

**DISTRICT COUNCIL OF GRANT  
REGISTER OF BY-LAWS**



In accordance with Section 252 of the *Local Government Act 1999*, Council **must** cause a separate Register to be kept of all By-Laws made or adopted by the Council. The Register must include a copy of any code, standard or other document referred to or incorporated in a By-Law.

The below table is an extract from Council's most recent Register of By-laws, current as at 30 August 2022.

Certified copies of Council's By-Laws are available on request and may be subject to a fee.

Name	No.	Date of adoption	Date of expiry	Associated documents
<a href="#">Permits and Penalties</a>	1 of 2021	2 August 2021	1 January 2029	<ul style="list-style-type: none"> <li><a href="#">Acts Interpretation Act 1915</a></li> <li><a href="#">Local Government Act 1999</a></li> <li>Extract of Minutes of Council Meeting – 2 August 2021 (see below)</li> </ul>
<a href="#">Local Government Land</a>	2 of 2021	2 August 2021	1 January 2029	<ul style="list-style-type: none"> <li><a href="#">Acts Interpretation Act 1915</a></li> <li><a href="#">Civil Aviation Act 1988</a></li> <li><a href="#">Civil Aviation Safety Regulations 1998</a></li> <li><a href="#">Electoral Act 1985</a></li> <li><a href="#">Fire and Emergency Services Act 2005</a></li> <li><a href="#">Harbors and Navigation Act 1993</a></li> <li><a href="#">Liquor Licensing Act 1997</a></li> <li><a href="#">Local Government Act 1999</a></li> <li><a href="#">Local Government (Elections) Act 1999</a></li> <li><a href="#">Local Nuisance and Litter Control Act 2016</a></li> <li><a href="#">Marine Safety (Domestic Commercial Vessel) National Law Act 2012</a></li> <li><a href="#">National Parks and Wildlife Act 1972</a></li> <li><a href="#">Native Vegetation Act 1991</a></li> <li><a href="#">Road Traffic Act 1961</a></li> <li><a href="#">Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014</a></li> <li><a href="#">Tobacco and E-Cigarette Products Act 1997</a></li> <li>Extract of Minutes of Council Meeting – 2 August 2021 (see below)</li> <li>Extract of Minutes of Council Meeting – 20 September 2021 (see below)</li> </ul>
<a href="#">Roads</a>	3 of 2021	2 August 2021	1 January 2029	<ul style="list-style-type: none"> <li><a href="#">Acts Interpretation Act 1915</a></li> <li><a href="#">Electoral Act 1985</a></li> <li><a href="#">Local Government Act 1999</a></li> <li><a href="#">Local Government (Elections) Act 1999</a></li> <li><a href="#">Local Government (General) Regulations 2013</a></li> <li><a href="#">Road Traffic Act 1961</a></li> <li><a href="#">Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014</a></li> <li>Extract of Minutes of Council Meeting – 2 August 2021 (see below)</li> </ul>
<a href="#">Moveable Signs</a>	4 of 2021	2 August 2021	1 January 2029	<ul style="list-style-type: none"> <li><a href="#">Acts Interpretation Act 1915</a></li> <li><a href="#">Local Government Act 1999</a></li> <li><a href="#">Local Government (Elections) Act 1999</a></li> <li><a href="#">Road Traffic Act 1961</a></li> <li>Extract of Minutes of Council Meeting – 2 August 2021 (see below)</li> </ul>
<a href="#">Dogs</a>	5 of 2021	2 August 2021	1 January 2029	<ul style="list-style-type: none"> <li><a href="#">Acts Interpretation Act 1915</a></li> <li><a href="#">Development Act 1993</a></li> <li><a href="#">Dog and Cat Management Act 1995</a></li> <li><a href="#">Harbors and Navigation Act 1993</a></li> <li><a href="#">Local Government Act 1999</a></li> <li><a href="#">Planning, Development &amp; Infrastructure Act 2016</a></li> <li>Extract of Minutes of Council Meeting – 2 August 2021 (see below)</li> <li>Extract of Minutes of Council Meeting – 20 September 2021 (see below)</li> </ul>

# **DISTRICT COUNCIL OF GRANT REGISTER OF BY-LAWS**



## **District Council of Grant – Minutes of Meeting held 2 August 2021**

### **21123 – CHIEF EXECUTIVE OFFICER**

#### **2. Review of By-Laws - [15.13.1/1] Item 11.1.2**

Council were presented By-laws for adoption in the Agenda as recommended by Kelledy Jones Lawyers and to note future resolutions which will be required in respect of certain By-law designated areas.

Moved Cr Bain

1. That in exercise of the powers contained in section 246 of the Local Government Act 1999, having satisfied the consultation requirements of the Act and having had regard to the submission received from the public, the National Competition Policy Report, the Certificates of Validity provided by the Council's legal practitioner, the letter or approval from the Minister or Infrastructure and Transport in respect of By-laws numbers 2 and 5, and the comments from the Dog and Cat Management Board in relation to By-Law number 5, the majority of Council, in the presence of at least two thirds of its members, hereby makes and passes the following By-laws as attached and marked 'Attachment 1':
  - a. Permits and Penalties By-law No. 1 of 2021;
  - b. Local Government Land By-law No. 2 of 2021;
  - c. Roads By-law No. 3 of 2021;
  - d. Moveable Signs By-law No. 4 of 2021; and
  - e. Dogs By-law No. 5 of 2021.

2. That the Chief Executive officer be authorised to undertake all steps necessary to finalise the By-law review process and to give effect to the newly adopted By-laws.

