



THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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ADELAIDE, THURSDAY, 6 AUGUST 2009

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GOVERNMENT GAZETTE NOTICES

ALL poundkeepers' and private advertisements forwarded for publication in the *South Australian Government Gazette* must be **PAID FOR PRIOR TO INSERTION**; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to **Government Publishing SA** so as to be **received no later than 4 p.m. on the Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: governmentgazette@dpc.sa.gov.au.** Send as attachments in Word format and please confirm your transmission with a faxed copy of your document, including the date the notice is to be published and to whom the notice will be charged. The *Government Gazette* is available online at: www.governmentgazette.sa.gov.au

Department of the Premier and Cabinet
Adelaide, 6 August 2009

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the Animal Welfare Advisory Committee, pursuant to the provisions of the Animal Welfare Act 1985:

Member: (from 6 August 2009 until 31 December 2011)
Steven Robert Lawrie

By command,

JENNIFER RANKINE, for Premier

EHCS09/0020

Department of the Premier and Cabinet
Adelaide, 6 August 2009

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the undermentioned to the Firearms Review Committee, pursuant to the provisions of the Firearms Act 1977:

Member: (from 6 August 2009 until 30 June 2011)
Robert Wilfred Hamdorf
Andrew Henry Lenthal Swifte
Heather Jean Dodd
Geoffrey O'Halloran Hyde
Susan Anne Hofmann Ahms
Yvonne Avis Hill

Deputy Member: (from 6 August 2009 until 30 June 2011)

Owen Llewelyn Willett Bevan (Deputy to Hamdorf)
Jayne Samia Basheer (Deputy to Swifte)
Kenneth Francis Wigglesworth (Deputy to Dodd)
Ingrid Birgitta Wangel (Deputy to Hyde)
Richard Marchant Warwick (Deputy to Ahms)
Elizabeth Dudley Kosmala (Deputy to Hill)

Presiding Member: (from 6 August 2009 until 30 June 2011)
Robert Wilfred Hamdorf

By command,

JENNIFER RANKINE, for Premier

MPOL09/008CS

Department of the Premier and Cabinet
Adelaide, 6 August 2009

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable Paul Holloway, MLC, Minister for Mineral Resources Development, Minister for Urban Development and Planning and Minister for Small Business to be also Acting Premier, Acting Minister for Economic Development, Acting Minister for Social Inclusion and Acting Minister for Sustainability and Climate Change for the period from 16 August 2009 to 19 August 2009 inclusive, during the absence of the Honourable Michael David Rann, MP.

By command,

JENNIFER RANKINE, for Premier

DPC030/96PT4CS

Department of the Premier and Cabinet
Adelaide, 6 August 2009

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable Kevin Owen Foley, MP, Deputy Premier, Treasurer, Minister for Industry and Trade and Minister for Federal/State Relations to be also Acting Premier, Acting Minister for Economic Development, Acting Minister for Social Inclusion and Acting Minister for Sustainability and Climate Change for the period from 20 August 2009 to 31 August 2009 inclusive, during the absence of the Honourable Michael David Rann, MP.

By command,

JENNIFER RANKINE, for Premier

DPC030/96PT4CS

Department of the Premier and Cabinet
Adelaide, 6 August 2009

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable Jane Diane Lomax-Smith, MP, Minister for Education, Minister for Mental Health and Substance Abuse, Minister for Tourism and Minister for the City of Adelaide to be also Acting Minister for the Arts for the period from 16 August 2009 to 21 August 2009 inclusive, during the absence of the Honourable Michael David Rann, MP.

By command,

JENNIFER RANKINE, for Premier

DPC030/96PT4CS

Department of the Premier and Cabinet
Adelaide, 6 August 2009

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint the Honourable John David Hill, MP, Minister for Health, Minister for the Southern Suburbs and Minister Assisting the Premier in the Arts to be also Acting Minister for the Arts for the period from 22 August 2009 to 31 August 2009 inclusive, during the absence of the Honourable Michael David Rann, MP.

By command,

JENNIFER RANKINE, for Premier

DPC030/96PT4CS

Department of the Premier and Cabinet
Adelaide, 6 August 2009

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint Rosemary Eva Davey, Paul Andrew Cuthbertson, QC and Mark Andrew Griffin, QC, as Judges of the District Court of South Australia from 6 August 2009, pursuant to Section 12 of the District Court Act 1991.

By command,

JENNIFER RANKINE, for Premier

AGO0071/03CS

Department of the Premier and Cabinet
Adelaide, 6 August 2009

HIS Excellency the Governor's Deputy in Executive Council has been pleased to appoint Anthony Wainwright as Acting Police Complaints Authority for a term of four months commencing on 10 August 2009, pursuant to section 11 of the Police (Complaints and Disciplinary Proceedings) Act 1985.

By command,

JENNIFER RANKINE, for Premier

AGO0263/02CS

ASSOCIATIONS INCORPORATION ACT 1985

ORDER PURSUANT TO SECTION 42 (2)

Dissolution of Association

WHEREAS the Corporate Affairs Commission ('the Commission'), pursuant to section 42 (1) of the Associations Incorporation Act 1985 ('the Act') is of the opinion that the undertaking or operations of Australasian Sleep Association Incorporated ('the Association') being an incorporated association under the Act are being carried on, or would more appropriately be carried on by a company limited by guarantee incorporated under the Corporations Act 2001 (Commonwealth) and whereas the Commission was on 8 July 2009, requested by the Association to transfer its undertaking to Australasian Sleep Association (ACN 138 032 014), the Commission, pursuant to section 42 (2) of the Act does hereby order that on 16 July 2009, the Association will be dissolved, the property of the Association becomes the property

of Australasian Sleep Association and the rights and liabilities of the Association become the rights and liabilities of Australasian Sleep Association.

