



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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GOVERNOR'S INSTRUMENTS

APPOINTMENTS, RESIGNATIONS AND GENERAL MATTERS

Department of the Premier and Cabinet
Adelaide, 24 April 2024

His Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the Superannuation Funds Management Corporation of South Australia Board, pursuant to the provisions of the Superannuation Funds Management Corporation of South Australia Act 1995:

Director: from 24 April 2024 until 23 April 2025
Paul Alexander Kenneth Laband

By command,

KATRINE ANNE HILDYARD, MP
For Premier

T&F24/026CS

Department of the Premier and Cabinet
Adelaide, 24 April 2024

His Excellency the Governor's Deputy in Executive Council has determined that eligible members of the Superannuation Funds Management Corporation of South Australia Board and its subcommittees, being those members who are eligible for remuneration according to the terms of Premier and Cabinet Circular PC016, are entitled to remuneration, allowances and expenses, effective from 24 April 2024 - pursuant to the Superannuation Funds Management Corporation of South Australia Act 1995.

By command,

KATRINE ANNE HILDYARD, MP
For Premier

T&F24/026CS

STATE GOVERNMENT INSTRUMENTS

EDUCATION AND CHILDREN'S SERVICES REGULATIONS 2020

Notice of Policy by the Minister for Education, Training and Skills

PURSUANT to Regulation 12(1) of the *Education and Children's Services Regulations 2020*, I, the Minister for Education, Training and Skills publish the following Capacity Management Plan in relation to the enrolment of a child of compulsory school age at Morialta Secondary College:

CAPACITY MANAGEMENT PLAN

Morialta Secondary College

This Capacity Management Plan sets out the conditions for enrolment at Morialta Secondary College ("the school") effective for the enrolment of a child to attend in 2025.

Morialta Secondary College zone

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

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

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

Student Enrolment Numbers

As a new school, Morialta Secondary College will have a progressive enrolment process. This process will introduce a new Year 7 cohort at the start of each school year, beginning in 2023 until the school has all year levels in 2028. In 2025, Morialta Secondary College will have offerings of Year 7-Year 9.

Year 7

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

Inclusive Learning Community

The Inclusive Learning Community at Morialta Secondary College includes special options classes and a disability unit, providing facilities for students requiring adjustments to engage and learn alongside their similar aged peers.

Disability Unit

Placement in the disability unit is determined through the department's state-wide Special Education Options panel process. The placement of students in the disability unit must align with the school's progressive enrolment process, which includes **year 7-year 9** enrolments in **2025**.

In **2025**, the school can cater for a maximum of **4** students in the disability unit.

Special Options Classes

Placement in the special options class is determined through the department's state-wide Special Education Options panel process. The placement of students in the special options class must align with the school's progressive enrolment process, which includes **year 7-year 9** enrolments in **2025**.

In **2025**, the school's special options class can cater for a maximum of **12** students.

International Education Program

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

Enrolment Criteria—By Year Level

YEAR LEVEL: 7

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

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

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

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

Families who move into the school zone, or who are already living in the school zone but lodge their application for enrolment after the department's registration of interest process is completed (end of term 2), will have their applications considered if or when vacancies exist.

In these cases, applications will be considered based on the distance of the child's residence from the school and any other personal needs, such as curriculum, transportation/location convenience, and social/family links to the school.

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

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

Applications for Year 7 from students living outside the secondary campus zone with siblings currently at the secondary campus

There is no automatic entry to the school for Year 7 students who live outside the school's zone and have siblings who currently attend the school, however they will be considered for enrolment if places are available.

Enter for Success Year 7 students

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

YEAR LEVELS: 8 and 9**Applications for year 8 and 9 from students living inside the secondary campus school zone**

Applications for enrolment from parents of prospective students living in the secondary campus school zone will be considered if or when vacancies exist, with priority consideration afforded to those applicants already on the enrolment register.

In these cases, applications will be considered based on siblings at the secondary campus, the distance of the child's residence from the secondary campus and any other personal needs, such as curriculum, transportation/location convenience, and social/family links.

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

If no vacancies exist the applicant will be encouraged to remain at their current high school, or the school will support the family to enrol at a neighbouring school and upon request, the applicant will be placed on the enrolment register.

YEAR LEVEL: 10 to 12

Applications for enrolment in year levels 10 to 12 will not be accepted for **2025**.

The applicant will be encouraged to remain at their current school or the school will support the family to enrol at a neighbouring school.

OUT OF ZONE APPLICATIONS

There is no automatic entry to the school for any year level for students who live outside of the school's zone and have siblings who attend the school, however they will be considered for enrolment if places are available.

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

*Enrolment Criteria—General***Special Circumstances**

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

*Enrolment Process***Enrolment Register**

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

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

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

Monitoring and enforcement

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

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

The Principal is responsible for the implementation of this Capacity Management Plan.

This Capacity Management Plan will be reviewed annually.

Dated: 18 April 2024

HON BLAIR BOYER MP
Minister for Education, Training and Skills

EDUCATION AND CHILDREN'S SERVICES REGULATIONS 2020

Notice of Revocation of Policy by the Minister for Education, Training and Skills

PURSUANT to Regulation 12(3) of the *Education and Children's Services Regulations 2020*, I, the Minister for Education, Training and Skills revoke the Morialta Secondary College Capacity Management Plan, published in the Gazette on 31 August 2023.

Dated: 18 April 2024

BLAIR BOYER
Minister for Education, Training and Skills

ELECTORAL ACT 1985

Results of the By-election for the House of Assembly District of Dunstan

THE Writ for the election of a member of the House of Assembly Districts of Dunstan was issued on 16 February 2024. Polling took place on Saturday, 23 March 2024, and the Writ was returned on Friday, 5 April 2024.

The results of the by-election are as follows:

District: Dunstan
Elected Candidate: O'HANLON, Cressida
Affiliation: Australian Labor 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 Dunstan.

DISTRICT OF DUNSTAN: FINAL VOTES AFTER DISTRIBUTION OF PREFERENCES OF EXCLUDED CANDIDATES

Candidate	Number	Percentage	Affiliation
O'HANLON, Cressida (elected)	10,914	50.8%	Australian Labor Party
FINIZIO, Anna	10,554	49.2%	Liberal Party

Dated: 25 April 2024

M. SHERRY
Electoral Commissioner

ENVIRONMENT PROTECTION ACT 1993

SECTION 68

Approval of Category B Containers

I, NICHOLAS STEWART, Team Leader, Container Deposit Legislation and Delegate of the Environment Protection Authority (the Authority), pursuant to Section 68 of the *Environment Protection Act 1993* (SA) (the Act) hereby:

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

- (a) the product which each class of containers shall contain;
 - (b) the size of the containers;
 - (c) the type of containers;
 - (d) the name of the holders of these approvals.
1. That containers of the class to which the approval relates must bear the refund marking specified by the Authority for containers of that class. The Authority specifies the following refund markings for Category B containers:
 - (1) "10c refund at collection depots when sold in SA"; or
 - (2) "10c refund at SA/NT collection depots in State/Territory of purchase"; or
 - (3) "10c refund at collection depots/points in participating state/territory of purchase".
 2. The holder of the approval must have in place an effective and appropriate waste management arrangement in relation to containers of that class. For the purpose of this approval notice the company named in column 5 of Schedule 1 of this Notice is the nominated super collector.
 3. In the case of an approval in relation to category B containers that the waste management arrangement must require the holder of the approval to provide specified super collectors with a declaration in the form determined by the Authority in relation to each sale of such containers by the holder of the approval as soon as practicable after the sale;
 4. The holder of these approvals must ensure that if a sticker bearing the refund marking has been approved, and is applied to the container, then the sticker must not be placed on any portion of the opening mechanism or in any other place that would require complete or partial removal of the sticker before the contents may be consumed.

Dated: 24 April 2024

NICHOLAS STEWART
Team Leader, Container Deposit Legislation
Delegate of the Environment Protection Authority

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size	Container Type	Approval Holder	Collection Arrangements
Schweppes Classic Bitter Lemon Premium Mixers	1,100ml	PET	Asahi Beverages Pty Ltd	Statewide Recycling
Schweppes Gelato Messina Passionfruit Lemonade Flavour	1,100ml	PET	Asahi Beverages Pty Ltd	Statewide Recycling
Schweppes Gelato Messina Passionfruit Lemonade Flavour	600ml	PET	Asahi Beverages Pty Ltd	Statewide Recycling
Schweppes Gelato Messina Peach & Mango Flavour	1,100ml	PET	Asahi Beverages Pty Ltd	Statewide Recycling
Schweppes Gelato Messina Pineapple & Lime Flavour	1,100ml	PET	Asahi Beverages Pty Ltd	Statewide Recycling
Solo Original Lemon	275ml	Aluminium	Asahi Beverages Pty Ltd	Statewide Recycling
Sunkist Orange	275ml	Aluminium	Asahi Beverages Pty Ltd	Statewide Recycling
BigM Limited Edition Pine Lime Flavour	600ml	LPB— Gable Top	BDD Australia Pty Ltd	Marine Stores Ltd
BigM Limited Edition Salted Caramel Popcorn Flavoured Milk	500ml	PET	BDD Australia Pty Ltd	Marine Stores Ltd
Dairy Farmers Classic Pink Marshmallow Flavoured Milk	500ml	PET	BDD Australia Pty Ltd	Marine Stores Ltd
Dairy Farmers Classic Salted Caramel Popcorn Flavoured Milk	500ml	PET	BDD Australia Pty Ltd	Marine Stores Ltd
Dare Intense Espresso Robusta & Arabica Coffee	500ml	PET	BDD Australia Pty Ltd	Marine Stores Ltd
Dare Intense Espresso Robusta & Arabica Coffee	300ml	PET	BDD Australia Pty Ltd	Marine Stores Ltd
Dare Oat Milk Dairy Free Double Espresso Robusta & Arabica Coffee	400ml	PET	BDD Australia Pty Ltd	Marine Stores Ltd
Dare Oat Milk Dairy Free Mocha Robusta & Arabica Coffee	400ml	PET	BDD Australia Pty Ltd	Marine Stores Ltd
Beechworth Honey Honey + Ginger	750ml	Glass	Beechworth Honey Pty Ltd	Statewide Recycling
Beechworth Honey Honey + Lemon	250ml	Glass	Beechworth Honey Pty Ltd	Statewide Recycling
Beechworth Honey Honey + Lemon	750ml	Glass	Beechworth Honey Pty Ltd	Statewide Recycling
Beechworth Honey Honey Nectar	750ml	Glass	Beechworth Honey Pty Ltd	Statewide Recycling
Beechworth Honey Honey Nectar	250ml	Glass	Beechworth Honey Pty Ltd	Statewide Recycling
Beechworth Honey Honey+ Ginger	250ml	Glass	Beechworth Honey Pty Ltd	Statewide Recycling
Beer No Evil The Delirium Trigger Hazy IIPA	375ml	Aluminium	Beernoevil Pty Ltd	Marine Stores Ltd
Beer No Evil Tiny Fish Brew Co A Tiny Bit Evil IIPA	375ml	Aluminium	Beernoevil Pty Ltd	Marine Stores Ltd
Beer No Evil x Six Twelve Brewing Head Crusher Triple WC IIPA	375ml	Aluminium	Beernoevil Pty Ltd	Marine Stores Ltd

