



# THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

PUBLISHED BY AUTHORITY

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ADELAIDE, THURSDAY, 27 JULY 2023

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

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## GOVERNOR'S INSTRUMENTS

### APPOINTMENTS

Department of the Premier and Cabinet  
Adelaide, 27 July 2023

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Forestry Corporation Board, pursuant to the provisions of the South Australian Forestry Corporation Act 2000:

Director: from 1 October 2023 until 30 September 2025  
June Ruby Roache

Chair: from 1 October 2023 until 30 September 2025  
June Ruby Roache

Director: from 4 August 2023 until 30 September 2024  
Grant Anthony Pelton

By command,

STEPHEN CAMPBELL MULLIGHAN, MP  
For Premier

MPIRD F2023.000174

Department of the Premier and Cabinet  
Adelaide, 27 July 2023

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Urban Renewal Authority Board of Management, pursuant to the provisions of the Urban Renewal Act 1995:

Member: from 31 July 2023 until 30 July 2026  
Kimberley Willits  
Bronwyn Kaye Gallacher

By command,

STEPHEN CAMPBELL MULLIGHAN, MP  
For Premier

23MUDCS01916

Department of the Premier and Cabinet  
Adelaide, 27 July 2023

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Adelaide Cemeteries Authority Board, pursuant to the provisions of the Adelaide Cemeteries Authority Act 2001:

Director: from 2 August 2023 until 1 August 2025  
Tristan Ashley Just  
Luisa Greco

Chair: from 2 August 2023 until 1 August 2025  
Tristan Ashley Just

By command,

STEPHEN CAMPBELL MULLIGHAN, MP  
For Premier

23MPCS01857

Department of the Premier and Cabinet  
Adelaide, 27 July 2023

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the South Australian Superannuation Board, pursuant to the provisions of the Superannuation Act 1988:

Member: from 27 July 2023 until 1 December 2025  
June Ruby Roache

Presiding Member: from 27 July 2023 until 1 December 2025  
June Ruby Roache

By command,

STEPHEN CAMPBELL MULLIGHAN, MP  
For Premier

T&F23/056CS

Department of the Premier and Cabinet  
Adelaide, 27 July 2023

Her Excellency the Governor in Executive Council has been pleased to appoint the undermentioned to the Board of the Southern Select Super Corporation, pursuant to the provisions of the Public Corporations (Southern Select Super Corporation) Regulations 2012 under the Public Corporations Act 1993:

Member: from 27 July 2023 until 1 December 2025  
June Ruby Roache

Presiding Member: from 27 July 2023 until 1 December 2025  
June Ruby Roache

By command,

STEPHEN CAMPBELL MULLIGHAN, MP  
For Premier

T&F23/58CS

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Department of the Premier and Cabinet  
Adelaide, 27 July 2023

Her Excellency the Governor in Executive Council has been pleased to appoint the Honourable Anastasios Koutsantonis, MP as Acting Minister for Local Government, Acting Minister for Regional Roads and Acting Minister for Veterans Affairs, from 29 July 2023 until 20 August 2023 inclusive, during the absence of the Honourable Geoffrey Graeme Brock, MP.

By command,

STEPHEN CAMPBELL MULLIGHAN, MP  
For Premier

23MINCAB/0010

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Department of the Premier and Cabinet  
Adelaide, 27 July 2023

Her Excellency the Governor in Executive Council has been pleased to appoint the Honourable Zoe Lee Bettison, MP as Acting Minister for Primary Industries and Regional Development and Acting Minister for Forest Industries from 29 July 2023 until 9 August 2023 inclusive, during the absence of the Honourable Clare Michele Scriven, MLC.

By command,

STEPHEN CAMPBELL MULLIGHAN, MP  
For Premier

MPIRD F2023/000070CS

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Department of the Premier and Cabinet  
Adelaide, 27 July 2023

Her Excellency the Governor in Executive Council has been pleased to appoint Claire Anne Ryan and Damian James Dawson a full-time Commissioners of the Environment, Resources and Development Court of South Australia, from 28 August 2023 and 4 September 2023 respectively - pursuant to the Environment, Resources and Development Court Act 1993.

By command,

STEPHEN CAMPBELL MULLIGHAN, MP  
For Premier

AGO0125-23CS

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Department of the Premier and Cabinet  
Adelaide, 27 July 2023

Her Excellency the Governor in Executive Council has been pleased to appoint Jane Elizabeth Abbey, being Senior Counsel in the State of South Australia appointed by the Chief Justice of the Supreme Court of South Australia on 8 September 2022, as His Majesty's Counsel in the State of South Australia, without loss or gain of precedence granted previously upon her appointment as Senior Counsel - pursuant to section 92 of the Legal Practitioners Act 1981.

By command,

STEPHEN CAMPBELL MULLIGHAN, MP  
For Premier

AGO0126-23CS

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## REGULATIONS

South Australia

# Marine Parks Regulations 2023

under the *Marine Parks Act 2007*

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## Contents

### Part 1—Preliminary

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- 2 Commencement
- 3 Interpretation

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- 13 Issue of duplicate permit
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#### Part 1—Repeal of *Marine Parks Regulations 2008*

- 1 Repeal of regulations

#### Part 2—Transitional provisions

- 2 Transitional provisions
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Marine Parks Regulations 2023*.

### 2—Commencement

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

### 3—Interpretation

In these regulations—

*Act* means the *Marine Parks Act 2007*;

*fee notice* has the same meaning as in the *Legislation (Fees) Act 2019*.

## Part 2—General provisions supporting Act

### 4—Notice of establishment of marine park (section 10(7))

For the purposes of section 10(7) of the Act, the Minister must give notice of the making of a proclamation to establish a marine park by notice in the Gazette, in a newspaper circulating generally within the State and on a website determined by the Minister.

### 5—Applications for warrants (section 34(6))

- (1) The grounds of an application for a warrant under section 34 of the Act made personally must be verified by affidavit.
- (2) If an application for a warrant is made by telephone—
  - (a) the applicant must inform the magistrate of the applicant's name and identify the position that the applicant holds for the purposes of the Act, and the magistrate, on receiving that information, is entitled to assume, without further inquiry, that the applicant holds that position; and
  - (b) the applicant must inform the magistrate of the purpose for which the warrant is required and the grounds on which it is sought; and
  - (c) if it appears to the magistrate from the information given by the applicant that there are proper grounds to issue a warrant, the magistrate must inform the applicant of the facts that justify, in the magistrate's opinion, the issue of the warrant, and must not proceed to issue the warrant unless the applicant undertakes to make an affidavit verifying those facts; and
  - (d) if the applicant gives such an undertaking, the magistrate may then make out and sign a warrant, noting on the warrant the facts that justify, in the magistrate's opinion, the issue of the warrant; and
  - (e) the warrant is taken to have been issued, and comes into force, when signed by the magistrate; and
  - (f) the magistrate must inform the applicant of the terms of the warrant; and
  - (g) the applicant must, as soon as practicable after the issue of the warrant, forward to the magistrate an affidavit verifying the facts referred to in paragraph (c).

### 6—General duty of care—prescribed circumstances (section 37(3))

For the purposes of section 37(3) of the Act, any circumstance involving the exercise of a statutory power by a public authority in an emergency situation is prescribed.

### 7—Action on non-compliance with order etc—prescribed rate of interest (sections 39, 41 and 42)

- (1) For the purposes of sections 39(5)(a), 41(5)(a) and 42(8)(a) of the Act, the prescribed rate of interest per annum on an unpaid amount will be the prime bank rate for any financial year for which the amount remains unpaid.
- (2) In this regulation—

**prime bank rate** for a particular financial year means the corporate loan reference rate applied by the Commonwealth Bank of Australia for corporate lending on the first trading day of the Bank in that financial year.

## Part 3—Permits

### 8—Variation of conditions of permit

- (1) For the purposes of section 19(8)(c)(ii) of the Act, the Minister may vary a condition of a permit on application made by the holder of the permit.
- (2) An application under subregulation (1)—
  - (a) must be made to the Minister in the manner and form determined by the Minister; and
  - (b) must be accompanied by the fee prescribed by fee notice.

### 9—Transfer of permit

For the purposes of section 19(9) of the Act—

- (a) a permit is for a prescribed activity if it is for an activity referred to in regulation 8(3)(g) to (k) (inclusive) of the *Marine Parks (Zoning) Regulations 2012*; and
- (b) the prescribed conditions to be complied with in respect of the transfer of such a permit are as follows:
  - (i) the permit may only be transferred with the consent of the Minister;
  - (ii) an application for consent to transfer the permit—
    - (A) must be made to the Minister in the manner and form determined by the Minister; and
    - (B) must be accompanied by the fee prescribed by fee notice;
  - (iii) the proposed transferee must, in the opinion of the Minister, be a fit and proper person to hold the permit;
  - (iv) the transfer must not result in a change in—
    - (A) conditions of the permit; or
    - (B) the expiry date of the permit.

### 10—Minister may require further information

A person who makes an application for a permit, or any application under this Part, must provide the Minister with any information required by the Minister in connection with the determination of the application, verified, if the Minister so requires, by statutory declaration.

### 11—Defects in applications

- (1) The Minister may request a person who makes an application for a permit, or any application under this Part, to remedy a defect or deficiency in an application or accompanying document or information required by or under the Act or these regulations.
- (2) The Minister may, in relation to such an application, request the applicant—
  - (a) to pay the relevant fee prescribed in connection with the application; or
  - (b) to provide any outstanding information required to be provided under these regulations by the applicant.

- (3) If the applicant to whom a request has been made under this regulation fails to comply with the request within 60 days or such longer period as the Minister may allow, the application lapses.

## **12—Waiver or refund of permit fees**

The Minister may waive a fee payable in relation to an application for a permit, or any application under this Part, if satisfied that—

- (a) the application is made in connection with—
  - (i) a statutory authorisation; or
  - (ii) an authorisation or matter under a law of the Commonwealth; or
- (b) it is otherwise appropriate to do so in a particular case.

## **13—Issue of duplicate permit**

The Minister may, on payment of the fee prescribed by fee notice, issue to the holder of a permit a duplicate of the permit.

## **14—Expiation of offence**

Pursuant to section 63(2)(d) of the Act, the expiation fee fixed for an alleged offence against section 20 of the Act is \$315.

# **Schedule 1—Repeal and transitional provisions**

## **Part 1—Repeal of *Marine Parks Regulations 2008***

### **1—Repeal of regulations**

The *Marine Parks Regulations 2008* are repealed.

## **Part 2—Transitional provisions**

### **2—Transitional provisions**

- (1) An application for the variation of a condition of a permit under regulation 10 of the repealed regulations made but not determined immediately before the commencement of this clause will be taken to be an application made under regulation 8 of these regulations.
- (2) An application for consent to transfer a permit under regulation 11(b) of the repealed regulations made but not determined immediately before the commencement of this clause will be taken to be an application made under regulation 9(b) of these regulations.
- (3) In this clause—

*repealed regulations* means the *Marine Parks Regulations 2008*.

#### **Editorial note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 27 July 2023

No 69 of 2023

South Australia

# Fisheries Management (Prawn Fisheries) (Prescribed Period) Amendment Regulations 2023

under the *Fisheries Management Act 2007*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

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

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

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Fisheries Management (Prawn Fisheries) (Prescribed Period) Amendment Regulations 2023*.

### 2—Commencement

These regulations come into operation on 31 July 2023.

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

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

- (1) Regulation 9(1), definition of *closed season*—delete the definition and substitute:

*closed season* means the period commencing on 1 January in any year and ending on the last day of February in the same year;
- (2) Regulation 9(1), definition of *fishing season*—delete "31 July" and substitute:

31 October
- (3) Regulation 9(1), definition of *prescribed period 1*—delete "24 December" and substitute:

31 December
- (4) Regulation 9(1), definition of *prescribed period 2*—delete the definition and substitute:

*prescribed period 2* means—

  - (a) the period that commenced on 1 March 2023 and ending on 31 October 2023; or

- (b) a period commencing on 1 March in any subsequent year and ending on 31 October in the same year;

**Editorial note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 27 July 2023

No 70 of 2023

South Australia

# Fisheries Management (Rock Lobster Fisheries) (Miscellaneous) (No 2) Amendment Regulations 2023

under the *Fisheries Management Act 2007*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *Fisheries Management (Rock Lobster Fisheries) Regulations 2017*

- 3 Amendment of regulation 12—Restrictions on fishing activities during closed season
  - 4 Amendment of regulation 15—Individual rock lobster catch quota system—Northern Zone
  - 5 Amendment of regulation 16—Individual rock lobster catch quota system—Southern Zone
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Fisheries Management (Rock Lobster Fisheries) (Miscellaneous) (No 2) Amendment Regulations 2023*.

### 2—Commencement

- (1) Subject to subregulation (2), these regulations come into operation on 31 August 2023.
- (2) Regulations 3 and 4 come into operation on 1 November 2023.

## Part 2—Amendment of *Fisheries Management (Rock Lobster Fisheries) Regulations 2017*

### 3—Amendment of regulation 12—Restrictions on fishing activities during closed season

- (1) Regulation 12(1) and (2)—delete subregulations (1) and (2)
- (2) Regulation 12(5), definition of *closed season*, (a)—delete paragraph (a)

### 4—Amendment of regulation 15—Individual rock lobster catch quota system—Northern Zone

Regulation 15(1), definition of *quota period*—delete the definition and substitute:

*quota period*—a quota period for the fishery means—

- (a) the period commencing on 1 November 2023 and ending on 31 August 2024; or
- (b) the period of 12 months commencing on 1 September 2024 or on 1 September in any subsequent year;

**5—Amendment of regulation 16—Individual rock lobster catch quota system—  
Southern Zone**

Regulation 16(1), definition of *quota period*, (d) and (e)—delete paragraphs (d) and (e) and substitute:

- (d) the period that commenced on 1 September 2022 and ends on 31 August 2023; or
- (e) the period of 12 months commencing on 1 September 2023 or on 1 September in any subsequent year;

**Editorial note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 27 July 2023

No 71 of 2023

South Australia

# **Fisheries Management (Demerit Points) (Rock Lobster Fisheries) Amendment Regulations 2023**

under the *Fisheries Management Act 2007*

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## **Contents**

### **Part 1—Preliminary**

- 1 Short title
- 2 Commencement

### **Part 2—Amendment of *Fisheries Management (Demerit Points) Regulations 2017***

- 3 Amendment of Schedule 1—Demerit point offences and demerit points
- 

## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Fisheries Management (Demerit Points) (Rock Lobster Fisheries) Amendment Regulations 2023*.

### **2—Commencement**

These regulations come into operation on 1 November 2023.

## **Part 2—Amendment of *Fisheries Management (Demerit Points) Regulations 2017***

### **3—Amendment of Schedule 1—Demerit point offences and demerit points**

Schedule 1, clause 17, table, entries relating to regulation 12(1) and (2) of the *Fisheries Management (Rock Lobster Fisheries) Regulations 2017*—delete the entries

#### **Editorial note—**

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

## **Made by the Governor**

with the advice and consent of the Executive Council  
on 27 July 2023

No 72 of 2023

South Australia

# Independent Commission Against Corruption (National Anti-Corruption Commission) Amendment Regulations 2023

under the *Independent Commission Against Corruption Act 2012*

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## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *Independent Commission Against Corruption Regulations 2013*

- 3 Substitution of regulation 3A
    - 3A Declared law enforcement agency
- 

## Part 1—Preliminary

### 1—Short title

These regulations may be cited as the *Independent Commission Against Corruption (National Anti-Corruption Commission) Amendment Regulations 2023*.

