*

NOTICE is hereby given that City of Prospect, at a meeting of Council held on 28 June 2022 for the year ending 30 June 2023 resolved as follows:

#### *Adoption of Valuations*

That the Council of the City of Prospect, pursuant to Section 167 (2) (a) of the *Local Government Act 1999*, adopts valuations of capital value made by the Valuer-General in relation to the area of the Council on 1 July 2022 and specifies that the total of the values that are to apply within the area for rating purposes for the year ending 30 June 2023 is \$8,409,150,600.

#### *Declaration of Differential General Rates*

That the Council of the City of Prospect, pursuant to Sections 152 (1) (a), 153 (1) (b) and 156 (1) (c) of the *Local Government Act 1999*, hereby declares differential general rates on rateable land within the area, which rates vary by reference to the uses of land designated by Regulation 14 of the *Local Government (General) Regulations 2013*.

- (a) Residential: A rate of 0.244030 cents in the dollar on the capital value of such rateable land.
- (b) Commercial—Shop: A rate of 0.648337 cents in the dollar on the capital value of such rateable land.
- (c) Commercial—Office: A rate of 0.648337 cents in the dollar on the capital value of such rateable land.
- (d) Commercial—Other: A rate of 0.648337 cents in the dollar on the capital value of such rateable land.
- (e) Industry—Light: A rate of 0.648337 cents in the dollar on the capital value of such rateable land.
- (f) Industry—Other: A rate of 0.648337 cents in the dollar on the capital value of such rateable land.
- (g) Primary Production: A rate of 0.648337 cents in the dollar on the capital value of such rateable land.
- (h) Vacant Land (Residential Planning Zone): A rate of 0.305037 cents in the dollar on the capital value of such rateable land.
- (i) Vacant Land (Non-Residential Planning Zone): A rate of 0.810421 cents in the dollar on the capital value of such rateable land.
- (j) Other: A rate of 0.648337 cents in the dollar on the capital value of such rateable land.

*Declaration of a Minimum Amount*

That the Council of the City of Prospect, pursuant to Section 158 (1) (a) of the *Local Government Act 1999*, hereby fixes, in respect of the year ending 30 June 2023, a minimum amount of \$1,347 that shall be payable by way of general rates on rateable land within the Council's area.

*Declaration of a Separate Rate (Prospect Village Heart Marketing Fund)*

City of Prospect, pursuant to Sections 154 (1) and 154 (2) (c) of the *Local Government Act 1999*, hereby declares separate rate by fixed charge of \$150.00 on rateable land within Land Uses of 2, 3, 4, 5, 6 and 9 on Prospect Road, Prospect South Australia bordered at the North by Gladstone Road and Alpha Road and the South by Buller Street and Ballville Street.

*Declaration of a Separate Rate (Regional Landscape Levy)*

That pursuant to Section 69 of the *Landscape South Australia Act 2019* and Section 154 of the *Local Government Act 1999*, Council, in order to reimburse to the Council the amount contributed to the Regional Landscape Levy of \$611,946 declares for the year ending 30 June 2023 a separate rate of 0.007438 cents in the dollar on the capital valuation of all rateable properties within the area of the City of Prospect.

*Payment of Rates*

Notice is hereby given that pursuant to Section 181 of the *Local Government Act 1999*, the rates shall be payable in four equal or approximately equal instalments due and payable on 1 September 2022, 1 December 2022, 1 March 2023 and 1 June 2023.