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size	Container Type	Approval Holder	Collection Arrangements
Billson's Beechworth Bad Apple Double Vodka	250ml	Aluminium	Billson's Beverages Pty Ltd	Statewide Recycling
Billson's Beechworth Galaxy Wet Hop IPA	355ml	Aluminium	Billson's Beverages Pty Ltd	Statewide Recycling
Billson's Beechworth Imperial Stout	355ml	Aluminium	Billson's Beverages Pty Ltd	Statewide Recycling
Billson's Beechworth Wildberry Double Vodka	250ml	Aluminium	Billson's Beverages Pty Ltd	Statewide Recycling
Gluttony Still Water	450ml	Aluminium	Bluesky Beverages Pty Ltd	Statewide Recycling
Savvy Brain Boost+ Lemon Lime Zero Sugar	330ml	Aluminium	Bright Idea Nutrition Pty Ltd	Marine Stores Ltd
Savvy Brain Boost+ Mixed Berry Zero Sugar	330ml	Aluminium	Bright Idea Nutrition Pty Ltd	Marine Stores Ltd
Savvy Brain Boost+ Passionfruit Zero Sugar	330ml	Aluminium	Bright Idea Nutrition Pty Ltd	Marine Stores Ltd
Campari Soda	98ml	Glass	Campari Australia Pty Ltd	Statewide Recycling
Espolon Sparkling Margarita Tequila Cocktail	330ml	Aluminium	Campari Australia Pty Ltd	Statewide Recycling
Espolon Sparkling Paloma Tequila Cocktail	330ml	Aluminium	Campari Australia Pty Ltd	Statewide Recycling
Coca Cola K Wave Zero Sugar Cola	250ml	Aluminium	Coca-Cola Europacific Partners Australia	Statewide Recycling
Fanta Zero Sugar Raspberry	300ml	PET	Coca-Cola Europacific Partners Australia	Statewide Recycling
Kirks Lemonade	330ml	Glass	Coca-Cola Europacific Partners Australia	Statewide Recycling
Kirks Orange	375ml	Aluminium	Coca-Cola Europacific Partners Australia	Statewide Recycling
Kirks Pasito Passionfruit Flavour	330ml	Glass	Coca-Cola Europacific Partners Australia	Statewide Recycling
Monster Energy Taurine + Zero Sugar + Guarana	500ml	Aluminium	Coca-Cola Europacific Partners Australia	Statewide Recycling
Monster Energy Taurine + Zero Sugar + Guarana Ultra Peachy Keen	500ml	Aluminium	Coca-Cola Europacific Partners Australia	Statewide Recycling
Powerade Grape Zero Sugar ION4	600ml	PET	Coca-Cola Europacific Partners Australia	Statewide Recycling
Pump Watermelon Hit	750ml	PET	Coca-Cola Europacific Partners Australia	Statewide Recycling
Alani Energy Drink Dream Float Flavour	355ml	Aluminium	Congo Brands Australia Pty Ltd	Marine Stores Ltd
Prime Hydration Strawberry Banana Flavour	500ml	PET	Congo Brands Australia Pty Ltd	Marine Stores Ltd
Kirkland Signature Coconut Water	414ml	PET	Costco Wholesale Australia Pty Ltd	Statewide Recycling
Nutrigen Daily Probiotic Lychee	125ml	HDPE	Costco Wholesale Australia Pty Ltd	Statewide Recycling
Nutrigen Daily Probiotic Red Dragon Fruit	125ml	HDPE	Costco Wholesale Australia Pty Ltd	Statewide Recycling
One Soul Smoothie Greenie Apple Peach Mango Kiwi	250ml	Glass	Costco Wholesale Australia Pty Ltd	Statewide Recycling
The Man Shake Fuel Chocolate	375ml	PET	Cranky Health Pty Ltd	Statewide Recycling
The Man Shake Fuel Iced Coffee	375ml	PET	Cranky Health Pty Ltd	Statewide Recycling
Desperados Original Beer	330ml	Glass	DBG Australia Pty Ltd t/as Drinkworks	Marine Stores Ltd
Tiger Lager Beer	640ml	Glass	DBG Australia Pty Ltd t/as Drinkworks	Marine Stores Ltd
Tiger Soju Infused Lager Gutsy Grape	320ml	Aluminium	DBG Australia Pty Ltd t/as Drinkworks	Marine Stores Ltd
Gordons Premium Pink Gin & Soda Double 6%	375ml	Aluminium	Diageo Australia Ltd	Statewide Recycling
Smirnoff Hard Soda Vodka Black Raspberry 6%	330ml	Aluminium	Diageo Australia Ltd	Statewide Recycling
Smirnoff Ice Double Black Raspberry Crush 6.5%	375ml	Aluminium	Diageo Australia Ltd	Statewide Recycling
Smirnoff Soda Vodka Strawberry & Kiwi 3.5%	330ml	Aluminium	Diageo Australia Ltd	Statewide Recycling
OxyShred Energy Juicy Watermelon Zero Sugar	355ml	Aluminium	EHP Holdings Pty Ltd	Statewide Recycling
OxyShred Ultra Energy ECTO Freeze No Sugar	355ml	Aluminium	EHP Holdings Pty Ltd	Statewide Recycling
OxyShred Ultra Energy Frosty Big Apple No Sugar	355ml	Aluminium	EHP Holdings Pty Ltd	Statewide Recycling
Eclectic Brewing Campbelltownner Session Ale	375ml	Aluminium	Eclectic Brewing	Statewide Recycling
Eclectic Brewing Delicieux Hazy DDH IPA	375ml	Aluminium	Eclectic Brewing	Statewide Recycling
Eclectic Brewing Jeepney Mango Cream Ale	375ml	Aluminium	Eclectic Brewing	Statewide Recycling
Eclectic Brewing Kaos Amber Ale	375ml	Aluminium	Eclectic Brewing	Statewide Recycling
Eclectic Brewing Kayak Sea of Tranquility Pale Ale	375ml	Aluminium	Eclectic Brewing	Statewide Recycling
Fruitage by Rodenbach	330ml	Aluminium	Endeavour Group Limited	Marine Stores Ltd
Mishka Distilled Vodka	350ml	PET— Bottle with Aluminium Lid	Endeavour Group Limited	Marine Stores Ltd
Nelson County Kentucky Bourbon	350ml	PET— Bottle with Aluminium Lid	Endeavour Group Limited	Marine Stores Ltd
Sushi Sushi Bubble Tea Lychee Flavour + Lychee Popping Pearls	250ml	LDPE	Entyce Food Ingredients P/L	Statewide Recycling
Sushi Sushi Bubble Tea Mango Flavour + Mango Popping Pearls	250ml	LDPE	Entyce Food Ingredients P/L	Statewide Recycling
Sushi Sushi Bubble Tea Peach Flavour + Strawberry Popping Pearls	250ml	LDPE	Entyce Food Ingredients P/L	Statewide Recycling
Fever Tree Lime & Yuzu Soda Zesty & Fresh	250ml	Aluminium	Fever-Tree AUS	Statewide Recycling
Fever Tree Pink Grapefruit Soda Bright & Zesty	250ml	Aluminium	Fever-Tree AUS	Statewide Recycling
Fever Tree Premium Ginger Beer Strong & Spicy	250ml	Aluminium	Fever-Tree AUS	Statewide Recycling
Fever Tree Sicilian Lemon Soda Juicy & Zesty	250ml	Aluminium	Fever-Tree AUS	Statewide Recycling
Fever Tree Wild Raspberry & Rhubarb Tonic Water Delicate & Fruity	150ml	Aluminium	Fever-Tree AUS	Statewide Recycling
Gangurru Seltzer Native Lime & Strawberry	375ml	Aluminium	Gangurru Beverages Pty Ltd	Statewide Recycling
Gangurru Seltzer Native River Mint & Watermelon	375ml	Aluminium	Gangurru Beverages Pty Ltd	Statewide Recycling
Alchemy & Tonic Blood Orange & Bitters Soda	250ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size	Container Type	Approval Holder	Collection Arrangements
Alchemy & Tonic Grapefruit & Thyme Tonic Water	600ml	Glass	Global Endeavours Australia Pty Ltd	Statewide Recycling
Alchemy & Tonic Grapefruit & Thyme Tonic Water	250ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling
Alchemy & Tonic Hibiscus Pink Lemonade	250ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling
Alchemy & Tonic Indian Tonic Water	250ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling
Alchemy & Tonic Indian Tonic Water	600ml	Glass	Global Endeavours Australia Pty Ltd	Statewide Recycling
Alchemy & Tonic Rhubarb & Smashed Mandarin Tonic	600ml	Glass	Global Endeavours Australia Pty Ltd	Statewide Recycling
Alchemy & Tonic Rhubarb & Smashed Mandarin Tonic	250ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling
Alchemy & Tonic Sonic Light Indian Tonic Water	250ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling
Alchemy & Tonic Yuzu & Lemongrass Tonic	250ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling
Club Sola Sparkling Pineapple And Chilli Margarita	250ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling
Club Sola Sparkling The Classic Margarita	250ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling
Club Sola Sparkling Watermelon And Lime Margarita	250ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling
No Ordinary Ice Tea Bay of Plenty Raspberry	330ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling
No Ordinary Ice Tea Hawke's Bay Peach	330ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling
No Ordinary Ice Tea Passionfruit	330ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling
Sammies Creaming Soda A Kiwi Fizzer	330ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling
Sammies Golden Crush A Kiwi Fizzer	330ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling
Sammies Tropical Punch A Kiwi Fizzer	330ml	Aluminium	Global Endeavours Australia Pty Ltd	Statewide Recycling
Cane Juice Co Sugarcane Juice	330ml	Aluminium	H2coco Pty Ltd	Statewide Recycling
H2coco Young Green Coconut Water & Lychee	500ml	Aluminium	H2coco Pty Ltd	Statewide Recycling
Hakushika Hana Kohaku Plum	300ml	Glass	JFC Australia Co Pty Ltd	Marine Stores Ltd
Hakushika Hana Kohaku Sakuranbo Cherry	300ml	Glass	JFC Australia Co Pty Ltd	Marine Stores Ltd
Hakushika Hana Kohaku Yuzu & Hyuganatsu Orange	300ml	Glass	JFC Australia Co Pty Ltd	Marine Stores Ltd
Hakushika Sake Sparkling	720ml	Glass	JFC Australia Co Pty Ltd	Marine Stores Ltd
Hakutsuru Blanc	720ml	Glass	JFC Australia Co Pty Ltd	Marine Stores Ltd
Meiri Syurui Non-Alc Umeshu Hyakunen Zero	500ml	Glass	JFC Australia Co Pty Ltd	Marine Stores Ltd
Nippon Ninja Lager Non-Alcoholic	350ml	Aluminium	JFC Australia Co Pty Ltd	Marine Stores Ltd
Pokka Aloe Vera Juice Drink with Pulp Bits Peach	300ml	Aluminium	JFC Australia Co Pty Ltd	Marine Stores Ltd
Sangaria Hajikete Grape Soda	250ml	Aluminium	JFC Australia Co Pty Ltd	Marine Stores Ltd
Jiva Lightly Sparkling Water Bright Focus	300ml	Glass	Jiva Products Pty Ltd	Marine Stores Ltd
Jiva Lightly Sparkling Water Daily Greens	300ml	Glass	Jiva Products Pty Ltd	Marine Stores Ltd
Jiva Lightly Sparkling Water Hydration Boost	300ml	Glass	Jiva Products Pty Ltd	Marine Stores Ltd
Jiva Lightly Sparkling Water Hydration Boost Watermelon Cucumber Electrolytes	300ml	Glass	Jiva Products Pty Ltd	Marine Stores Ltd
Jump Ship Brewing Pig Face Raspberry And Lemon Seltzer	375ml	Aluminium	Jump Ship Brewing	Statewide Recycling
KIB Kangaroo Island Brewery 2023 Ginger Beer	330ml	Glass	Kangaroo Island Brewery	Statewide Recycling
KIB Kangaroo Island Brewery Amber Ale	650ml	Glass	Kangaroo Island Brewery	Statewide Recycling
KIB Kangaroo Island Brewery Coastal Lager	375ml	Aluminium	Kangaroo Island Brewery	Statewide Recycling
KIB Kangaroo Island Brewery Double IPA	375ml	Aluminium	Kangaroo Island Brewery	Statewide Recycling
KIB Kangaroo Island Brewery Premium Pale	375ml	Aluminium	Kangaroo Island Brewery	Statewide Recycling
KIB Kangaroo Island Brewery Sheoak Stout	650ml	Glass	Kangaroo Island Brewery	Statewide Recycling
KIB Kangaroo Island Brewery Sparkling Ale	375ml	Aluminium	Kangaroo Island Brewery	Statewide Recycling
KIB Kangaroo Island Brewery XP Lager	375ml	Aluminium	Kangaroo Island Brewery	Statewide Recycling
Byron Bay Brewery Ultra Zero Carb Lager	330ml	Glass	Lion Beer Spirits & Wine Pty Ltd	Marine Stores Ltd
Castlemaine Brewery XXXX Ultra Zero Carb	330ml	Glass	Lion Beer Spirits & Wine Pty Ltd	Marine Stores Ltd
James Squire Limited Edition XPA	330ml	Glass	Lion Beer Spirits & Wine Pty Ltd	Marine Stores Ltd
Little Creatures The Hotchkiss Six Domestic Stout	375ml	Aluminium	Lion Beer Spirits & Wine Pty Ltd	Marine Stores Ltd
Stone & Wood Stone Beer 2024 Vintage Release	375ml	Aluminium	Lion Beer Spirits & Wine Pty Ltd	Marine Stores Ltd
Tooheys Ultra Zero Carb	330ml	Glass	Lion Beer Spirits & Wine Pty Ltd	Marine Stores Ltd
Pure Origin Tasmanian Pink Gin & Soda	250ml	Aluminium	Liquorland Australia Pty Ltd	Statewide Recycling
Cocobella Hydrate Raspberry	500ml	PET	Made Brands Pty Ltd	Statewide Recycling
Cocobella Hydrate Tropical	500ml	PET	Made Brands Pty Ltd	Statewide Recycling
Yomilk Grape Flavoured Dairy Drink	80ml	HDPE	Manassen Foods Australia Pty Ltd	Statewide Recycling
A&W Root Beer Zero	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
A&W Zero Creme Soda	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Americana Huckleberry	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Arizona All Natural Kiwi Strawberry Fruit Juice Cocktail	680ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Arizona Black & White Iced Tea with Ginseng & Honey	680ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Arizona Fruit Punch Fruit Juice Cocktail	680ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size	Container Type	Approval Holder	Collection Arrangements
Arizona Iced Tea with Cranberry Juice	680ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Arizona Orangeade With All Natural Flavors	680ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Arizona RX Energy Herbal Tonic	680ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Arizona Red Apple Green Tea with Ginseng & Apple Juice	680ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Arizona Southern Style Sweet Tea	680ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Brooklyn Cherry Juicy Rickey Sparkling Cherry Lime	695ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Brownie Caramel Cream Root Beer	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Cactus Cooler Orange Pineapple Soda	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Canada Dry Bold Ginger Ale Caffeine Free	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Canada Dry Ginger Ale	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Canada Dry Ginger Ale and Lemonade	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Canada Dry Ginger Ale and Raspberry Lemonade	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Canada Dry Zero Sugar Ginger Ale	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Candy Can Sparkling Birthday Cake Drink Zero Sugar	330ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Candy Can Sparkling Bubble Gum Zero Sugar	330ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Candy Can Sparkling Cotton Candy Drink Zero Sugar	330ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Candy Can Sparkling Marsh Mallow Zero Sugar	330ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Candy Can Sparkling Rocket Ice Lolly Drink Zero Sugar	330ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Candy Can Sparkling Sour Apple Drink Zero Sugar	330ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Candy Cane Soda Peppermint	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Coca Cola Cherry Vanilla	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Coca Cola Refresco	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Crush Grape	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Crush Peach	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Crush Strawberry	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Dr Jekylls Pepper Elixir	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Dr Pepper & Cream Soda	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Dr Pepper & Cream Soda Zero sugar	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Dr Pepper & Strawberry & Cream	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Dr Pepper 10 2 4	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Dr Pepper Cherry Zero Sugar	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Dr Pepper Dark Berry Jurassic World Limited Edition	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Dr Pepper Dark Berry Zero Sugar Jurassic World Limited Edition	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Dr Pepper Zero Sugar	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Fanta Peach	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Fanta Pineapple & Grapefruit	330ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Fanta Zero Sugar Mystery Flavour	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Fentimans Apple and Blackberry	275ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Fentimans Cherry Cola	275ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Fentimans Curiosity Cola	275ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Fentimans Dandelion & Burdock	275ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Fentimans Ginger Beer	275ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Fentimans Lemon Shandy	275ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Fentimans Mandarin And Seville Orange Jigger	275ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Fentimans Rose Lemonade	275ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Fentimans Sparkling Raspberry	275ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Fentimans Victorian Lemonade	275ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Frostie Blue Cream Soda	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Frostie Cherry Limeade Soda	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Frostie Concord Grape Soda	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Frostie Diet Root Beer	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Frostie Orange Soda	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Frostie Root Beer	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Frostie Strawberry Soda	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Frostie Strawberry Watermelon Soda	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Frostie Vanilla Root Beer	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Goody Berry Cream	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Hawaiian Punch Fruit Juicy Red	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Julmust Holiday Soda	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Marvel Super LXR Acai Blueberry	473ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Marvel Super LXR Citrus Lemon Lime	473ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Marvel Super LXR Dragon Fruit Watermelon	473ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Marvel Super LXR Peach Mango	473ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Medio Litro Coca Cola	500ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Mega Sour Blue Raspberry Brain Licker	500ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Mega Sour Strawberry Brain Licker	500ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Mtn Dew Baja Blast	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size	Container Type	Approval Holder	Collection Arrangements
Mtn Dew Baja Caribbean Splash	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Mtn Dew Baja Passionfruit Punch	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Mtn Dew Diet	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Mtn Dew Energy Orange Breeze	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Mtn Dew Major Melon	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Mtn Dew Pitch Black	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Mtn Dew Spark Raspberry Lemonade	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Mtn Dew Thrashed Apple	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Mtn Dew Voo Dew Mystery Flavor Soda	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
O-So Key Lime	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Pumpkin Spice Tonic	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Salem Sisters Bad Apple	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Sipping Cherry Cola Spider Venom	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Sunkist Berry Lemonade	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Sunkist Cherry Limeade	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Sunkist Grape	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Sunkist Mango Orange	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Sunkist Orange	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Sunkist Strawberry	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Sunkist Strawberry Lemonade	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Sunkist Watermelon Lemonade	355ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Twix Iced Coffee Milk	237ml	Aluminium	Manna Confectionery Pty Ltd	Statewide Recycling
Vimto	500ml	PET	Manna Confectionery Pty Ltd	Statewide Recycling
Vimto Blackberry Raspberry & Blueberry No Added Sugar	500ml	PET	Manna Confectionery Pty Ltd	Statewide Recycling
Wicked Apple Brew	355ml	Glass	Manna Confectionery Pty Ltd	Statewide Recycling
Arcana Chocolate Bochet Meddlesome Meadery Mead	375ml	Glass	Meddlesome Meadery	Statewide Recycling
Mismatch Brewing Co Hazy Lager	375ml	Aluminium	Mighty Craft Operations Pty Ltd	Statewide Recycling
Mismatch Brewing Co IPA Super Pine	500ml	Aluminium	Mighty Craft Operations Pty Ltd	Statewide Recycling
Mismatch Brewing Co Lagerita	375ml	Aluminium	Mighty Craft Operations Pty Ltd	Statewide Recycling
Nudie Coco Juice Apple Mixed Berries & Coconut Water	400ml	PET	Monde Nissin Australia Pty Ltd T/As Nudie Foods	Statewide Recycling
Nudie Coco Juice Pear Orange Pineapple Passionfruit & Coconut Water	400ml	PET	Monde Nissin Australia Pty Ltd T/As Nudie Foods	Statewide Recycling
Nudie Coco Juice Pear Pineapple Lemon & Coconut Water	400ml	PET	Monde Nissin Australia Pty Ltd T/As Nudie Foods	Statewide Recycling
Nudie Nothing But Watermelon Crush Watermelon Pear Lychee Lime	400ml	PET	Monde Nissin Australia Pty Ltd T/As Nudie Foods	Statewide Recycling
Hachii Super Freeze Artic Lemon Vodka & Soda 9%	350ml	Aluminium	Monta Group Holdings Pty Ltd	Statewide Recycling
Hachii Super Freeze Bold Mandarin Vodka & Soda 9%	350ml	Aluminium	Monta Group Holdings Pty Ltd	Statewide Recycling
Hachii Super Freeze Sparkling Grape Vodka & Soda 9%	350ml	Aluminium	Monta Group Holdings Pty Ltd	Statewide Recycling
Musclenation EBT Energy Drink Summer Kick Zero Sugar	500ml	Aluminium	Muscle Nation Supplements Pty Ltd	Statewide Recycling
Musclenation Energy Drink Lemon Crush Zero Sugar	500ml	Aluminium	Muscle Nation Supplements Pty Ltd	Statewide Recycling
Musclenation Energy Drink Mango Passion Zero Sugar	500ml	Aluminium	Muscle Nation Supplements Pty Ltd	Statewide Recycling
Musclenation Energy Drink Raspberry Lemonade Zero Sugar	500ml	Aluminium	Muscle Nation Supplements Pty Ltd	Statewide Recycling
Musclenation Sparkling Protein Water Citrus Crush Zero Sugar	330ml	Aluminium	Muscle Nation Supplements Pty Ltd	Statewide Recycling
Musclenation Sparkling Protein Water Strawberry Apple Zero Sugar	330ml	Aluminium	Muscle Nation Supplements Pty Ltd	Statewide Recycling
Nedds Choccy Milk	500ml	PET	Nedds Milk Pty Ltd	Marine Stores Ltd
Nedds Iced Coffee	500ml	PET	Nedds Milk Pty Ltd	Marine Stores Ltd
Nexus Super Protein + Sparkling Energy Sour Grape	355ml	Aluminium	Nexus Sports Nutrition Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Better Soda Cherry Cola	330ml	Aluminium	Nexba Beverages Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Better Soda Creaming Soda	330ml	Aluminium	Nexba Beverages Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Better Soda Passionfruit	330ml	Aluminium	Nexba Beverages Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Better Soda Raspberry Kiwi	330ml	Aluminium	Nexba Beverages Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Calm Sparkling Nootropic Blueberry	330ml	Glass	Nexba Beverages Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Detox Sparkling Nootropic Cranberry Apple	330ml	Glass	Nexba Beverages Pty Ltd	Statewide Recycling
Nexba Naturally Sugar Free Kombucha Ginger & Lemon	330ml	Glass	Nexba Beverages Pty Ltd	Statewide Recycling
Nippys Fruitylicious Pineapple Juice	375ml	PET	Nippys Fruit Juices Pty Ltd	Statewide Recycling

