



Port Augusta

CITY COUNCIL

Application and Enforcement of Council's By-laws

Pursuant to Section 246 of the *Local Government Act 1999*, Council at its meeting on Monday 23 April 2012, resolved to apply specific provisions in regard to the application and enforcement of its By-laws as follows:

1. Having regard to the provisions of By-law No 1 - Permits and Penalties, hereby resolves that the maximum penalty for a breach of any provision within Council's By-laws will be \$750.00 (where Court action is taken) with a further penalty of \$50 for every day on which the offence or breach of the By-law continues.
2. Having regard to the provisions of By-law No 1 - Permits and Penalties, hereby resolves that the expiation fee for any breach of Council's by-laws be set of the maximum amount payable, being \$187.50 (GST fee) and that it is the preferred option of Council, that expiation fees be issued in the first instance, rather than proceeding direct to Court action.
3. Having regard to the provisions of By-law No 3 - Local Government land, hereby resolves that any person may participate in any game, recreation or amusement which involves the use of a ball, missile or other object, or play/participate any organised activity, on the following land which is either owned or under the care, control and management of the Council:
 - a) Chinnery Park Reserve (football, cricket, soccer, softball and greyhound racing, boot camp);
 - b) Port Augusta Golf Club land (golf);
 - c) Westside Tennis Reserve (tennis);
 - d) Disraeli Square (lawn bowls);
 - e) Port Augusta Tennis Association Courts (tennis);
 - f) Central Oval Precinct and adjacent sealed carpark area (football, softball, soccer, basketball, *be active Centre*, model cars);
 - g) Railway Parade Reserve (netball);
 - h) ETSA Oval Complex (football, baseball, cricket, swimming, judo, soccer, softball);
 - i) Robert 'Bert' McKenzie Park (football, basketball, horse riding, BMX);
 - j) Bailey Street Reserve (horse riding, trotting);
 - k) Racecourse Reserve (horseracing and training);
 - l) Eastside Foreshore (basketball, netball, skateboarding, bicycles, boot camp);
 - m) Rotary Park (skateboarding, bicycles, scooters, football, softball);
 - n) Northey Crescent Reserve (football, cricket, basketball, netball);
 - o) Volunteer Park (basketball, handball, football, cricket)
 - p) Lions Park (boot camp, football, softball)
 - q) Back Beach Area (basketball, netball, volleyball, badminton, bicycles)
4. Having regard to the provisions of By-Law No 3 - Local Government land resolves that the playing or practising the game of golf on Lions Park is prohibited pursuant to Clause 9.26.3 of the By-law.
5. Having regard to the provisions of By-law No 3 - Local Government land resolves that marriage ceremonies and special events may be undertaken at the following locations:
 - a) *Eastside Foreshore*
 - b) *Westside Water Tower*
 - c) *Gladstone Square*

- d) *Fountain Gallery*
- e) *Keith Jones Memorial Park*

6 Having regard to the provisions of By-Law No 3 - Local Government land resolves that any person may exercise their horse/s by swimming them in the following areas within the Port Augusta Harbour:

- a) *from high water mark at the end of Gardiner Avenue, Port Augusta West adjacent to the Foreshore Caravan Park between the hours of 4:00am and 9:00am on any day; and*
- b) *from high water mark on the Eastside Foreshore between the Great Western Bridge and the jetty between the hours of 6:00am to 8:00am on any day.*

7 Having regard to the provisions of By-Law No 3 - Local Government land resolves that Clause 9.3 applies to all Local Government Land subject to any limited liquor license applications approved under the *Liquor Licensing Act 1997* which are supported by Council for the following Local Government land only:

- a) Rotary Park
- b) Keith Jones Memorial Park
- c) Robert 'Bert' McKenzie Park (Stirling North)
- d) Volunteer Park
- e) Central Oval
- f) Chinnery Oval
- g) ETSA Oval

It is noted that the Port Augusta Football League and Port Augusta Greyhound Association have specific licensing arrangements approved for Central Oval and Chinnery Oval.

8 Having regard to the provisions of By-Law No 5 - Dogs resolves that Clause 9.1 'Dogs On Leash areas' apply to the following Local Government land (except an accredited guide dog, hearing dog or disability dog):

- a) *Be active Park Flinders Tce*
- b) *Rotary Park*
- c) *Gladstone Square*
- d) *Eastside Foreshore (special restrictions apply)*
- e) *Westside Foreshore (special restrictions apply)*
- f) *Keith Jones Park, Lions Park*
- g) *Robert 'Bert' McKenzie Park (Stirling North)*
- h) *Whiting Parade*
- i) *Sid Gill Memorial Park (Stirling North)*
- j) *Water Tower Park*
- k) *Johnson Avenue Park (Stirling North)*
- l) *Carpenters Landing Boat Ramp*
- m) *Christopher Street Park (Stirling North)*
- n) *Northey Crescent Park*
- o) *View Street Park*
- p) *Maule Avenue Park (Stirling North)*
- q) *Pastoral Lawns*
- r) *Nicholson Terrace Lawns*
- s) *Scharenberg Court Lawns*
- t) *Richardson Cres Park*
- u) *Loudon Road Lawns*
- v) *Davies Crescent Park*
- w) *Peterson Street Park*
- x) *Apex Park*
- y) *Mackay Street Lawns*
- z) *Sanderson Street Park*
- aa) *Gardiner Avenue Park*
- ab) *Mathews Street Park*

- ac) Cook Street
- ad) Hurcombe Crescent
- ae) Stuart Highway Reserve
- af) Fullerton Crescent
- ag) Hall Street
- ah) Victoria Parade (Withers Street reserve)
- ai) Victoria Parade (opposite side to Withers Street reserve)
- aj) Carlton Parade/Rogers Street
- ak) Bailey Street reserve
- al) ex Flinders Ranges Pony Club (Stirling North)
- am) All cemeteries
- an) Horse stable area
- ao) Port Augusta Golf Course
- ap) Braddock Oval
- aq) Council buildings
- ar) Commissariat Point
- as) Blanche Harbor
- at) Miranda

Special Conditions for Eastside and Westside Foreshores - Dogs must be on-leash between 9:00am to 8:00pm daily. These provisions have been provided to ensure that the community still have an opportunity to exercise and swim their dogs off-leash, however during the busy period of the day, dogs are required to be on-leash.

- 9 Having regard to the provisions of By-Law No 5 - Dogs resolves that dogs are prohibited from the following Local Government Land (except for Guide dogs, hearing dogs or disability dogs):
- a) Central Oval
 - b) Chinnery Oval (special conditions apply - greyhounds permitted)
 - c) Stormwater Collection/Date Palm Reserve
 - d) Port Augusta Bowling Club
 - e) Council Works Depot
 - f) Port Augusta Outdoor Adventure Centre
 - g) Port Augusta Town Hall
 - h) Cultural Centre
 - i) ETSA Oval
 - j) Ryan Mitchell Swim Centre and BBQ Area
 - k) Port Augusta Racecourse
- 10 Having regard to the provisions of By-Law No 2 - Moveable Signs hereby resolves that the removing and storing fee of \$35 be set in relation to Moveable Signs which breach the provisions of By-Law No 2.

G PERKIN, City Manager
27/08/2012