Given under the seal of the Commission at Adelaide, 4 August 2009.

B. I. COLQUIST, A Delegate of the Corporate
Affairs Commission

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, JAY WEATHERILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY dedicate the Crown Land defined in The Schedule as Public Road.

The Schedule

Allotments 408 and 409 in Deposited Plan 80807 and Allotment 303 in Deposited Plan 80808, Out of Hundreds (Coober Pedy), being within the district of Coober Pedy.

Dated 6 August 2009.

JAY WEATHERILL, Minister for Environment
and Conservation

DEH 14/0470

CROWN LANDS ACT 1929: SECTION 5

TAKE NOTICE that pursuant to the Crown Lands Act 1929, I, JAY WEATHERILL, Minister for Environment and Conservation, Minister of the Crown to whom the administration of the Crown Lands Act 1929 is committed DO HEREBY:

1. Resume the land defined in The First Schedule.
2. Dedicate the Crown Land defined in The Second Schedule as a Reserve for Water Works Purposes and declare that such land shall be under the care, control and management of the South Australian Water Corporation.

The First Schedule

1. Waterworks Reserve, Section 358, Hundred of Skurray, County of Eyre, the notice of which was published in the *Government Gazette* of 19 January 1989 at page 162, The Third Schedule, being the whole of the land comprised in Crown Record Volume 5757, Folio 840.
2. Portion of Highways Department Reserve, portion of Allotment 3 in Deposited Plan 48082 (now identified as portion of Allotment 61 in Deposited Plan 74964), Hundred of Skurray, County of Eyre, the notice of which was published in the *Government Gazette* of 20 November 1997 at page 1331, The Second Schedule, being portion of the land comprised in Crown Record Volume 5505, Folio 285.

The Second Schedule

Allotment 61 in Deposited Plan 74964, Hundred of Skurray, County of Eyre, exclusive of all necessary roads, subject to an existing easement over the land marked C on Deposited Plan 74964 described in Certificate of Title Volume 5429, Folio 567.

Dated 6 August 2009.

JAY WEATHERILL, Minister for Environment
and Conservation

DEH 11/4026

ELECTRICITY ACT 1996

Notice under the Electricity Act 1996 by TRUenergy Pty Ltd (ABN 99 086 014 968) of Default Contract Prices for Small Customers

IN accordance with section 36AB of the Electricity Act 1996 (SA), TRUenergy Pty Ltd (ABN 99 086 014 968) (formerly known as CLP Australia Retail Pty Ltd and SPI Retail Pty Ltd) ('TRUenergy') hereby publishes its default electricity contract prices for customers who are consuming less than 160MWh per annum of electricity ('small customers'). The default contract prices are set out below in this notice and will apply on and from 3 September 2009.

The prices detailed in this notice apply for small customers only of TRUenergy who are purchasing electricity under TRUenergy's Default Contract Terms and Conditions published in the *Government Gazette* on 1 April 2005.

TRUenergy reserves the right to change its default electricity contract price from time to time acting in accordance with all applicable regulations.

Justification Statement

The default contract prices set out in this notice reflect our total costs associated with providing electricity to TRUenergy's customers in South Australia.

TRUenergy Default South Australian Electricity Pricing

Residential Default Pricing		GST Exclusive	GST Inclusive
Peak Usage From 1 Jan – 31 Mar	First 3.2877 kWh/day (c/kWh)	17.93	19.72
	Next 7.6712 kWh/day (c/kWh)	19.55	21.51
	Balance (c/kWh)	22.62	24.88
Peak Usage From 1 Apr – 31 Dec	First 3.2877 kWh/day (c/kWh)	17.93	19.72
	Next 7.6712 kWh/day (c/kWh)	17.71	19.48
	Balance (c/kWh)	20.80	22.88
Off Peak Controlled Load Pricing From 1 Jan – 31 Dec	First 21.9178 kWh/day (c/kWh)	10.93	12.02
	Balance (c/kWh)	9.81	10.79
Supply Charge From 1 Jan – 31 Dec	(c/day)	47.10	51.81

Business Default Pricing – General Supply		GST Exclusive	GST Inclusive
Peak Usage From 1 Jan – 31 Mar	First 29.3973 kWh/day (c/kWh)	20.85	22.94
	Next 273.9726 kWh/day (c/kWh)	21.39	23.53
	Balance (c/kWh)	21.50	23.65
Peak Usage From 1 Apr – 31 Dec	First 29.3973 kWh/day (c/kWh)	19.77	21.75
	Next 273.9726 kWh/day (c/kWh)	20.32	22.35
	Balance (c/kWh)	20.43	22.47
Supply Charge From 1 Jan – 31 Dec	(c/day)	49.16	54.08

Business Default Pricing – Peak + Dedicated Circuit		GST Exclusive	GST Inclusive
Peak Usage From 1 Jan – 31 Mar	First 29.3973 kWh/day (c/kWh)	20.85	22.94
	Next 273.9726 kWh/day (c/kWh)	21.39	23.53
	Balance (c/kWh)	21.50	23.65
Peak Usage From 1 Apr – 31 Dec	First 29.3973 kWh/day (c/kWh)	19.77	21.75
	Next 273.9726 kWh/day (c/kWh)	20.32	22.35
	Balance (c/kWh)	20.43	22.47
Off Peak Controlled Load Pricing From 1 Jan – 31 Dec	First 21.9178 kWh/day (c/kWh)	8.41	9.25
	Balance (c/kWh)	9.17	10.09
Supply Charge From 1 Jan – 31 Dec	(c/day)	49.16	54.08