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size	Container Type	Approval Holder	Collection Arrangements
Aqua Peak Natural Australian Spring Water	600ml	PET	Nu Pure Beverages	Statewide Recycling
Aquench Pure Aussie Spring Water	1,500ml	PET	Nu Pure Beverages	Statewide Recycling
Aquench Pure Aussie Spring Water	600ml	PET	Nu Pure Beverages	Statewide Recycling
Coles Australian Natural Spring Water	1,500ml	PET	Nu Pure Beverages	Statewide Recycling
Nu Pure Spring Water	350ml	PET	Nu Pure Beverages	Statewide Recycling
The Good Stuff Aussie Spring Water Mini	250ml	PET	Nu Pure Beverages	Statewide Recycling
The Good Stuff Lightly Sparkling Aussie Spring Water	500ml	PET	Nu Pure Beverages	Statewide Recycling
Woolworths Pure Australian Spring Water Mini	250ml	PET	Nu Pure Beverages	Statewide Recycling
Superboost Energy Grape Low Sugar	500ml	PET	Our Purpose Co Pty Ltd T/As Superboost Performance	Marine Stores Ltd
Superboost Immunity Strawberry Banana Low Sugar	500ml	PET	Our Purpose Co Pty Ltd T/As Superboost Performance	Marine Stores Ltd
Jameson Irish Whiskey & Cola	330ml	Aluminium	Pernod Ricard Winemakers Pty Ltd	Marine Stores Ltd
Jameson Irish Whiskey Dry & Lime	330ml	Aluminium	Pernod Ricard Winemakers Pty Ltd	Marine Stores Ltd
Pikes Beer Co Hard Lemonade	375ml	Aluminium	Pikes Beer Company Pty Ltd	Statewide Recycling
Pikes Beer Co Limited Release Barrel-Aged Smoked Rye Stout	375ml	Aluminium	Pikes Beer Company Pty Ltd	Statewide Recycling
Prancing Pony Brewery Hop Water Sparkling	375ml	Aluminium	Prancing Pony Brewery Pty Ltd	Statewide Recycling
FLIPPA Orange Juice	250ml	Aluminium	Quest Beverages	Statewide Recycling
AMAYA Ice Tea White Peach Flavoured	500ml	PET	Refresco Australia Pty Ltd	Flagcan Distributors
AMAYA Ice Tea Yuzu Flavoured	500ml	PET	Refresco Australia Pty Ltd	Flagcan Distributors
Glee Sours Blue Lemon Flavoured Sparkling Fruit Juice	250ml	Aluminium	Refresco Australia Pty Ltd	Flagcan Distributors
P&N Cranberry 25% Fruit Drink	1,000ml	PET	Refresco Australia Pty Ltd	Flagcan Distributors
P&N Sparkling Apple Juice	750ml	Glass	Refresco Australia Pty Ltd	Flagcan Distributors
Remedy Kombucha Organic Lemonade No Sugar	250ml	Aluminium	Remedy Kombucha Pty Ltd	Marine Stores Ltd
Remedy Organic Kombucha Ginger Pear No Sugar	750ml	Glass	Remedy Kombucha Pty Ltd	Marine Stores Ltd
Remedy Organic Kombucha Pineapple Lime No Sugar	250ml	Aluminium	Remedy Kombucha Pty Ltd	Marine Stores Ltd
Remedy Organic Kombucha Pomegranate No Sugar	750ml	Glass	Remedy Kombucha Pty Ltd	Marine Stores Ltd
Remedy Sodaly Pineapple No Sugar	250ml	Aluminium	Remedy Kombucha Pty Ltd	Marine Stores Ltd
Remedy Sodaly Yuzu Lemon No Sugar	250ml	Aluminium	Remedy Kombucha Pty Ltd	Marine Stores Ltd
Shapeshifter Brewing Co Divide By Zero Barrel Aged Stout	440ml	Aluminium	Shapeshifter Brewing Company Pty Ltd	Statewide Recycling
Shapeshifter Brewing Co Fast And Furious Hazy Pale	440ml	Aluminium	Shapeshifter Brewing Company Pty Ltd	Statewide Recycling
Shapeshifter Brewing Co Hoodie Weather Oatmeal Stout	440ml	Aluminium	Shapeshifter Brewing Company Pty Ltd	Statewide Recycling
Shapeshifter Brewing Co Low and Slow Hazy Pale	440ml	Aluminium	Shapeshifter Brewing Company Pty Ltd	Statewide Recycling
Shapeshifter Brewing Co Make Your Move Dark Lager	375ml	Aluminium	Shapeshifter Brewing Company Pty Ltd	Statewide Recycling
Shapeshifter Brewing Co Pivot Point Chocolate Stout	440ml	Aluminium	Shapeshifter Brewing Company Pty Ltd	Statewide Recycling
Shapeshifter Brewing Co Sticky Icky Key Lime Pie Hard Lemonade	440ml	Aluminium	Shapeshifter Brewing Company Pty Ltd	Statewide Recycling
Shapeshifter Brewing Co The Craic Irish Stout	440ml	Aluminium	Shapeshifter Brewing Company Pty Ltd	Statewide Recycling
Snow Monkey Sake Sparkling Lemon & Yuzu	330ml	Aluminium	Slades Beverages Pty Ltd	Statewide Recycling
Snow Monkey Sake Sparkling Passionfruit & Yuzu	330ml	Aluminium	Slades Beverages Pty Ltd	Statewide Recycling
Grind Espresso Shot Double Espresso Coffee Liqueur	50ml	PET	Southtrade International Pty Ltd	Statewide Recycling
Hard Fizz Extra Strength Orange	330ml	Aluminium	Southtrade International Pty Ltd	Statewide Recycling
Straight Up Green Apple No Sugar	330ml	Aluminium	Straight Up Energy	Statewide Recycling
Straight Up Mango Passionfruit No Sugar	330ml	Aluminium	Straight Up Energy	Statewide Recycling
Straight Up Watermelon Pineapple No Sugar	330ml	Aluminium	Straight Up Energy	Statewide Recycling
StrangeLove Lo-Cal Soda The Passionfruit	300ml	Glass	StrangeLove Beverage Co Pty Ltd	Flagcan Distributors
Warheads Sour Grape Soda	355ml	Aluminium	Sweet Season Pty Ltd	Marine Stores Ltd
Berry Beautiful Smoothie	500ml	PET	Tharos Corporation Pty Ltd & Empros Corporation Pty Ltd	Statewide Recycling
Big Green Energy	500ml	PET	Tharos Corporation Pty Ltd & Empros Corporation Pty Ltd	Statewide Recycling
Choc Gainz Smoothie	500ml	PET	Tharos Corporation Pty Ltd & Empros Corporation Pty Ltd	Statewide Recycling
Cold Press Beet Bomb	500ml	PET	Tharos Corporation Pty Ltd & Empros Corporation Pty Ltd	Statewide Recycling
Cold Press Juice Detox	500ml	PET	Tharos Corporation Pty Ltd & Empros Corporation Pty Ltd	Statewide Recycling
Cold Press Juice Something Green	500ml	PET	Tharos Corporation Pty Ltd & Empros Corporation Pty Ltd	Statewide Recycling