Dated: 28 July 2022

C.WHITE  
Chief Executive Officer

## CITY OF VICTOR HARBOR

*Adoption of Valuation*

NOTICE is hereby given that at the Special Meeting on 13 July 2022 the City of Victor Harbor resolved for the financial year ending 30 June 2023:

1. To adopt the most recent capital valuations provided by the Valuer General for land within the Council area, totaling \$5,593,123,160 for rating purposes for the year ending 30 June 2023.
2. To declare differential general rates as follows:
  - 0.3831 cents in the dollar on rateable land of Category (a) (Residential) and Category (i) (Other)
  - 0.4980 cents in the dollar on rateable land of Category (b) (Commercial-Shop), Category (c) (Commercial-Office) and Category (d) (Commercial-Other)
  - 0.4406 cents in the dollar of rateable land of Category (e) (Industry – Light) and Category (f) (Industry-Other)
  - 0.3448 cents in the dollar of rateable land of Category (g) (Primary Production)
  - 0.5747 cents in the dollar of rateable land of Category (h) (Vacant Land)
3. To impose a fixed charge of \$421 on each separate piece of rateable land within the area of the Council.
4. To declare the separate rate of 0.008446 cents in the dollar on all rateable land in the area of the council and the Hills and Fleurieu Regional Landscape Board.

Dated: 13 July 2022

KAREN ROKICINSKI  
Acting Chief Executive Officer

## ADELAIDE PLAINS COUNCIL

*Adoption of Valuations and Declaration of Rates*

NOTICE is hereby given that the Adelaide Plains Council, at a special meeting held on 11 July 2022, in respect of the financial year ending 30 June 2023, adopted its Annual Business Plan and Budget and made the following decisions:

**Adoption of Valuations**

The Council adopted, for rating purposes, the most recent valuations of the Valuer-General available to the Council of the capital value of land within the Council's area totalling \$2,445,058,340, of which \$2,415,462,421 is the total capital value of rateable land.

**Declaration of Rates and Service Charges***General Rates*

The Council declared differential general rates comprising two components:

- a) one being based on the capital value of rateable land within its area varying according to land use as follows:
  - 0.440940 cents in the dollar on rateable land attributed with a land use category of Residential, Vacant or Other;
  - 0.573182 cents in the dollar on rateable land attributed with a land use category of Commercial Shop, Commercial Office, Commercial Other, Industry Light or Industry Other;
  - 0.400865 cents in the dollar on rateable land attributed with a land use category of Primary Production; and
- b) the other being fixed charge of \$123.20 on all rateable land within its area.

*Kerbside Waste Collection Annual Service Charges*

The Council imposed an annual service charge of \$172.00 per assessment in respect of all land (except vacant land) to which the Council provides or makes available a three-bin waste collection service within the townships of Mallala, Two Wells and Dublin, and an annual service charge of \$172.00 per assessment in respect of all land (except vacant land) to which the Council provides a two-bin waste collection service outside those townships, provided that the sliding scale provided for in regulations will apply to reduce the service charge, as prescribed.



*Community Wastewater Management Annual Service Charges*

The Council imposed annual service charges of the following amounts in respect of all land to which the service of collecting, treating and disposing of wastewater as part of the Council's Community Wastewater Management Systems is provided or made available:

<b>Middle Beach</b>		<b>Mallala Township</b>	
Large tank:	\$456.00	Per Property Connection	\$692.00
Small Tank:	\$456.00		

*Regional Landscape Levy*

The Council declared a separate rate of 0.008204 cents in the dollar on all rateable land within its area and within the area of the Northern and Yorke Landscape Board for the purpose of raising the amount of \$196,863 to reimburse the council for the amount payable to the Northern and Yorke Landscape Board.

*Payment of Rates*

The Council determined all rates and annual service charges shall be due in four equal or approximately equal instalments payable on 2 September 2022, 2 December 2022, 3 March 2023 and 2 June 2023.

Dated: 11 July 2022

JAMES MILLER  
Chief Executive Officer

## THE BAROSSA COUNCIL

*Adoption of Valuation and Declaration of Rates and Charges***1. Adoption of Valuation**

Notice is hereby given that at its special meeting held on 19 July 2022 and in relation to the 2022/2023 Financial Year, Council adopts for rating purposes the Valuer-General's most recent valuations available to the Council of the Capital Value in relation to the area of the Council, which specifies that the total of the values that are to apply within the area is \$6,508,166,100 of which \$6,378,772,972 is rateable.

