Port Augusta
CITY COUNCIL

LOCAL GOVERNMENT LAND BY-LAW 2019

By-law No. 3 of 2019

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

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PART 1 – PRELIMINARY

1. Title

This By-law may be cited as the *Local Government Land By-law 2019* and is By-law No. 3 of the Port Augusta City Council.

2. Authorising law

This By-law is made under sections 238 and 246 of the Act and section 18A of the *Harbors and Navigation Act 1993*.

3. Purpose

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

3.1 to prevent and mitigate nuisances;

3.2 to prevent damage to Local Government land;

3.3 to protect the convenience, comfort and safety of members of the public;

3.4 to enhance the amenity of the Council's area; and

3.5 for the good rule and government of the Council's area.

4. 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[1]:

4.1.1 By-law No. 3 – Local Government Land 2012.[2]

4.2 This By-law will expire on 1 January 2027.[3]

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 2019*.

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

5.3 Subclauses 9.3, 9.7, 9.10.1, 9.11.2, 9.27.1, 9.27.3, 9.27.5, 9.29.2, 9.40, 10.3 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 99.5.3, 9.10.3, 9.10.5, 9.16.2, 9.26.2 and 9.36 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;

6.3 ***aquatic life*** means any animal or plant living or growing in water including but not limited to yabbies, molluscs, fish, insects, insect pupa or larvae and water plants;

6.4 ***authorised person*** is a person appointed by the Council as an authorised person under section 260 of the Act;

6.5 ***boat*** includes a raft, pontoon, houseboat, personal watercraft or other similar device;

6.6 ***boat ramp*** means a facility constructed, maintained and operated for the launching and retrieval of a boat;

6.7 ***camp*** includes setting up a camp, or causing a tent, swag and/or similar bedding, or a caravan or motor home to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;

6.8 ***Council*** means the Port Augusta City Council;

6.9 ***electoral matter*** has the same meaning as in the *Electoral Act 1985* provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;

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

6.10.1 by means of a physical restraint; or

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

6.11 ***emergency worker*** has the same meaning as in the *Road Traffic (Road Rules-Ancillary and Miscellaneous Provisions) Regulations 2014*;

6.12 ***foreshore*** means (as the case may be) land (regardless of whether or not it is Local Government Land):

6.12.1 extending from the low water mark on the seashore to the nearest road or section boundary, or to a distance of 50 metres from high water mark (whichever is the lesser distance); or

6.12.2 extending from the edge of any other navigable waterway or body of water in the Council's area to the nearest road or section boundary or for a distance of 50 metres (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 ***liquor*** has the same meaning as in the *Liquor Licensing Act 1997*;

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

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

6.17 ***motor home*** means a recreational self-contained vehicle which is not a caravan but includes electrical and plumbing facilities;

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

6.19 ***open container*** means a container which, after the contents of the container have been sealed at the time of manufacture:

6.19.1 being a bottle, it has had its cap, cork or top removed (whether or not it has since been replaced);

6.19.2 being a can, it has been opened or punctured;

6.19.3 being a cask, it has had its tap placed in a position to allow it to be used;

6.19.4 being any other form of container, it has been opened, broken, punctured or manipulated in such a way as to allow access to its contents; or

6.19.5 is a flask, glass, mug or other container able to contain liquid.

6.20 *personal watercraft* means a device that –

6.20.1 is propelled by a motor; and

6.20.2 has a fully enclosed hull; and

6.20.3 is designed not to retain water if capsized; and

6.20.4 is designed to be operated by a person who sits astride, stands, or kneels on the device,

and includes the device commonly referred to as a jet ski;

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

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

6.23 **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 ocean waters; and

6.24 ***wheeled recreational device*** has the same meaning as in the (*Road Traffic Act 1961*).

Note:

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

PART 2 – ACCESS TO LOCAL GOVERNMENT LAND

7. Access

Note:

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

The Council may:

7.1 close, or regulate or restrict access to, any part of Local Government land to the public for specified times and days; and

7.2 fix charges or fees payable for entry onto any part of Local Government land.

8. Closed lands

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

8.1 which has been closed, or in respect of which access by the public is regulated or restricted in accordance with clause 7.1;

8.2 where entry fees or charges are payable, without paying those fees or charges; or

8.3 where the land has been enclosed by fences and/or walls and gates that have been closed and locked.