Column 1	Column 2	Column 3	Column 4	Column 5
Product Name	Container Size	Container Type	Approval Holder	Collection Arrangements
Cold Press Juice Spring Kick	500ml	PET	Tharos Corporation Pty Ltd & Empros Corporation Pty Ltd	Statewide Recycling
Cold Pressed Apple & Ginger Juice	500ml	PET	Tharos Corporation Pty Ltd & Empros Corporation Pty Ltd	Statewide Recycling
Cold Pressed Watermelon	500ml	PET	Tharos Corporation Pty Ltd & Empros Corporation Pty Ltd	Statewide Recycling
Vanilla Happy Gut Smoothie	500ml	PET	Tharos Corporation Pty Ltd & Empros Corporation Pty Ltd	Statewide Recycling
Spritz Abstinence Sparkling Blood Orange Aperitivo Alcohol Free	300ml	Aluminium	The Curious Spirit Pty Ltd	Statewide Recycling
Spritz Abstinence Sparkling Lemon Aperitivo Alcohol Free	300ml	Aluminium	The Curious Spirit Pty Ltd	Statewide Recycling
La Trappe Trappist Blond	330ml	Glass	The Tetley's Company Pty Ltd	Statewide Recycling
La Trappe Trappist Quadrupel	330ml	Glass	The Tetley's Company Pty Ltd	Statewide Recycling
Hawthorn Juice	310ml	Aluminium	The Trustee for LYSH family Trust	Marine Stores Ltd
Ryde Energy Shot Tropical	60ml	Bottle— Aluminium	The Water Street Collective Limited	Statewide Recycling
Ryde Focus Shot Orange	60ml	Bottle— Aluminium	The Water Street Collective Limited	Statewide Recycling
Ryde Relax Shot Raspberry	60ml	Bottle— Aluminium	The Water Street Collective Limited	Statewide Recycling
Tiny Fish Brew Co IPA	375ml	Aluminium	Tiny Fish Brew Co	Statewide Recycling
Tiny Fish Brew Co Imperial Stout	375ml	Aluminium	Tiny Fish Brew Co	Statewide Recycling
Tiny Fish Brew Co Lager	375ml	Aluminium	Tiny Fish Brew Co	Statewide Recycling
Travla Australian Lager Full Strength Low Carb	375ml	Aluminium	Travla Pty Ltd	Statewide Recycling
Vitis Virgin Spritzer Naturally Alcohol Free Adelaide Hills	750ml	Glass	Vitis Drinks Pty Ltd	Flagcan Distributors
Vitis Virgin Spritzer Naturally Alcohol Free Adelaide Hills	250ml	Aluminium	Vitis Drinks Pty Ltd	Flagcan Distributors
Vitis Virgin Spritzer Naturally Alcohol Free Fleurieu Peninsula	250ml	Aluminium	Vitis Drinks Pty Ltd	Flagcan Distributors
Vitis Virgin Spritzer Naturally Alcohol Free Fleurieu Peninsula	750ml	Glass	Vitis Drinks Pty Ltd	Flagcan Distributors
Vodka Pro Protein Vodka Seltzer Lime & Soda Cocktails by Vok Blue Lagoon	330ml 2,000ml	Aluminium Cask— cardboard box & PE/Metal/ Polyester bag	Vodka Pro Pty Ltd Vok Beverages Pty Ltd	Statewide Recycling Statewide Recycling
Cocktails by Vok Lime Mojito	2,000ml	Cask— cardboard box & PE/Metal/ Polyester bag	Vok Beverages Pty Ltd	Statewide Recycling
Cocktails by Vok Long Island	2,000ml	Cask— cardboard box & PE/Metal/ Polyester bag	Vok Beverages Pty Ltd	Statewide Recycling
Cocktails by Vok Passion Martini	2,000ml	Cask— cardboard box & PE/Metal/ Polyester bag	Vok Beverages Pty Ltd	Statewide Recycling
Cocktails by Vok Pina Colada	2,000ml	Cask— cardboard box & PE/Metal/ Polyester bag	Vok Beverages Pty Ltd	Statewide Recycling
Mocktails by Vok Peach Daiquiri Non Alcoholic	250ml	Aluminium	Vok Beverages Pty Ltd	Statewide Recycling
Mocktails by Vok Raspberry Mojito Non Alcoholic	250ml	Aluminium	Vok Beverages Pty Ltd	Statewide Recycling
Five Eleven Distilling Hard Lemonade	375ml	Aluminium	W & A Reid Pty Ltd	Marine Stores Ltd
YF Smoothie Mango Banana Kale Spinach Pineapple Apple + Vitamin C Give Me Greens	350ml	PET	Youjuice Pty Ltd	Statewide Recycling
YF Smoothie Strawberry Raspberry Banana Apple + Vitamin C Berry Bliss	350ml	PET	Youjuice Pty Ltd	Statewide Recycling
YJ Youjuice Orange Apple Pineapple Beetroot + Vitamin C Ruby Refresh	350ml	PET	Youjuice Pty Ltd	Statewide Recycling
YJ Youjuice Pineapple Papaya Lime Carrot Apple + Vitamin C Paradise Punch	350ml	PET	Youjuice Pty Ltd	Statewide Recycling
Youfoodz Coffee Iced Caramel Latte	250ml	Aluminium	Youjuice Pty Ltd	Statewide Recycling
Youfoodz Coffee Iced Mocha Latte	250ml	Aluminium	Youjuice Pty Ltd	Statewide Recycling

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
13 Mary Crescent, Newton, SA 5074 “This property has been flagged on SAILIS as a clandestine drug laboratory”	Allotment 66, Deposited Plan 7833, Hundred of Adelaide	CT 5326/155	\$0.00
28 McInerney Avenue, Mitchell Park, SA 5043	Allotment 4, Deposited Plan 32938, Hundred of Adelaide	CT 5421/794	\$277.50
9 Holmes Street, Port Adelaide, SA 5015	Allotment 272, Deposited Plan 3, Hundreds of Port Adelaide and Yatala	CT 5589/931	\$0.00

Dated: 24 April 2024

CRAIG THOMPSON
Housing Regulator and Registrar
Housing Safety Authority
Delegate of the 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
359 Salt Creek Road, Stanley, SA 5415 (AKA Section 274, Merildin-Farrell Flat Road, Farrell Flat)	Section 274, Hundred Plan 231300, Hundred of Stanley	CT2543/164, CT5360/74
42 Gilles Street, Adelaide, SA 5000	Lot 7, Community Plan 21438, Hundred of Adelaide	CT 5882/73
177 South Road, Ridleyton, SA 5008	Allotment 14, Filed Plan 121461, Hundred of Yatala	CT 5221/548

Dated: 24 April 2024

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

LOCAL GOVERNMENT (ELECTIONS) ACT 1999

CITY OF ONKAPARINGA

Supplementary Election—Nominations Received

AT the close of nominations at 12 noon on Thursday, 18 April 2024, the following people have been accepted as candidates and are listed below in the order in which they will appear on the ballot paper.

Pimpala Ward Councillor—1 Vacancy

McMAHON, Simon
DE JONGE, Rob
NIELSEN, Mark
SIMATOS, Alexander
PIVNIK, Sofia
O'BRIEN, Michael John
RAYMOND, Krystal
BROWN, Danika Rose
KUMAR, Deepak
CAVAIUOLO, Dominic
DAVIS, Kim

Campaign Disclosure Returns

Candidates must lodge the following returns with the Electoral Commissioner:

- Campaign donation return
 - Return no. 1—lodgement from Thursday, 25 April to Thursday, 2 May 2024
 - Return no. 2—within 30 days of the conclusion of the election
- Large gift return
 - Return lodgement within 5 days after receipt, only required for gifts in excess of \$2,500

Detailed information about candidate disclosure return requirements can be found at www.ecsa.sa.gov.au.

Voting Conducted by Post

The election is conducted entirely by post and no polling booths will be open for voting. Ballot papers and reply-paid envelopes are mailed out between Tuesday, 7 May and Monday, 13 May 2024 to every person, body corporate and group listed on the voters roll at the close of rolls on Thursday, 29 February 2024. Voting is voluntary.

A person who has not received voting material by Wednesday, 22 May 2024, and believes they are entitled to vote, should contact the deputy returning officer on 1300 655 232 before 5pm, Monday, 27 May 2024.

Completed voting material must be sent to reach the returning officer no later than 12 noon on polling day, Monday, 3 June 2024.

Assisted Voting

Prescribed electors under Section 41A(8) of the *Local Government (Elections) Act 1999*, may vote via the telephone assisted voting method by calling the Electoral Commission on:

- 1300 655 232 within South Australia only
- 08 7424 7400 from interstate
- +61 8 7424 7400 from overseas

The Telephone Assisted Voting Centre will operate for the following times and days:

- 9am-5pm, Wednesday, 29 May to Friday, 31 May 2024
- 9am-12 noon, Monday, 3 June 2024 (close of voting)

Vote Counting Location

The scrutiny and count will take place from 9am on Tuesday, 4 June 2024 at the following location:

- Electoral Commission SA temporary office
 - Ground floor, 81-95 Waymouth Street, Adelaide

A provisional declaration will be made at the conclusion of the election count.