Explanatory Notes:

1. Default contract price categories will only apply to small customers (that is, those customers who consume less than 160MWh of electricity per annum) who are purchasing electricity under TRUenergy's default contract terms and conditions. The above default contract prices apply in accordance with the following principles:

- (a) Daily Consumption is the total electricity consumption for the period to which the customer's bill relates, divided by the number of days in that period.
- (b) Residential Default Pricing applies to residential customers in premises used wholly or principally as private residences based on Domestic 110 tariff* meter configuration and, in the case of off peak, Off Peak Controlled Load Domestic 116 tariff* meter configuration (refer to explanatory note 1 (e) below for the circumstances in which off peak rates apply).
- (c) Business Default Pricing—General Supply applies to non-residential customers in premises that are not used wholly or principally as private residences based on General Supply 126 tariff* meter configuration.
- (d) Business Default Pricing—Time of Use applies to non-residential customers in premises that are not used wholly or principally as private residences based on General Supply Time of Use 128 tariff* meter configuration.
- (e) Off Peak Controlled Load for electricity used in permanently installed storage water heaters with a rated delivery of not less than 125 litres, storage space heaters and other approved thermal storage applications. The hours of application are fixed from time to time with control by time switch or other means. This price does not apply to electricity used outside those hours.

2. The term 'peak' used in the above table means 0700 hours to 2100 hours from Monday to Friday (Central Standard Time) for all tariffs other than Domestic 110 tariff* meter configuration, except where the network meters do not recognise specific tariff days. In these situations 'peak' means 0700 hours to 2100 hours (Central Standard Time) each day for meter types other than Domestic 110 tariff* meter configuration.

3. The term 'Off peak' used in the above table means all times other than peak period which is described in explanatory note 2.

4. Where prices change during a billing cycle the bill for that billing cycle will be calculated on a *pro rata* basis using:

- (a) the old price up to and including the date of change; and
- (b) the new price from the date of change to the end of the billing cycle.

* These tariff descriptions refer to tariffs published by AGL South Australia Pty Limited.

ENVIRONMENT PROTECTION ACT 1993

Variation to Existing Approval of Collection Depot

I, ANDREA KAYE WOODS, Delegate of the Environment Protection Authority ('the Authority'), pursuant to section 69 of the Environment Protection Act 1993 (SA) ('the Act') hereby:

Variation to Existing Approval of Collection Depot:

Vary the approval of the collection depot listed at Schedule 1 of this notice, that was granted under the Act prior to the date of this Notice and impose the conditions of this approval to be as follows:

Approval of Collection Depot:

The collection depot identified by reference to the following matters is approved:

- (a) the name of the collection depot described in Column 1 of Schedule 1 of this Notice;
- (b) the name of the proprietor of the depot identified in Column 3 of Schedule 1 of this Notice;
- (c) the location of the depot described in Columns 4-5 of Schedule 1 of this Notice; and

The collection depot listed at Schedule 1 of this Notice is approved in relation to the classes of containers specified in Column 6 of Schedule 1 of this Notice.

Conditions of Approval:

Impose the following conditions on the approval:

- (a) The person in charge of the collection depot shall ensure the depot premises complies with Council planning regulations and shall be kept in an orderly condition.
- (b) The person in charge of the collection depot who wishes to transfer the operation of a depot to another person or intends to change the location of a depot shall notify the Authority in writing within one month of the change occurring.
- (c) The person in charge of the collection depot who wishes to cease operation of that depot shall give notice in writing to the Authority.
- (d) The person in charge of the collection depot shall take such measures as are necessary in the operation and maintenance of the depot to prevent or control:
 - (i) a nuisance or offensive condition;
 - (ii) a risk to health or safety; and
 - (iii) damage to the environment.
- (e) The person in charge of the collection depot is reminded of the general environmental duty, as required by section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, do not pollute the environment in a way which causes or may cause environmental harm.
- (f) The holder of an approval must not pay a refund on, or seek reimbursement, for containers that the approval holder knows were not purchased in South Australia.

SCHEDULE 1

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Depot Name	Company/Trading Name	Proprietors	Depot Location Street	Depot Location Suburb	Approved to accept Category B Containers of the following type
Mark Can Depot	Mark Can Depot	Chilun Liu and Juan Zhang	53B Sturt Road	Brighton, S.A. 5048	Cans, Plastic and Liquidpaperboard only

DEVELOPMENT ACT 1993, SECTION 26 (9): BURNSIDE
(CITY) DEVELOPMENT PLAN—GLENDSIDE CAMPUS
DEVELOPMENT PLAN AMENDMENT

Preamble

1. The Development Plan Amendment entitled 'Burnside (City) Development Plan—Glenside Campus Development Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

2. The Minister for Urban Development and Planning has decided to approve the Plan Amendment.

NOTICE

PURSUANT to section 26 of the Development Act 1993, I—

- (a) approve the Plan Amendment; and
- (b) fix the day on which this notice is published in the *Gazette* as the day on which the Plan Amendment will come into operation.

Dated 5 August 2009.

PAUL HOLLOWAY, Minister for Urban
Development and Planning

DEVELOPMENT ACT 1993, SECTION 25 (17): CITY OF
PORT ADELAIDE—INDUSTRY ZONES PART ONE
DEVELOPMENT PLAN AMENDMENT

Preamble

1. The Development Plan amendment entitled 'City of Port Adelaide—Industry Zones Part One Development Plan Amendment' (the Plan Amendment) has been finalised in accordance with the provisions of the Development Act 1993.

