

(Reprint No. 2)

SOUTH AUSTRALIA

**LIQUOR LICENSING (DRY AREAS—SHORT TERM)
REGULATIONS 1997**

*These regulations are reprinted pursuant to the Subordinate Legislation Act 1978 and incorporate all amendments in force as at **17 December 1998**.*

SUMMARY OF PROVISIONS

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REGULATIONS UNDER THE LIQUOR LICENSING ACT 1997

LIQUOR LICENSING (DRY AREAS—SHORT TERM) REGULATIONS 1997

being

No. 212 of 1997: *Gaz.* 2 October 1997, p. 965¹

as varied by

No. 252 of 1997: *Gaz.* 24 December 1997, p. 1817²

No. 215 of 1998: *Gaz.* 17 December 1998, p. 1978³

¹ Came into operation 2 October 1997: reg. 2.

² Came into operation 24 December 1997: reg. 2.

³ **Came into operation 17 December 1998: reg. 2.**

NOTE:

- *Asterisks indicate repeal or deletion of text.*
- *Entries appearing in bold type indicate the amendments incorporated since the last reprint.*
- *For the legislative history of the regulations see Appendix.*

Citation

1. These regulations may be cited as the *Liquor Licensing (Dry Areas—Short Term) Regulations 1997*.

Commencement

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

Interpretation

3. (1) In these regulations, unless the contrary intention appears—

"**the Act**" means the *Liquor Licensing Act 1997*;

"**container**" means the container in which liquor is sealed so that it cannot escape but does not include packaging in which the container is sold;

"**private land**" means any land that is not a public place within the meaning of the Act;

"**street or road**" includes an avenue, terrace, lane, crescent, court, place or other land set aside for the carriage of vehicular traffic.

(2) Unless the contrary intention appears, a reference in these regulations to a street or a road is a reference to—

- (a) the carriageway of the street or road; and
- (b) the footpaths (if any) of the street or road; and
- (c) a median strip or traffic island (if any) or any other land separating carriageways of the street or road; and
- (d) any other land adjoining or adjacent to the carriageway of the street or road being land that has been reserved for the purposes of the street or road.

(3) For the purposes of these regulations, a wine cask will be taken to have been opened if the tap comprising part of the container is protruding through the external carton.

Short term dry areas (s. 131 of the Act)

4. (1) Subject to subregulation (2), the consumption of liquor or the consumption and possession of liquor are prohibited in accordance with schedule 1 in the areas described in that schedule during the periods specified in that schedule.

(2) The prohibition does not extend to any private land within an area described in schedule 1.

(3) Unless the contrary intention appears, the prohibition in schedule 1 of the possession of liquor in an area does not extend to—

- (a) a person who is genuinely passing through the area if—
 - (i) the liquor is in the original container in which it was purchased from licensed premises; and
 - (ii) the container has not been opened; or

- (b) a person who has possession of the liquor in the course of carrying on a business or in the course of his or her employment by another person in the course of carrying on a business; or
- (c) a person who is permanently or temporarily residing at premises within the area or on the boundary of the area and who enters the area solely for the purpose of passing through it to enter those premises or who enters the area from those premises for the purpose of leaving the area; or
- (d) such other persons (if any) who are specifically excluded by schedule 1.

Plans of short term dry areas

5. (1) Schedule 2 sets out plans of some of the areas described in schedule 1.

(2) If the description of an area in schedule 1 does not coincide with the plan of the area in schedule 2, the description will be taken to be correct.