### 2—Commencement

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

## Part 2—Amendment of *Independent Commission Against Corruption Regulations 2013*

### 3—Substitution of regulation 3A

Regulation 3A—delete the regulation and substitute:

#### 3A—Declared law enforcement agency

In accordance with paragraph (m) of the definition of *law enforcement agency* in section 4(1) of the Act, each of the following is declared to be a law enforcement agency:

- (a) the Australian Competition and Consumer Commission established by section 6A of the *Competition and Consumer Act 2010* of the Commonwealth;
- (b) the National Anti-Corruption Commission established by section 20 of the *National Anti-Corruption Commission Act 2022* of the Commonwealth.

**Editorial note—**

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

**Made by the Governor**

with the advice and consent of the Executive Council  
on 27 July 2023

No 73 of 2023

# STATE GOVERNMENT INSTRUMENTS

## DISABILITY INCLUSION ACT 2018

### *Authorised Program Officer*

I, Trinh Mai, Senior Authorising Officer, hereby revoke authorisation for the following person to be an Authorised Program Officer with respect to BET Group Global for the purposes of the *Disability Inclusion Act 2018* in accordance with Section 23L(4) of that Act:

- Ivan Taban

Dated: 19 July 2023

TRINH MAI  
Senior Authorising Officer  
Department of Human Services

## FISHERIES MANAGEMENT (GENERAL) REGULATIONS 2017

### REGULATION 23B

#### *Catch and Release Activities for Murray Cod in Certain Waters*

#### **Revocation**

The Determination made for the purposes of regulation 23B dated 16 February 2022 and published in the *Government Gazette* dated 17 February 2022 being the third notice on page 524 relating to catch and release activities for Murray Cod in Certain Waters is revoked as of the date of gazettal of this notice.

#### **Determination**

#### *Catch and Release Activities for Murray Cod in Certain Waters*

I Professor Gavin Begg, Delegate of the Minister for Primary Industries and Regional Development, make the following determination for the purpose of regulation 23B of the *Fisheries Management (General) Regulations 2017*, regarding the taking of Murray Cod in certain waters commencing on the date of gazettal of this notice until otherwise varied or revoked:

1. During the period 1 January and 31 July in any calendar year within the waters of the River Murray proper and Lakes Albert and Alexandrina (excluding the waters of the Coorong) a person may catch and release Murray Cod (*Maccullochella peelii*) but only so far as no part of the Murray Cod (*Maccullochella peelii*) is removed from the water other than for the purposes of removing a fishing hook where:
  - a) The gills or fins of the fish are not handled at any stage;
  - b) The weight of the fish is at all times supported; and
  - c) The fish is released immediately after removal of a fishing hook.

Dated: 3 June 2023

PROFESSOR GAVIN BEGG  
Executive Director, Fisheries and Aquaculture  
As delegate of the Minister for Primary Industries and Regional Development

## FISHERIES MANAGEMENT ACT 2007

### SECTION 115

#### *Exemption Number: ME9903269*

Take notice that pursuant to Section 115 of the *Fisheries Management Act 2007*, the Executive Director, National Parks and Wildlife Service and the Director, Regional Operations, of the Department for Environment and Water (DEW) (the 'exemption holders') and their nominated agents are exempt from Sections 71 and 70 of the *Fisheries Management Act 2007*, and Regulation 5 including Clauses 4, 39(a), 40 and 41 of Schedule 6 and Schedule 7 of the *Fisheries Management (General) Regulations 2017* but only insofar as the exemption holders are permitted to use a fish net as described in Schedule 1 in State waters to undertake the marine mammal or turtle rescue and intervention activities subject to the conditions set out in Schedule 2 from 20 July 2023 until 19 July 2024, unless varied or revoked earlier.

#### SCHEDULE 1

The use of:

- a fish net with dimensions not greater than 150 metres by 3 metres by an unlicensed person; or
- a fish net that is otherwise lawful if used by the holder (or registered master) of a commercial fishing licence that is endorsed with a haul net and is also authorised;

to capture marine mammals and turtles as may be required from time to time as part of the due administration of the *National Parks and Wildlife Act 1972* consistent with DEW's Marine Mammal Intervention Policy (Ref: DEWNR 97/14/0023) or consistent with other DEW animal welfare standards and guidelines.

#### SCHEDULE 2

1. The exemption holders will be deemed responsible for the conduct of all persons conducting the exempted activities under this notice. Any person conducting activities under this exemption must be provided with a copy of this notice, which they must have signed as an indication that they have read and understand the conditions under it.
2. The exemption holders or their nominated agents must take all reasonable steps to minimise the extent of injury, damage, or harm to all captured aquatic animals when undertaking the activity.
3. The nominated agents of the exemption holders are:
  - Wardens appointed under the *National Parks and Wildlife Act 1972*;
  - A licence holder or a registered master of a Marine Scalefish Fishery licence endorsed with a haul net who is authorised to capture aquatic animals under the *National Parks and Wildlife Act 1972*; or
  - Persons who are registered volunteers of DEW.

4. Nominated agents of the exemption holders that are not Wardens appointed under the *National Parks and Wildlife Act 1972*, must be under the direct supervision of a Warden appointed under the *National Parks and Wildlife Act 1972* who is working pursuant to a permit issued for the purpose of administration of that Act.
5. Before undertaking the exempted activity pursuant to this notice, an exemption holder or their nominated agent must contact the Department of Primary Industries and Regions (PIRSA) Fishwatch on 1800 065 522 and answer a series of questions about the exempted activity. The exemption holder or their nominated agent will need to have a copy of the exemption at the time of making the call and be able to provide information about the area and time of the exempted activity, the vehicles and/or boats involved and other related questions.
6. While engaging in the exempted activity, the exemption holders or their nominated agents must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer if requested.
7. Except where specifically exempted by this notice, the exemption holders or their nominated agents must not contravene or fail to comply with the *Fisheries Management Act 2007* or any regulations made under that Act, and pursuant to Section 23 of the *River Murray Act 2003*, the permit holder must take all reasonable measures to prevent or minimise any harm to the River Murray.

This notice does not purport to override the provisions or operation of any other Act including but not limited to the *Adelaide Dolphin Sanctuary Act 2005*, the *Marine Parks Act 2007*, or the *River Murray Act 2003*.

Dated: 20 July 2023

PROFESSOR GAVIN BEGG  
Executive Director  
Fisheries and Aquaculture

Delegate of the Minister for Primary Industries and Regional Development

#### 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
140 Swanport Village Road, Swanport SA 5253	Allotment 7 Deposited Plan 26467 Hundred of Mobilong	CT 5376/817	\$0.00

Dated: 27 July 2023

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

#### HOUSING IMPROVEMENT ACT 2016

##### *Rent Control Revocations*

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

Address of Premises	Allotment Section	Certificate of Title Volume/Folio
14 Barossa Valley Way, Lyndoch SA 5351	Allotment 99 Deposited Plan 49651 Hundred of Barossa	CT6144/17

Dated: 27 July 2023

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

#### JUSTICES OF THE PEACE ACT 2005

##### SECTION 4

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

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

For a period of ten years for a term commencing on 1 August 2023 and expiring on 31 July 2033:

Fiona Louise WOOLFITT  
Andrew Edwin WILSON  
Joanne WALKLEY  
Paul Polihronis TSIMOPOULOS  
David Allan SWAIN  
Tarik SKAKA  
Rocco SCHIRIPA  
Kym Althorp SANDERCOCK  
Craig Charles NIHILL  
Ian Alick NEIGHBOUR  
Beverly Kay MICKEL

Dean Lloyd MARSH  
Jennifer Anne MACKAY  
Heather Julia KEEP  
Darryl Francis JONES  
Arthur Boucaut JONES  
Karen Marie GROGAN  
Timothy John GRIEGER  
Trevor Kingsley GOWLING  
Darryl Wayne FREER  
Suzanne DALLA SANTA  
Phillip Andrew COLE  
Francis Gerard COGHLAN  
Robin Stanier BOURNE  
Douglas Ian BALNAVES  
Jennifer Cindy AMOR  
Sheralie Bettene ALEKNA

Dated: 25 July 2023

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

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LAND ACQUISITION ACT 1969

SECTION 16

*Form 5—Notice of Acquisition*

**1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment 201 in Deposited Plan 34545 comprised in Certificate of Title Volume 5107 Folio 560.

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

**2. Compensation**

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

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

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

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

**3. Inquiries**

Inquiries should be directed to: Petrula Pettas  
GPO Box 1533  
Adelaide SA 5001  
Telephone: (08) 7133 2457

Dated: 25 July 2023

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

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

DIT 2022/02737/01

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LAND ACQUISITION ACT 1969

SECTION 16

*Form 5—Notice of Acquisition*

**1. Notice of acquisition**

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

First: Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment 9 in Deposited Plan 29290 comprised in Certificate of Title Volume 5226 Folio 128.

Secondly: Comprising an unencumbered estate in fee simple in that piece of land being the whole of Allotment 96 in Filed Plan 19717 comprised in Certificate of Title Volume 5232 Folio 937.

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

**2. Compensation**

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

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

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

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

**3. Inquiries**

Inquiries should be directed to: Petrula Pettas  
GPO Box 1533  
Adelaide SA 5001  
Telephone: (08) 7133 2457

Dated: 25 July 2023

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

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

DIT 2022/02919/01

## LAND ACQUISITION ACT 1969

## SECTION 16

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

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being the whole of Unit 6 in Strata Plan 3965 comprised in Certificate of Title Volume 5045 Folio 925.

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

**2. Compensation**

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

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

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

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

**3. Inquiries**

Inquiries should be directed to: Petrula Pettas  
GPO Box 1533  
Adelaide SA 5001  
Telephone: (08) 7133 2457

Dated: 25 July 2023

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

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

DIT 2022/02945/01

## LAND ACQUISITION ACT 1969

## SECTION 16

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

The Commissioner of Highways (the Authority), of 83 Pirie Street, Adelaide SA 5000, acquires the following interests in the following land:

Comprising an unencumbered estate in fee simple in that piece of land being the whole of Unit 2 in Strata Plan 7019 comprised in Certificate of Title Volume 5006 Folio 318.

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

**2. Compensation**

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

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

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

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

**3. Inquiries**

Inquiries should be directed to: Rob Gardner  
GPO Box 1533  
Adelaide SA 5001  
Telephone: (08) 7133 2415

Dated: 26 July 2023

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

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

DIT 2022/10663/01

LOCAL GOVERNMENT (ELECTIONS) ACT 1999

*Area Councillor Elected*

**District Council of Tumby Bay**

A casual vacancy occurred in the office of area councillor in the District Council of Tumby Bay, effective Tuesday 20 June 2023. The vacancy was filled in accordance with section 6A of the *Local Government (Elections) Act 1999*. As multiple candidates were willing and eligible to be elected to the vacancy, a recount of the votes cast at the March 2023 Supplementary Election was conducted on Wednesday 19 July 2023. At the conclusion, **Christian KOTZ** was declared elected to the vacancy.

Formal Ballot Papers – 1160  
New Exhaust Ballot Papers – 321  
Informal Ballot Papers – 9  
Quota – 420

Candidates	First Preference Votes	Elected/Excluded
KOTZ, Christian	434	Elected
GILES, Geoff	405	

MICK SHERRY  
Returning Officer

MENTAL HEALTH ACT 2009

*Conditions placed on an Approved Treatment Centre*

The Chief Psychiatrist pursuant to Section 96 of the *Mental Health Act 2009* ('the Act'), by notice in the *Gazette* published on 28 March 2019 varied the determination that the Royal Adelaide Hospital, Port Road, Adelaide SA 5000 is an Approved Treatment Centre by attaching the condition that the service may continue to admit voluntary mental health patients and patients subject to Inpatient Treatment Orders providing that: a risk mitigation plan approved by the Chief Psychiatrist is in place to provide for the safety of consumers, visitors and staff in the context of the inconsistent performance of the duress system.

Notice is hereby given that the Chief Psychiatrist pursuant to Section 96 of the Act, revokes the condition placed on 28 March 2019. The revocation of this condition commences on 27 July 2023, the date of publication of this notice.

The Chief Psychiatrist pursuant to Section 96 of the Act, attaches a further condition following the revocation of this previous condition: the service may continue to admit voluntary mental health patients and patients subject to Inpatient Treatment Orders providing that there is quarterly reporting of duress system performance, in a form agreed by the Chief Psychiatrist, for a period of twelve months.

Dated: 27 July 2023

DR JOHN BRAYLEY  
Chief Psychiatrist

MINING ACT 1971

*Application for a Mining Lease*

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

Applicant: Erimar Quarries Pty Ltd (ACN 652 403 159)  
Claim Number: 4541  
Location: CT 5933/630, Hartley area, approximately 16km northeast of Strathalbyn.  
Area: 108.26 hectares approximately  
Purpose: Extractive Minerals (Limestone and Sand)  
Reference: 2021/000567

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

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

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

Written submissions in relation to this application are invited to be received at the Department for Energy and Mining, Mining Regulation, Attn: Business Support Officer, GPO Box 320, Adelaide SA 5001 or [dem.miningregrehab@sa.gov.au](mailto:dem.miningregrehab@sa.gov.au) by no later than 24 August 2023.

The delegate of the Minister for Energy and Mining is required to have regard to these submissions in determining whether to grant or refuse the application and, if granted, the terms and conditions on which it should be granted.

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

Dated: 27 July 2023

C. ANDREWS  
Acting Mining Registrar as delegate for the Minister for Energy and Mining  
Department for Energy and Mining

## PETROLEUM AND GEOTHERMAL ENERGY ACT 2000

*Grant of Gas Storage Exploration Licence—GSEL 766*

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

No of Licence	Licenseses	Locality	Area in km <sup>2</sup>	Reference
GSEL 766	ECOSSAUS Limited	Mid-north	1,823	MER-2022/0397

**Description of Areas**

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

**Area 1**

Commencing at a point being the intersection of latitude 32°58'55"S GDA2020 and longitude 138°05'05"E GDA2020, thence east to longitude 138°29'05"E GDA2020, south to latitude 33°01'27"S GDA94, west to longitude 138°21'13"E GDA94, south to latitude 33°03'41"S GDA94, west to longitude 138°18'03"E GDA94, south to latitude 33°20'15"S GDA94, west to longitude 138°15'00"E GDA94, south to latitude 33°22'30"S GDA94, west to longitude 138°07'30"E GDA94, south to latitude 33°22'55"S GDA2020, west to longitude 138°02'05"E GDA2020, north to latitude 33°15'55"S GDA2020, east to longitude 138°05'05"E GDA2020, and north to the point of commencement.

But excluding cadastral parcel Hundred of Telowie, Section 439 and Hundred of Napperby, Section 328

**Area 2**

Commencing at a point being the intersection of latitude 33°09'55"S GDA2020 and longitude 138°36'09"E GDA94, thence east to longitude 138°38'15"E GDA2020, south to latitude 33°12'35"S GDA2020, east to longitude 138°40'05"E GDA2020, south to latitude 33°22'55"S GDA2020, west to longitude 138°23'55"E GDA94, north to latitude 33°11'51"S GDA94, east to longitude 138°29'05"E GDA2020, south to latitude 33°11'55"S GDA2020, east to longitude 138°31'05"E GDA2020, north to latitude 33°11'51"S GDA94, east to longitude 138°36'09"E GDA94 and north to the point of commencement.