**2. Declaration of Differential General Rates**

That Council declares the following differential general rates on rateable land within its area for the year ending 30 June 2023, based upon the capital value of the land which rates vary by reference to land use categories as follows:

- (1) Category (a) - Residential, a rate of 0.0032650 in the dollar;
- (2) Category (b) - Commercial – Shop, category (c) - Commercial – Office and category (d) - Commercial – Other, a rate of 0.0050250 in the dollar;
- (3) Category (e) - Industry – Light, a rate of 0.0050500 in the dollar;
- (4) Category (f) - Industry – Other, a rate of 0.0149200 in the dollar;
- (5) Category (g) - Primary Production, a rate of 0.0032350 in the dollar;
- (6) Category (h) - Vacant Land, a rate of 0.0061700 in the dollar;
- (7) Category (i) - Other, a rate of 0.0054810 in the dollar;

**3. Fixed Charge**

That Council declare a fixed charge of \$400.00 on each separately valued piece of rateable land within the Council area for the year ending 30 June 2023.

**4. Waste Collection Service Charge**

That Council provide the service of waste collection in those parts of the Council's area described in (3) below, impose the following service charges by reference to the nature and/or level of usage of the service, for the year ending 30 June 2023:

**(1) Non-recyclable Waste Collection**

- (a) An annual service charge of \$121 for 140L General (Landfill) Waste collection receptacles;
- (b) An annual service charge of \$150 for 240L General (Landfill) Waste collection receptacles;

except in instances where, subject to written application to and the approval of the Council, residential households with six or more permanent residents or a special medical condition may receive a 240L receptacle at the same service charge for a 140L receptacle.

**(2) Recyclable Waste Collection**

- (a) An annual service charge of \$64 for 240L Co-mingled Recycling collection receptacle
- (b) An annual service charge of \$62 for 240L Green Organic Recycling collection receptacle

**(3) Parts of Council Area**

All Service Entitled Properties in the Designated Waste Collection Areas and along the Approved Waste Collection route as identified in the Waste Management Services Policy.

**5. Community Wastewater Management Systems (CWMS) Rate and Service Charge**

That Council impose a service rate and service charge for the year ending 30 June 2023, in the following areas to which Council makes available a Community Wastewater Management System (CWMS):

**1. Lyndoch, Mount Pleasant, Nuriootpa, Penrice, Stockwell, Tanunda and Williamstown – Residential & Vacant Land Properties**

- (a) An annual service charge of \$362 for occupied residential rateable and non-rateable land;
- (b) An annual service charge of \$110 on each assessment of vacant rateable and non-rateable land.

**2. Lyndoch, Mount Pleasant, Nuriootpa, Penrice, Stockwell, Tanunda and Williamstown – Non-Residential & Non-Vacant Land Properties**

A service rate of 0.0011 in the dollar of the capital value of occupied non-residential rateable land.

**3. Springton – Residential & Vacant Land Properties**

- (a) An annual service charge of \$607 (including a capital repayment contribution of \$245) on assessments of occupied residential rateable land and non-rateable land;
- (b) An annual service charge of \$245 on assessments of occupied non-rateable land;
- (c) An annual service charge of \$85 on each assessment of vacant rateable and non-rateable land.

**4. Springton – Non-Residential & Non-Vacant Land Properties**

- (a) A service rate of 0.0011 in the dollar of the capital value of occupied non-residential rateable land.
- (b) An annual service charge of \$245 on assessments of occupied non-rateable land;

**6. Regional Landscape Levy**

That Council for the year ending 30 June 2023 and in order to reimburse the Council for the amount contributed to the Northern and Yorke Landscape Board, a levy in the nature of a separate rate of 0.0000879 in the dollar of the capital value of land, be declared on all rateable land in the area of that Board.