SCHEDULE 1

Short Term Dry Areas

Adelaide—Area 1

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
The area hatched in Adelaide—Plan 1 in schedule 2.	12.01 a.m. on 9 October 1997 to 12.01 a.m. on 13 October 1997.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

Adelaide—Area 2

(see schedule 2: Adelaide—Plan 2)

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
The area hatched in Adelaide—Plan 2 in schedule 2.	6.00 p.m. on 31 December 1998 to 2.00 a.m. on 1 January 1999.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

Alexandrina Council—Area 1 (Chiton Rocks)

(see schedule 2: Alexandrina Council—Plan 1)

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
The Chiton Rocks Surf Lifesaving Club car park being the whole of allotment 469 and part of allotment 440 in Deposited Plan No. 3482.	6.00 p.m. on 31 December 1998 to 6.00 a.m. on 1 January 1999.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

Alexandrina Council—Area 2 (Port Elliot)

(see schedule 2: Alexandrina Council—Plan 2)

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
Section 294 Hundred of Goolwa including any jetty or other structure extending seaward.	6.00 p.m. on 31 December 1998 to 6.00 a.m. on 1 January 1999.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

Liquor Licensing (Dry Areas—Short Term) Regulations 1997**Alexandrina Council—Area 3 (Middleton)**
(see schedule 2: Alexandrina Council—Plan 3)

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
Commencing at the south-west corner of Section 2303 Hundred of Goolwa then in a north-easterly and northerly direction along the south-eastern and eastern boundaries of Section 2303 to the intersection with the projection of the northern boundary of lot 1 in filed plan 2100, then easterly and south-easterly along that projection and the northern and north-eastern boundary of lot 1 and the northern boundary of lot 101 in deposited plan 10654, then southerly along the eastern boundary of lot 101 to the south-western corner of lot 19 in deposited plan 3145, then generally north-easterly along the northern boundary of Ocean Parade to the western corner of lot 10 in deposited plan 3262, then northerly along the western boundary of Mill Terrace to the north-eastern corner of lot 39 in deposited plan 3262, then in a straight line to the north-western corner of the reserve lot 160 in deposited plan 9417, then in an easterly direction along the southern boundary of the Esplanade to lot 3 in deposited plan 13398, then along the western, northern and eastern boundaries of that lot to its south-eastern corner, then along the northern boundary of Section 345 to its intersection with the projection of the eastern boundary to lot 39 in deposited plan 6156, then southerly along that projection to the high water line, then generally westerly along the high water line to its intersection with the projection of the western boundary of Section 2303 then northerly along the projection to the point of commencement.	6.00 p.m. on 31 December 1998 to 6.00 a.m. on 1 January 1999.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

Alexandrina Council—Area 4 (Goolwa Beach Carpark)

(see schedule 2: Alexandrina Council—Plan 4)

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
Commencing at the north-eastern corner of Section 279, Hundred of Goolwa, then in a westerly and southerly direction along the northern and western boundaries of Section 279, then in a southerly and easterly direction along the western and southern boundaries of Section 367, Hundred of Goolwa to the south-eastern corner of Section 367, then in a straight line across Goolwa Beach Road to the south-western corner of Section 368, Hundred of Goolwa, then in an easterly and northerly direction along the southern and eastern boundaries of Section 368, then in a northerly and westerly direction along the eastern and northern boundaries of Section 278, Hundred of Goolwa to the north-western corner of Section 278, then in a straight line across Goolwa Beach Road to the point of commencement.	6.00 p.m. on 31 December 1998 to 6.00 a.m. on 1 January 1999.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

Liquor Licensing (Dry Areas—Short Term) Regulations 1997**Alexandrina Council—Area 5 (Rotunda Reserve Area)***(see schedule 2: Alexandrina Council—Plan 5)*