**Area 3**

Commencing at a point being the intersection of latitude 33°12'35"S GDA2020 and longitude 138°43'05"E GDA2020, thence east to longitude 138°53'05"E GDA2020, south to latitude 33°15'55"S GDA2020, west to longitude 138°51'05"E GDA2020, south to latitude 33°18'55"S GDA2020, east to longitude 138°54'05"E GDA2020, south to latitude 33°22'55"S GDA2020, west to longitude 138°43'05"E GDA2020 and north to the point of commencement.

AREA: 1,823 square kilometres approximately.

Date: 20 July 2023

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

## PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

## SECTION 108(6)

*Notice of Revocation of Major Development Declaration**Preamble*

1. By notice pursuant to Section 46(1) of the *Development Act 1993*, published in the Gazette on 8 February 2007 on page 382, the Minister for Urban Development and Planning declared that Section 46 of the *Development Act 1993* applied to development for the purposes of altering or replacing the four principal light towers, and their associated head frames, used for the purpose of illuminating the playing field at the AAMI Stadium at West Lakes (the declaration).
2. By notice published in the Gazette on 11 December 2008 on pages 5446-5447, the Governor granted provisional development authorisation under Section 48 of the *Development Act 1993* for a proposed development within the ambit of the declaration (the development authorisation).
3. By notice in writing to the owners of the relevant land dated 28 June 2023, acting pursuant to Section 115(9) of the *Planning, Development and Infrastructure Act 2016* (as it applied pursuant to Regulation 11A(1)(a) of the *Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017*), I cancelled the development authorisation.

*Revocation*

Pursuant to Section 108(6) of the *Planning, Development and Infrastructure Act 2016* (as it applies to the declaration pursuant to Regulation 11A(1)(b) of the *Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017*), I revoke the declaration.

Dated: 2 July 2023

HON NICHOLAS DAVID CHAMPION MP  
Minister for Planning

## PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

## SECTION 108(6)

*Notice of Revocation of Major Development Declaration**Preamble*

1. By notice pursuant to Section 46(1) of the *Development Act 1993*, published in the Gazette on 23 October 2003 on pages 3854-3855, the Minister for Urban Development and Planning declared that Section 46 of the *Development Act 1993* applied to specified development for the purposes of, or ancillary to, establishing or operating, at a site near Ceduna on the West Coast, a commercial marina facility, boat harbour, waterfront residential development, a coastal community centre or a constructed wetland (the declaration).
2. By notice published in the Gazette on 15 December 2005 on pages 4272-4277, the Governor granted provisional development authorisation under Section 48 of the *Development Act 1993* for a proposed development within the ambit of the declaration (the development authorisation). The development authorisation was subsequently varied four times, pursuant to Section 48 of the *Development Act 1993*, by notices published in the Gazette on 13 December 2007 (on pages 4775-4781), 22 October 2009 (on pages 4887-4893), 3 February 2011 (on pages 328-334) and 17 November 2011 (on pages 4536-4541).
3. By notice in writing to the owners of the relevant land dated 28 June 2023, acting pursuant to Section 115(9) of the *Planning, Development and Infrastructure Act 2016* (as it applied pursuant to Regulation 11A(1)(a) of the *Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017*), I cancelled the development authorisation, as varied.

*Revocation*

Pursuant to Section 108(6) of the *Planning, Development and Infrastructure Act 2016* (as it applies to the declaration pursuant to Regulation 11A(1)(b) of the *Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017*), I revoke the declaration.

Dated: 2 July 2023

HON NICHOLAS DAVID CHAMPION MP  
Minister for Planning

## POLICE ACT 1998

*Authorisation to Conduct Oral Fluid Screening*

I, GRANT STEVENS, Commissioner of Police, do hereby notify that on and from 24 July 2023, the following persons were authorised by the Commissioner of Police to conduct oral fluid screening as defined in and for the purposes of the:

- *Police Act 1998*;
- *Police Regulations 2014*;

PD Number	Officer Name
41465	DALY, Adrian
85728	DENTON, Stephen
74365	KEPKA, Michael
77547	RICHTER, Aaron
75088	WATKINS, Kate

Dated: 24 July 2023

GRANT STEVENS  
Commissioner of Police

Reference: 21/1005

## POLICE ACT 1998

*Authorisation to Conduct Urine Screening*

I, GRANT STEVENS, Commissioner of Police, do hereby notify that on and from 21 July 2023, the following persons were authorised by the Commissioner of Police to conduct Urine screening as defined in and for the purposes of the:

- *Police Act 1998*;
- *Police Regulations 2014*;

PD Number	Officer Name
41465	DALY, Adrian
85728	DENTON, Stephen
49700	JANKOVIC, Benjamin
74365	KEPKA, Michael
77547	RICHTER, Aaron

Dated: 21 July 2023

GRANT STEVENS  
Commissioner of Police

Reference: 2021/3377

## REAL PROPERTY ACT 1886

*Caveat to be Lodged*

Whereas the Applicant named at the foot hereof has for itself made application to have the land set forth and described before its name at the foot hereof brought under the operation of the *Real Property Act 1886*:

Notice is hereby given that unless caveat be lodged with the Registrar General by some person having estate or interest in the said land on or before the expiration of the period herein below for each case specified, the said land will be brought under the operation of the said Act as by law directed. Diagrams delineating this land may be inspected at the Land Titles Registration Office, Adelaide and in the offices of the several corporations or district councils in which the lands are situated.

## THE SCHEDULE

No. of Application	Description of Property	Name	Residence	Date up to and inclusive of which caveat may be lodged
32077	Allotment 93 FP 219248, Hundred of Yatala, in the area named North Adelaide	Giuseppina Condina as the executor of Rosaria Condina, deceased	309 Montacute Road, Athelstone SA 5076	25 September 2023

Dated: 27 July 2023

B. PIKE  
Chief Executive Officer, Land Services SA  
Acting under delegation of the Registrar-General  
Pursuant to Section 17 of the *Real Property Act 1886*

## RETAIL AND COMMERCIAL LEASES ACT 1995

*Exemption*

**PURSUANT** to section 77(2) of the *Retail and Commercial Leases Act 1995* (SA) I, Nerissa Kilvert, Small Business Commissioner for the State of South Australia,

**EXEMPT** the Lease Agreement between the City of Salisbury and TreeClimb SA Pty Ltd (ACN 62 612 016 145) from compliance with section 13 of the Act, in relation to a portion of the land comprised in Certificate of Title Volume 5889 Folio 142, known as "Harry Bowie Reserve", and depicted in Annexure A to Lease Agreement.

Dated: 25 July 2023

NERISSA KILVERT  
Small Business Commissioner

## RETAIL AND COMMERCIAL LEASES ACT 1995

*Exemption*

**PURSUANT** to section 77(2) of the *Retail and Commercial Leases Act 1995* (SA) I, Nerissa Kilvert, Small Business Commissioner for the State of South Australia,

**EXEMPT** the management agreement between the City of Salisbury and GreenSpace Management Pty Ltd (ABN 51 626 072 053) from entirety of the Act, in relation to the management of the Little Para Golf Course, located at 62 Martins Road, Paralowie SA 5108.

Dated: 25 July 2023

NERISSA KILVERT  
Small Business Commissioner

## ROAD TRAFFIC ACT 1961

*Authorisation to Operate Breath Analysing Instruments*

I, GRANT STEVENS, Commissioner of Police, do hereby notify that on and from 17 July 2023, the following persons were authorised by the Commissioner of Police to operate breath analysing instruments as defined in and for the purposes of the:

- *Road Traffic Act 1961*;
- *Harbors and Navigation Act 1993*;
- *Security and Investigation Industry Act 1995*; and
- *Rail Safety National Law (South Australia) Act 2012*.

PD Number	Officer Name
12487	BALL, Aled Tomos
74347	CZULOWSKI, Luke Edmund
12230	FLETCHER, Kristina Lee
76807	GREAVES, Maddison Kiesha
12782	LANG, Alexandra Zoe
10438	ROSE, Scott Alexander
12572	SMIRNIOS, Zachary
12811	SPINELLI, Thomas James
77071	TOWEY, Laura Marie
12379	WALL, Dylan Douglas

Dated: 27 July 2023

GRANT STEVENS  
Commissioner of Police

Reference: 2023-0060

## ROAD TRAFFIC ACT 1961

*Authorisation to Operate Breath Analysing Instruments*

I, GRANT STEVENS, Commissioner of Police, do hereby notify that on and from 17 July 2023, the following persons were authorised by the Commissioner of Police to operate breath analysing instruments as defined in and for the purposes of the:

- *Road Traffic Act 1961*;
- *Harbors and Navigation Act 1993*;
- *Security and Investigation Industry Act 1995*; and
- *Rail Safety National Law (South Australia) Act 2012*.

PD Number	Officer Name
10128	BLACK, Travis James
77170	BURNETT, Christian Alexander
10915	EDSON, Jordan William
77163	GARDINER, Michael George
12068	HERMANSON, Regan Mark
10080	LUCKS, Shane Jesse
11070	LYON, Jake Joseph
12491	MCKENZIE, Tayler Emma
11122	PRIDHAM, Sarah Kate
12101	RAVESTEYN, Eryn Celia

Dated: 27 July 2023

GRANT STEVENS  
Commissioner of Police

Reference: 2023-0061

## ROAD TRAFFIC ACT 1961

## South Australia

**Road Traffic (Electric Personal Transporters) Notice No 4 of 2023**

under section 161A of the *Road Traffic Act 1961*

**1 Operation and revocation**

This Notice comes into operation on Monday 24 July 2023 and will cease operation on Wednesday 9 August 2023.

**2 Interpretation**

In this Notice—

*Act* means the *Road Traffic Act 1961*;

*Council* means the Corporation of the City of Charles Sturt;

*electric personal transporter* has the same meaning as in the Road Traffic (Miscellaneous) Regulations 2014;

*Minister* means the Minister to whom the administration of the Act is committed;

*shared path* has the same meaning as in the Australian Road Rules.

**3 Approval**

In accordance with the power under section 161A of the Act, I hereby APPROVE an electric personal transporter to be driven on or over a road within the Council area.

**4 Conditions**

An electric personal transporter may only be driven:

1. along the shared path known as the River Torrens Linear Park between Port Road and the western end of River Street, Hindmarsh, and along the shared path between Park Terrace and Station Place, Bowden;

2. if supplied by an operator permitted by Council, or otherwise authorised or accredited;
3. by a driver aged 18 years old or older;
4. if the electric personal transporter meets the criteria in paragraphs (a) to (d) of the definition of *scooter* in rule 244A(1) of the Australian Road Rules;
5. if the maximum speed of the electric personal transporter cannot exceed 15km/h;
6. if the unladen mass of the electric personal transporter does not exceed 25kg.

## 5 Revocation

This Notice may be revoked by the Minister or his delegate at any time.

## 6 Execution

Dated: 21 July 2023

HON TOM KOUTSANTONIS MP  
Minister for Infrastructure and Transport

### THE DISTRICT COURT OF SOUTH AUSTRALIA

PORT AUGUSTA CIRCUIT COURT

*Sheriff's Office, Port Augusta 31 July 2023*

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

Monday 31 July at 10 a.m. on the first day of the sittings the only business taken will be the arraignment of prisoners in gaol and the passing of sentences on prisoners in gaol committed for sentence; the surrender of prisoners on bail committed for sentence; the surrender of persons in response to *ex officio informations* or of persons on bail and committed for trial who have signified their intentions to plead guilty and the passing of sentences for all matters listed for disposition by the District Court.

Juries will be summoned for 31 July 2023 and persons will be tried on this and subsequent days of the sittings.

*Prisoners in H.M. Gaol and on bail for sentence and for trial at the sittings  
of the Port Augusta Courthouse, commencing 31 July 2023.*

Baiton, Andrew Martin	Aggravated causing harm	On bail
Baptiste, Daniel William	Maintaining an unlawful sexual relationship with a child	On bail
Bates, Andrew Lyall	Maintaining an unlawful sexual relationship with a child	On bail
Beaumont, Kevin Thomas Cyril	Indecent Assault (5); Aggravated indecent assault (3)	On bail
Bishop, Shaun James	Prevent person from attending as witness	In gaol
Bishop, Stephen Graham	Maintaining an unlawful sexual relationship with a child	On bail
Bromley, Arthur Charles Everett	Aggravated cause serious harm	In gaol
Burgoyne, Jason	Unlawful sexual intercourse	In gaol
Burgoyne, Jason Byron	Dishonestly take property without consent; Commit assault	In gaol
Burgoyne, Kristin Dianne	Attempted aggravated theft	On bail
Coe, Tommy Lee	Traffic in a controlled drug	In gaol
Collins, Luke James	Aggravated cause harm	In gaol
Colson, Dennis Edward Lee	Aggravated cause serious harm	In gaol
Coulthard, Alexander	Aggravated cause serious harm (with intent) other	On bail
Drage, Heath	Communicate to make child amenable to sexual activity	In gaol
Dunn, Allan	Unlawful sexual intercourse with person under 17 years; produce child exploitation material; unlawful sexual intercourse with person under 17 years	In gaol
Ferguson, Phillip	Maintaining an unlawful sexual relationship with a child (2); indecent assault	On bail
Gray, Thomas	Aggravated serious criminal trespass in place of residence; aggravated endangering life; Discharge firearm to injure, annoy or frighten person; Assault causing harm; Aggravated possess prescribed firearm without a licence; acquire, own, or possess ammunition without licence or permit	In gaol
Griffiths, Steven	Aggravated assault; Rape	In gaol
Ham, Christopher	Adult, maintain unlawful sexual relationship with a child	In gaol
Hill, Jacsyn Douglas	Maintaining an unlawful sexual relationship with a child; unlawful sexual intercourse; aggravated assault (2); disseminating child exploitation material; aggravated assault	On bail
H. T R	Maintaining an unlawful sexual relationship with a child	On bail
Holman, Angus	Maintaining an unlawful sexual relationship; aggravated assault	On bail
Kelly, Richard John	Serious criminal trespass in place of residence (aggravated); commit theft using force; aggravated assault that causes harm	In gaol
Kumer, Steven Anthony	Aggravated indecent assault (2); gross indecency	On bail
Lambourne, Rodney Hoosan, Jacob	Rape (2); rape (1)	On bail