**7. Payment of Rates**

- (1) All rates and charges will be payable in four quarterly instalments due on 13 September 2022, 6 December 2022, 7 March 2023 and 6 June 2023; **provided that** in cases where the initial account requiring payment of rates is not sent at least 30 days prior to these dates, or an amended account is required to be sent, authority to fix the date by which rates must be paid in respect of those assessments affected is hereby delegated to the Chief Executive Officer;
- (2) The Chief Executive Officer be delegated to enter into agreements with ratepayers relating to the payment of rates in any case where the Chief Executive Officer thinks it necessary or desirable to do so;

**8. Residential Rates Cap**

That Council, has determined to fix, on application of the property owner, a maximum increase in general rates (excluding fixed charge) levied upon category (a) land use (Residential) property, for the year ending 30 June 2023 which constitutes the principal place of residence of a principal ratepayer at:

- (a) **7.5%** over and above the general rates levied for the 2021/2022 financial year (for those eligible for a State Government concession on their Council rates including those in receipt of the Cost of Living Concession) or;
- (b) **15%** over and above the general rates levied for the 2021/2022 financial year (for all other such ratepayers), provided that:
- (c) the property has been the principal place of residence of the principal ratepayer since at least 1 July 2021, and;
- (d) the property has not been subject to improvements with a value of more than \$20,000 since 1 July 2021.

**9. Revaluation Initiative General Rates Cap**

That Council has determined to fix an automatic maximum increase in general rates (excluding fixed charge) levied upon a (a) land use (Residential), (b)-(d)(Commercial), (e)(Industry – Light), (f) (Other Industry), (g)(primary production) and (i) (Other) property, for the year ending 30 June 2023 for properties captured or included in the “Revaluation Initiative”:

- 27% over and above the general rates levied for the 2021/2022 financial year on their Council rates, provided that the property ownership is the same principle ratepayer since at least 1 July 2020.

Properties excluded for application of the Revaluation Initiative General Rate Cap:

- 1. If another rate rebate has already been approved by Council, eg, Mandatory or Discretionary or the General Rate Cap; these rebates will override, and/or
- 2. Properties that have been transferred to/from another Local Government Category.
- 3. Any property that has benefited from a reduction in valuation as a consequence of a successful objection to the Valuer-General
- 4. Properties that have been subdivided or other change resulting in a new assessment

Dated: 19 July 2022

MARTIN MCCARTHY  
Chief Executive Officer

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MID MURRAY COUNCIL

*Adoption of Valuation & Declaration of Rates*

Notice is hereby given that on 12 July 2022 Mid Murray Council, pursuant to the provisions of the *Local Government Act 1999*, and for the year ending 30 June 2023 made the following resolutions.

To adopt the most recent valuations of capital value made by the Valuer General for rating purposes totalling the area aggregate \$3,171,452,540.00 of which \$3,089,359,153.00 is the valuation of rateable land.

To declare differential general rates on the capital value of all rateable land within the area, varying according to the use of the land, as follows:-

a. Residential	0.4524 cents in the dollar
b. Commercial – Shop	0.4524 cents in the dollar
c. Commercial – Office	0.4524 cents in the dollar
d. Commercial – Other	0.4524 cents in the dollar
e. Industry – Light	0.4524 cents in the dollar
f. Industry – Other	0.4524 cents in the dollar
g. Primary Production	0.4072 cents in the dollar
h. Vacant Land	0.4524 cents in the dollar
i. Other	0.4524 cents in the dollar
j. Marina Berths	0.4524 cents in the dollar

To fix a minimum amount of \$860.00 payable by way of general rates on rateable land within the Council area.

To declare for Regional Landscape Levy, being \$566,355, a separate rate of 0.01848 cents in the dollar, based on all rateable land in the Council’s area.

To declare a Separate Rate of 37 cents per square metre for Waterfront properties (includes marina berths) and rebate of 65% for Non-waterfront properties (Net 13 cents per square metre) within the Mannum Waters development. The purpose of the Separate Rate is to meet

the costs incurred by Council in financing and purchasing a permanent water entitlement, to assist in meeting Council's evaporation loss obligations under the *Landscape South Australia Act 2019*.