Dated: 24 April 2024

MICK SHERRY
Returning Officer

LOCAL GOVERNMENT (ELECTIONS) ACT 1999**TATIARA DISTRICT COUNCIL***Supplementary Election—Nominations Received*

AT the close of nominations at 12 noon on Thursday, 18 April 2024, the following people have been accepted as candidates and are listed below in the order in which they will appear on the ballot paper.

Area Councillor—1 Vacancy

BROWN, Debbie
GOLDING, Tiffany
WENDT, Ruben
FIELKE, Gavin

Campaign Disclosure Returns

Candidates must lodge the following returns with the Electoral Commissioner:

- Campaign donation return
 - Return no. 1—lodgement from Thursday, 25 April to Thursday, 2 May 2024
 - Return no. 2—within 30 days of the conclusion of the election
- Large gift return
 - Return lodgement within 5 days after receipt, only required for gifts in excess of \$2,500

Detailed information about candidate disclosure return requirements can be found at www.ecsa.sa.gov.au

Voting Conducted by Post

The election is conducted entirely by post and no polling booths will be open for voting. Ballot papers and reply-paid envelopes are mailed out between Tuesday, 7 May and Monday, 13 May 2024 to every person, body corporate and group listed on the voters roll at the close of rolls on Thursday, 29 February 2024. Voting is voluntary.

A person who has not received voting material by Wednesday, 22 May 2024, and believes they are entitled to vote, should contact the deputy returning officer on 1300 655 232 before 5pm, Monday, 27 May 2024.

Completed voting material must be sent to reach the returning officer no later than 12 noon on polling day, Monday, 3 June 2024.

Assisted Voting

Prescribed electors under Section 41A(8) of the *Local Government (Elections) Act 1999*, may vote via the telephone assisted voting method by calling the Electoral Commission on:

- 1300 655 232 within South Australia only
- 08 7424 7400 from interstate
- +61 8 7424 7400 from overseas

The Telephone Assisted Voting Centre will operate for the following times and days:

- 9am-5pm, Wednesday, 29 May to Friday, 31 May 2024
- 9am-12 noon, Monday, 3 June 2024 (close of voting)

Vote Counting Location

The scrutiny and count will take place from 9am on Wednesday, 5 June 2024 at the following location:

- Electoral Commission SA temporary office
 - Ground floor, 81-95 Waymouth Street, Adelaide

A provisional declaration will be made at the conclusion of the election count.

Dated: 24 April 2024

MICK SHERRY
Returning Officer

LOCAL GOVERNMENT INSTRUMENTS

CITY OF ADELAIDE

LOCAL GOVERNMENT ACT 1999: SECTION 123

Annual Business Plans and Budgets Draft 2024/25 Business Plan and Budget for Public Consultation

The City of Adelaide is consulting on its Draft 2024/25 Business Plan and Budget.

Pursuant to the provisions of Section 123 of the *Local Government Act 1999*, the City of Adelaide is required to conduct public consultation on its Draft 2024/25 Business Plan and Budget before it can be formally adopted.

A copy of the Draft 2024/25 Business Plan and Budget will be available for inspection at the Council's principal office (25 Pirie Street, Adelaide SA 5000), and at its libraries and community centres.

For further information on the consultation process or to provide feedback you can visit yoursay.cityofadelaide.com.au at any time, or Council's principal office, its libraries and community centres during ordinary office hours.

Consultation is open from Friday, 26 April 2024.

A Public Hearing will be held during the meeting of Council on Tuesday, 14 May 2024 at 5:30pm at Adelaide Town Hall.

All submissions on the Draft 2024/25 Business Plan and Budget must be received by midnight, Sunday, 19 May 2024.

Dated: 24 April 2024

MICHAEL SEDGMAN
Acting Chief Executive Officer

CORPORATION OF THE TOWN OF WALKERVILLE

Selection of Road Names Policy

NOTICE is hereby given that at its meeting on 15 April 2024, the Corporation of the Town of Walkerville resolved to adopt an updated Selection of Road Names Policy pursuant to Section 219 of the *Local Government Act 1999*.

A copy of this policy is available for inspection on Council's website, www.walkerville.sa.gov.au or at the Council Office, 66 Walkerville Terrace, Gilberton.

Written comment to be received no later than 5:00pm, 23 May 2024 via walkerville@walkerville.sa.gov.au or PO Box 55, Walkerville 5081.

Dated: 25 April 2024

ANDREW MACDONALD
Chief Executive Officer

BARUNGA WEST COUNCIL

LOCAL GOVERNMENT ACT 1999

Declaration of a Separate Rate—Fisherman Bay Plumbing Connections

NOTICE is hereby given that in accordance with Section 154(2)(b) of the *Local Government Act 1999*, Council, at its meeting held on 9 April 2024, resolved to declare a separate rate on a proportional basis calculated with reference to the works required to be undertaken on owners land at Fisherman Bay to connect their property to the Community Wastewater Management System. Ratepayers will repay Council the full cost of works, including associated costs and interest, over 4 years (16 instalments) commencing July 2024.

List of Properties to which the Separate Rate applies:

Assess No.	Quarterly Separate Rate	Total Separate Rate
A12542	\$298.70	\$4,779.33
A14550	\$292.02	\$4,672.40
A11752	\$291.74	\$4,667.99
A12281	\$281.00	\$4,496.01
A13495	\$255.50	\$4,088.12
A14758	\$235.52	\$3,768.43
A14429	\$281.34	\$4,501.52
A13742	\$283.89	\$4,542.31
A13530	\$295.81	\$4,733.03
A10809	\$319.24	\$5,107.84
A11027	\$261.70	\$4,187.34
A11293	\$293.74	\$4,699.96
A14352	\$285.13	\$4,562.16
A14348	\$442.57	\$7,081.14
A10994	\$383.66	\$6,138.59
A14154	\$301.46	\$4,823.42
A14334	\$175.85	\$2,813.75
A12849	\$357.82	\$5,725.19
A11275	\$303.18	\$4,850.98
A10827	\$276.17	\$4,418.84
A13427	\$230.49	\$3,687.95
A12655	\$210.03	\$3,360.54
A15697	\$194.53	\$3,112.50
A11081	\$267.56	\$4,281.04
A14960	\$279.62	\$4,473.96

Assess No.	Quarterly Separate Rate	Total Separate Rate
A11766	\$268.94	\$4,303.09
A14217	\$296.84	\$4,749.56
A13445	\$278.24	\$4,451.92
A13904	\$268.94	\$4,303.09
A12231	\$334.05	\$5,344.86
A12277	\$285.82	\$4,573.18
A13201	\$122.53	\$1,960.49
A11356	\$256.54	\$4,104.66
A13328	\$441.53	\$7,064.60
A12885	\$292.71	\$4,683.42
A14726	\$236.28	\$3,780.55
A13166	\$270.04	\$4,320.73
A12966	\$407.43	\$6,518.92
A13526	\$279.62	\$4,473.96
A11491	\$280.31	\$4,484.99
A14249	\$326.13	\$5,218.08
A11978	\$395.03	\$6,320.48
A13558	\$275.48	\$4,407.82
A11342	\$401.23	\$6,419.70
A12772	\$173.86	\$2,781.78
A14843	\$282.10	\$4,513.65
A14091	\$255.16	\$4,082.61
A13922	\$282.37	\$4,518.06
A13918	\$267.91	\$4,286.56
A11095	\$254.47	\$4,071.59
A14415	\$430.16	\$6,882.71
A11126	\$293.81	\$4,701.06
A12100	\$236.21	\$3,779.45
A13346	\$395.03	\$6,320.48
A12182	\$303.53	\$4,856.50
A10976	\$270.45	\$4,327.34
A13819	\$283.41	\$4,534.60
A12605	\$378.49	\$6,055.91
A13021	\$150.43	\$2,406.96
A12920	\$436.37	\$6,981.92
A13396	\$176.96	\$2,831.39
A14695	\$305.18	\$4,882.95
A13477	\$306.28	\$4,900.59
A14681	\$440.50	\$7,048.07
A14578	\$432.37	\$6,917.98
A13625	\$279.27	\$4,468.45
A11306	\$182.47	\$2,919.58
A12259	\$229.32	\$3,669.21
A14483	\$281.34	\$4,501.52
A12330	\$310.28	\$4,964.53
A13788	\$377.32	\$6,037.17
A12029	\$262.39	\$4,198.36
A14019	\$287.54	\$4,600.74
A14730	\$287.20	\$4,595.23
A12209	\$296.15	\$4,738.54
A12740	\$386.76	\$6,188.20
A33138	\$306.14	\$4,898.39
A12970	\$386.76	\$6,188.20
A10700	\$337.15	\$5,394.47
A14889	\$236.62	\$3,786.07
A36607	\$284.44	\$4,551.13
A14370	\$236.56	\$3,784.96
A11176	\$253.44	\$4,055.05
A11540	\$267.91	\$4,286.56
A13873	\$250.34	\$4,005.44
A11685	\$282.65	\$4,522.47
A14596	\$250.82	\$4,013.16
A12803	\$281.13	\$4,498.22
A11784	\$293.40	\$4,694.44
A13099	\$264.25	\$4,228.13
A13378	\$256.88	\$4,110.17
A14299	\$294.43	\$4,710.98
A14122	\$323.16	\$5,170.68
A14776	\$264.46	\$4,231.44
A12853	\$272.04	\$4,352.70
A14023	\$397.09	\$6,353.56

Assess No.	Quarterly Separate Rate	Total Separate Rate
A11392	\$487.14	\$7,794.39
A35641	\$269.97	\$4,319.63
A14465	\$262.88	\$4,206.08
A11536	\$274.24	\$4,387.98
A14861	\$330.60	\$5,289.74
A13639	\$287.54	\$4,600.74
A12132	\$357.27	\$5,716.37
A11699	\$238.97	\$3,823.55
A14564	\$315.45	\$5,047.21
A12736	\$269.97	\$4,319.63
A13972	\$328.54	\$5,256.67
A11289	\$291.12	\$4,658.06
A12227	\$175.92	\$2,814.85
A10796	\$405.50	\$6,488.05
A11900	\$195.22	\$3,123.52
A13085	\$268.59	\$4,297.58
A13936	\$307.73	\$4,923.74
A14956	\$237.59	\$3,801.50
A13760	\$248.96	\$3,983.40
A14794	\$260.33	\$4,165.29
A12506	\$297.88	\$4,766.10
A13463	\$193.49	\$3,095.96

Dated: 22 April 2024

MAREE WAUCHOPE
Chief Executive Officer

**DISTRICT COUNCIL OF KIMBA
PERMITS AND PENALTIES BY-LAW 2024
By-law No. 1 of 2024**

A By-law to provide for a permit system, to fix maximum penalties in Council by-laws, and to clarify the construction of by-laws.

PART 1 – PRELIMINARY

- 1. Title**
This By-law may be cited as the *Permits and Penalties By-law 2024* and is By-law No. 1 of the District Council of Kimba.
 - 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. Expiry**
This By-law will expire on 1 January 2032.
- 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**
This By-law applies throughout the Council's area.
 - 6. Interpretation**
In this By-law, unless the contrary intention appears:
 - 6.1 **Act** means the *Local Government Act 1999*;
 - 6.2 **Council** means the District Council of Kimba; 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 a By-law has, unless the contrary intention appears, the same meaning as in the Acts under which the By-law was made.
- 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 in writing by the Council (or its delegate) prior to the act, event or activity to which it relates and includes:
 - 7.2.1 permission granted specifically to an applicant; or
 - 7.2.2 permission of general application granted by way of the Council adopting a policy of general application 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 conditions 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 condition attached to the permission. 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 District Council of Kimba held on 10 April 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