PART 3 – USE OF LOCAL GOVERNMENT LAND

9. Activities requiring permission

Note:

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

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

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 unless the sign is authorised under the Council's Moveable Signs By-law No. 2

9.2 **Aircraft**

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

9.3 **Alcohol**

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

9.4 **Amplification**

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

9.5 **Animals**

9.5.1 Cause or allow an animal to stray onto, move over, graze or be left unattended on Local Government land.

9.5.2 Cause or allow an animal to enter, swim, bathe or remain in any waters located on Local Government land.

9.5.3 Lead, herd or exercise an animal, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind, and provided that the animal or animals are under effective control.

9.6 **Annoyance**

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

9.6.1 using that land; or

9.6.2 occupying nearby premises,

by making noise or creating a disturbance.

9.7 **Aquatic Life**

Introduce any aquatic life to any waters to which the Council has resolved this clause applies.

9.8 **Attachments**

Subject to subclause 9.1, attach or cause to be attached, hang or fix anything to a tree, plant, equipment, fence, post, structure or fixture on Local Government land.

9.9 **Bees**

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

9.10 **Boats & Mooring**

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

9.10.1 launch or retrieve a boat to or from any waters adjacent to or on any Local Government land or foreshore to which the Council has determined this subclause applies;

9.10.2 launch or retrieve a boat from or to the foreshore without using a boat ramp constructed and set aside by the Council for that purpose;

9.10.3 propel, float or otherwise use a boat on or in any waters except:

9.10.3.1 in an area to which the Council has determined this subclause applies; and

9.10.3.2 in accordance with any conditions that the Council may have determined by resolution apply to that use.

9.10.4 hire out a boat or otherwise use a boat for commercial purposes on any waters to which the Council has determined this clause applies; or

9.10.5 moor a boat on any waters or on or to Local Government land except:

9.10.5.1 upon waters or on or to Local Government land that the Council has determined this subclause applies; and

9.10.5.2 other than in accordance with any conditions determined by resolution of the Council and contained in any signage erected thereon.

9.11 **Boat Ramps**

9.11.1 Allow any vehicle or boat to remain stationary on any boat ramp longer than is necessary to launch or retrieve a boat.

9.11.2 Launch or retrieve a boat (or boat of a specified class) from or on to any boat ramp on the foreshore or on Local Government land to which the Council has determined this subclause applies.

9.11.3 Launch or retrieve a boat (or boat of a specified class) from or on to any boat ramp on the foreshore or on Local Government land as determined by the Council under subclause 9.11.2, other than in accordance with the conditions determined by the Council, including any conditions specified on a sign displayed on or in the vicinity of the boat ramp.

9.12 **Bouncy Castle**

Erect a bouncy castle or other similar structure requires inflation.

9.13 **Bridge Jumping**

Jump or dive from a bridge, jetty or wharf on Local Government land.

9.14 **Buildings**

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

9.15 **Burials and Memorials**

9.15.1 Bury, inter or spread the ashes of any human or animal remains.

9.15.2 Erect any memorial.

9.16 **Camping and Tents**

9.16.1 Subject to this subclause 9.16, erect a tent or other structure of calico, canvas, plastic or similar material as a place of habitation.

9.16.2 Camp or sleep overnight on Local Government land except:

9.16.2.1 in a caravan park on Local Government land, the proprietor of which has been given permission to operate the caravan park on that land; or

9.16.2.2 on an area which has been designated by resolution of the Council for that purpose and only then in accordance with such time limits and other conditions determined by resolution of the Council and contained in any signage erected thereon.

9.17 **Canvassing**

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

9.18 **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.

9.19 **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, leaflet or other printed matter to any bystander, passer-by or other person.

9.20 **Donations**

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

9.21 **Entertainment and Busking**

9.21.1 Sing, busk or play a recording or use a musical instrument for the apparent purpose of either entertaining others or receiving money.

9.21.2 Conduct or hold a concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.

9.22 **Equipment**

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

9.23 **Fires**

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

9.23.1 in a place provided by the Council for that purpose; or

9.23.2 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.

9.24 **Fireworks**

Ignite or discharge any fireworks.

9.25 **Flora and Fauna**

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

9.25.1 plant, damage, pick, cut, disturb, interfere with or remove any plant, tree or flower thereon;

9.25.2 cause or allow an animal to stand or walk on any flower bed or garden plot;

9.25.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the land;

9.25.4 take, interfere with, tease, harm or disturb any animal, bird or aquatic life or the eggs or young of any animal, bird or aquatic life;

9.25.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;

9.25.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;

9.25.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or aquatic life; or

9.25.8 collect or burn any timber or dead wood-

with the exception subclauses 9.25.4 and 9.25.7 do not apply to lawful fishing activity.