2. The Minister for Urban Development and Planning has decided to approve the Plan Amendment.

NOTICE

PURSUANT to section 25 of the Development Act 1993, I—

- (a) approve the Plan Amendment; and
- (b) fix the day on which this notice is published in the *Gazette* as the day on which the Plan Amendment will come into operation.

Dated 6 August 2009.

PAUL HOLLOWAY, Minister for Urban
Development and Planning

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, a person in the class of persons specified in Schedule 1 (the 'exemption holder') is exempt from sections 52, 53 and 70 of the Fisheries Management Act 2007, but only insofar as the exemption holder may undertake the fishing activity described in Schedule 2 within coastal waters adjacent to South Australia (excluding State internal waters) and the fishing activity described in Schedule 3 within waters adjacent to South Australia (excluding State internal waters), subject to the conditions set out in Schedule 3, from 3 August 2009 until 30 June 2010.

SCHEDULE 1

A person who is engaged in a fishing activity pursuant to a fishing concession granted under the Commonwealth Fisheries Management Act 1991, that authorises fishing in the Western Tuna and Billfish Fishery or the Western Skipjack Tuna Fishery or the Southern Bluefin Tuna Fishery, including a scientific permit.

SCHEDULE 2

The taking of fish of the genera or species set out below, using a lift net or a small purse seine net, for the purposes of collecting live bait for tuna fishing:

- *Emmelichthyes*;
- *Trachurus*;
- *Clupe*;
- *Scomber australiasicus*.

SCHEDULE 3

The taking of fish of the genera or species set out below, using a lift net or a small purse seine net, for the purposes of collecting live bait for tuna fishing:

- *Sardinops*;
- *Engraulis*.

SCHEDULE 4

1. The exempted activity may only be undertaken from a boat that is nominated against the fishing concession pursuant to which the tuna fishing is to be undertaken.

2. Fish taken pursuant to this exemption may only be used as live bait or dead bait and must not be sold.

3. A maximum of three tonnes per trip of fish may be taken pursuant to this exemption for use as dead bait.

4. Fish taken pursuant to this exemption must not be transferred to another boat.

5. A purse seine net used pursuant to this exemption must not exceed 300 m.

6. Fishing activity must not be undertaken pursuant to this exemption in waters less than 10 m in depth.

7. An exemption holder must report on any interaction with any threatened, endangered or protected species in accordance with any requirements under the concession they are fishing pursuant to.

8. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under the Act, except where specifically exempted by this notice.

Dated 3 August 2009.

M. SMALLRIDGE, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Dr Cynthia Riginos of the School of Biological Sciences, University of Queensland, Brisbane, Qld 4072 (the 'exemption holder'), or her agents are exempt from the provisions of sections 76 and 77 of the Fisheries Management Act 2007 and Clause 118 of Schedule 6 of the Fisheries Management (General) Regulations 2007, to engage in the activities specified in Schedule 1 (the 'exempted activity'), subject to the conditions set out in Schedule 2, from 3 August 2009 until 30 June 2010 inclusive, unless varied or revoked earlier.

SCHEDULE 1

The collection of the species listed in Schedule 2 from South Australian coastal waters on the western side of Gulf St Vincent from Port Wakefield to Port Noarlunga (including intertidal rocky reefs and the Port Noarlunga Aquatic Reserve and the Barker Inlet-St Kilda Aquatic Reserve).

SCHEDULE 2

- Mussels of the *Mytilus* spp.;
- Marine gastropods of the families Fasciolaridae and Columbellidae;
- *Convevoi* (*Pyura stolonifera*).

SCHEDULE 3

1. Specimens collected pursuant to this notice may only be collected by hand or use of a fine mesh bag.

2. The specimens collected by the exemption holder are for scientific and research purposes only and must not be sold.

3. No specimens may be collected pursuant to this exemption within an Aquatic Reserve other than those Aquatic Reserves listed on Schedule 1.

4. The exemption holder must make all reasonable attempts to minimise disturbance of waterbeds and/or animals and plants whilst undertaking the permitted activity.

5. A maximum of 50 mussels of the *Mytilus* spp. may be taken from any site. A maximum of 500 mussels of the *Mytilus* spp. may be collected pursuant to this notice.

6. A maximum of 20 samples of any species of marine gastropods of the families Fasciolaridae and Columbellidae may be taken from any site. A maximum of 200 individuals of any species of marine gastropods of the families Fasciolaridae and Columbellidae may be collected pursuant to this notice.

7. A maximum of 10 Cunvejoi (*Pyura stolonifera*) may be taken from any site. A maximum of 100 Cunvejoi (*Pyura stolonifera*) may be collected pursuant to this notice.

8. The exempted activity may only be conducted on the exemption holder's behalf by Jody Shields or Nancy Chaney.

9. The exemption holder must notify PIRSA Fisheries on 1800 065 522 at least two hours prior to conducting the exempted activity and answer a series of questions about the exempted activity. The exemption holder 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 boats involved, the number of agents undertaking the exempted activity and other related questions. Exemption No. 9902260.

10. Within 14 days of each collection of organisms pursuant to this notice, the exemption holder must provide a report in writing to the Director of Fisheries (G.P.O. Box 1625, Adelaide, S.A. 5001), giving the following details:

- the date and time of collection;
- the description of all species collected; and
- the number of each species collected.

11. While engaged in the exempted activity, the exemption holder or a person acting as his agent must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Officer upon request.

12. The exemption holder or a person acting as his agent must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 3 August 2009.

M. SMALLRIDGE, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE notice that pursuant to section 79 of the Fisheries Management Act 2007, it is hereby declared that it shall be unlawful for any persons to engage in the act of, or an act preparatory to or involved in, taking fish from those waters specified in Schedule 1, during the period specified in Schedule 2.