Seconded Cr Mann

CARRIED

The By-laws were adopted by an absolute two thirds majority of Council, all Members present voting in the affirmative.

## **District Council of Grant – Minutes of Meeting held 20 September 2021**

### **21147 – CHIEF EXECUTIVE OFFICER**

#### **2. Review of By-Laws - [15.13.1/1] Item 13.1.2**

Council were asked to consider By-law application resolutions which will be required in respect of certain designated areas.

Moved Cr Bain that Council

1. Pursuant to the power contained in section 246(3)(e) of the Local Government Act 1999, the Council resolves that, once operational, clause 9.9.1 of By-law No. 2 – Local Government Land 2021 will apply to prohibit a person from launching or retrieving a boat to or from the waters at the following locations:
  - a. Adjacent to the township of Blackfellows Caves, other than via the boat ramp access that is permanently located in that area.

2. Pursuant to the power contained in section 246(3)(e) of the Local Government Act 1999, the Council resolves that, once operational, clause 9.10.1 of By-law No. 2 – Local Government Land 2021 will apply to the boat ramps located at:
  - a. Section 804, Hundred MacDonnell (Tenterden Reserve, Sea Parade, Port MacDonnell), and
  - b. Section 621, Hd Kongorong (Blackfellows Caves).
4. Pursuant to the power contained in section 246(3)(e) of the Local Government Act 1999, the Council resolves that, once operational, clause 9.26.4 of By-law No. 2 – Local Government Land 2021 will apply to prohibit a person from playing a game of golf on any Council land which is not a designated golf course located at:
  - a. The Blue Lake Golf Club, or
  - b. The Port MacDonnell Golf Club.
5. Pursuant to the power contained in section 246(3)(e) of the Local Government Act 1999, the Council resolves that, once operational, clause 9.35.1 of By-law No. 2 – Local Government Land 2021 will apply to cause a person to be permitted to engage in the following activities at the Little Blue Lake located at Mount Salt Road, Mount Schank:
  - a. Swimming – access via the available pontoon and complying with Council's condition, specifically that jumping or diving from cliffs and/or edges of the lake is not permitted, and
  - b. Scuba Diving – restricted to divers who have obtained the requisite Council Permit to Dive and who are a current member of the Cave Diving Association of Australia (CDAA) being the relevant authority, and who hold the necessary qualification as a Deep Cavern Diver.
6. Pursuant to the power contained in section 246(3)(e) of the Local Government Act 1999, the Council resolves that, once operational, clause 9.1.1 of By-law No. 5 – Dogs 2021 will apply to cause a person to ensure their dog remains on-leash at the following locations:
  - a. Port MacDonnell foreshore reserve areas extending from Smiths Road to the beach access road to the eastern side of the Port MacDonnell Foreshore Tourist Park (except within playground areas prohibited under clause 10.1.1 of the by-law),
  - b. Port MacDonnell Foreshore Tourist Park located at 12 Eight Mile Creek Road, Port MacDonnell,
  - c. All Council owned sportsgrounds as identified in the Council's Community Land Register (except within playground areas prohibited under clause 10.1.1 of the by-law),
  - d. Lions Park, located at the corner of Compton Street and Sea Parade, Port MacDonnell (except within playground area prohibited under clause 10.1.1 of the by-law),
  - e. Donovans Landing Reserve, located at Donovans Landing Access Road, Donovans (except within playground areas prohibited under clause 10.1.1 of the by-law),
  - f. Unger Recreation Reserve, located at Hammer Parade, Blackfellows Caves (except within playground areas prohibited under clause 10.1.1 of the by-law),

- g. Volunteer Park, located at the corner of Charles and Meylin Streets, Port MacDonnell,
- h. Blackfellows Caves Boat Ramp and carpark area, located at Height Drive, Blackfellows Caves,
- i. Pony Club at the Mount Gambier Airport, located at 81 Airport Road, Wandilo,
- j. Mount Schank State Heritage Area, located at Mountain Path Road, Mount Schank, and
- k. Little Blue Lake, located at Mount Salt Road, Mount Schank.

7. Pursuant to the power contained in section 246(3)(e) of the Local Government Act 1999, the Council resolves that, once operational, clause 10.1.2 of By-law No. 5 – Dogs 2021 will apply to prohibit a person from taking a dog into, or allowing a dog to remain, at the following locations:

- a. Cemetery Reserve at Cape Northumberland, Port MacDonnell.

Seconded Cr Clayfield

CARRIED

## **District Council of Grant – Minutes of Meeting held 15 August 2022**

### **13.1.3 Review of Policies**

RESOLUTION 22228

Moved: Cr Bain

Seconded: Cr Clayfield

That Council:

3. Pursuant to the power contained in section 246(3)(e) of the Local Government Act 1999, the Council resolves that clause 9.14.1 of By-law No. 2 – Local Government Land 2021 will apply to prohibit a person from camping or erecting a tent on any Council land which is not a designated paid camping or free-camping area (in accordance with clause 9.14.2.2) located at:
  - a. Port MacDonnell Foreshore Park,
  - b. Pine Country Caravan Park,
  - c. Canunda National Park,
  - d. Tarpeena Recreation Reserve,
  - e. Carpenter Rocks Recreation Reserve,
  - f. Brown Bay Carpark,
  - g. Port MacDonnell Cape Northumberland Carparks (1 & 2),
  - h. Eight Mile Creek (Sites 1 & 2),
  - i. Dry Creek,
  - j. Blackfellows Caves Carpark, and
  - k. Orwell Rocks.