Large, Kerry Leigh	Aggravated procure child for sexual activity; Procure child for sexual activity (2); knowingly be in possession of child exploitation material	In gaol
Longman, Daniel Robert Wayne	Unlawful sexual intercourse with a person under 17 years; rape (2)	On bail
Longman, Daniel Robert Wayne	Attempted rape; aggravated indecent assault (2); maintaining an unlawful sexual relationship with a child	On bail
Mason, Blake	Trafficking in a controlled drug	In gaol
Matthews-Rudolph, Vincent De Paul Corey	Aggravated cause serious harm	On bail
McClelland, Jake William	Rape	On bail
McCormick, Cameron Dwayne	Engage in sexual intercourse with a person without consent (3); commit assault against own child/spouse; unlawfully on premises; arson of building or motor vehicle	In gaol
McManus, Timothy James	Aggravated threaten to kill or endanger life	On bail
McManus, Timothy James	Aggravated commit assault; aggravated threaten to kill or endanger life	On bail
Milera, Jarman Phillip Miller, Liam Darcy	Aggravated recklessly causing serious harm aggravated recklessly causing serious harm	On bail
Morris, Anthony	Supply or administer controlled drug to child (2)	On bail
Mundy, Scott Aaron Cardy, Blake Michael	Aggravated assault causing harm; aggravated causing harm with intent to cause harm	In gaol
Naylon, Billy	Aggravated indecently assault a person	In gaol
Olds, Mark David	Aggravated assault causing harm; unlawfully choking, suffocating, or strangling another (2)	On bail
Orr, Aaron Ross	Damage property not building or motor vehicle; aggravated commit assault; aggravated commit assault against own child/spouse (2); choke, suffocate or strangle a person in a domestic setting	In gaol
Reese, Corey Allan	Persistent sexual exploitation of a child	On bail
Richards-Barrett, Blake Adam	Aggravated commit assault	On bail
Salmoni, Robert Heath	Unlawfully choking, suffocating, or strangling another; aggravated assault	On bail
Salter, Jordan Brian Meldrum, Amy	Traffic in a large commercial quantity of controlled drug	In gaol
Scafi, John Raymond	Arson of building or motor vehicle	On bail
Silva, Joel Luis	Trafficking in a controlled drug	In gaol
Simic, Andre	Maintaining an unlawful sexual relationship with a child	On bail
S., F. L.	Maintaining an unlawful sexual relationship with a child	On bail
Smith, Blake	Unlawful sexual intercourse with a person under 17 years	On bail
Spargo, Dwaine Kenneth	Procure child for sexual activity	On bail
Spargo, Dwaine Kenneth	Unlawful sexual intercourse with person under 17 years (2)	On bail
Spargo, Dwayne Kenneth	Aggravated indecent assault (2)	On bail
Spargo, Dwayne Kenneth	Procure child for sexual activity	On bail
Spirat, Nicholas Richard	Communicate to make child amenable to sexual activity; aggravated communicate to make child amenable to sexual activity; possess child exploitation material (3); aggravated possess child exploitation material	On bail
Steele, Nathaniel	Engage in sexual intercourse with a person without consent (2)	On bail
Wardrop, Kaedyn	Application for enforcement of a breached bond	On bail
W, D A	Maintaining an unlawful sexual relationship with a child	In gaol
Williams, Ryan John	Choke, suffocate or strangle a person in a domestic setting; aggravated commit assault against own child/spouse	In gaol
Willis, Jason Thomas Wright, Graham	Aggravated recklessly causing serious harm	In gaol
Yakupiti, Gayan Asanka	Aggravated endanger life	On bail
Young, Mark Gregory	Indecent assault (2)	On bail
	Maintaining an unlawful sexual relationship with a child	On bail

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

By order of the Court,

A. GRANSDEN  
Sheriff

#### UNREGULATED FEES AND CHARGES

##### SOUTH AUSTRALIAN MIGRATION FEES 2023

*Notice by the Minister for Industry, Innovation and Science  
Fees Payable for Services Provided by the Department for Industry, Innovation and Science*

The fees set out in the table below are payable for the assessment by the Department for Industry, Innovation and Science of an application made by a prospective migrant to the State seeking nomination or sponsorship relating to the making of an application for the appropriate visa for the purposes of the *Migration Act 1957* (Cth).

Class of migrant	Application to be assessed	Fee	GST Status
Skilled Migrant	Assessment of an application by a skilled migrant to be nominated for a general skilled work visa, skilled nomination visa or any individual skilled visa stream that supersedes the aforementioned streams.	\$359	Applicable to onshore applicants
Business Migrant (excluding 188 Entrepreneur stream where supported by a designated service provider)	Assessment of an application by a business migrant to be nominated for a business innovation and investment visa, business talent visa or any business visa stream that supersedes the aforementioned streams.	\$1,013	Applicable to onshore applicants

<b>Class of migrant</b>	<b>Application to be assessed</b>	<b>Fee</b>	<b>GST Status</b>
Investor Retirement Renewal	Assessment of an application by an applicant to be nominated or sponsored for an Investor Retirement Renewal visa (Subclass 405).	\$598	Applicable to onshore applicants
Business Migrant 188 Entrepreneur stream (where supported by a designated service provider)	Assessment of an application by a business migrant to be nominated for a 188 Entrepreneur stream visa where supported by designated service provider.	\$359	Applicable to onshore applicants
408 Temporary Activity Visa for a Government endorsed event	Assessment of an application by an applicant for a 408 Temporary Activity Visa for a Government endorsed event.	\$359	Applicable to onshore applicants

This notice will come into operation on the date of Gazettal.

Dated: 9 July 2023

HON DR SUSAN CLOSE MP  
Minister for Industry, Innovation and Science

# LOCAL GOVERNMENT INSTRUMENTS

## CITY OF ONKAPARINGA PERMITS AND PENALTIES BY-LAW 2023 By-law No. 1 of 2023

*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 2023* and is By-law No. 1 of the City of Onkaparinga.
  2. **Authorising Law**  
This By-law is made under section 246 of the Act.
  3. **Purpose**  
The objects of this By-law are to provide for the good rule and government of the Council area, and for the convenience, comfort and safety of its inhabitants by:
    - 3.1 creating a permit system for Council By-laws;
    - 3.2 providing for the enforcement of breaches of Council By-laws and fixing penalties; and
    - 3.3 clarifying the construction of Council By-laws.
  4. **Commencement, Revocation and Expiry**
    - 4.1 The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation<sup>1</sup>:  
*By-law No.1 – Permits and Penalties 2016.*<sup>2</sup>
    - 4.2 This By-law will expire on 1 January 2031.<sup>3</sup>
- Note-**
1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 249(5) of the Act).
  2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.
  3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.
5. **Application**  
This By-law applies throughout the Council's area.
  6. **Interpretation**  
In this By-law, unless the contrary intention appears:
    - 6.1 **Act** means the *Local Government Act 1999*;
    - 6.2 **Council** means the City of Onkaparinga; 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 by the Council (or its delegate) in writing prior to the act, event or activity to which it relates, and includes permission of general application granted by way of the Council adopting a policy for that purpose.

### PART 2 – PERMITS AND PENALTIES

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

**Note-**

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

This By-law was duly made and passed at a meeting of the City of Onkaparinga held on **18 July 2023** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

## CITY OF ONKAPARINGA MOVEABLE SIGNS BY-LAW 2023 By-law No. 2 of 2023

*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 2023* and is By-law No. 2 of the City of Onkaparinga.
2. **Authorising Law**  
This By-law is made under sections 226, 238, 239 and 246 of the Act.
3. **Purpose**  
The objects of this By-law are to set standards for moveable signs on roads:
  - 3.1 to protect the comfort and safety of road users and members of the public;
  - 3.2 to enhance the amenity of roads and surrounding parts of the Council area;
  - 3.3 to prevent nuisances occurring on roads;

- 3.4 to prevent unreasonable interference with the use of a road; and  
 3.5 for the good rule and government of the Council area.
4. **Commencement, Revocation and Expiry**
- 4.1 The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation<sup>1</sup>:
- By-law 2 – Moveable Signs 2016.<sup>2</sup>
- 4.2 This By-law will expire on 1 January 2031.<sup>3</sup>
- Note-**
1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 249(5) of the Act).  
 2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.  
 3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.
5. **Application**
- 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2023*.  
 5.2 This By-law applies throughout the Council area and is subject to the exemptions set out in clause 11.
6. **Interpretation**
- In this By-law, unless the contrary intention appears:
- 6.1 **Act** means the *Local Government Act 1999*;  
 6.2 **authorised person** means a person appointed as an authorised person pursuant to section 260 of the Act;  
 6.3 **banner** means a slip of cloth, plastic or other material hung up or 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;  
 6.5 **Council** means the City of Onkaparinga;  
 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; or  
 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;  
 6.10 **traffic control device** has the same meaning as in the *Road Traffic Act 1961*; and  
 6.11 **vehicle** has the same meaning as in the *Road Traffic Act 1961*.
- Note-**
- Section 12 of the *Legislation Interpretation Act 2021* provides that an expression used in this By-law has, unless the contrary intention appears, the same meaning as in the Acts under which the By-law was made.
- PART 2 – MOVEABLE SIGNS**
7. **Construction and Design**
- A moveable sign placed on a road must:
- 7.1 be of a kind known as an 'A' frame or sandwich board sign, an inverted 'T' sign, a flat sign or, with the permission of the Council (including as may be set out in a Council guideline 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, including in adverse weather conditions;  
 7.4 have no sharp or jagged edges or corners;  
 7.5 not, in the reasonable opinion of an authorised officer, be unsightly or offensive in appearance or content;  
 7.6 not contain flashing parts or be illuminated;  
 7.7 be constructed of timber, metal, plastic or plastic coated cardboard, or a mixture of such materials;  
 7.8 not exceed 900mm in height or have a base with any side exceeding 600mm in length;  
 7.9 not have a display area exceeding one (1) square metre in total or, if the sign is two-sided, one (1) square metre on each side;  
 7.10 in the case of an 'A' frame or sandwich board sign:  
 7.10.1 be hinged or joined at the top; and  
 7.10.2 be of such construction that its sides are securely fixed or locked in position when erected; and  
 7.11 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; and  
 7.12 in the case of a sign of some other kind, comply with the requirements of any guideline published by the Council in relation to that type of sign.
8. **Placement**
- A moveable sign must not be:
- 8.1 placed on any part of a road except on the footpath area;  
 8.2 placed, in the case of a flat sign, on a footpath area unless securely tied or chained to a pole or other structure adjacent to the business premises to which it relates;  
 8.3 subject to subclause 8.2, tied, fixed or attached to or, placed closer than two (2) metres from another structure, fixed object (including another moveable sign), tree, bush or plant;  
 8.4 placed on the sealed part of a footpath unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare (of sealed footpath area) of at least 1.2 metres wide;  
 8.5 placed on a footpath that is less than 2.5 metres wide;  
 8.6 placed so as to:  
 8.6.1 obstruct a vehicle door when opened, provided that the vehicle is parked lawfully on the road;  
 8.6.2 otherwise interfere with the reasonable movement of persons or vehicles using the footpath or road in the vicinity of where the moveable sign is placed; or  
 8.6.3 cause, in the reasonable opinion of an authorised person, a hazard or risk to the safety of any person on the road;  
 8.7 placed closer than 0.4 metres to the kerb (or, if there is no kerb, to the edge of the carriageway of a road or the shoulder of the road, whichever is the greater);  
 8.8 placed on a landscaped area, other than landscaping that comprises only lawn;  
 8.9 placed within three (3) metres of an intersection of roads;  
 8.10 placed on a designated parking area or within one (1) metre of an entrance to premises;  
 8.11 displayed during the hours of darkness unless it is in a lit area and clearly visible; or

- 8.12 placed on a median strip, traffic island, roundabout or any other traffic control device on a road.
9. **Banners**  
A person must not erect or display a banner on a building or structure on a road without the Council's permission.
10. **Restrictions**
- 10.1 A person (including, but not limited to, the owner or operator of a business) must not cause or allow more than one (1) moveable sign for a business premises to be displayed on a road at any time.
- 10.2 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.
- 10.3 A person must not cause or allow a moveable sign to be placed on a road unless:
- 10.3.1 it only displays material which advertises a business being conducted on premises adjacent to the moveable sign or the goods and services available from that business; and
- 10.3.2 the business premises to which it relates is open to the public when the sign is displayed.
- 10.4 Notwithstanding compliance with provisions of this By-law and if, in the reasonable 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 that footpath area on such conditions as the Council thinks fit.
11. **Exemptions**
- 11.1 Subclauses 10.1, and 10.3 of this By-law do not apply to a moveable sign which:
- 11.1.1 advertises a garage sale taking place from residential premises; or
- 11.1.2 is a directional sign to an event run by a community organisation or charitable body.
- 11.2 Subclauses 10.1 and 10.3.1 of this By-law do not apply to a flat sign which only contains newspaper headlines and the name of a newspaper or magazine.
- 11.3 A requirement of this By-law will not apply where the Council has granted permission for a moveable sign (or class of moveable sign) to be displayed contrary to that requirement (which permission may be granted by way of the Council adopting a policy or guideline 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; or
- 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
- of a prescribed class.

**PART 3 – ENFORCEMENT****12. Removal of Moveable Signs**

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

**Note-**

Pursuant to section 227(1) of the Act, an authorised person may order the owner of a moveable sign to remove the sign from the road if:

- the design, construction or positioning of a moveable sign does not comply with a requirement of this By-law;
- any other requirement of this By-law is not complied with; or
- the Moveable Sign unreasonably restricts the use of the Road or endangers the safety of other persons.

Section 227(2) of the Act provides that if the authorised person cannot find the owner, or the owner fail to comply immediately with the order, the authorised person may remove and dispose of the sign.

- 12.2 The owner of or other person entitled to recover a moveable sign removed by an authorised person pursuant to section 227(2) of the Act, may be required to pay to the Council any reasonable costs incurred by the Council in removing, storing, and/or disposing of the moveable sign before being entitled to recover the moveable sign.
- 12.3 The owner, or other person responsible for a moveable sign must remove or relocate the moveable sign at the request of an authorised person:
- 12.3.1 if, in the reasonable opinion of the authorised person, and not withstanding compliance with this By-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign; or
- 12.3.2 for the purpose of a special event, parade, 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.

**13. Liability of Vehicle Owners**

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

This By-law was duly made and passed at a meeting of the City of Onkaparinga held on **18 July 2023** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

**CITY OF ONKAPARINGA  
ROADS BY-LAW 2023  
By-law No. 3 of 2023**

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

**PART 1 – PRELIMINARY**

1. **Title**  
This By-law may be cited as the *Roads By-law 2023* and is By-law No. 3 of the City of Onkaparinga.
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 objects 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 area.
4. **Commencement, Revocation and Expiry**
- 4.1 The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation<sup>1</sup>:
- By-Law No. 3 – Roads 2016*.<sup>2</sup>
- 4.2 This By-law will expire on 1 January 2031.<sup>3</sup>

**Note-**

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

**5. Application**

- 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2023*.
- 5.2 Subject to subclause 5.3, this By-law applies throughout the Council's area.
- 5.3 Subclause 7.3.3 of this By-law 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 **Council** means the City of Onkaparinga;
- 6.5 **effective control means a person exercising effective control of an animal either:**
  - 6.5.1 by means of a physical restraint; or
  - 6.5.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
- 6.6 **electoral matter** has the same meaning as in the *Electoral Act 1985*;
- 6.7 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 6.8 **moveable sign** has the same meaning as in the Act;
- 6.9 **road** has the same meaning as in the Act, being a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes—
  - 6.9.1 a bridge, viaduct or subway; or
  - 6.9.2 an alley, laneway or walkway;
- 6.10 **vehicle** has the same meaning as in the *Road Traffic Act 1961*; and
- 6.11 **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 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 2023*.

- 7.2 **Amplification**  
Use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or the broadcasting of announcements or advertisements.
- 7.3 **Animals**
  - 7.3.1 Cause or allow an animal to stray onto, move over, or graze on a road except where the Council has set aside a track or other area for use by or in connection with an animal of that kind, and provided the animal or animals are under effective control.
  - 7.3.2 Lead, herd or exercise an animal in such a manner as to cause a nuisance or endanger the safety of a person.
  - 7.3.3 Lead, herd or exercise any horse, cattle, camel or sheep on any road to which the Council has determined this subclause applies.
- 7.4 **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.
- 7.5 **Donations**  
Ask for or receive or do anything to indicate a desire for a donation of money or any other thing.
- 7.6 **Fish**  
Fish on or from any road.
- 7.7 **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:
  - 7.7.1 obstruct a road, footway, water-channel, or watercourse; or
  - 7.7.2 cause a hazard to users of the road.
- 7.8 **Preaching and Canvassing**
  - 7.8.1 Preach, harangue, solicit or canvass for religious or charitable purposes.
  - 7.8.2 Subject to subclause 11.2, convey any religious or other message to any bystander, passerby or other person.
- 7.9 **Public Exhibitions and Displays**
  - 7.9.1 Sing, busk, play a recording or use a musical instrument, or perform similar activities.
  - 7.9.2 Conduct, cause or hold a concert, festival, show, public gathering of more than seventy (70) persons, exhibition circus, performance or a similar activity.
  - 7.9.3 Erect a stage or structure for the purpose of conducting or holding a concert, festival, show, circus, performance or a similar activity.
- 7.10 **Waste and Rubbish Bins**
  - 7.10.1 Deposit or leave thereon anything obnoxious or offensive.
  - 7.10.2 Deposit in any bin on a road that is provided by the Council for use by the public any rubbish:
    - 7.10.2.1 emanating from a domestic, commercial or trade source; or
    - 7.10.2.2 or waste contrary to any information on signs on the bin or in its vicinity.