To declare annual service charges in respect of all land to which Council provides or makes available the prescribed service of a Community Wastewater Management System in the following areas:

Big Bend area	\$557.00 per unit
Bowhill area	\$289.00 per unit
Greenways Landing area	\$922.00 per unit
Kroehn's Landing area	\$1,139.00 per unit
Seven Mile Shacks area	\$663.00 per unit
Scrubby Flat area	\$560.00 per unit
Swan Reach area	\$433.00 per unit
Walker Flat area	\$175.00 per unit
North Punyelroo area	\$207.00 per unit
Caloote Landing area	\$363.00 per unit
Bolto Reserve area	\$401.00 per unit
Old Teal Flat area	\$356.00 per unit
The Rocks area	\$976.00 per unit
Caurnamont area	\$347.00 per unit
Five Mile Shacks and Kia Marina areas	\$1,264.00 per unit
Pellaring Flat area	\$457.00 per unit
Blanchetown area	\$267.00 per unit
Brenda Park/Morphett Flat areas	\$285.00 per unit
Marks Landing area	\$298.00 per unit
Scotts Creek area	\$338.00 per unit
Teal Flat area	\$399.00 per unit
Pelican Point area	\$275.00 per unit
South Punyelroo area	\$310.00 per unit
North West Bend/Beaumonts areas	\$176.00 per unit
Idyll Acres area	\$425.00 per unit
Rob Loxton Road area	\$175.00 per unit
Julanker/Youngusband Holdings areas	\$719.00 per unit
Truro area	\$629.00 per unit
Truro area – private pumping chamber	\$609.00 per unit
Truro area – Aerobic Wastewater Treatment	\$314.00 per unit
Cowirra area	\$1,041.00 per unit

To declare an annual service charge in respect of all land to which Council provides the prescribed service of television transmission known as the Bowhill Multi Access Television Transmission Service of \$146.00.

To declare an annual service charge in respect of each property to which Council provides the prescribed service of the treatment or provision of water known as the Bowhill Reticulated Water Supply System:-

Consumption of up to 120 kilolitres of water	\$256.00
All water consumed in excess of 120 kilolitres	75 cents per kilolitre

To declare an annual service charge for the Township Waste Collection (General Waste and Recyclables) Service of \$286.00, based upon the nature of the service, in respect of each residential property within a township to which it makes available.

To declare an annual service charge for the Rural (non-Township) General Waste Collection Service of \$200.00, based upon the nature of the service, in respect of land outside of a township which has a residential or primary production land use and upon which there is a residential dwelling and to which it makes available, noting that where the Service is not provided at the access point to the land, the annual service charge will be adjusted as required by Regulations 13 of the *Local Government (General) Regulations 2013*.

Dated: 12 July 2022

B. F. SCALES  
Chief Executive Officer

## THE DISTRICT COUNCIL OF PETERBOROUGH

### *Adoption of Valuation and Declaration of Rates*

NOTICE is given that the District Council of Peterborough, at the Special Council Meeting held on 25 July 2022, for the financial year ending 30 June 2023 resolved:

### *Adoption of Capital Valuations*

To adopt the most recent capital valuations of the Valuer-General available for rating purposes for its area with total valuations being \$235,627,120 comprising \$231,107,120 in respect of rateable land and \$4,520,000 in respect of non-rateable land.

### *Fixed Charge/Differential General Rates*

To impose a fixed charge of \$390.00 on each piece of separate rateable land and to declare the following differential general rates on all rateable land, by reference to the locality of the land:

Peterborough township	0.67 cents in the dollar
Oodla Wirra township	0.51 cents in the dollar
Yongala township	0.54 cents in the dollar
Rural property	0.275 cents in the dollar

### *Annual Service Charge (Garbage)*

To impose an Annual Service Charge of \$107.50 per Mobile Garbage Bin (Wheelie Bin) in respect of all land (rateable and non-rateable) to which it provides or makes available the service of the collection and disposal of domestic and commercial waste.