SCHEDULE 1

All waters within 150 m of the 'carp cage' installed in Chambers Creek, adjacent to Napper Bridge on the Morgan Road, Barmera.

SCHEDULE 2

From 5 August 2009 to 31 July 2010.

Dated 4 August 2009.

M. SMALLRIDGE, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Garry Warrick of RSD 9, Section 209/210, Loxton, S.A. 5333 (the 'exemption holder') or a person acting as his agent, is exempt from Clauses 72 and 121 of Schedule 6 of the Fisheries Management (General) Regulations 2007, but only insofar as the exemption holder shall not be guilty of an offence when emptying the 'carp separation cage' located at Lock 1, Blanchetown (the 'exempted activity'), subject to the conditions specified in Schedule 1, from 3 August 2009 until 31 July 2010, unless varied or revoked earlier.

SCHEDULE 1

1. The exemption holder may only take and retain carp (Family Cyprinidae) and non-native species when undertaking the exempted activity.

2. All native species taken in the course of the exempted activity must be immediately returned to the water.

3. Non-native species must not be returned to the water alive.

4. The exemption holder may use Damien Wilksch and/or Trevor Bottrill to assist in the exempted activity.

5. While engaged in the exempted activity the exemption holder must have in his possession a copy of this notice and produce a copy of the notice if required by a PIRSA Fisheries Compliance Officer.

6. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under the Act, except where specifically exempted by this notice.

Dated 3 August 2009.

M. SMALLRIDGE, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Jim Rishworth of SA Water (the 'exemption holder'), or a person acting as his agent, is exempt from the provision of section 70 of the Fisheries Management Act 2007 and Clauses 72 and 121 of Schedule 6 of the Fisheries Management (General) Regulations 2007, but only insofar as he may engage in acts preparatory to the collection of fish (the 'exempted activity') from the River Murray—Lock 1 (Blanchetown), using the gear specified in Schedule 1, subject to the conditions set out in Schedule 2, from 3 August 2009 until 31 July 2010, unless varied or revoked earlier.

SCHEDULE 1

- Carp separation cage.

SCHEDULE 2

1. All native fish taken pursuant to the exempted activity must be immediately returned to the water and their detention recorded in a by-catch logbook.

2. Before initial installation of the 'carp separation cage', the exemption holder must contact the PIRSA Fisheries Compliance Unit on 1800 065 522 and answer a series of questions about the exempted activity. You will need to have a copy of your exemption with you 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, the number of agents undertaking the exempted activity and other related issues. Exemption No. 9902267.

3. While engaged in the exempted activity, the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if requested.

4. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 3 August 2009.

M. SMALLRIDGE, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Leslie Morrison of Marine Aquarium/Animal Care Unit, Biological Sciences, Flinders University, G.P.O. Box 2100, Adelaide, S.A. 5001 (the 'exemption holder'), or a person acting as her agent, is exempt from section 70 of the Fisheries Management Act 2007, but only insofar as they may engage in the activities specified in Schedule 1, using the gear specified in Schedule 2 (the 'exempted activity'), subject to the conditions set out in Schedule 3, from 3 August 2009 until 30 June 2010, unless varied or revoked earlier.

SCHEDULE 1

The collection of aquatic organisms (not including protected species) from all waters of South Australia including intertidal 'rocky' reefs, excluding aquatic reserves.

SCHEDULE 2

- 2 beach seine nets (maximum length not exceeding 50 m);
- 5 drop nets;
- 2 plankton nets;
- 1 cast net;

- 10 fish traps;
- hook and line;
- butterfly/dab nets;
- 1 bait pump;
- 1 shovel;
- 1 corer.

SCHEDULE 3

1. The specimens collected by the exemption holder are for scientific and research purposes only and must not be sold. Any unwanted specimens must be returned to the water immediately.

2. The exemption holder or her agents must not collect specimens for aquaculture research purposes pursuant to this notice.

3. Before collecting any specimens pursuant to this notice, the exemption holder must contact the PIRSA Fisheries Compliance Unit on 1800 065 522 and answer a series of questions about the exempted activity. The exemption holder 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, the number of agents undertaking the exempted activity and other related questions. Exemption No. 9902250.

4. The exemption holder must submit a reporting sheet each month for the period of the exemption notice. The reporting sheet will be supplied by the Director of Fisheries and must be completed in full. The reporting sheet must be lodged no later than the fifteenth day of the month following the month to which the reporting sheet relates to the Director of Fisheries, G.P.O. Box 1625, Adelaide, S.A. 5001.

5. When undertaking the exempted activity within the waters of the Adelaide Dolphin Sanctuary, the exemption holder or her agents may only use hand held devices or take by hand when undertaking collections from those waters.

6. A person acting as an agent must be in possession of a signed letter from the exemption holder stating that they are acting as an agent during the exempted activity.

7. While engaged in the exempted activity, the exemption holder or her agents must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if requested.

8. The exemption holders must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 3 August 2009.

M. SMALLRIDGE, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Tracy Warland, 20 Divett Street, Port Adelaide, S.A. 5015 (the 'exemption holder'), or a person acting as her agent, is exempt from sections 52 and 72 of the Fisheries Management Act 2007, but only insofar as the exemption holder shall not be guilty of an offence when taking one male gravid leafy seadragon and selling any hatchlings from that leafy seadragon (the 'exempted activity') from the waters described in Schedule 1, subject to the conditions specified in Schedule 2, from 3 August 2009 until 30 June 2010, unless varied or revoked earlier.

SCHEDULE 1

South Australian coastal waters excluding aquatic reserves, the Adelaide Dolphin Sanctuary and waters within one nautical mile of the jetties at Rapid Bay and Second Valley.