- 7.11 **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.
- 7.12 **Waste Containers**  
Place, cause or allow to be placed, waste containers on a road to facilitate the collection of waste generated on neighbouring or nearby premises by the Council (or its agents or contractors) unless the waste containers are placed on the road:
- 7.12.1 for no more than a consecutive period of seventy-two (72) hours and otherwise in accordance with any waste collection policy adopted by the Council that includes requirements for the placement of waste containers on a road; and
- 7.12.2 in a position that:
- 7.12.2.1 is adjacent to the kerb (not on the carriageway) so that the front of the bin faces the road; and
- 7.12.2.2 as may otherwise be directed by the Council or specified in any waste collection policy adopted 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 the authorised person made pursuant to section 262 of the Act, including any order to leave that part of the road.

**9. Orders**

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

**Note-**

Section 262(1) of the Act states:

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

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

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

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

**10. Removal of Animals and Objects**

- 10.1 The Council (or its delegate) may, pursuant to section 234 of the Act, remove an animal or object that is on a road in breach of a By-law if no person is in charge of the animal or object.
- 10.2 The Council may 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 restriction in subclause 7.8.2 of this By-law does not apply to electoral matter authorised by a candidate and which is:
- 11.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day;
- 11.2.2 related to an election under the Act or the *Local Government (Elections) Act 1999* and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
- 11.2.3 related to, and occurs during the course of and for the purpose of a referendum.

**12. Liability of Vehicle Owners**

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

This By-law was duly made and passed at a meeting of the City of Onkaparinga held on **18 July 2023** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

**CITY OF ONKAPARINGA**  
**LOCAL GOVERNMENT LAND BY-LAW 2023**  
**By-law No. 4 of 2023**

*A By-law to manage and regulate the access to and use of Local Government land, and certain public places.*

**PART 1 – PRELIMINARY**

1. **Title**  
This By-law may be cited as the *Local Government Land By-law 2023* and is By-law No. 4 of the City of Onkaparinga.
2. **Authorising Law**  
This By-law is made under sections 238, 239, and 246 of the Act and section 18A of the *Harbours and Navigation Act 1993*.
3. **Purpose**  
The objects of this By-law are to regulate the access to and use of Local Government land (other than roads), and certain public places:
- 3.1 to prevent and mitigate nuisances;
- 3.2 to prevent damage to Local Government land;
- 3.3 to protect the convenience, comfort and safety of members of the public;
- 3.4 to enhance the amenity of the Council's area; and
- 3.5 for the good rule and government of the Council's area.
4. **Commencement, Revocation and Expiry**
- 4.1 The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation<sup>1</sup>:

*By-law No. 4 – Local Government Land 2016.*<sup>2</sup>

- 4.2 This By-law will expire on 1 January 2031.<sup>3</sup>
- Note-**
1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 249(5) of the Act).
  2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.
  3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.
5. **Application**
- 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2023*.
  - 5.2 Subject to subclauses 5.3 and 5.4, this By-law applies throughout the Council's area.
  - 5.3 Subclauses 9.2, 9.22.2, 9.22.4, 9.22.5, 9.26.2, 9.28, 9.34, 10.1.2, 10.4 and 10.10, 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.
  - 5.4 Subclauses 9.4.1, 9.7.1, 9.7.2 and 9.11.2.2 of this By-law apply throughout the Council area except in such parts of the Council area as the Council may by resolution direct in accordance with section 246(3)(e) of the Act.
6. **Interpretation**
- In this By-law, unless the contrary intention appears:
- 6.1 **Act** means the *Local Government Act 1999*;
  - 6.2 **animal** includes birds and insects but does not include a dog unless otherwise stated;
  - 6.3 **authorised person** is a person appointed by the Council as an authorised person under section 260 of the Act;
  - 6.4 **boat** includes a raft, pontoon, houseboat, personal watercraft or other similar device;
  - 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, motor home or other vehicle—  
to remain on Local Government land, the foreshore or a road for the purpose of staying overnight, whether or not any person is in attendance or stays overnight therein;
- 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 **coastal waters** means ocean waters extending offshore from the low water mark but excluding any waters overlying land between the low water mark and the high water mark;
  - 6.7 **Council** means the City of Onkaparinga;
  - 6.8 **electoral matter** has the same meaning as in the *Electoral Act 1985* provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
  - 6.9 **effective control** means a person exercising effective control of an animal either:
    - 6.9.1 by means of a physical restraint; or
    - 6.9.2 by command, the animal being in close proximity to the person and the person being able to see the animal at all times;
  - 6.10 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules- Ancillary and Miscellaneous Provisions) Regulations 2014*;
  - 6.11 **emergency vehicle** has the same meaning as in the *Australian Road Rules*;
  - 6.12 **foreshore** means land extending from the low water mark on the seashore in the Council's area to the nearest road or section boundary, or land extending for a distance of 50 metres from the high water mark (whichever is the lesser);
  - 6.13 **funeral ceremony** means a ceremony only (i.e. a memorial service) and does not include a burial;
  - 6.14 **high-water mark** means the point on land that is the highest astronomical tide;
  - 6.15 **Hooded Plover breeding site** means any Local Government land that is within twenty (20) metres of any sign thereon that includes the words '*hooded plover breeding site*'.
  - 6.16 **launch** means to transfer a boat from land to waters and *vice versa*;
  - 6.17 **liquor** has the same meaning as in the *Liquor Licensing Act 1997*;
  - 6.18 **Local Government land** means all land owned by the Council or under the Council's care, control and management except a road and foreshore (unless otherwise indicated);
  - 6.19 **low water mark** means the lowest astronomical tide;
  - 6.20 **offensive** includes threatening, abusive, insulting or annoying behaviour and offend has a complementary meaning;
  - 6.21 **open container** means a container that:
    - 6.21.1 after the contents of the container have been sealed at the time of manufacture:
      - 6.21.1.1 being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);
      - 6.21.1.2 being a can, it has been opened or punctured;
      - 6.21.1.3 being a cask, it has had its tap placed in a position to allow it to be used;
      - 6.21.1.4 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
    - 6.21.2 is a flask, glass, mug or other container able to contain liquid;
  - 6.22 **personal watercraft** has the same meaning as in the *Harbors and Navigation Act 1993*, which is a device that –
    - 6.22.1 is propelled by a motor;
    - 6.22.2 has a fully enclosed hull;
    - 6.22.3 is designed not to retain water if capsized; and
    - 6.22.4 is designed to be operated by a person who sits astride, stands, or kneels on the device;
 and includes the device commonly referred to as a jet ski;
  - 6.23 **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;
  - 6.24 **road** has the same meaning as in the Act;
  - 6.25 **special event** means an organised gathering of more than seventy (70) persons for any social, sporting or cultural purpose;
  - 6.26 **tobacco product** has the same meaning as in the *Tobacco and E-Cigarette Products Act 1997*;
  - 6.27 **vehicle** has the same meaning as in the *Road Traffic Act 1961*;
  - 6.28 **waters** includes a body of water, including a pond, lake, river, creek or wetlands under the care, control and management of the Council but does not include coastal waters; and
  - 6.29 **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 Lands**

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

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

**PART 3 – USE OF LOCAL GOVERNMENT LAND****9. Activities Requiring Permission****Note-**

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

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

**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 in an open container on Local Government land comprising a park or reserve to which the Council has resolved this paragraph applies.

**9.3 Amplification**

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

**9.4 Animals**

9.4.1 Cause or allow an animal to stray onto, move over, graze or be left unattended except for on Local Government land that the Council has resolved this subclause applies.

9.4.2 Lead, herd, take, or exercise an animal, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind (as indicated by signage on the land), and provided that the animal or animals are under effective control.

**9.5 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 thereon.

**9.6 Bees**

Place or keep a hive of bees.

**9.7 Boats and Mooring**

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

9.7.1 launch or retrieve a boat to or from any waters except in an area to which the Council has resolved this subclause applies and in accordance with any conditions determined by the Council;

9.7.2 hire out a boat or otherwise use a boat for commercial purposes except in an area to which the Council has resolved this subclause applies; or

9.7.3 moor any boat on or to Local Government land.

**9.8 Bridge Jumping**

Jump from or dive from a bridge.

**9.9 Buildings**

Use a building, or structure for a purpose other than its intended purpose or other than in accordance with any conditions of use displayed on or near the building or structure.

**9.10 Burials and Memorials**

9.10.1 Bury or inter the ashes of any human or animal remains, including the remains of a dog.

9.10.2 Erect any memorial.

**9.11 Camping and Tents**

On Local Government land, the foreshore or a road:

9.11.1 subject to this subclause 9.11, erect a tent or other structure of calico, canvas, plastic or similar material as a place of habitation;

9.11.2 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:

9.11.2.1 in a caravan park (the proprietor of which has been given permission to operate the caravan park on that land); or

9.11.2.2 on any Local Government land, road or foreshore to which the Council has resolved this subclause applies (and thereby designated as a camping area) and only then, in accordance with any conditions determined by the Council and displayed on any signage on or near the Local Government land, road or foreshore.

**9.12 Canvassing**

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

**9.13 Defacing Property**

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

**9.14 Depasturing**

Cause, suffer or allow any horse, cattle, sheep, goat or other animal under his or her control to depasture thereon.

- 9.15 **Distribution**  
Subject to subclause 14.2 and the *Local Nuisance and Litter Control Act 2016* place on a vehicle (without the consent of the owner of the vehicle), or give out or distribute any book, notice, leaflet, or other printed matter to any bystander, passer-by or other person.
- 9.16 **Donations**  
Ask for or receive or indicate that he or she desires a donation of money or any other thing.
- 9.17 **Entertainment and Busking**
- 9.17.1 For the apparent purpose of entertaining others and whether or not receiving money, sing, busk or play a recording or use a musical instrument.
- 9.17.2 Conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.
- 9.18 **Equipment**  
Use an item of equipment, facilities or property belonging to the Council other than in accordance with any conditions of use contained on a sign or notice in the vicinity of the equipment, facility or property.
- 9.19 **Fires**  
Subject to the *Fire and Emergency Services Act 2005* light a fire except:
- 9.19.1 in a place provided by the Council for that purpose; or
- 9.19.2 in a portable barbeque, as long as the barbeque is used in an area that is clear of flammable material for a distance of at least four (4) metres.
- 9.20 **Fireworks**  
Ignite, explode or use any fireworks.
- 9.21 **Flora and Fauna**  
Subject to the *Native Vegetation Act 1991* and the *National Parks and Wildlife Act 1972*:
- 9.21.1 except in a community garden, plant, damage, interfere with or remove any plant, tree, fungi or flower or other vegetation;
- 9.21.2 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;
- 9.21.3 take, interfere with, tease, harm or disturb any animal, bird or aquatic life or the eggs or young of any animal, bird or aquatic life;
- 9.21.4 except in a community garden, pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;
- 9.21.5 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird; or
- 9.21.6 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or aquatic life—  
with the exception that subclauses 9.21.3 and 9.21.6 do not apply to lawful fishing activities.
- 9.22 **Games and Sport**
- 9.22.1 Participate in, promote or organise any organised competition or sport, as distinct from organised social play.
- 9.22.2 Play or practise any game which involves kicking, hitting or throwing a ball or other object on Local Government land to which the Council has resolved this subclause applies.
- 9.22.3 Play or practise the game of golf on Local Government land unless on a properly constructed golf course or golf practice fairway.
- 9.22.4 Engage or participate in or conduct any organised group fitness activity or training (including any dance lessons or activities) on Local Government land to which the Council has resolved this subclause applies.
- 9.22.5 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 and in accordance with any conditions resolved by the Council as indicated on a sign on or in the vicinity of the land (if any).
- 9.23 **Marine Life**  
Introduce any marine life to any waters located on Local Government land.
- 9.24 **Inflatable Devices**  
Erect, install or place or cause to be erected, installed on placed on Local Government land any inflatable jumping castle, obstacle course, waterslide or similar object.
- 9.25 **Interference with Land**  
Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:
- 9.25.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;
- 9.25.2 erecting or installing a structure in, on, across, under or over the land;
- 9.25.3 changing or interfering with the construction, arrangement or materials of the land;
- 9.25.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or
- 9.25.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.
- 9.26 **Model Aircraft, Boats and Cars**  
Subject to the *Civil Aviation Safety Regulations 1998* (Cth):
- 9.26.1 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
- 9.26.2 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.
- 9.27 **Overhanging Articles**  
Suspend or hang an article or object from a building, verandah, pergola, post or other structure on Local Government land where it might present a nuisance or danger to a person using the land or be of an unsightly nature in the reasonable opinion of an authorised person.
- 9.28 **Paragliders and Hang-gliders**  
Subject to the *Civil Aviation Safety Regulations 1998* (Cth), operate or use a hang-glider or paraglider except on Local Government land to which the Council has resolved this subclause applies and in accordance with any conditions determined by the Council.
- 9.29 **Preaching**  
Preach, harangue or solicit for religious or charitable purposes.
- 9.30 **Recreation Ground**  
Use or occupy a recreation ground:

- 9.30.1 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);
- 9.30.2 in a manner contrary to the purpose for which the playing area was intended to be used or occupied; or
- 9.30.3 contrary to directions of the Council made by resolution and indicated on a sign displayed on or in the vicinity of the recreation ground.
- 9.31 **Trading**
- 9.31.1 Sell, buy, offer or display anything for sale, hire or lease any goods, merchandise, commodity, article or thing.
- 9.31.2 Carry on or cause to be carried on any business.
- 9.31.3 Set up a van or other vehicle, stall, stand, table or other structure, tray, carpet or device for the purpose (as determined by an authorised officer acting reasonably) of buying, selling, offering, displaying for sale or the hiring or leasing of any goods merchandise, commodity, article or thing.
- 9.32 **Vehicles**
- 9.32.1 Drive or propel a vehicle except on an area or road constructed and set aside by the Council for that purpose as indicated by signage thereon.
- 9.32.2 Drive or propel a vehicle on or onto any Local Government land that is a Hooded Plover breeding site.
- 9.32.3 Promote, organise or take part in a race, test or trial of any kind in which vehicles take part, except on an area properly constructed for that purpose.
- 9.32.4 Repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown.
- 9.33 **Weddings, Functions and Special Events**
- 9.33.1 Hold, conduct or participate in a marriage ceremony, funeral ceremony or special event.
- 9.33.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral ceremony or special event.
- 9.33.3 Hold or conduct any filming where the filming is for a commercial purpose.
- 9.34 **Wheeled Recreational Devices**  
Subject to the *Road Traffic Act 1961*, ride a wheeled recreational device on Local Government land to which the Council has resolved this subclause applies.
10. **Prohibited Activities**  
A person must not do any of the following on Local Government land.
- 10.1 **Animals**
- 10.1.1 Cause or allow an animal to damage a flowerbed, garden plot, tree, lawn or like thing or place.
- 10.1.2 Lead, herd drive, or exercise any horse, cattle, camel or sheep or permit any horse, cattle, camel or sheep to be led, herded, driven, or exercised on any land to which the Council has resolved this subclause applies.
- 10.2 **Annoyance**  
Annoy, or unreasonably interfere with any other person's use of the land (as determined by an authorised person acting reasonably) by making a noise or by creating a disturbance that has not been authorised by the Council.
- 10.3 **Equipment**  
Use any item of equipment, or property belonging to the Council other than in the manner and for the purpose for which it was designed, constructed or intended to be used or in such manner as is likely to damage or destroy it.
- 10.4 **Fishing**  
Fish in any waters to which the Council has resolved this subclause applies.
- 10.5 **Glass**  
Willfully break any glass, china or other brittle material.
- 10.6 **Interference with Permitted Use**  
Interrupt or unreasonably interfere with any other person's use of Local Government land where that 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.
- 10.7 **Nuisance**  
Behave in such an unreasonable manner so as to cause discomfort, inconvenience, annoyance or offence to any other person including by using profane, indecent or obscene language.
- 10.8 **Playing Games**  
Play or practise a game or sport or participate in any form of recreation or amusement:
- 10.8.1 which is likely to cause damage to the land or anything on it;
- 10.8.2 which endangers the safety or interferes with the comfort of any person; and
- 10.8.3 in any area where a sign indicates that the game or sport is prohibited.
- 10.9 **Public Convenience**  
In any public convenience facility (being showers, washing and toilet facilities):
- 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 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 **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.
- 10.11 **Obstruction**  
Obstruct or cause to be obstructed:
- 10.11.1 any path or track;
- 10.11.2 any door, entrance, stairway or aisle in any building; or
- 10.11.3 any gate or entrance thereon.