**DISTRICT COUNCIL OF KIMBA
LOCAL GOVERNMENT LAND BY-LAW 2024
By-law No. 2 of 2024**

This By-law is 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 2024* and is By-law No. 2 of the District Council of Kimba.
- 2. Authorising Law**
This By-law is made under 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 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. **Expiry**
This By-law will expire on 1 January 2032.³
- Note-**
1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted pursuant to 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 2024*.
 - 5.2 Subject to subclauses 5.3 and 5.4, this By-law applies throughout the Council area.
 - 5.3 Subclauses 9.2, 9.3.2, 9.15.1, 9.15.4, 9.15.5, 9.17.2, 9.24 and 10.7 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 Subclause 9.7.2, of this By-law applies throughout the Council area except in such parts of the Council area as the Council may by resolution direct in accordance with section 246(3)(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, yabbies, 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 **camp includes** setting up a camp or causing:
 - 6.5.1 a tent or other structure of calico, canvas, plastic or other similar material;
 - 6.5.2 a swag or similar bedding; or
 - 6.5.3 subject to the *Road Traffic Act 1961*, a caravan, tent trailer, motor home or other vehicle; to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- Note-**
- To avoid doubt, setting up a calico, canvas, plastic or other tent, marquee or similar structure for recreation purposes to provide shade during daylight hours only (and not overnight) is not within the meaning of 'camp'.
- 6.6 **Council** means the District Council of Kimba;
 - 6.7 **effective control** means a person exercising effective control of an animal either:
 - 6.7.1 by means of a physical restraint; or
 - 6.7.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
 - 6.8 **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 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*;
 - 6.10 **funeral ceremony** means a ceremony only (i.e. a memorial service) and does not include a burial;
 - 6.11 **liquor** has the same meaning as in the *Liquor Licensing Act 1997*;
 - 6.12 **Local Government land** means land owned by the Council or under the Council's care, control and management (except roads);
 - 6.13 **offensive** includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;
 - 6.14 **open container** means a container that:
 - 6.14.1 after the contents of the container have been sealed at the time of manufacture:
 - 6.14.1.1 being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
 - 6.14.1.2 being a can, it has been opened or punctured;
 - 6.14.1.3 being a cask, it has had its tap placed in a position to allow it to be used;
 - 6.14.1.4 being any other form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to its contents; or
 - 6.14.2 is a flask, glass, mug or other container able to contain liquid;
 - 6.15 **recreation ground** means Local Government land commonly used for playing sports or games, or accommodating the spectators at any sport or game, and any area of land contiguous thereto and used in connection with it;
 - 6.16 **road** has the same meaning as in the Act;
 - 6.17 **special event** means an organised gathering of more than fifty (50) persons for any social, sporting or cultural purpose;
 - 6.18 **tobacco product** has the same meaning as in the *Tobacco and E-Cigarette Products Act 1997*;
 - 6.19 **vehicle** has the same meaning as in the *Road Traffic Act 1961*;
 - 6.20 **waters** includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council;
 - 6.21 **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**
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 Land**
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 or near the entrance of the land notifying that the land has been closed.
- PART 3 – USE OF LOCAL GOVERNMENT LAND**
9. **Activities Requiring Permission**
A person must not, without the permission of the Council, do any of the following activities on Local Government land.

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.

- 9.1 **Advertising**
Display, paint or erect or cause to be displayed, painted or erected, on Local Government land or a structure, building or fixture on Local Government land any sign, advertising or hoarding for the purpose of commercial advertising or any other purpose.
- 9.2 **Alcohol**
Consume, carry or be in possession or in charge of any liquor on Local Government land comprising parks or reserves to which the Council has resolved this subclause applies.
- 9.3 **Animals**
9.3.1 Cause or allow an animal to stray onto, move over, graze or be left unattended.
9.3.2 Lead, herd, drive or exercise an animal on any Local Government Land to which the Council has resolved to apply this subclause.
- 9.4 **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.
- 9.5 **Buildings**
Use a building, or structure on Local Government land for a purpose other than its intended purpose and otherwise in accordance with any conditions of use contained on signage in or on the building or structure.
- 9.6 **Burials and Memorials and Cemeteries**
9.6.1 Bury, inter or spread the ashes of any human or animal remains, including the remains of a dog.
9.6.2 Erect or affix any memorial.
9.6.3 In any cemetery, drive or propel any vehicle except on paths or roads constructed and set aside for that purpose.
- 9.7 **Camping and Tents**
9.7.1 Subject to this subclause 9.7, erect a tent or other structure of calico, canvas, plastic or similar material as a place of habitation;
9.7.2 Camp or sleep overnight except:
9.7.2.1 in a caravan park on Local Government land, the proprietor of which has been given permission to operate the caravan park on that land; or
9.7.2.2 on Local Government land to which the Council has resolved this clause applies (and thereby designates as a camping area), and in accordance with such time limits and other conditions determined by the Council (if any) and displayed on any signage on or near the land.
9.7.3 Subject to this subclause 9.7, use or occupy or cause, suffer or permit to be used or occupied, any caravan, motorhome or other vehicle on Local Government land for or in connection with camping activities, including (but not limited to), washing, cooking or sleeping.
- 9.8 **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.
- 9.9 **Distribution**
Subject to subclause 13.2 and the *Local Nuisance and Litter Control Act 2016*, give out or distribute any book, leaflet or other printed matter to any bystander, passer-by or other person.
- 9.10 **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.
- 9.11 **Entertainment and Busking**
9.11.1 Sing, busk or play a recording or use a musical instrument for the apparent purpose of either entertaining others or receiving money.
9.11.2 Conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.
- 9.12 **Fires**
Subject to the *Fire and Emergency Services Act 2005* light a fire except in a place provided by the Council for that purpose.
- 9.13 **Fireworks**
Ignite, explode or use any fireworks.
- 9.14 **Flora and Fauna**
Subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:
9.14.1 plant, damage, pick, cut, disturb, interfere with or remove any plant, tree or flower thereon;
9.14.2 cause or allow an animal to stand or walk on any flower bed or garden plot;
9.14.3 deposit, dig, damage, disturb, interfere with, clear or remove any soil, sand stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;
9.14.4 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;
9.14.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;
9.14.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;
9.14.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or aquatic life; or
9.14.8 collect or take any dead wood or timber or burn any timber or dead wood; -
with the exception that subclauses 9.14.4 and 9.14.7 do not apply to lawful fishing activities.
- 9.15 **Games and Sport**
9.15.1 Participate in, promote or organise any organised competition or sport as distinct from organised social play on any Local Government land to which the Council has resolved this subclause applies.
9.15.2 Play or practise any game which involves kicking, hitting or throwing a ball or other object:
9.15.2.1 on Local Government land to which the Council has resolved this subclause applies; and
9.15.2.2 in a manner that causes or is likely to cause injury or discomfort to a person being on or in the vicinity of that land, or that detracts from or is likely to detract from another person's lawful use and enjoyment of that land.
9.15.3 Play or practise the game of golf other than on a properly constructed golf course or practice fairway.

- 9.15.4 Engage or participate in or conduct any organised group fitness activity or training on Local Government land to which the Council has resolved this subclause applies.
- 9.15.5 Play or practise any game or sport on Local Government land to which the Council has resolved this subclause applies except at the times determined by the Council and indicated on a sign on or in the vicinity of the land.
- 9.16 **Interference with Land**
Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:
- 9.16.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
- 9.16.2 erecting or installing a structure in, on, across, under or over the land;
- 9.16.3 changing or interfering with the construction, arrangement or materials of the land;
- 9.16.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
- 9.16.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.
- 9.17 **Model Aircraft, Boats and Cars**
Subject to the *Civil Aviation Safety Regulations 1998*:
- 9.17.1 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; or
- 9.17.2 fly or operate a model or drone aircraft, boat or model or remote-control vehicle on any Local Government land to which the Council has resolved this subclause applies.
- 9.18 **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, in the reasonable opinion of an authorised person, either a nuisance or danger to a person using the land or, an unsightly condition.
- 9.19 **Playing Area**
Use or occupy a recreation ground:
- 9.19.1 in such a manner as to damage or be likely to damage the surface of the recreation ground or infrastructure (above and under ground level);
- 9.19.2 in a manner contrary to the purpose for which the recreation ground was intended to be used or occupied; or
- 9.19.3 contrary to any conditions of the Council displayed on a sign on or in the vicinity of the recreation ground.
- 9.20 **Rubbish and Rubbish Dumps**
- 9.20.1 interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on Local Government Land.
- 9.20.2 remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a bin on any Local Government Land, or placed on Local Government Land for collection by the Council (or its agent).
- 9.21 **Trading**
- 9.21.1 Sell, buy, offer or display anything for sale or hire or lease any goods, merchandise, commodity, article or thing.
- 9.21.2 Set up a van or other vehicle, stall, stand, table or other structure, tray, carpet or device for the apparent purpose of buying, selling, offering, displaying or exposing for sale or the hiring or leasing of any goods, merchandise, commodity, article, service or thing.
- 9.22 **Vehicles**
- 9.22.1 Drive or propel a vehicle except on any Local Government land constructed or set aside by the Council for that purpose including as may be indicated by signs in or on the area.
- 9.22.2 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.
- 9.22.3 Repair, wash, paint, panel beat or carry out any other work to a vehicle, except for running repairs in the case of a breakdown.
- 9.23 **Weddings, Functions and Special Events**
- 9.23.1 Hold, conduct or participate in a marriage ceremony, funeral ceremony or special event.
- 9.23.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral ceremony or special event.
- 9.23.3 Hold or conduct any filming where the filming is for a commercial purpose.
- 9.24 **Wheeled Recreational Devices**
Subject to the *Road Traffic Act 1961*, ride a wheeled recreational device on Local Government land to which the Council has resolved this subclause applies.
10. **Prohibited Activities**
A person must not do any of the following activities on Local Government land.
- 10.1 **Animals**
- 10.1.1 Cause or allow an animal to damage a flowerbed, garden plot, tree, lawn or like thing or place.
- 10.1.2 Lead, herd or exercise a horse in such manner as to cause a nuisance or endanger the safety of a person.
- 10.2 **Annoyances**
- 10.2.1 Unreasonably interfere with any other person's use of Local Government land by making a noise or by creating a disturbance that has not been authorised by the Council.
- 10.3 **Equipment**
- 10.3.1 Use any item of equipment, facilities or property belonging to the Council:
- 10.3.1.1 other than in the manner and for the purpose for which it was designed, constructed or intended to be use;
- 10.3.1.2 where any nearby sign states the conditions of use, except in accordance with such conditions; or
- 10.3.1.3 in such a manner as is likely to damage or destroy it.
- 10.3.2 Use an item of equipment, facilities or property belonging to the Council if that person is of or over the age indicated by a sign or notice as the age limit for using such equipment, facility or property.
- 10.4 **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.

- 10.5 **Nuisance**
Behave in such an unreasonable manner as to cause discomfort, inconvenience, annoyance or offence to any other person including by using profane, indecent or obscene language.
- 10.6 **Playing Games**
Play or practise a game or sport:
10.6.1 which is likely to cause damage to the land or anything on it;
10.6.2 which endangers the safety or interferes with the comfort of any person; or
10.6.3 in any area where a sign indicates that the game or sport is prohibited.
- 10.7 **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 resolved this subclause applies.
- 10.8 **Obstruction**
Obstruct:
10.8.1 any path or track;
10.8.2 any door, entrance, stairway or aisle in any building; or
10.8.3 any gate or entrance to or on Local Government land
- 10.9 **Toilets**
In any public convenience (including toilets, showers or change rooms) on Local Government land:
10.9.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
10.9.2 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;
10.9.3 use it for a purpose for which it was not designed or constructed; or
10.9.4 enter any gender specific public convenience except:
10.9.4.1 if the person is of the gender indicated on a sign or writing located on the public convenience;
10.9.4.2 where the person is:
(a) a vulnerable person; or
(b) a caregiver, parent or guardian and is providing assistance to a vulnerable person in that person's care;
10.9.4.3 for the purpose of providing assistance to a person with a disability;
10.9.4.4 where the person identifies as gender diverse and is using the public convenience of the gender that the person identifies with, or
10.9.4.5 in the case of a genuine emergency.
- 10.10 **Waste**
10.10.1 Deposit or leave thereon anything obnoxious or offensive.
10.10.2 Deposit any rubbish other than in receptacles provided by the Council for that purpose.
10.10.3 Deposit in any rubbish bin:
10.10.3.1 any trash or rubbish emanating from a domestic, trade or commercial source; or
10.10.3.2 any rubbish contrary to any information on signs on the bin or in its vicinity.

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

- 11.1 A person on Local Government land must comply with a reasonable direction from an authorised person relating to:
11.1.1 that person's use of the land;
11.1.2 that person's conduct and behaviour on the land;
11.1.3 that person's safety on the land; or
11.1.4 the safety and enjoyment of other persons on the land.
- 11.2 A person who, in the reasonable opinion of an authorised person, is likely to commit or has committed, a breach of this By-law must immediately comply with an order of an authorised person made pursuant to section 262 of the Act to leave that part of Local Government land.
- 11.3 If a person fails to comply with an order of an authorised person made pursuant to section 262 of the Act in respect of a breach of this By-law, the Council may seek to recover its costs of any action taken under section 262(3) of the Act from the person to whom the order was directed.

Note-

Section 262(1) of the Act states:

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

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

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

12. 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 officer reasonably believes that no person is in charge of the animal or object.

PART 5 – MISCELLANEOUS**13. Exemptions**

- 13.1 The restrictions in this By-law do not apply to any Police Officer, emergency worker, Council officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision or in accordance with a direction of a Council officer.
- 13.2 The restrictions in subclause 9.9 of this By-law do not apply to electoral matter authorised by a candidate and which is:
13.2.1 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;
13.2.2 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
13.2.3 related to, and occurs during the course of and for the purpose of a referendum.
- 13.3 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.