SCHEDULE 2

1. The specimen collected pursuant to this exemption must be retained by the exemption holder.

2. The exemption holder or an agent must notify PIRSA Fisheries on 1800 065 522 at least two hours prior to conducting the exempted activity and answer a series of questions about the exempted activity. The exemption holder 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 boats involved, the number of agents undertaking the exempted activity and other related questions. Exemption No. 9902262.

3. The exemption holder must provide a written report to the Director of Fisheries (G.P.O. Box 1625, Adelaide, S.A. 5001), within seven days of collecting a leafy sea dragon pursuant to this exemption, providing details of the location, time and conditions of the collection.

4. The exemption holder must also provide a written report to the Director of Fisheries (G.P.O. Box 1625, Adelaide, S.A. 5001) by 30 June 2010, providing the following information:

- the number of eggs hatched from the specimen collected pursuant to this notice;
- the number of animals hatched from these eggs and an indication of survival rate;
- the number of surviving animals kept as broodstock and the number of animals sold domestically, exported or given away; and
- a status report on the breeding program of the leafy sea dragon.

5. While engaged in the exempted activity the exemption holder or his agents must be in possession of a copy of this notice and must be produced to a PIRSA Fisheries Compliance Officer if requested.

6. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 3 August 2009.

M. SMALLRIDGE, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, the persons listed in Schedule 1 (the 'exemption holders') are exempt from the provision of section 70 of the Fisheries Management Act 2007, Clauses 72 and 121 of Schedule 6 of the Fisheries Management (General) Regulations 2007 and any notice under section 79 of the Fisheries Management Act 2007, prohibiting fishing within areas of Chambers Creek, but only insofar as they may engage in the taking of fish (the 'exempted activity') from Chambers Creek, adjacent to Napper Bridge on the Morgan Road, Barmera, using a 'carp cage', subject to the conditions set out in Schedule 2, from 3 August 2009 until 31 July 2010, unless varied or revoked earlier.

SCHEDULE 1

- Damien Wilksch, holder of River Fishery Licence No. R03.
- Garry Warrick, holder of River Fishery Licence No. R27.
- Antony Smith, holder of River Fishery Licence No. R54.

SCHEDULE 2

1. The exemption holders may only take and retain carp (Family Cyprinidae) and non-native species when undertaking the exempted activity.

2. All native species taken in the course of the exempted activity must be immediately returned to the water.

3. All native fish taken pursuant to the exempted activity must be immediately returned to the water and their detention recorded in a by-catch logbook.

4. The exemption holders must follow any instructions and directions from staff of the South Australian Research and Development Institute—Aquatic Sciences in relation to the maintenance and operation of the carp cage.

5. Before initial installation of the 'carp separation cage', the exemption holder must contact the PIRSA Fisheries Compliance Unit on 1800 065 522 and answer a series of questions about the exempted activity. You will need to have a copy of your exemption with you 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, the number of agents undertaking the exempted activity and other related issues. Exemption No. 9902271.

6. While engaged in the exempted activity, the exemption holder must be in possession of a copy of this notice. Such notice

must be produced to a PIRSA Fisheries Compliance Officer if requested.

7. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 3 August 2009.

M. SMALLRIDGE, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Antony Smith, 2 Reader Court, Berri, S.A. 5343 (the 'exemption holder'), holder of River Fishery Licence No. R54, is exempt from section 53 (2) of the Fisheries Management Act 2007 and Regulation 7 (b) (i) and Clause 6 of Schedule 6 of the Fisheries Management (General) Regulations 2007, but only insofar as he may use the device described in Schedule 1, to take carp, bony bream and other non-native species in the areas specified in Schedule 2, for the purpose of trade or business (the 'exempted activity'), subject to the conditions set out in Schedule 3, from 3 August 2009 until 30 June 2010, unless varied or revoked earlier.

SCHEDULE 1

'Carp net'—a gill net with a ply greater than 5, having a maximum length of 50 m and a minimum mesh size of 10 cm and a maximum mesh size not exceeding 18 cm.

SCHEDULE 2

- (1) Subject to paragraph (2), the licence holder may conduct fishing activities pursuant to this licence in all backwaters of the River Murray excluding the following areas during the corresponding period set out in the following table:

<i>Area Excluded</i>	<i>Period of Closure</i>
Lake Littra and outflow channel	Permanent—all year
Clover Lake	Permanent—all year
Coombool Swamp	Permanent—all year
Lake Limbra and outflow channel	Permanent—all year
Lake Woolpoolool	Permanent—all year
Ral Ral Creek below Chaffey	Permanent—all year
Pumping Station and entrance waters to Lake Merreti	
Katarapko Creek and Eckert Creek, including The Splash	Permanent—all year
Bulyong Creek	Permanent—all year
Pilby Creek	Permanent—all year
Hancock Creek	Permanent—all year
Mundic Creek	Permanent—all year
Pike Creek	Permanent—all year
Punkah Creek	Permanent—all year
Slaney Creek	Permanent—all year
Loch Luna	Permanent—all year
Cobdogla Swamp	1 August to 30 April (inclusive)
Loveday Swamp/Mussel lagoons	1 August to 30 April (inclusive)
Lake Merreti	1 August to 31 January (inclusive)

- (2) The licence holder may conduct fishing operations within the closure areas and periods listed above if given written approval by the Director of Fisheries to undertake specified carp eradication work in a specified area for a specified period.

SCHEDULE 3

1. The exemption holder must not use more than 30 carp nets at any one time in permitted backwaters of the River Murray.

2. The exemption holder must not have more than 30 carp nets in his possession at any time when he is deploying carp nets in the backwaters of the River Murray.