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
Commencing at the northern corner of lot 167 then in a south-easterly direction along the north-eastern boundaries of lots 167, 171, 175 and 179 and the projection of that line across Hay Street to the boundary of part Section 271, then north-easterly along the north-western boundaries of part Section 271 and lot 2 in file plan 11114 and the projection of that line across The Cutting Road to the boundary of lot 3 in filed plan 11114, then north-westerly along the south-western boundary of part Section 271 and lot 190 then north-easterly along the north-western boundary of lot 190 and the projection of that boundary to the centre line of B.F. Laurie Lane, then north-westerly along the projection of the centreline to its intersection with the projection of the south-eastern boundary of lot 156, then south-westerly along that projection and boundary to the boundary of Section 215, then north-westerly along the boundary of Section 215 to its intersection with the boundary between lot 139 and Dawson Street then north-westerly along that boundary to the western corner of lot 139 then in a straight line across Section 215 to the point at which the boundary between lot 138 and Porter Street changes direction, then south-easterly along the north-eastern boundaries of lots 138, 147 and 155 and the projection of that boundary across Wildman Street to the northern corner of lot 166, then across Porter Street to the western corner of lot 167 then along the north-western boundary of lot 167 to the point of commencement.	6.00 p.m. on 31 December 1998 to 6.00 a.m. on 1 January 1999.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

Beachport—Area 1*(there is no plan for this area)*

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
Railway Terrace between McCourt Street and Beach Road.	From 12.00 noon on 31 December 1998 to	The consumption of liquor is prohibited and the possession of liquor is prohibited.
Henty Street between Railway Terrace and Chambers Street.	12.00 noon on 3 January 1999.	
Lanky Street between Railway Terrace and Chambers Street.		

Glenelg—Area 1

(there is no plan for this area)

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
Jetty Road, Glenelg, between Colley Terrace and Brighton Road, together with the first 50 metres (commencing at Jetty Road) of each road that joins or intersects that part of Jetty Road.	From 7.00 p.m. on 31 December 1998 to 6.00 a.m. on 1 January 1999.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

Normanville—Area 1

(see schedule 2: Normanville—Plan 1)

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
Commencing at the point at which the southern side of the Normanville jetty intersects with the low water mark, then generally south-westerly along the low water mark to the mouth of the Bungala River, then along the northern bank of the river to its intersection with the western boundary of the caravan park, then generally north-easterly, northerly and easterly along the western and northern boundaries of the caravan park to the point at which the northern boundary joins the northern boundary of the tennis courts, then easterly along that northern boundary of the tennis courts to the far side of the entrance to the caravan park, then in a straight line by the shortest route to the south-eastern corner of lot 138 of part Section 1014, Hundred of Yankalilla, then generally north-westerly along the southern boundary of that lot and the southern boundary of lot 137 of part Section 1014, Hundred of Yankalilla and the prolongation in a straight line of the southern boundary of lot 137 to the low water mark, then generally south-westerly along the low water mark to the northern side of the Normanville jetty, then north-westerly, south-westerly and south-easterly along the northern, western and southern sides of the Normanville jetty to the point of commencement.	6.00 p.m. on 31 December 1998 to 6.00 a.m. on 1 January 1999.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

Liquor Licensing (Dry Areas—Short Term) Regulations 1997**Tumby Bay—Area 1***(see schedule 2: Tumby Bay—Plan 1)*

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
Commencing at the point at which the prolongation of the northern boundary of Dutton Terrace intersects the low water mark, then south-easterly along the low water mark to its intersection with the prolongation of the southern boundary of Goode Avenue, then south-westerly along the prolongation of the southern boundary of Goode Avenue to its intersection with the western boundary of Tumby Terrace, then north-westerly and northerly along that boundary to its intersection with the northern boundary of Dutton Terrace, then easterly along the prolongation of the northern boundary of Dutton Terrace to the point of commencement.	6.00 p.m. on each day to 6.00 a.m. on the following day, from 6.00 p.m. on 2 January 1999 to 6.00 a.m. on 11 January 1999.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