- 10.12 **Solicitation**  
Tout or solicit customers for the parking of vehicles or for any other purpose whatsoever.
- 10.13 **Waste and Rubbish**
- 10.13.1 Deposit or leave thereon anything obnoxious or offensive.
- 10.13.2 Deposit in any rubbish bin on Local Government land that is provided by the Council for use by the public (but excluding any residential rubbish bin):
- 10.13.2.1 any trash emanated from a domestic, trade or commercial source; or
- 10.13.2.2 any rubbish or waste contrary to any information on signs on the bin or in its vicinity.

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

- 11.1 A person on Local Government land must comply with a reasonable direction from an authorised person relating to:
- 11.1.1 that person's use of that land;
- 11.1.2 that person's conduct and behaviour on that land;
- 11.1.3 that person's safety on that land; or
- 11.1.4 the safety and enjoyment of other persons on that land.
- 11.2 A person who, in the 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 the authorised person made pursuant to section 262 of the Act, including any order to leave that part of Local Government land.

**12. Orders**

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

**Note-**

Section 262(1) of the Act states:

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

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

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

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

**13. Removal of animals and objects**

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

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

- 14.1 The restrictions in this By-law do not apply to any 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.
- 14.2 The restrictions in subclauses 9.12 and 9.15 of this By-law do not apply to electoral matter authorised by a candidate and which is:
- 14.2.1 related to a Commonwealth or State election and occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day;
- 14.2.2 related to an election under the Act or the *Local Government (Elections) Act 1999* and occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
- 14.2.3 related to, and occurs during the course of and for the purpose of a referendum.
- 14.3 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.
- 14.4 An exemption under subclause 14.3:
- 14.4.1 may be granted or refused at the discretion of the Council;
- 14.4.2 may operate indefinitely or for a period specified in the instrument of exemption;
- 14.4.3 is subject to any conditions specified in the instrument of exemption;
- 14.4.4 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
- 14.4.5 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.

**15. Liability of Vehicle Owners**

- 15.1 For the purposes of this clause 15, *owner* in relation to a vehicle has the same meaning as contained in section 4 of the Act.
- 15.2 The owner and the driver of a vehicle driven, parked or standing in contravention of this By-law are each guilty of an offence and liable to the penalty as prescribed for that offence.

This By-law was duly made and passed at a meeting of the City of Onkaparinga held on **18 July 2023** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

**CITY OF ONKAPARINGA  
FORESHORE BY-LAW 2023  
By-law No. 6 of 2023**

*A By-law for the management of the foreshores in the Council's area.*

**PART 1 – PRELIMINARY****1. Title**

This By-law may be cited as the *Foreshore By-law 2023* and is By-law No. 6 of the City of Onkaparinga.

**2. Authorising Law**

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

**3. Purpose**

The objects of this By-law are to regulate the access to and use of the foreshore:

- 3.1 to prevent and mitigate nuisances on the foreshore;
- 3.2 to prevent damage to and promote conservation of the foreshore;
- 3.3 to protect the convenience, comfort and safety of members of the public;
- 3.4 to enhance the amenity of the Council area; and

- 3.5 for the good rule and government of the area.
4. **Commencement, Revocation and Expiry**
- 4.1 The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation<sup>1</sup>:
- By-law No.6 – Foreshore 2016.*<sup>2</sup>
- 4.2 This By-law will expire on 1 January 2031.<sup>3</sup>
- Note-**
1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted (section 249(5) of the Act).
2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.
3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.
5. **Application**
- 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2023*.
- 5.2 Subject to subclauses 5.3 and 5.4, this By-law applies throughout the Council area.
- 5.3 Clauses 9.6.2 and 9.6.4 of this By-law only apply in relation to 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 Clauses 8.2.1, 8.3.2 and 8.9 of this By-law apply throughout the Council area except in such part or parts of the Council area as the Council may by resolution direct in accordance with section 246(3)(e) of the Act.
6. **Definitions**
- In this By-law:
- 6.1 **Act** means the *Local Government Act 1999*;
- 6.2 **animal or animals** includes birds and insects but does not include a dog;
- 6.3 **authorised person** is a person appointed by the Council as an authorised person under section 260 of the Act;
- 6.4 **boat** includes a raft, pontoon, houseboat, personal watercraft or other similar device;
- 6.5 **coastal waters** means ocean waters extending offshore from the low water mark but excluding any waters overlying land between the low water mark and the high water mark;
- 6.6 **Council** means the City of Onkaparinga;
- 6.7 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 6.8 **foreshore** means land extending from the low water mark on the seashore in the Council's area to the nearest road or section boundary, or for a distance of 50 metres from the high-water mark (whichever is the lesser);
- 6.9 **high-water mark** means the point on land that is the highest astronomical tide;
- 6.10 **launch means** to transfer a boat from land to coastal waters and *vice versa*;
- 6.11 **low water mark** means the lowest astronomical tide;
- 6.12 **pebble bank** means the pebble banks located on the foreshore at Sellicks Beach and Aldinga Beach;
- 6.13 **personal watercraft** means a device that –
- 6.13.1 is propelled by a motor;
- 6.13.2 has a fully enclosed hull;
- 6.13.3 is designed not to retain water if capsized; and
- 6.13.4 is designed to be operated by a person who sits astride, stands, or kneels on the device;
- and includes the device commonly referred to as a jet ski;
- 6.14 **special event** means an organised gathering of more than seventy (70) persons for any social, sporting or cultural purpose;
- 6.15 **vehicle** has the same meaning as in the *Road Traffic Act 1961*; and

**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 THE FORESHORE****7. Access**

- 7.1 The Council may:
- 7.1.1 close or regulate or restrict access to, any part of the foreshore to the public for specified times and days; and
- 7.1.2 fix charges or fees payable for entry onto any part of the foreshore.
- 7.2 A person must not without permission, enter or remain on any foreshore;
- 7.2.1 which has been closed, or in respect of which access by the public is regulated or restricted in accordance with subclause 7.1;
- 7.2.2 where entry fees or charges are payable, without paying those fees or charges; or
- 7.2.3 where the foreshore has been enclosed by fences or where signage is displayed to notify that the foreshore is closed to the public.

**PART 3 – REGULATION OF ACTIVITIES ON THE FORESHORE****8. Activities Requiring Permission**

A person must not without the permission of the Council, do any of the following activities on the foreshore.

- 8.1 **Advertising**  
Display, paint or erect any advertisement (including on any building or structure on the foreshore).
- 8.2 **Animals**
- 8.2.1 Except on any part or parts of the foreshore to which the Council has resolved this subclause applies, allow, ride or take any animal onto or allow it to remain on the foreshore or in any coastal waters except between the hours of midnight and 9am.
- 8.2.2 Allow any horse or camel to enter or leave the foreshore other than by the access ramps constructed or provided by the Council for that purpose.
- 8.3 **Boat Ramps**
- 8.3.1 Use a boat ramp on the foreshore to which the Council has determined this clause applies to launch or retrieve a boat from or onto the foreshore:
- 8.3.1.1 without having first paid the fee determined by the Council and displayed the receipt of payment on the dashboard of the towing vehicle used to launch or retrieve the boat; and
- 8.3.1.2 other than in accordance with any conditions determined by resolution of the Council (if any).
- 8.3.2 Except for on any foreshore to which the Council has resolved this subclause applies, launch or retrieve a boat from or onto the foreshore without using a boat ramp constructed or provided by the Council for that purpose.
- 8.3.3 Allow a vehicle to remain stationary on a boat ramp for longer than is necessary to launch or retrieve a boat.

- 8.4 **Equipment**  
Use any equipment, building or structure on the foreshore:
- 8.4.1 for a purpose other than its intended purpose; or
- 8.4.2 otherwise than in accordance with any conditions of use specified in signage on the equipment or structure.
- 8.5 **Entertainment and Busking**
- 8.5.1 Sing, busk or play a recording or use a musical instrument for the apparent purpose of either entertaining others or receiving money.
- 8.5.2 Conduct or hold any event, concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.
- 8.6 **Fires**  
Subject to the *Fire and Emergency Services Act 2005*, light any fire except:
- 8.6.1 in a place provided by the Council for that purpose; or
- 8.6.2 in a portable barbeque as long as the barbeque is used in an area that is clear of flammable material for a distance of four metres.
- 8.7 **Fishing**  
Cast a fishing line from any foreshore into coastal waters while there are other persons in the waters in the vicinity of the fishing line.
- 8.8 **Jetties**
- 8.8.1 Jump or dive from a jetty or other structure onto the foreshore or into any coastal waters.
- 8.8.2 Throw or propel any object from any structure or jetty onto the foreshore or into any adjacent waters.
- 8.9 **Sandboarding**  
Use a sandboard or other item except where the Council has resolved this clause applies.
- 8.10 **Trading**  
Sell, buy, offer or display for sale or hire any goods or services.
- 8.11 **Weddings, Functions and Special events**
- 8.11.1 Hold, conduct or participate in a marriage ceremony, funeral or special event.
- 8.11.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral or special event.
- 8.11.3 Hold or conduct any filming where the filming is for a commercial purpose.
9. **Prohibited Activities**  
A person must not do any of the following on the foreshore.
- 9.1 **Annoyances**  
Unless authorised by the Council, act in such a manner that may, in the reasonable opinion of an authorised officer:
- 9.1.1 endanger others or cause damage to property;
- 9.1.2 unreasonably interfere with the lawful activities of others that are taking place on the foreshore; or
- 9.1.3 cause discomfort, inconvenience, annoyance or offence to any other person including by using profane, indecent or obscene language.
- 9.2 **Interference with Permitted Use**  
Interrupt or interfere with any other person's use of the foreshore as permitted by the Council.
- 9.3 **Rubbish**  
Deposit in any rubbish bin:
- 9.3.1 any trash emanated from a domestic, trade or commercial source; or
- 9.3.2 any rubbish or waste contrary to any information on signs on the bin or in its vicinity.
- 9.4 **Sand dunes, Pebble Banks, Coastal Slopes and Cliffs**
- 9.4.1 Carry out any activity that may damage or threaten the integrity of sand dunes, pebble banks, coastal slopes or cliff.
- 9.4.2 Introduce non-indigenous flora or fauna or dump any material in a sand dune or pebble bank.
- 9.4.3 Destroy, remove or cause interference to any flora or fauna, whether living or dead, on or within a sand dune, coastal slope, pebble bank or coastal cliff.
- 9.4.4 Remove or clear any sand, seaweed, soil, rocks or other flora and fauna.
- 9.4.5 Make or excavate any dug-out, cave, cliff or other opening, or camp in or otherwise occupy any dug out, cave or cliff overhang opening.
- 9.5 **Toilets**  
In any public convenience facility (including showers, washing and toilet facilities):
- 9.5.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;
- 9.5.2 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;
- 9.5.3 use it for a purpose for which it was not designed or constructed; or
- 9.5.4 enter any gender specific public convenience except—
- 9.5.4.1 if the person is of the gender indicated on a sign or writing located on the public convenience;
- 9.5.4.2 where the person is a caregiver, parent or guardian and is providing assistance to a vulnerable person in that person's care;
- 9.5.4.3 for the purpose of providing assistance to a person with a disability;
- 9.5.4.4 where the person identifies as gender diverse and is using the public convenience of the gender that the person identifies with; or
- 9.5.4.5 in the case of a genuine emergency.
- 9.6 **Vehicles**
- 9.6.1 Subject to this subclause 9.6, drive or propel a vehicle without the permission of the Council.
- 9.6.2 On foreshore areas to which the Council has resolved this subclause applies, drive or propel a vehicle without having first obtained a beach pass from the Council and other than in accordance with any conditions of the Council as set out on the beach pass.
- 9.6.3 Drive or propel a vehicle onto or from the foreshore other than by a ramp or thoroughfare constructed or provided by the Council for that purpose.
- 9.6.4 Use any ramp or thoroughfare to which the Council has resolved this subclause applies to drive or propel a vehicle onto or from the foreshore without having paid the applicable fee (if any) in the manner determined by the Council.
- 9.6.5 Drive or propel a vehicle over or on any sand dune or pebble bank.
- 9.6.6 Drive or propel a vehicle on or onto any foreshore that:
- 9.6.6.1 has been closed to vehicle access by the Council as indicated by signage thereon; or

- 9.6.6.2 is a Hooded Plover breeding site.
- 9.6.7 For the purposes of this subclause 9.6:
- 9.6.7.1 **beach day pass** means a permit issued by the Council and/or its agent upon application, which authorises a vehicle to be driven on a designated foreshore in accordance with the conditions specified on the permit by the Council and which is valid for a single day only;
- 9.6.7.2 **beach pass** means either a seasonal beach pass or a beach day pass;
- 9.6.7.3 **Hooded Plover breeding site** means any part of the foreshore that is within twenty (20) metres of any sign thereon that includes the words 'hooded plover breeding site'; and
- 9.6.7.4 **seasonal beach pass** means a permit issued by the Council and/or its agent upon application and which authorises a vehicle to be driven on a designated foreshore in accordance with the conditions specified by the Council on the permit.

**PART 4 – ENFORCEMENT****10. Directions**

- 10.1 A person on the foreshore must comply with a reasonable direction from an authorised person relating to:
- 10.1.1 that person's use of the foreshore;
- 10.1.2 that person's conduct and behaviour on the foreshore; or
- 10.1.3 the safety and enjoyment of other persons on the foreshore.
- 10.2 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 the authorised person made pursuant to section 262 of the Act, including any order to leave that part of the foreshore.