- 13.4 An exemption under subclause 13.3:
- 13.4.1 may be granted or refused at the discretion of the Council;
- 13.4.2 may operate indefinitely or for a period specified in the instrument of exemption;
- 13.4.3 is subject to any conditions specified in the instrument of exemption;
- 13.4.4 may be varied (including by way of an additional condition being imposed) by notice in writing to the person to whom the exemption applies; and
- 13.4.5 may be revoked by the Council by notice in writing for a contravention of a condition of the exemption, or for any other reason that the Council thinks fit.
14. **Liability of Vehicle Owners**
- 14.1 For the purposes of this clause 14, *owner* in relation to a vehicle has the same meaning as contained in section 4 of the Act.
- 14.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this by-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This By-law was duly made and passed at a meeting of the District Council of Kimba held on 10 April 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

DISTRICT COUNCIL OF KIMBA
ROADS BY-LAW 2024
By-law No. 3 of 2024

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

PART 1— PRELIMINARY

1. **Title**
This By-law may be cited as the *Roads By-law 2024* and is By-law No. 3 of the District Council of Kimba.
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 uses of roads in the Council area:
- 3.1 to protect the convenience, comfort and safety of road users and members of the public;
- 3.2 to prevent damage to buildings and structures on roads;
- 3.3 to prevent certain nuisances occurring on roads; and
- 3.4 for the good rule and government of the Council's area.
4. **Expiry**
This By-law will expire on 1 January 2032.

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 2024*.
- 5.2 Subject to subclause 5.3, this By-law applies throughout the Council's area.
- 5.3 Subclause 7.2 of this By-law only applies to those parts of the Council area as the Council may by resolution direct in accordance with section 246(3)(e) of the Act.
- 5.4 Subclause 7.4.2 of this By-law applies throughout the Council area except in such parts of the Council area as the Council may by resolution direct in accordance with section 246(3)(e) of the Act.
6. **Interpretation**
In this By-law, unless the contrary intention appears:
- 6.1 **Act** means the *Local Government Act 1999*;
- 6.2 **animal** includes birds, insects and poultry but does not include a dog;
- 6.3 **authorised person** is a person appointed by the Council as an authorised person under section 260 of the Act;
- 6.4 **camp** includes setting up a camp or causing:
- 6.4.1 a tent or other structure of calico, canvas, plastic or other similar material;
- 6.4.2 a swag or similar bedding; or
- 6.4.3 subject to the *Road Traffic Act 1961*, a caravan, motor home or other vehicle;
- to remain on the land, for the purpose of staying overnight, whether or not any person is in attendance or sleeps thereon;
- 6.5 **Council** means the District Council of Kimba;
- 6.6 **effective control** means a person exercising effective control of an animal either:
- 6.6.1 by means of a physical restraint; or
- 6.6.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
- 6.7 **electoral matter** has the same meaning as in the *Electoral Act 1995* provided that such electoral matter is not capable of causing physical damage or injury to a person within its immediate vicinity;
- 6.8 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 6.9 **moveable sign** has the same meaning as in the Act;
- 6.10 **road** has the same meaning as in the Act, being a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes:
- 6.10.1 a bridge, viaduct or subway; or
- 6.10.2 an alley, laneway or walkway;
- 6.11 **vehicle** has the same meaning as in the *Road Traffic Act 1961*; and
- 6.12 **waste containers** means a container for the disposal of domestic waste, recyclables or green organics that is used to facilitate the kerbside collection of waste from premises by the Council or its agents or contractors.

Note-

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

PART 2 — USE OF ROADS

7. **Activities Requiring Permission**
A person must not engage in or undertake any of the following activities on a road without the permission of the Council.
- 7.1 **Advertising**
Display, hold or cause to be displayed on a road or on a structure on a road, any poster, advertising or sign for the purpose of advertising goods or services or for any other purpose, other than a moveable sign that is displayed in accordance with the Council's *Moveable Signs By-law 2023*.

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 **Animals**
Lead, drive or exercise any animal on any road to which the Council has resolved this subclause applies and only then, in accordance with any conditions determined by the Council which conditions may relate to an animal of a particular kind.
- 7.3 **Attachments**
Attach or cause to be attached, hang or fix anything to a Council owned tree, plant, equipment, fence, post, structure or fixture on a road.
- 7.4 **Camping and Tents**
- 7.4.1 Subject to this subclause 7.4, erect a tent or other structure of calico, canvas, plastic or other similar material as a place of habitation.
- 7.4.2 Camp, sleep overnight or occupy any caravan or other vehicle for or in connection with undertaking camping activities (including but not limited to washing, cooking, sleeping) except:
- 7.4.2.1 on a road to which the Council has resolved this subclause applies (and thereby designated as a camping area); and
- 7.4.2.2 in accordance with any conditions determined by the Council and displayed on any signage on or near the road.
- 7.5 **Obstructions**
Erect, install, place or maintain or cause to be erected, installed, placed or maintained any structure, object or material of any kind so as to obstruct a road, footway, water-channel, vegetation, or watercourse in a road or cause a hazard to users of the road.
- 7.6 **Public Exhibitions and Displays**
- 7.6.1 Sing, busk, play a recording or use a music instrument, or perform similar activities.
- 7.6.2 Conduct, cause or hold a concert, festival, show, display public gathering, 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 exhibition or displays.
- 7.7 **Repairs to Vehicles**
Repair, wash, paint, panel beat or perform other work of any nature on or to any vehicle, except for running repairs in the case of a vehicle breakdown.
- 7.8 **Waste and Rubbish Bins**
- 7.8.1 Deposit or leave thereon anything obnoxious or offensive.
- 7.8.2 Deposit in any bin on a road that is provided by the Council for use by the public any rubbish:
- 7.8.2.1 emanating from a domestic, commercial or trade source; or
- 7.8.2.2 that is not rubbish of the type permitted to be placed in that bin, as indicated on signs on the bin or in its vicinity.
- 7.9 **Waste Containers**
Place, cause or allow to be placed on a road any waste containers to facilitate the collection of waste generated on neighbouring or nearby premises by the Council (including its agents or contractors), unless the waste containers:
- 7.9.1 are of a type approved by the Council;
- 7.9.2 are placed on the road in a position that:
- 7.9.2.1 is adjacent to the kerb (not on the carriageway) so that the front of the bin faces the road; and
- 7.9.2.2 as may otherwise be directed by the Council.

PART 3 – ENFORCEMENT**8. Directions**

A person on a road who, in the reasonable opinion of an authorised person is committing or has committed a breach of this By-law, must immediately comply with an order of an authorised person made pursuant to section 262 of the Act, which may include an order that the person 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;
- remove an object or structure blocking a footpath; or
- remove advertising displayed on a structure on a road.

10. Removal of Animals and Objects

10.1 The Council (or its delegate) may, pursuant to section 234 of the Act, remove an animal or object that is on a road in breach of a By-law if the Council (or its delegate) reasonably believes that no person is in charge of the animal or object.

10.2 The Council may seek to recover from the owner of an object removed under subclause 10.1 the costs it incurs in removing that object.

PART 4 – MISCELLANEOUS**11. Exemptions**

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

11.2 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.

11.3 An exemption under subclause 11.2:

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

- 11.3.2 may operate indefinitely or for a period specified in the instrument of exemption;
- 11.3.3 is subject to any conditions specified in the instrument of exemption;
- 11.3.4 may be varied (including by way of an additional condition being imposed) by notice in writing to the person to whom the exemption applies; and
- 11.3.5 may be revoked by the Council by notice in writing for a contravention of a condition of the exemption, or for any other reason that the Council thinks fit.

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 District Council of Kimba held on 10 April 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

**DISTRICT COUNCIL OF KIMBA
MOVEABLE SIGNS BY-LAW 2024
By-law No. 4 of 2024**

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 2024* and is By-law No. 4 of the District Council of Kimba.
 - 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. Expiry**
This By-law will expire on 1 January 2032.
- 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 2024*.
 - 5.2 This By-law applies throughout the Council area and is subject to the exemptions set out in clause 12.
 - 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 mounted to a building or other structure by its ends or corners or carried on a pole, fence or other structure;
 - 6.4 **business premises** means premises from which a business is being conducted and to which a moveable sign relates;
 - 6.5 **Council** means the District Council of Kimba;
 - 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; 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;
 - 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, a tear drop 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 in adverse weather conditions;
 - 7.4 not have sharp or jagged edges or corners;
 - 7.5 not be unsightly or offensive in appearance or content;
 - 7.6 be constructed of timber, cloth, metal, plastic or plastic coated cardboard, or a mixture of such materials;
 - 7.7 not rotate or contain moving parts or have balloons, flags, streamers or other things attached to it;
 - 7.8 other than a tear drop sign, not be tied, fixed or attached to anything;
 - 7.9 not contain flashing lights or be illuminated internally;
 - 7.10 other than a tear drop sign, not be more than 0.9 metres high and 0.6 metres in width;
 - 7.11 in the case of a tear drop sign, not exceed 2.5 metres in height from the ground, 0.6 metres in width and 0.6 metres in depth;
 - 7.12 in the case of an 'A' frame or sandwich board sign:
 - 7.12.1 be hinged or joined at the top;

- 7.13 7.12.2 be of such construction that its sides are securely fixed or locked in position when erected; and 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. Appearance**
A moveable sign displayed on a road must, in the reasonable opinion of an authorised person:
- 8.1 be painted or otherwise detailed in a competent and professional manner;
- 8.2 be aesthetically appealing, legible and simply worded to convey a precise message;
- 8.3 be of such design and contain such colours:
- 8.3.1 as are compatible with the architectural design of the premises adjacent to the sign;
- 8.3.2 which relate well to the townscape and overall amenity of the locality in which it is situated;
- 8.3.3 which do not detract from or conflict with traffic, safety or direction signs or signals; and
- 8.4 contain combinations of colours and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated.
- 9. Placement**
- 9.1 Subject to this clause 9, a moveable sign may be placed:
- 9.1.1 on the footpath which is at least 2.3 metres wide;
- 9.1.2 at least 0.6 metres from:
- 9.1.2.1 where the road has a kerb, the kerb;
- 9.1.2.2 where the road has no kerb but has a shoulder, the shoulder; or
- 9.1.2.3 where the road has neither a kerb nor a shoulder, the edge of the carriageway;
- 9.2 A moveable sign must be placed:
- 9.2.1 in the case of a flat sign, the message of which only contains newspaper headlines and the name of the newspaper, resting against the premises of the business to which the moveable sign relates;
- 9.2.2 directly in front of the business premises to which it relates;
- 9.2.3 within the projections of the side boundaries of the business premises to which it relates.
- 9.3 A moveable sign must not be placed:
- 9.3.1 on a landscaped area, other than on landscaping that comprises only lawn;
- 9.3.2 on a designated parking area or within 1 metre of an entrance to premises;
- 9.3.3 so as to interfere with the reasonable movement of persons or vehicles using the footpath or road in the vicinity of or adjacent to where the moveable sign is positioned or endanger the safety of members of the public;
- 9.3.4 so as to obstruct or impede a vehicle door when opened, provided that the vehicle is parked lawfully on the carriageway;
- 9.3.5 within 6 metres of an intersection;
- 9.3.6 within 2 metres of any other structure, object or plant (including another moveable sign); and
- 9.3.7 so that it prevents a clear passage for pedestrians of at least 2 metres.
- 10. Banners**
A person must not erect or display a banner on a building or on a 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 Act.
- 11. Restrictions**
- 11.1 A person (including, but not limited to, the owner or operator of a business) must not cause or allow more than two moveable signs for a business premises to be displayed on a road at any time.
- 11.2 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.
- 11.3 A person must not cause or allow a moveable sign to be placed on a road unless:
- 11.3.1 it only displays material which advertises a business being conducted on premises adjacent to the moveable sign or the goods and services available from that business; and
- 11.3.2 the business premises to which it relates is open to the public.
- 11.4 A person must comply with the following requirements in respect of the placement or display of a moveable sign on a road:
- 11.4.1 if during the hours of darkness, the sign must be in a lit area and be clearly visible; and
- 11.4.2 the sign must not be displayed on a traffic island or on the carriageway of a road.
- 11.5 Notwithstanding compliance with provisions of this By-law and if, in the opinion of the Council, a footpath area is unsafe for a moveable sign to be displayed either permanently or for a period of time, the Council may prohibit or restrict the display of a moveable sign on such conditions as the Council considers appropriate.
- 12. Exemptions**
- 12.1 Subclauses 11.1 and 11.3 do not apply to a moveable sign which:
- 12.1.1 advertises a garage sale taking place from residential premises provided that no more than four moveable signs per residential premises are displayed at any one time in relation to a garage sale taking place at that residential premises; or
- 12.1.2 is a directional sign to an event run by a community organisation or charitable body.
- 12.2 Subclauses 11.1 and 11.3 of this By-law do not apply to a flat sign which only contains newspaper headlines and the name of a newspaper or magazine.
- 12.3 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:
- placed there pursuant to an authorisation under another Act;
 - designed to direct people to the open inspection of any land or building that is available for purchase or lease;
 - related to a State or Commonwealth election and is displayed during the period commencing on the issue of the writ 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**
- 13. Removal of Moveable Signs**
- 13.1 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.
- 13.2 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.
- 13.3 The owner, or other person responsible for a moveable sign must remove or relocate the moveable sign at the request of an authorised person:
- 13.3.1 if, in the reasonable opinion of an authorised person, and notwithstanding compliance with this By-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign; or
- 13.3.2 for the purpose of special events, parades, roadworks or in any other circumstances which, in the reasonable 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.
14. **Liability of Vehicle Owners**
- 14.1 For the purposes of this clause 14, **owner** in relation to a vehicle has the same meaning as contained in section 4 of the Act.
- 14.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this By-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This By-law was duly made and passed at a meeting of the District Council of Kimba held on 10 April 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