9.26 **Foreshore**

9.26.1 Drive or propel a vehicle onto or from the foreshore other than by a ramp or thoroughfare constructed or set aside by the Council for that purpose.

9.26.2 Drive or propel a vehicle on the foreshore except where the Council has determined this clause applies.

9.26.3 Hire out a boat on or from the foreshore.

9.27 **Games & Sport**

9.27.1 Participate in, promote or organise any organised competition or sport, as distinct from organised social play on Local Government land to which the Council has resolved this subclause applies.

9.27.2 Play or practise any game which involves kicking, hitting or throwing a ball or other object on Local Government land which may cause or be likely to cause injury or discomfort to a person being on or in the vicinity of that land or detract from or be likely to detract from another person's lawful use and enjoyment of that land.

9.27.3 Engage or participate in or conduct any organised group fitness activity or training on Local Government land to which the Council has resolved this subclause applies.

9.27.4 Play or practice the game of golf on Local Government Land to other than on a properly constructed golf course or practice fairway and in accordance with any conditions determined by the Council (or its agent) that apply to such play or practice.

9.27.5 Play or practice any game or sport on Local Government land to which the Council has resolved this subclause applies except at the times determined by the Council and indicated on a sign on or in the vicinity of the land.

9.28 **Interference with Land**

Interfere with, alter or damage the land (including a building, structure or fixture located on the land) including:

9.28.1 altering the construction or arrangement of the land to permit or facilitate access from an adjacent property;

9.28.2 erecting or installing a structure in, on, across, under or over the land;

9.28.3 changing or interfering with the construction, arrangement or materials of the land;

9.28.4 planting a tree or other vegetation on the land, interfering with the vegetation on the land or removing vegetation from the land; or

9.28.5 otherwise use the land in a manner contrary to the purpose for which the land was designed to be used.

9.29 **Model & Drone Aircraft, Boats and Cars**

Subject to the *Civil Aviation Safety Regulations 1998*:

9.29.1 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

9.29.2 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.

9.30 **Overhanging Articles or Displaying Personal Items**

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

9.31 **Playing Area**

Use or occupy a playing area:

9.31.1 in such a manner as to damage or be likely to damage the surface of the playing area or infrastructure (above and under ground level);

9.31.2 in a manner contrary to the purpose for which the playing area was intended to be used or occupied; or

9.31.3 contrary to directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area.

9.32 **Pontoons**

Install or maintain a pontoon or jetty or similar structure in any waters.

9.33 **Preaching**

Preach, harangue or solicit for religious or charitable purposes.

9.34 **Removing Soil**

Carry away or remove any soil, sand, clay, timber, stones, pebbles, gravel, seaweed, rocks, minerals, vegetation, shells, or other organic or inorganic materials or any part of the land.

9.35 **Ropes**

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

9.36 **Rubbish and Rubbish Dumps**

9.36.1 Interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on Local Government Land.

9.36.2 Remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging) that has been discarded in a bin on any Local Government Land, or placed on Local Government Land for collection by the Council (or its agent).

9.37 **Swimming**

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

9.37.1 in an area which the Council has designated and set aside for such purposes; and

9.37.2 in accordance with any conditions that the Council may have determined by resolution apply to such use, which are exhibited on any signage on land adjoining the body of water.

9.38 **Trading**

9.38.1 Sell, buy, offer or display anything for sale or hire or lease any goods, merchandise, commodity, article or thing.

9.38.2 Carry on any business or promote or advertise the same.

9.38.3 Set up a van or other vehicle, stall, stand, table or other structure, tray, carpet or device for the apparent purpose of buying, selling, offering, displaying or exposing for sale or the hiring or leasing of any goods, merchandise, commodity, article, service or thing.

9.39 **Vehicles**

9.39.1 Drive or propel a vehicle except on an area or road constructed and set aside by the Council for that purpose.

9.39.2 Promote, organise or take part in a race, test or trial of any kind in which vehicles take part, except on an area properly constructed for that purpose.

9.39.3 Repair, wash, paint, panel beat or carry out other work to a vehicle, except for running repairs in the case of a breakdown.

9.40 **Weddings, Functions and Special events**

9.40.1 Hold, conduct or participate in a marriage ceremony, funeral or special event.

9.40.2 Erect a marquee, stage or structure for the purpose of holding or conducting a wedding, funeral or special event.

9.40.3 Hold or conduct any filming where the filming is for a commercial purpose.

9.41 **Wheeled Recreational Devices**

Subject to the *Road Traffic Act 1961*, ride a wheeled recreational device on Local Government land to which the Council has determined this subclause applies.