**11. Orders**

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

**12. Removal of Animals and Objects**

An authorised person may remove an animal or object that is on the foreshore 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 a Police Officer, emergency worker, Council Officer or employee acting in the course and within the scope of that person's normal duties, or to a contractor or volunteer 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 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.
- 13.3 An exemption under subclause 13.2:
- 13.3.1 may be granted or refused at the discretion of the Council;
- 13.3.2 may operate indefinitely or for a period specified in the instrument of exemption; and
- 13.3.3 is subject to any conditions specified in the instrument of exemption.
- 13.3.4 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
- 13.3.5 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.

**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 City of Onkaparinga held on **18 July 2023** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

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**THE BAROSSA COUNCIL**
*Adoption of Valuation and Declaration of Rates and Charges***1. Adoption of Valuations**

Council, in accordance with Section 167(2)(a) of the *Local Government Act 1999*, adopts for rating purposes the Valuer-General's most recent valuations available to the Council of the Capital Value in relation to the area of the Council, which specifies that the total of the values that are to apply within the area is \$7,478,941,400 of which \$7,328,819,865 is rateable.

**2. Declaration of Differential General Rates**

That Council, pursuant to Sections 152(1)(c)(i), 153(1)(b) and 156(1)(a) of the *Local Government Act 1999*, declares the following differential general rates on rateable land within its area for the year ending 30 June 2024, based upon the capital value of the land which rates vary by reference to land use categories as per Regulation 14 of the *Local Government (General) Regulations 2013* as follows:

- (1) Category (a)—Residential, a rate of 0.00294 in the dollar;
- (2) Category (b)—Commercial—Shop, category (c)—Commercial—Office and category (d)—Commercial—Other, a rate of 0.00454 in the dollar;
- (3) Category (e)—Industry—Light, a rate of 0.0045 in the dollar;
- (4) Category (f)—Industry—Other, a rate of 0.01433 in the dollar;
- (5) Category (g)—Primary Production, a rate of 0.00295 in the dollar;
- (6) Category (h)—Vacant Land, a rate of 0.00559 in the dollar;
- (7) Category (i)—Other, a rate of 0.005 in the dollar;

### 3. Fixed Charge

That Council, pursuant to Section 152(1)(c)(ii) of the *Local Government Act 1999*, impose a fixed charge of \$420.00 on each separately valued piece of rateable land within the Council area for the year ending 30 June 2024.

### 4. Waste Collection Service Charge

That Council, pursuant to Section 155 of the *Local Government Act 1999*, and in order to provide or make available the service of waste collection in those parts of the Council's area described in (3) below, impose the following service charges by reference to the nature and/or level of usage of the service, for the year ending 30 June 2024:

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

- (a) An annual service charge of \$130 for 140L General (Landfill) Waste collection receptacles;
- (b) An annual service charge of \$169 for 240L General (Landfill) Waste collection receptacles;  
except in instances where, subject to written application to and the approval of the Council, residential households with six or more permanent residents or a special medical condition may receive a 240L receptacle at the same service charge for a 140L receptacle.

#### (2) Recyclable Waste Collection

- (a) An annual service charge of \$70 for 240L Co-mingled Recycling collection receptacle
- (b) An annual service charge of \$71 for 240L Green Organic Recycling collection receptacle.

#### (3) Parts of Council Area

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

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

That Council, pursuant to Section 155 of the *Local Government Act 1999*, declares a service rate and imposes a service charge for the year ending 30 June 2024, in the following areas to which Council makes available a Community Wastewater Management System (CWMS):

#### (1) Lyndoch, Mount Pleasant, Nuriootpa, Penrice, Stockwell, Tanunda and Williamstown—Residential & Vacant Land Properties

- (a) An annual service charge of \$386 for occupied residential rateable and non-rateable land;
- (b) An annual service charge of \$110 on each assessment of vacant rateable and non-rateable land.

#### (2) Lyndoch, Mount Pleasant, Nuriootpa, Penrice, Stockwell, Tanunda and Williamstown—Non-Residential & Non-Vacant Land Properties

A service rate of 0.001004 in the dollar of the capital value of occupied non-residential rateable land.

#### (3) Springton—Residential & Vacant Land Properties

- (a) An annual service charge of \$386 on assessments of occupied residential rateable land and non-rateable land;
- (b) An annual service charge of \$95 on each assessment of vacant rateable and non-rateable land.

#### (4) Springton—Non-Residential & Non-Vacant Land Properties

- (a) A service rate of 0.001004 in the dollar of the capital value of occupied non-residential rateable land.

### 6. Regional Landscape Levy

That Council, in exercise of the powers contained in Section 154 of the *Local Government Act 1999* and Section 69 of the *Landscape South Australia Act 2019*, for the year ending 30 June 2024 and in order to reimburse the Council for the amount contributed to the Northern and Yorke Landscape Board, a levy in the nature of a separate rate of 0.0001122 in the dollar of the capital value of land, be declared on all rateable land in the area of that Board.

### 7. Payment of Rates

- (1) Pursuant to Section 181(1) and (2) of the *Local Government Act 1999*, all rates and charges will be payable in four quarterly instalments due on 12 September 2023, 5 December 2023, 5 March 2024 and 4 June 2024; provided that in cases where the initial account requiring payment of rates is not sent at least 30 days prior to these dates, or an amended account is required to be sent, authority to fix the date by which rates must be paid in respect of those assessments affected is delegated pursuant to Section 44 of the Act, to the Chief Executive Officer;
- (2) Pursuant to Section 44 of the *Local Government Act 1999*, the Chief Executive Officer is delegated the power under Section 181(4)(b) of the Act to enter into agreements with ratepayers relating to the payment of rates in any case where the Chief Executive Officer thinks it necessary or desirable to do so;

### 8. General Rates Cap—Residential and Primary Production

That Council, pursuant to Section 153(3) and (4) of the *Local Government Act 1999*, has determined to fix, on application of the property owner, a maximum increase in general rates (excluding fixed charge) levied upon a category (a) land use (Residential) or category (g) land use (Primary Production) property, for the year ending 30 June 2024 which constitutes the principal place of residence of a principal ratepayer at:

- (a) 7.5% over and above the general rates levied for the 2022/2023 financial year (for those eligible for a State Government concession on their Council rates including those in receipt of the Cost of Living Concession) or;
- (b) 15% over and above the general rates levied for the 2022/2023 financial year (for all other such ratepayers), provided that:
- (c) the property has been the principal place of residence of the principal ratepayer since at least 1 July 2022, and;
- (d) the property has not been subject to improvements with a value of more than \$20,000 since 1 July 2022, and;
- (e) excluding land related to the principal place of residence for the purposes of single farm enterprise and/or contiguous land.

Dated: 27 July 2023

MARTIN MCCARTHY  
Chief Executive Officer

## DISTRICT COUNCIL OF CLEVE

*Adoption of Valuations and Declaration of Rates*

NOTICE is hereby given that at its meeting held on 25 July 2023, the District Council of Cleve for the financial year ending 30 June 2024:

1. adopted for rating purposes, the capital valuations of land within the Council area as made by the Valuer General, being the most recent valuations available to the Council, totalling **\$1,211,209,580**;
2. declared a fixed charge of **\$570** payable in respect of rateable land within the Council area;
3. declared differential rates as follows:

All land within the Commercial (Bulk Handling) zones as defined in Council's Development Plan	<b>1.139245</b>	<b>rate in the \$</b>
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All other land within the Council area  
according to its land use as follows:

Residential (Category A)	<b>0.244750</b>	<b>rate in the \$</b>
Commercial (Category B, C & D)	<b>0.244750</b>	<b>rate in the \$</b>
Industrial (Category E & F)	<b>0.244750</b>	<b>rate in the \$</b>
Primary Production (Category G)	<b>0.222615</b>	<b>rate in the \$</b>
Vacant Land (Category H)	<b>0.244750</b>	<b>rate in the \$</b>
Other (Category I)	<b>0.244750</b>	<b>rate in the \$</b>

4. imposed the following annual service charges, payable in respect to rateable land where a septic tank effluent disposal connection point is provided or made available:
  - a. within the Township of Cleve – **\$581 per unit** in respect of each piece of rateable land (if a connected allotment) serviced by the Cleve Scheme;
  - b. within the Township of Cleve - **\$387 per unit** in respect of each piece of rateable land (if an unconnected allotment) serviced by the Cleve Scheme;

imposed the following annual service charges, payable in respect to rateable land where a sewerage system connection point is provided or made available:

- c. within the Township of Arno Bay (Arno Bay Foreshore Properties) - **\$581 per unit** in respect of each piece of rateable land (if a connected allotment) serviced by the Arno Bay Scheme;
5. imposed an annual service charge of **\$276 per bin per assessment** for the collection and disposal of waste and recyclables in respect of all land within the townships of Cleve, Arno Bay, Rudall and Darke Peak to which it provides or makes available the service;
6. imposed an annual service charge, upon properties serviced by a common antenna television retransmission service for the properties serviced by the Whyte St/Cottages CATV system **\$132 (GST inc)**; and
7. declared a differential separate rate according to land use in order to reimburse the Council the amount contributed to the Eyre Peninsula Landscape Board as follows:

Land Use	Levy rate per Land Use (\$)
Residential	<b>87.43</b>
Other & Vacant Land	<b>87.43</b>
Commercial	<b>131.14</b>
Industrial	<b>131.14</b>
Primary Production	<b>174.85</b>

DAVID PENFOLD  
Chief Executive Officer

## DISTRICT COUNCIL OF COOBER PEDY

*Adoption of Valuations and Declaration of Rates*

Notice is hereby given that at its meeting of 26 July 2023 the District Council of Coober Pedy adopted its valuations and declared its rates for the 2023-24 financial year.

*Adoption of Valuations*

That pursuant to Section 167(2)(a) of the *Local Government Act 1999*, the Council adopts for rating purposes the capital valuations made by the Valuer-General within the Council's area totalling \$171,644,800 of which \$149,689,908 represents rateable land.

*Declaration of Differential General Rates*

That, having taken into account the general principles of rating contained in Section 150 of the *Local Government Act 1999* and the requirements of Section 153(2) of the *Local Government Act 1999*, Council, pursuant to and in accordance with Sections 152(1)(a) and 153(1)(a) of the *Local Government Act 1999* declares:

Land Use 1	Residential	1.2915 cents in the dollar
Land Use 2	Commercial—Shop	1.6144 cents in the dollar
Land Use 3	Commercial—Office	1.6144 cents in the dollar
Land Use 4	Commercial—Other	1.6144 cents in the dollar
Land Use 5	Industry Light	1.6144 cents in the dollar
Land Use 6	Industry—Other	1.6144 cents in the dollar
Land Use 8	Vacant Land	1.2915 cents in the dollar
Land Use 9	Other	1.6144 cents in the dollar

That a fixed charge of \$100.00 will apply to each separate piece of rateable land within the Council's area in accordance with Section 153(2) of the *Local Government Act 1999* for the financial year ending 30th June 2024.

That, pursuant to Section 153(3) of the *Local Government Act 1999*, Council determines it will not fix a maximum increase in the general rates on the principal place of residence of a principal ratepayer.

*Adoption of Regional Landscape Levy*

That, pursuant to Part 5 of the *Landscape South Australia Act 2019* and Section 154 of the *Local Government Act 1999*, the Council declares a separate rate based on a fixed charge based on land use code on all rateable land in the Council area of:

Land Use 1	Residential	\$45.35
Land Use 2	Commercial—Shop	\$90.69
Land Use 3	Commercial—Office	\$90.69
Land Use 4	Commercial—Other	\$90.69
Land Use 5	Industry Light	\$90.69
Land Use 6	Industry—Other	\$90.69
Land Use 8	Vacant Land	\$45.35
Land Use 9	Other	\$45.35

To raise the amount of \$76,561 on behalf of the SA Arid Lands Landscape Board for the financial year ending 30th June 2024.

*Adoption of Water Annual Service Charge*

That pursuant to Section 155 of the *Local Government Act 1999*, the Council declares an annual service charge for the financial year ending 30 June 2024 on all land within the Council's area to which the Council provides or makes available the prescribed service of the treatment and provision of water, based on the nature of the service, of \$302.75.

*Declaration of Annual Wastewater Service Rate*

That pursuant to and in accordance with Section 155 of the *Local Government Act 1999*, the Council declares a service rate for the prescribed service of the collection, treatment and disposal of waste in respect of all rateable land within the Community Wastewater Management Scheme Area and within the area of the Council, as set out in Attachment 1 to this report as presented with the Agenda, for the financial year ending 30 June 2024 being a rate of 0.6081 cents in the dollar, based on the capital value of the land the subject of the rate.

*Payment of Rates*

That pursuant to Section 181 of the *Local Government Act 1999* rates for the financial year ending 30 June 2024 will fall due in four equal or approximately equal instalments on 12 September 2023, 4 December 2023, 4 March 2024, and 3 June 2024.

A copy of the Annual Business Plan 2023-24 can be viewed at the Council offices, Lot 773, Hutchison Street, Coober Pedy SA 5723, during business hours, or from [www.cooberpedy.sa.gov.au](http://www.cooberpedy.sa.gov.au).

Dated: 27 July 2023

D. KELLY  
Chief Executive Officer

MID MURRAY COUNCIL

*Adoption of Valuation & Declaration of Rates*

Notice is hereby given that on 18 July 2023 Mid Murray Council, pursuant to the provisions of the *Local Government Act 1999*, and for the year ending 30 June 2024 made the following resolutions.

To adopt the most recent valuations of capital value made by the Valuer General for rating purposes totalling the area aggregate \$3,484,550,320.00,

of which \$3,381,227,073.00 is the valuation of rateable land.

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

- |    |                     |                            |
|----|---------------------|----------------------------|
| a. | Residential         | 0.4578 cents in the dollar |
| b. | Commercial – Shop   | 0.4578 cents in the dollar |
| c. | Commercial – Office | 0.4578 cents in the dollar |
| d. | Commercial – Other  | 0.4578 cents in the dollar |
| e. | Industry – Light    | 0.4578 cents in the dollar |
| f. | Industry – Other    | 0.4578 cents in the dollar |
| g. | Primary Production  | 0.412 cents in the dollar  |
| h. | Vacant Land         | 0.4578 cents in the dollar |
| i. | Other               | 0.4578 cents in the dollar |
| j. | Marina Berths       | 0.4578 cents in the dollar |

To fix a minimum amount of \$925.00 payable by way of general rates on rateable land within the Council area.

To declare for Regional Landscape Levy, being \$624,568, a separate rate of 0.01863 cents in the dollar, based on all rateable land in the Council's area.

To declare a Separate Rate of 37 cents per square metre for Waterfront properties (includes marina berths) and rebate of 65% for Non-waterfront properties (Net 13 cents per square metre) within the Mannum Waters development. The purpose of the Separate Rate is to meet the costs incurred by Council in financing and purchasing a permanent water entitlement, to assist in meeting Council's evaporation loss obligations under the *Landscape South Australia Act 2019*.