**DISTRICT COUNCIL OF KIMBA
DOGS BY-LAW 2024
By-law No. 5 of 2024**

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 2024* and is By-law No. 5 of the District Council of Kimba.
2. **Authorising Law**
This By-law is made under section 90(5) of the *Dog and Cat Management Act 1995* and sections 238 and 246 of the Act.
3. **Purpose**
The objectives of this By-law are to:
- 3.1 promote responsible dog ownership;
- 3.2 protect the convenience, comfort and safety of members of the public;
- 3.3 control and manage dogs in the Council's area;
- 3.4 reduce the incidence of environmental nuisance caused by dogs; and
- 3.5 for the good rule and government of the Council's area.
4. **Expiry**
This By-law will expire on 1 January 2032.
- 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 gazetting of the By-law.
5. **Application**
- 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2024*.
- 5.2 Subject to subclause 5.3, this By-law applies throughout the Council's area.
- 5.3 Clauses 9 and 10 of this By-law only apply in such part or parts of the Council area as the Council may, by resolution 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 premises 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 **Council** means the District Council of Kimba;
- 6.5 **dog** (except as indicated in clause 7) has the same meaning as in the *Dog and Cat Management Act 1995*;
- 6.6 **effective control** means a person exercising effective control of a dog either:
- 6.6.1 by means of a physical restraint (as defined under the *Dog and Cat Management Act 1995*); or
- 6.6.2 by command, the dog being in close proximity to the person and the person being able to see the dog at all times;
- 6.7 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:
- 6.7.1 secured to a fixed object; or
- 6.7.2 held by a person capable of controlling the dog and preventing it from being a nuisance or a danger to other persons;
- 6.8 **keep** includes the provision of food or shelter;
- 6.9 **Local Government land** means land that is owned by or under the Council's care, control or management;
- 6.10 **park** has the same meaning as in the *Dog and Cat Management Act 1995*;
- 6.11 **premises** includes land and part thereof whether used or occupied for domestic or non-domestic purposes;
- 6.12 **township** has the same meaning as in the Act.
- 6.13 **working livestock dog** means a dog:
- 6.13.1 usually kept, proposed to be kept or worked on rural land by a person who is:
- 6.13.1.1 a primary producer; or
- 6.13.1.2 engaged or employed by a primary producer; and
- 6.13.2 kept primarily for the purpose of herding, droving, protecting, tending or working stock, or training for herding, droving, protecting, tending or working stock.

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 – LIMITS ON DOG NUMBERS**7. Limits on Dog Numbers in Private Premises**

- 7.1 Subject to this clause 7, a person must not, without the Council's permission, keep or cause, suffer or permit to be kept:
- 7.1.1 more than two (2) dogs on any premises within a township; and
- 7.1.2 more than two (2) dogs on any premises outside of a township (but excluding a working livestock dog).
- 7.2 For the purposes of subclause 7.1, **dog** means a dog that is three (3) months of age or older or, a dog that has lost its juvenile teeth.
- 7.3 Subclause 7.1 does not apply to:
- 7.3.1 approved kennel establishments operating in accordance with all required approvals and consents; or
- 7.3.2 any other business involving the keeping of dogs provided that the business is registered in accordance with the *Dog and Cat Management Act 1995* and operating in accordance with all required approvals and consents.
- 7.4 The Council may require that premises which are the subject of an application for permission to keep additional dogs, must be inspected by an authorised person for the purpose of assessing the suitability of the premises for housing dogs.
- 7.5 An application for permission to keep an additional dog must be in the form determined by the Council and be accompanied by information regarding:
- 7.5.1 the type and size of the property on which it is proposed to keep the dogs;
- 7.5.2 the manner in which it is proposed that the dogs will be contained; and
- 7.5.3 any other information that the Council requires to ensure proper consideration of the application.
- 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 the person's effective control.

Note-

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

9. Dog on Leash Areas

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

10. Dog Prohibited Areas

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

11. Dog Faeces

No person is to allow a dog under that person's control, charge or authority to be in a public place or on Local Government land unless that person has in their possession a bag or other suitable container for the collection and lawful disposal of any faeces that the dog may deposit (for the purpose of complying with the 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, pursuant to section 262 of the Act, 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 of an authorised person made pursuant to section 262 of the Act.
- 13.3 If a person does not comply with an order of an authorised person pursuant to section 262 of the Act, 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 more than the permitted number of dogs on that person's premises; or
- remove a dog from a dog prohibited area.

This By-law was duly made and passed at a meeting of the District Council of Kimba held on 10 April 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

DISTRICT COUNCIL OF KIMBA**CATS BY-LAW 2024****By-law No. 6 of 2024**

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

PART 1 – PRELIMINARY**1. Title**

This By-law may be cited as the *Cats By-law 2024* and is By-law No. 6 of the District Council of Kimba.

2. Authorising Law

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

3. **Purpose**
The objectives of this By-law are to control and manage cats in the Council's area:
- 3.1 to promote responsible cat ownership;
 - 3.2 to reduce the incidence of public and environmental nuisance caused by cats;
 - 3.3 to protect the comfort and safety of members of the public; and
 - 3.4 for the good rule and government of the Council's area.
4. **Expiry**
4.1 This By-law will expire on 1 January 2032.
- 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 2024*.
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 **cat**, except for in clause 8, means an animal of the species *felis catus* which is three months of age or has lost its juvenile canine teeth;
 - 6.3 **Council** means the District Council of Kimba;
 - 6.4 **keep** includes the provision of food or shelter;
 - 6.5 for the purposes of clause 8, a cat (or cats) causes a **nuisance** if it:
 - 6.5.1 unreasonably interferes with the peace, comfort or convenience of a person, including but not limited to by displaying aggressive nature or creating unpleasant noise or odour;
 - 6.5.2 damages or otherwise has an adverse impact upon native flora or fauna;
 - 6.5.3 acts in a manner that causes damage to a person's real or personal property;
 - 6.5.4 wanders onto premises without the consent of the owner or occupier of the premises; or
 - 6.5.5 defecates or urinates on premises without the consent of the owner or occupier of the premises.
 - 6.6 **owner** of a cat has the same meaning as in section 5 of the *Dog and Cat Management Act 1995*;
 - 6.7 the **person responsible for the control of a cat** has the same meaning as in section 6 of the *Dog and Cat Management Act 1995*.
 - 6.8 **premises** includes any land (whether used or occupied for domestic or non-domestic purposes) and any part of land; and
- 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 is made.
- PART 2 – LIMITS ON CAT NUMBERS**
7. **Limits on Cat Numbers**
- 7.1 Subject to this clause 7, a person must not, without the Council's permission, keep, or cause suffer or permit to be kept, more than two (2) cats on any premises.
 - 7.2 The limit prescribed by subclause 7.1 does not apply to premises comprising a business involving the keeping of cats provided that the business is operating in accordance with all required approvals and consents.
 - 7.3 The Council may require that premises that are the subject of an application for permission to keep additional cats are inspected by an authorised person for the purpose of assessing the suitability of the premises for housing cats.
 - 7.4 Permission under subclause 7.1 may be given if the Council is satisfied that:
 - 7.4.1 no insanitary condition exists or is likely to arise on the premises as a result of the keeping of cats; and
 - 7.4.2 a nuisance is not or is not likely to be caused to any neighbour as a result of the keeping of cats on the premises.
- PART 3 – CAT CONTROLS**
8. **Cats not to be a Nuisance**
- 8.1 An owner or occupier of premises is guilty of an offence if a cat (or cats) kept or allowed to remain on the premises causes a nuisance.
 - 8.2 Without limiting liability under subclause 8.1, the owner of or person responsible for the control of a cat is guilty of an offence under this By-law if the cat causes a nuisance.
 - 8.3 For the purposes of this clause 8, cat means an animal of the species *felis catus* (of any age).
9. **Registration of Cats**
- 9.1 Where the Council has resolved to adopt a registration scheme for cats, a person must not keep a cat in the Council's area for more than fourteen (14) days unless the cat is registered in accordance with this By-law.
 - 9.2 An application for registration of a cat must:
 - 9.2.1 be made to the Council in the manner and form prescribed by Council (if any);
 - 9.2.2 be accompanied by the fee (if any) prescribed by the Council;
 - 9.2.3 nominate a person of or over sixteen (16) years of age who consents to the cat being registered in his or her name;
 - 9.2.4 identify with reference to an address the premises at which the cat is kept; and
 - 9.2.5 otherwise comply with any other requirements determined by the Council.
 - 9.3 Registration under this By-law remains in force until 30 June next following the grant of registration and may be renewed from time to time for further periods of up to twelve (12) months.
- PART 4 – EXEMPTIONS**
10. **Council May Grant Exemptions**
- 10.1 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.
 - 10.2 An exemption:
 - 10.2.1 may be granted or refused at the discretion of the Council;
 - 10.2.2 may operate indefinitely or for a period specified in the instrument of exemption; and
 - 10.2.3 is subject to any conditions specified in the instrument of exemption.
 - 10.3 The Council may, by notice in writing, vary, revoke or add a condition of an exemption.
 - 10.4 condition of the exemption, or for any other reason it thinks fit.

PART 5 - ENFORCEMENT**11. Orders**

- 11.1 If a person engages in conduct that is a contravention of this By-law, an authorised person may, pursuant to section 262 of the Act, order that person:
- 11.1.1 if the conduct is still continuing – to stop the conduct; and
- 11.1.2 whether or not the conduct is still continuing – to take specified action to remedy the contravention.
- 11.2 A person must comply with an order of an authorised person made pursuant to section 262 of the Act.
- 11.3 If a person does not comply with an order of an authorised person pursuant to section 262 of the Act, 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 more than the permitted number of cats on that person's premises; or
- take the necessary steps to mitigate a nuisance caused by howling or wandering cats.

This By-law was duly made and passed at a meeting of the District Council of Kimba held on 10 April 2024 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

PUBLIC NOTICES

TRUSTEE ACT 1936

PUBLIC TRUSTEE

Estates of Deceased Persons

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

CADD Vivienne Joy late of 60-66 States Road Morphett Vale of no occupation who died 5 July 2023
CHYNOWETH John Howard late of 655-671 Burbridge Road West Beach Retired Mine Worker who died 3 December 2023
CRIDLAND David Alan late of 56 South Pacific Drive Seaford Meadows Retired Union Representative Advocate who died 9 November 2021
CRIDLAND Elizabeth Douglas late of 60-66 States Road Morphett Vale Retired Cook who died 19 June 2023
DONOGHUE Ronald Herbert late of 82 Hoads Fire Track Road Tungkillo Farmer who died 13 April 2023
EDKINS James Alexander late of 14 Adelaide Road Mannum Retired Truck Driver who died 21 January 2024
HOOK James Brian late of 50 Gulfview Road Christies Beach Retired Chartered Accountant who died 6 October 2024
HOPEWELL Edward Wallace late of 14-24 King William Road Wayville Retired Pharmacist who died 3 June 2019
LEGGATE Carlyne Meta late of 14 Story Road Cowell who died Retired Telephonist
MURPHY Mavis late of 7 Spence Avenue Myrtle Bank Retired Manager who died 30 October 2023
PANUCCIO Anthony Giuseppe late of 14 Aldershot Avenue Salisbury Retired Tool Maker who died 22 January 2024
TAYLOR Allan Maurice late of Unit 1, 53 Dunrobin Road Hove Retired Geologist who died 16 September 2023

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 SA 5001, full particulars and proof of such claims, on or before the 24 May 2024 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: 24 April 2024

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
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