*Separate Rates (State Government Landscape SA Levy)*

To declare a separate rate of 0.0157 cents in the dollar to reimburse the Council for the amount of \$34,930 contributed to the Northern and Yorke Landscape Region Board.

*Annual Service Charge (Community Wastewater Management System)*

To impose an Annual Service Charge of \$540.00 per Property Unit upon all land (rateable and non-rateable) to which it provides or makes available the service of the Community Wastewater Management System in the Peterborough township.

Dated: 25 July 2022

STEPHEN RUFUS  
Chief Executive Officer

## WATTLE RANGE COUNCIL

*Adoption of Valuations and Declaration of Rates*

Notice is hereby given that the Wattle Range Council at a meeting held on 12 July 2022 and in relation to the financial year ending 30 June 2023, adopted the 2022-2023 Annual Business Plan and Budget and resolved to:

**1. Valuations**

Pursuant to Section 167(2)(a) of the *Local Government Act 1999*, adopted the valuations that are to apply in its area for rating purposes for the 2022/23 financial year, being the capital valuations of the Valuer General, totalling \$5,773,378,400.

**2. Differential Rates**

Pursuant to Sections 152(1)(c)(i), 153(1)(b) and 156(1)(a) of the *Local Government Act 1999*, declares the following differential general rates on rateable land within its area for the year ending 30 June 2023, based upon the capital value of the land which rates vary by reference to land use categories as per Regulation 14 of the *Local Government (General) Regulations 2013* as follows:

- (a) Residential—a differential rate of 0.3829 cents in the dollar
- (b) Commercial Shop—a differential rate of 0.3525 cents in the dollar
- (c) Commercial Office—a differential rate of 0.3525 cents in the dollar
- (d) Commercial Other—a differential rate of 0.3525 cents in the dollar
- (e) Industry Light—a differential rate of 0.3525 cents in the dollar
- (f) Industry Other—a differential rate of 0.3525 cents in the dollar
- (g) Primary Production—a differential rate of 0.2549 cents in the dollar
- (h) Vacant Land—a differential rate of 0.4969 cents in the dollar
- (i) Other—a differential rate of 0.4969 cents in the dollar

**3. Minimum Rate**

Pursuant to Section 158(1)(a) of the *Local Government Act 1999* declared that the minimum amount payable by way of general rates on rateable land in the Council area is \$610.00.

**4. Service Charges**

Pursuant to Section 155 of the *Local Government Act 1999* imposed the following annual service charges;

(i) *Waste Collection Service*

based on the level of usage of the service, on all land to which the Council provides or makes available the prescribed services of the collection, treatment or disposal of waste via Council's waste management services in respect of each set of bins, or part thereof, provided on the basis that the sliding scale provided for in Regulation 13 of the *Local Government (General) Regulations* will be applied to reduce the service charge payable, as prescribed.

- (a) three bin normal waste, recycling and green organics collection and disposal service of \$334.00; and
- (b) two bin normal waste and recycling collection and disposal service of \$261.00

(ii) *Community Wastewater Management Systems*

based on the nature of the service and varying according to the CWMS Property Units Code in accordance with Regulation 12 of the *Local Government (General) Regulations 1999* on all land in the Townships of Penola, Southend, Kalangadoo and Beachport to which it provides or makes available the Community Wastewater Management Systems being prescribed services for the collection, treatment and disposal of waste.

- (a) Penola, Southend and Kalangadoo—Occupied Unit .....\$667.00
- (b) Penola, Southend and Kalangadoo—Vacant Unit .....\$499.00
- (c) Beachport Occupied Unit .....\$757.00
- (d) Beachport Vacant Unit .....\$568.00

**5. Separate Rates**

Pursuant to Section 69 of the *Landscape South Australia Act 2019* and Section 154 of the *Local Government Act 1999*, in order to reimburse the Council for amounts contributed to the Limestone Coast Landscape Board declared a separate rate based on a fixed charge varying on the basis of land use categories in respect of rateable land in the Council's area.