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

<b>Big Bend area</b>	<b>\$578.00 per unit</b>
<b>Blanchetown area</b>	<b>\$257.00 per unit</b>
<b>Bolto Reserve area</b>	<b>\$450.00 per unit</b>
<b>Bowhill area</b>	<b>\$280.00 per unit</b>

<b>Brenda Park/Morphett Flat areas</b>	<b>\$351.00 per unit</b>
<b>Caloote Landing area</b>	<b>\$366.00 per unit</b>
<b>Caurnamont area</b>	<b>\$347.00 per unit</b>
<b>Cowirra area</b>	<b>\$1,082.00 per unit</b>
<b>Five Mile Shacks and Kia Marina areas</b>	<b>\$1,426.00 per unit</b>
<b>Greenways Landing area</b>	<b>\$855.00 per unit</b>
<b>Idyll Acres area</b>	<b>\$468.00 per unit</b>
<b>Julanker/Younghusband Holdings areas</b>	<b>\$720.00 per unit</b>
<b>Kroehn's Landing area</b>	<b>\$1,167.00 per unit</b>
<b>Marks Landing area</b>	<b>\$295.00 per unit</b>
<b>North Punyelroo area</b>	<b>\$214.00 per unit</b>
<b>North West Bend/Beaumonts areas</b>	<b>\$168.00 per unit</b>
<b>Old Teal Flat area</b>	<b>\$340.00 per unit</b>
<b>Pelican Point area</b>	<b>\$283.00 per unit</b>
<b>Pellaring Flat area</b>	<b>\$451.00 per unit</b>
<b>Rob Loxton Road area</b>	<b>\$172.00 per unit</b>
<b>Scotts Creek area</b>	<b>\$348.00 per unit</b>
<b>Scrubby Flat area</b>	<b>\$464.00 per unit</b>
<b>Seven Mile Shacks area</b>	<b>\$623.00 per unit</b>
<b>South Punyelroo area</b>	<b>\$310.00 per unit</b>
<b>Swan Reach area</b>	<b>\$429.00 per unit</b>
<b>Teal Flat area</b>	<b>\$296.00 per unit</b>
<b>The Rocks area</b>	<b>\$949.00 per unit</b>
<b>Truro area</b>	<b>\$662.00 per unit</b>
<b>Truro area – Aerobic Wastewater Treatment (50%)</b>	<b>\$331.00 per unit</b>
<b>Truro area – private pumping chamber</b>	<b>\$632.00 per unit</b>
<b>Walker Flat area</b>	<b>\$172.00 per unit</b>

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

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

Consumption of up to 120 kilolitres of water	\$256.00
All water consumed in excess of 120 kilolitres	40 cents per kilolitre

To declare an annual service charge for the Township Waste Collection (General Waste and Recyclables) Service of \$305.00, based upon the nature of the service, in respect of each residential property within a township to which it makes available.

To declare an annual service charge for the Rural (non-township) General Waste Collection Service of \$216.00, based upon the nature of the service, in respect of land outside of a township which has a residential or primary production land use and upon which there is a residential dwelling and to which it makes available, noting that where the Service is not provided at the access point to the land, the annual service charge will be adjusted as required by Regulation 13 of the *Local Government (General) Regulations 2013*.

BF SCALES  
Chief Executive Officer

#### DISTRICT COUNCIL OF MOUNT REMARKABLE

##### *Adoption of Valuations and Declaration of Rates 2023-2024*

Notice is hereby given that the District Council of Mount Remarkable at an Ordinary Meeting held on 18 July 2023 for the financial year ending 30 June 2024 adopted its Annual Business Plan and Budget and:

##### *Adoption of Valuations*

Adopted, for rating purposes, the Valuer-General's most recent valuations of capital values applicable to land within the area of Council, which totals \$1,304,208,660.

##### *Declaration of General Rates*

Declared a general rate comprising two components, one based on the value of the land the subject of the rate of 0.1987 cents in the dollar and the other being a fixed charge of \$500.00 upon each rateable assessment.

##### *Separate Rate Regional Landscape Levy*

Declared a separate rate of 0.0197 cents in the dollar on all rateable land located within the area of the Council to reimburse the Council for the amount payable to the Northern and Yorke Landscape Board.

##### *Annual Service Charges*

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

Wilmington:	\$570.00 per unit on each assessment of land, and;
Melrose:	\$570.00 per unit on each assessment of land, and;
Booleroo Centre:	\$570.00 per unit on each assessment of land, and;
Wirrabara:	\$570.00 per unit on each assessment of land.
- Imposed an annual service charge of \$395.00 for the weekly collection and disposal of waste in a mobile garbage bin and the fortnightly collection and disposal of recyclables and green waste in a mobile garbage bin on:

- (a) all occupied land in the defined townships of Appila, Booleroo Centre, Hammond, Melrose, Murray Town, Port Germein, Weeroona Island, Willowie, Wilmington and Wirrabara for which the service is provided or made available; and
  - (b) each section of land outside of the townships abutting the defined collection route on which a habitable dwelling exists for which the service is provided or made available, provided that the sliding scale set out in Regulation 13 of the *Local Government (General) Regulations 2013* will apply to reduce the service charge as prescribed.
3. Imposed an annual service (and supply) charge based on the nature of the service and the level of usage of the service of:
- (a) \$300.00 for the nature of the service on each assessment of rateable and non-rateable land within the township of Weeroona Island to which Council provides or makes available the 'Weeroona Island Water Supply'; and
  - (b) Including a level of usage charge of \$3.00 per kilolitre for each kilolitre of water supplied to each assessment of rateable and non-rateable land to which Council provides or makes available the 'Weeroona Island Water Supply'.

Dated: 27 July 2023

S. JOHNSON  
Chief Executive Officer

## WATTLE RANGE COUNCIL

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

Notice is hereby given that the Wattle Range Council at a meeting held on 13 July 2023 and in relation to the financial year ending 30 June 2024, adopted the 2023-2024 Annual Business Plan and Budget and resolved to:

#### 1. Valuations

Pursuant to Section 167(2)(a) of the *Local Government Act 1999*, adopted the valuations that are to apply in its area for rating purposes for the 2023/24 financial year, being the capital valuations of the Valuer-General, totalling \$8,118,634,520.

#### 2. Differential Rates

Pursuant to Sections 152(1)(c)(i), 153(1)(b) and 156(1)(a) of the *Local Government Act 1999*, declares the following differential general rates on rateable land within its area for the year ending 30 June 2024, based upon the capital value of the land which rates vary by reference to land use categories as per Regulation 14 of the *Local Government (General) Regulations 2013* as follows:

- (a) Residential—a differential rate of 0.3398 cents in the dollar
- (b) Commercial Shop—a differential rate of 0.3398 cents in the dollar
- (c) Commercial Office—a differential rate of 0.3398 cents in the dollar
- (d) Commercial Other—a differential rate of 0.3398 cents in the dollar
- (e) Industry Light—a differential rate of 0.3398 cents in the dollar
- (f) Industry Other—a differential rate of 0.3398 cents in the dollar
- (g) Primary Production—a differential rate of 0.1858 cents in the dollar
- (h) Vacant Land—a differential rate of 0.5102 cents in the dollar
- (i) Other—a differential rate of 0.5102 cents in the dollar

#### 3. Minimum Rate

Pursuant to Section 158(1)(a) of the *Local Government Act 1999* declared that the minimum amount payable by way of general rates on rateable land in the Council area is \$650.00.

#### 4. Service Charges

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

##### (i) Waste Collection Service

based on the level of usage of the service, on all land to which the Council provides or makes available the prescribed services of the collection, treatment or disposal of waste via Council's waste management services in respect of each set of bins, or part thereof, provided on the basis that the sliding scale provided for in Regulation 13 of the *Local Government (General) Regulations 2013* will be applied to reduce the service charge payable, as prescribed.

- (a) three bin normal waste, recycling and green organics collection and disposal service of \$352.00; and
- (b) two bin normal waste and recycling collection and disposal service of \$275.00

##### (ii) Community Wastewater Management Systems

based on the nature of the service and varying according to the CWMS Property Units Code in accordance with Regulation 12 of the *Local Government (General) Regulations 2013* on all land in the Townships of Penola, Southend, Kalangadoo and Beachport to which it provides or makes available the Community Wastewater Management Systems being prescribed services for the collection, treatment and disposal of waste.

- (a) Penola, Southend and Kalangadoo—Occupied Unit .....\$720.00
- (b) Penola, Southend and Kalangadoo—Vacant Unit .....\$538.00
- (c) Beachport Occupied Unit .....\$817.00
- (d) Beachport Vacant Unit .....\$613.00

#### 5. Separate Rates

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

- (i) \$90.30 per assessment on rateable land categories (a), (h) and (i) (Residential, Vacant and Other);
- (ii) \$135.25 per assessment on rateable land categories (b), (c) and (d) (Commercial Shop, Commercial Office, Commercial Other);
- (iii) \$211.70 per assessment on rateable land categories (e) and (f) (Industry Light and Industry Other);

- (iv) \$389.30 per assessment on rateable land category (g) (Primary Production).

#### 6. Payment of Rates

Pursuant to Section 181 of the *Local Government Act 1999*, rates for the year ending 30 June 2024 will fall due in four equal or approximately equal instalments on 13 September 2023, 6 December 2023, 6 March 2024 and 5 June 2024.

Dated: 27 July 2023

BEN GOWER  
Chief Executive Officer

### WUDINNA DISTRICT COUNCIL

#### *Adoption of Valuation and Declaration of Rates 2023-24*

Notice is hereby given that the Wudinna District Council at a meeting held on 18 July 2023 resolved for the 2023-24 financial year as follows:

#### *Adoption of Valuation*

Adopted for rating purposes the capital valuations made by the Valuer-General totalling \$654,566,220 for rateable and non-rateable land in the Council area.

#### *Declaration of Rates*

Declared differential general rates on rateable land within its area by reference to locality as follows:

- (a) The whole of the township of Wudinna, a rate of **0.6024** cents in the dollar.
- (b) The whole of the township of Minnipa, a rate of **0.6024** cents in the dollar.
- (c) The whole of the township of Kyancutta, a rate of **0.6024** cents in the dollar.
- (d) The whole of the township of Warrambo, a rate of **0.6024** cents in the dollar.
- (e) The whole of the township of Yaninee, a rate of **0.6024** cents in the dollar.
- (f) The whole of the town of Pygery, a rate of **0.6024** cents in the dollar.
- (g) In respect of all land within the area of the Council not otherwise included as above, a differential general rate of **0.3201** cents in the dollar.

#### *Minimum Rate*

Declared a minimum amount payable by way of rates of **\$545.00** in respect to all rateable land within the area of Council.

#### *Annual Service Charges*

- (a) Imposed an annual service charge where a septic effluent disposal connection is provided within the Township of Wudinna of **\$325** per unit for all occupied properties and **\$290** for all unoccupied properties.
- (b) Imposed an annual service charge to properties that have an occupiable dwelling, outbuilding or other class of structure to which the Council provides or makes available the prescribed service of the collection, treatment and disposal of waste via Council's waste collection service of **\$262** per mobile garbage bin.

#### *Separate Rate*

Declared a separate rate of **\$180** based on a proportional basis of expenditure incurred in maintaining the area of the cottage home units within portion Section 175, Hundred of Pygery—Wudinna Homes for the Aged identified as being assessments:

9270269037	9270269067	9070269097	9270269127	9270269157	9270269187
9270269047	9270269077	9070269107	9270269137	9270269167	
9270269057	9270269087	9270269117	9270269147	9270269177	

#### *Regional Landscape Levy*

Declared differential separate rates varying on the basis of land use on all rateable land in the area of the Council in order to reimburse the Council for amounts contributed to the Eyre Peninsula Natural Resource Management Board.

- (a) A land use of Primary Production, a Separate Rate of **\$174.85** per assessment;
- (b) A land use of:
  - (i) Commercial
  - (ii) Industrial
 A separate rate of **\$131.14** per assessment;
- (c) A land use of:
  - (i) Residential
  - (ii) Vacant Land
  - (iii) Other
 A separate rate of **\$87.43** per assessment.

Dated: 27 July 2023

KRISTY DAVIS  
Chief Executive Officer

### WUDINNA DISTRICT COUNCIL

#### *Change of Meeting Date*

Notice is hereby given that the Wudinna District Council resolved at its meeting held on 18 July 2023, to change the scheduled August 2023 Council Meeting from Tuesday, 15 August 2023 commencing at 1pm to Wednesday, 16 August 2023 commencing at 1pm.

Dated: 21 July 2023

KRISTY DAVIS  
Chief Executive Officer

## YORKE PENINSULA COUNCIL

*Adoption of Valuations and Declaration of Rates 2023/2024*

NOTICE is given that at the meeting of the Yorke Peninsula Council held on 12 July 2023, the Council resolved for the financial year ending 30 June 2024, as follows:

Adopted the most recent valuations of the Valuer-General available to the Council of the capital value of land within the Council's area for rating purposes for the financial year ending 30 June 2024, totalling \$10,661,958,760 comprising \$167,820,755 in respect of non-rateable land and \$10,494,138,005 in respect of rateable land.

Declared differential general rates on rateable land within the Council area as follows:

- on rateable land of category (g) use (primary production) in the area of the Council, a rate of 0.120004 cents in the dollar; and
- on all other rateable land within the area of the Council, a rate of 0.263238cents in the dollar; and
- to impose a fixed charge component of the general rate of \$410.

Imposed on each assessment of rateable and non-rateable land in the following areas to which land the Council provides or makes available a Community Wastewater Management System, as follows:

- Maitland, Tiddy Widdy Beach, Ardrossan, Balgowan, Black Point, Edithburgh, Point Turton, Port Vincent, Port Victoria, Stansbury, Sultana Point, Yorketown, Bluff Beach, Chinaman Wells, Foul Bay, Port Julia, Hardwicke Bay & Rogues Point areas:

Occupied Land:	\$635.00 per unit
Vacant Land:	\$471.00 per allotment

Imposed on each assessment of rateable and non-rateable land in the following area to which land the Council provides or makes available a water supply service:

Balgowan, Black Point and Hardwicke Bay areas: \$230.00

Imposed an annual service charge for the year ending 30 June 2024 upon both rateable and non-rateable land to which it provides or makes available the prescribed service of waste collection (the Waste Collection and Recycling Service) which is imposed as follows:

- \$226 for a two (2) bin service; and
- \$265 for a three (3) bin service.

Declared a separate rate of 0.010994 cents in the dollar on all rateable land in the area of the Council to raise the amount of \$1,154,428 with \$1,150,628 payable to the Northern and Yorke Landscape Board.

Dated: 12 July 2023

B. THOMPSON  
Acting Chief Executive Officer

## PUBLIC NOTICES

TRUSTEE ACT 1936

PUBLIC TRUSTEE

*Estates of Deceased Persons*

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

ADAMS Peter Andrew late of 59 Porter Street Salisbury Retired Bookkeeper who died 16 October 2022  
BORMANN Dallas late of 100 Seaford Road Seaford Retired Cook and Secretary who died 14 April 2023  
BOWES Ilga late of 181 Days Road Regency Park of no occupation who died 5 November 2022  
BULL Doreen Eva late of 6 Pridham Boulevard Aldinga Beach Retired Clerk who died 28 December 2022  
DANIEL Edward James late of 6 Robin Terrace Hope Valley Retired Draftsman who died 3 April 2023  
GIANNOPOULOS Despina late of 83-93 Regency Road Croydon Park Retired Cleaner who died 12 June 2022  
SOLTYSIAK George Francis late of 176 Railway Terrace Peterborough of no occupation who died 14 December 2019  
TANKARD Christine Ann late of 30 Shillabeer Road Elizabeth Park Retired Store Manager who died 20 August 2022  
THOMPSON Margaret Jean late of 100 Seaford Road Seaford Retired Dressmaker who died 12 August 2022  
YON Valerie Elaine late of 367-379 Waterloo Corner Road Burton of no occupation who died 8 January 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 25 August 2023 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: 27 July 2023

N. S. RANTANEN  
Public Trustee

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# NOTICE SUBMISSION

The South Australian Government Gazette is published each Thursday afternoon.

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

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

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

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

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

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

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

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