10. Prohibited activities

A person must not do any of the following on Local Government land.

10.1 **Animals**

10.1.1 Cause or allow any animal to enter, swim, bathe or remain in any waters to the inconvenience, annoyance or danger of any other person bathing or swimming.

10.1.2 Cause or allow an animal to damage a flowerbed, garden plot, tree, lawn or like thing or place.

10.1.3 Lead, herd or exercise a horse in such manner as to cause a nuisance or endanger the safety of a person.

10.2 **Equipment**

Use any item of equipment, facilities or property belonging to the Council other than in the manner and for the purpose for which it was designed, constructed or intended to be used or in such manner as is likely to damage or destroy it.

10.3 **Fishing**

Fish in any waters to which the Council has determined this subclause applies.

10.4 **Glass**

Willfully break any glass, china or other brittle material.

10.5 **Interference with Permitted Use**

Interrupt or unreasonably interfere with any other person's use of Local Government land where the person is using the land in a manner permitted by the Council or in accordance with any permission that has been granted by the Council.

10.6 **Nuisance**

Behave in such an unreasonable manner as to cause discomfort, inconvenience, annoyance or offence to any other person.

10.7 **Obstruction**

Unreasonably obstruct:

10.7.1 any path in or on Local Government land; or

10.7.2 any door entrance stairway or aisle in any building in or on Local Government land; or

10.7.3 any gate or entrance to, in or on Local Government land.

10.8 **Playing games**

Play or practice a game:

10.8.1 which is likely to cause damage to the land or anything on it; or

10.8.2 in any area where a sign indicates that the game is prohibited.

10.9 **Sand Dunes, Coastal Slopes and Cliffs**

10.9.1 Use a sand board or other item to slide down a sand dune, coastal slope or cliff.

10.9.2 Destabilise sand on a sand dune, coastal slope or cliff so as to cause it to unnecessarily mass waste down slope.

10.9.3 Destroy, remove or cause interference to live or dead vegetation within a sand dune, coastal slope or coastal cliff.

10.9.4 Introduce non-indigenous flora or fauna or dump any material in a sand dune;

10.9.5 Carry out any other activity that may damage or threaten the integrity of sand dunes, coastal slopes or cliffs.

10.10 **Smoking**

10.10.1 Subject to the *Tobacco Products Regulation Act 1997*, smoke, hold or otherwise have control over an ignited tobacco product on any land to which the Council has determined this subclause applies.

10.11 **Solicitation**

Tout or solicit customers for the parking of vehicles or for any other purpose whatsoever.

10.12 **Throwing objects**

Throw roll, project or discharge a stone, substance or other missile, excluding sport and recreational equipment designed to be used in that way.

10.13 **Toilets**

In any public convenience on Local Government land:

10.13.1 urinate other than in a urinal or pan or defecate other than in a pan set apart for that purpose;

10.13.2 deposit anything in a pan, urinal or drain which is likely to cause a blockage;

10.13.3 use it for a purpose for which it was not designed or constructed;

10.13.4 enter a toilet that is set aside for use of the opposite gender except:

a) where a child under the age of eight years is accompanied by a parent or adult guardian of that gender; or

b) to provide assistance to a person with a disability; or

c) in the case of a genuine emergency.

10.14 **Waste**

10.14.1 Deposit or leave thereon anything obnoxious or offensive.

10.14.2 Deposit in a receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.

PART 4 - ENFORCEMENT

11. Directions

11.1 A person on Local Government land must comply with a reasonable direction from an authorised person relating to:

11.1.1 that person's use of the land;

11.1.2 that person's conduct and behaviour on the land;

11.1.3 that person's safety on the land; or

11.1.4 the safety and enjoyment of other persons on the land.

11.2 A person who, in the opinion of an authorised person, is likely to commit or has committed, a breach of this By-law must immediately comply with a direction of an authorised person to leave that part of Local Government land.

12. Orders

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

Note –

Section 262(1) of the Act states:

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

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

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

13. Removal of animals and objects

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

PART 5 - MISCELLANEOUS

14. Exemptions

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

14.2 The restrictions in subclauses 9.17 and 9.19 of this By-law do not apply to electoral matter authorised by a candidate and which is:

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

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

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

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 Port Augusta City Council held on the **13 August 2019** 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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Mr John Banks
Chief Executive Officer