Victor Harbor—Area 1*(see schedule 2: Victor Harbor—Plan 1)*

<i>Area</i>	<i>Period</i>	<i>Extent of prohibition</i>
Commencing at the point at which the prolongation (southward) of the western boundary of the New Alexander Bridge intersects the low water mark, then westerly and south-westerly along the low water mark to the eastern side of the causeway to Granite Island, then southerly, westerly and northerly around the outer boundary of the causeway back to the low water mark on the western side of the causeway, then north-westerly and westerly along the low water mark to the eastern bank of the Inman River, then north-westerly along the eastern bank of the Inman River to its intersection with the prolongation (southward) of the western boundary of Inman Street, then northerly along the prolongation of the western boundary of Inman Street and the western boundary of Inman Street to its intersection with the northern boundary of Victoria Street, then south-easterly along that boundary to its intersection with the western boundary of Torrens Street, then northerly and north-easterly along the western and northern boundaries of Torrens Street to its intersection with the northern boundary of Hindmarsh Road, then north-easterly along that boundary to its intersection with the western boundary of the New Alexander Bridge, then along that boundary and its prolongation (southward) to the point of commencement.	From 3.00 p.m. on 31 December 1998 to 10.00 p.m. on 31 December 1998.	The consumption of liquor is prohibited and the possession of liquor is prohibited.

SCHEDULE 2

Plans of Short Term Dry Areas

Adelaide—Plan 1

Adelaide—Plan 2

Alexandrina Council—Plan 1

(Chiton Rocks)

Alexandrina Council—Plan 2

(Port Elliot)

Alexandrina Council—Plan 3

(Middleton)

Alexandrina Council—Plan 4

(Goolwa Beach Carpark)

Alexandrina Council—Plan 5

(Rotunda Reserve Area)

Normanville—Plan 1

Tumby Bay—Plan 1

Victor Harbor—Plan 1

Liquor Licensing (Dry Areas—Short Term) Regulations 1997

APPENDIX**LEGISLATIVE HISTORY***(entries in bold type indicate amendments incorporated since the last reprint)*

Regulation 5:	inserted by 252, 1997, reg. 3
Schedule 1	
Adelaide—Area 2:	inserted by 252, 1997, reg. 4; varied by 215, 1998, reg. 3(a)
Alexandrina Council—Area 1:	inserted by 252, 1997, reg. 4; varied by 215, 1998, reg. 3(b)
Alexandrina Council—Area 2:	inserted by 252, 1997, reg. 4; varied by 215, 1998, reg. 3(c)
Alexandrina Council—Area 3:	inserted by 252, 1997, reg. 4; varied by 215, 1998, reg. 3(d)
Alexandrina Council—Area 4:	inserted by 252, 1997, reg. 4; varied by 215, 1998, reg. 3(e)
Alexandrina Council—Area 5:	inserted by 252, 1997, reg. 4; varied by 215, 1998, reg. 3(f)
Beachport—Area 1:	inserted by 252, 1997, reg. 4; substituted by 215, 1998, reg. 3(g)
Glenelg—Area 1:	inserted by 215, 1998, reg. 3(g)
Normanville—Area 1:	inserted by 252, 1997, reg. 4; varied by 215, 1998, reg. 3(h)
Tumby Bay—Area 1:	inserted by 215, 1998, reg. 3(i)
Victor Harbor—Area 1:	inserted by 252, 1997, reg. 4; varied by 215, 1998, reg. 3(j)
Schedule 2	
Adelaide—Plan 2:	inserted by 252, 1997, reg. 5
Alexandrina Council—Plan 1:	inserted by 252, 1997, reg. 5
Alexandrina Council—Plan 2:	inserted by 252, 1997, reg. 5
Alexandrina Council—Plan 3:	inserted by 252, 1997, reg. 5
Alexandrina Council—Plan 4:	inserted by 252, 1997, reg. 5
Alexandrina Council—Plan 5:	inserted by 252, 1997, reg. 5
Beachport—Plan 1:	inserted by 252, 1997, reg. 5; revoked by 215, 1998, reg. 4(a)
Normanville—Plan 1:	inserted by 252, 1997, reg. 5
Tumby Bay—Plan 1:	inserted by 215, 1998, reg. 4(b)
Victor Harbor—Plan 1:	inserted by 252, 1997, reg. 5