3. The exemption holder may only engage in the exempted activity when also fishing pursuant to River Fishery Licence No. R54, and may only use a boat to engage in the exempted activity if that boat is registered by endorsement on River Fishery Licence No. R54.

4. The exemption holder must not cause or permit a person to act as his agent when engaging in the exempted activity unless

that person may lawfully act as an agent for the exemption holder in relation to River Fishery Licence No. R54.

5. All native fish (excluding bony bream and yabbies) taken in the course of the exempted activity must be immediately returned to the water.

6. Immediately prior to commencing the exempted activity, the exemption holder must contact the PIRSA Fisheries Compliance Unit on 1800 065 522 and provide the following details:

- the licence number and person(s) conducting the activity;
- the exact location(s) of the fishing activities;
- the number of carp nets being used;
- Exemption No. 9902270.

7. The exemption holder must ensure that the carp nets are checked and all fish removed at least once during each 24 hour period.

8. When the exemption holder moves the carp nets more than 3 km from the reported location of the nets under Condition 6, or removes the nets from the river completely, the exemption holder must again report to PIRSA Fisheries Compliance on 1800 065 522 and provide either details, as required under Condition 6 of this exemption notice, or report that fishing with carp nets has ceased.

9. While engaged in the exempted activity, the exemption holder must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer as requested.

10. The exemption holder must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under that Act, except where specifically exempted by this notice.

Dated 3 August 2009.

M. SMALLRIDGE, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to section 115 of the Fisheries Management Act 2007, Associate Professor Bronwyn Gillanders of the School of Earth and Environmental Sciences, Darling Building, University of Adelaide, S.A. 5005 (the 'exemption holder') or a person acting as her agent, is exempt from section 70 of the Fisheries Management Act 2007, but only insofar as they may engage in the activities specified in Schedule 1, using the gear specified in Schedule 2 (the 'exempted activity'), subject to the conditions set out in Schedule 3, from 3 August 2009 until 30 June 2010, unless varied or revoked earlier.

SCHEDULE 1

The collection of aquatic organisms (not including protected species) from all waters of South Australia, excluding aquatic reserves.

SCHEDULE 2

- Seine nets of the following dimensions:

- seine net (maximum length 50 m, height 2 m, minimum mesh size 6 mm);
- seine net (maximum length 30 m, height 2 m, minimum mesh size 10 mm);
- seine net (maximum length 10 m, height 2 m, minimum mesh size 1 mm).

- Pop nets (maximum size of 2.5 m wide x 2.5 m deep x 1.4 m high, minimum mesh size of 1 mm).

- Fyke nets (single 6 m wing, three compartments and 5 mm mesh) with a maximum of one net per person.

- Electrofishing backpack.

- Fishing (hook and line and jig and line) maximum two per person.

- Bait traps (maximum size of 400 mm x 250 mm x 200 mm, 30 mm and 60 mm inlets, minimum mesh size of 3 mm).

- Plankton net (maximum size of 40 cm diameter x 1.5 m long, minimum mesh size of 80 micron).

- Fish traps (maximum size of 1.5 m x 2 m, minimum mesh size of 3 mm).

SCHEDULE 3

1. The specimens collected by the exemption holder are for scientific and research purposes only and must not be sold. Any unwanted specimens must be returned to the water immediately.

2. Any specimens not returned to the water must be lodged with the South Australian Museum as voucher specimens.

3. Before collecting any specimens pursuant to this notice, the exemption holder or a person acting as an agent must contact the PIRSA Fisheries Compliance Unit on 1800 065 522 and answer a series of questions about the exempted activity. The exemption holder 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, the number of agents undertaking the exempted activity and other related questions. Exemption No. 9902264.

4. When undertaking the exempted activity within the waters of the Adelaide Dolphin Sanctuary, mesh nets must be attended at all times. Mesh nets must be removed from the water if a dolphin is within the immediate area to minimise any entanglement.

5. The exemption holder must submit a reporting sheet each month for the period of the exemption notice. The reporting sheet will be supplied by the Director of Fisheries and must be completed in full. The reporting sheet must be lodged no later than the 15th day of the month following the month to which the reporting sheet relates to the Director of Fisheries, G.P.O. Box 1625, Adelaide, S.A. 5001.

6. A person acting as an agent must have on them a signed letter from the exemption holder stating that they are acting as an agent during the exempted activity.

7. While engaging in the exempted activity, the exemption holder or agent must be in possession of a copy of this notice. Such notice must be produced to a PIRSA Fisheries Compliance Officer if requested.

8. The exemption holders must not contravene or fail to comply with the Fisheries Management Act 2007, or any regulations made under that Act, except where specifically exempted by this notice.
Dated 3 August 2009.

M. SMALLRIDGE, Director of Fisheries

FISHERIES MANAGEMENT ACT 2007: SECTION 79

TAKE notice that pursuant to section 79 of the Fisheries Management Act 2007, it is hereby declared that it shall be unlawful for any person to engage in the class of fishing activity specified in Schedule 1, in the area specified in Schedule 2, during the period specified in Schedule 3.

SCHEDULE 1

The act of taking or an act preparatory to or involved in the taking of abalone (*Haliotis* spp).

SCHEDULE 2

All the waters of Waterloo Bay (Elliston) contained within the geodesic commencing at the high water mark on the shore of Wellington Point, latitude 33°39.23'S, longitude 134°52.53'E and terminating at the high water mark on the shore at Salmon Point, latitude 33°38.72'S, longitude 134°51.58'E

SCHEDULE 3

From 3 August 2009 until 31 December 2009.

Dated 3 August 2009.