- (i) \$84.40 per assessment on rateable land categories (a), (h) and (i) (Residential, Vacant and Other);
- (ii) \$122.25 per assessment on rateable land categories (b), (c) and (d) (Commercial Shop, Commercial Office, Commercial Other);
- (iii) \$195.20 per assessment on rateable land categories (e) and (f) (Industry Light and Industry Other);
- (iv) \$353.30 per assessment on rateable land category (g) (Primary Production).

**5. Payment of Rates**

Pursuant to Section 181 of the *Local Government Act 1999*, rates for the year ending 30 June 2023 will fall due in four equal or approximately equal instalments on 14 September 2022, 7 December 2022, 8 March 2023 and 7 June 2023.

Dated: 28 July 2022

BEN GOWER  
Chief Executive Officer

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## PUBLIC NOTICES

### SALE OF PROPERTY

#### *Warrant of Sale*

Auction Date: Saturday, 20 August 2022 at 11:00am

Location: 41 Gawler River Road, Willaston, South Australia

Notice is hereby given that on the above date at the time and place stated, by virtue of the Warrant of Sale issued out of the Magistrates Court of South Australia, Action No. 749 of 2020 directed to the Sheriff of South Australia in an action wherein Roy and Jillian Hussey are the Applicants and Tanya Meola and Jamie Trevena are the Respondents, I Angela Gransden, Sheriff of the State of South Australia, will by my auctioneer, Inwood Real Estate, make sale of the estate, right, title or interest whatsoever it may be of the Respondent, Jamie Ryan Trevena the registered proprietor of an estate in fee simple in the following:

That piece of land situated in the area named Willaston, being 41 Gawler River Road, Willaston, Hundred of Mudla Wirra, being the property comprised in Certificate of Title Register Book Volume 5787 Folio 787.

Further particulars from the auctioneers:

Richard Inwood  
Inwood Real Estate  
134 Melrose Street  
Mt Pleasant SA 5235

Telephone 0428 606 420

Dated: 21 July 2022

ANGELA GRANSDEN  
Sheriff of the State of South Australia

### TRUSTEE ACT 1936

#### PUBLIC TRUSTEE

#### *Estates of Deceased Persons*

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

BRICE Ruth Aileen late of 56 Monmouth Road Westbourne Park of no occupation who died 10 February 2022

DERMODY Norma Joyce late of 77 Seaview Road Port Augusta of no occupation who died 5 April 2022

GILL Lorna Marion late of 10 Morton Road Christie Downs of no occupation who died 26 March 2022

HEINRICH Alexander late of 7 Raymond Grove Glenelg retired tannery hand who died 3 February 2022

MAXWELL George late of 578-580 Brighton Road South Brighton of no occupation who died 01 May 2021

MULLIGHAN Ruth Mavis late of 47 Eve Road Bellevue Heights of no occupation who died 5 May 2022

OWEN Clive Edward late of 1-3 Charles Street West Lakes Retired fitter and turner who died 31 March 2022

PYKE Iris late of 17 Morrow Avenue Evanston Park Retired secretary who died 22 March 2022

READ Peter Charles late of 150 Reynell Road Woodcroft Retired Clerk who died 19 January 2022

Notice is hereby given pursuant to the *Trustee Act 1936*, the *Inheritance (Family Provision) Act 1972* and the *Family Relationships Act 1975* that all creditors, beneficiaries, and other persons having claims against the said estates are required to send, in writing, to the office of Public Trustee at GPO Box 1338, Adelaide, 5001, full particulars and proof of such claims, on or before the 26 August 2022 otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons indebted to the said estates are required to pay the amount of their debts to the Public Trustee or proceedings will be taken for the recovery thereof; and all persons having any property belonging to the said estates are forthwith to deliver same to the Public Trustee.

Dated: 28 July 2022

N. S. RANTANEN  
Public Trustee

# NOTICE SUBMISSION

The South Australian Government Gazette is published each Thursday afternoon.

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

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

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

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

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

## **Please provide the following information in your email:**

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

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