M. SMALLRIDGE, Director of Fisheries

GEOGRAPHICAL NAMES ACT 1991

Notice to Alter the Boundaries of Places

NOTICE is hereby given pursuant to section 11B (4) of the Geographical Names Act 1991 that I, PETER MACLAREN KENTISH, Surveyor-General and Delegate appointed by Patrick Conlon, Minister for Infrastructure, Minister of the Crown to whom the administration of the Geographical Names Act 1991, is committed, DO HEREBY:

1. Include that area marked **(A)**, being Lot 155 in DP 57695 into the suburb of **Outer Harbor** as shown as area on Rack Plan 934.

2. Include that area marked **(B)** into the suburb of **Osborne** as shown on Rack Plan 934.

3. Include that area marked **(C)** into the suburb of **Taperoo** as shown on Rack Plan 934.

4. Include that area marked **(D)** into the suburb of **Largs North** as shown on Rack Plan 934.

5. Include that area marked **(E)** into the suburb of **Largs Bay** as shown on Rack Plan 934.

6. Include that area marked **(F)** into the suburb of **Peterhead** as shown on Rack Plan 934.

7. Include that area marked **(G)** into the suburb of **Birkenhead** as shown on Rack Plan 934.

8. Include that area marked **(H)** into the suburb of **New Port** as shown on Rack Plan 934.

9. Include that area marked **(I)** into the suburb of **Port Adelaide** as shown on Rack Plan 934.

10. Exclude from the suburb of **Gillman** and include into the suburb of **Dry Creek** that area marked **(J)** as shown on Rack Plan 934.

11. Include that area marked **(K)** into the suburb of **Dry Creek** as shown on Rack Plan 934.

12. Exclude from the suburb of **Gillman** and include into the suburb of **Dry Creek** that area marked **(L)** as shown on Rack Plan 934.

13. Include that area marked **(M)** into the suburb of **Dry Creek** as shown on Rack Plan 934.

The altered boundaries can be viewed on the Land Services Property Location Browser (PLB) website at:

www.landservices.sa.gov.au/1Online_Services/20PLB/0default.asp

or at the Current Naming Proposals located at:

http://www.landservices.sa.gov.au/1Online_Services/55Place_Names/

or

A copy of the plan can be viewed at the Office of the Surveyor-General, 101 Grenfell Street, Adelaide.

Dated 27 July 2009.

P. M. KENTISH, Surveyor-General, Department for Transport, Energy and Infrastructure

DTEI.22-413/08/0023

GOVERNMENT GAZETTE ADVERTISEMENT RATES

To apply from 1 July 2009

	\$		\$
Agents, Ceasing to Act as.....	42.75	Firms:	
Associations:		Ceasing to Carry on Business (each insertion).....	28.50
Incorporation	21.70	Discontinuance Place of Business	28.50
Intention of Incorporation	53.50	Land—Real Property Act:	
Transfer of Properties	53.50	Intention to Sell, Notice of.....	53.50
Attorney, Appointment of.....	42.75	Lost Certificate of Title Notices	53.50
Bailiff's Sale.....	53.50	Cancellation, Notice of (Strata Plan)	53.50
Cemetery Curator Appointed.....	31.75	Mortgages:	
Companies:		Caveat Lodgement.....	21.70
Alteration to Constitution	42.75	Discharge of.....	22.70
Capital, Increase or Decrease of	53.50	Foreclosures.....	21.70
Ceasing to Carry on Business	31.75	Transfer of	21.70
Declaration of Dividend.....	31.75	Sublet.....	10.90
Incorporation	42.75	Leases—Application for Transfer (2 insertions) each	10.90
Lost Share Certificates:		Lost Treasury Receipts (3 insertions) each.....	31.75
First Name.....	31.75	Licensing.....	63.50
Each Subsequent Name.....	10.90	Municipal or District Councils:	
Meeting Final.....	35.75	Annual Financial Statement—Forms 1 and 2	598.00
Meeting Final Regarding Liquidator's Report on		Electricity Supply—Forms 19 and 20.....	425.00
Conduct of Winding Up (equivalent to 'Final		Default in Payment of Rates:	
Meeting')		First Name	85.00
First Name.....	42.75	Each Subsequent Name.....	10.90
Each Subsequent Name.....	10.90	Noxious Trade.....	31.75
Notices:		Partnership, Dissolution of	31.75
Call.....	53.50	Petitions (small).....	21.70
Change of Name	21.70	Registered Building Societies (from Registrar-	
Creditors.....	42.75	General).....	21.70
Creditors Compromise of Arrangement	42.75	Register of Unclaimed Moneys—First Name.....	31.75
Creditors (extraordinary resolution that 'the Com-		Each Subsequent Name	10.90
pany be wound up voluntarily and that a liquidator		Registers of Members—Three pages and over:	
be appointed').....	53.50	Rate per page (in 8pt)	272.00
Release of Liquidator—Application—Large Ad.....	85.00	Rate per page (in 6pt)	359.00
—Release Granted	53.50	Sale of Land by Public Auction.....	54.00
Receiver and Manager Appointed.....	49.50	Advertisements.....	3.00
Receiver and Manager Ceasing to Act.....	42.75	¼ page advertisement	127.00
Restored Name.....	40.00	½ page advertisement	254.00
Petition to Supreme Court for Winding Up.....	74.50	Full page advertisement.....	498.00
Summons in Action.....	63.50	Advertisements, other than those listed are charged at \$3.00 per	
Order of Supreme Court for Winding Up Action.....	42.75	column line, tabular one-third extra.	
Register of Interests—Section 84 (1) Exempt.....	96.00	Notices by Colleges, Universities, Corporations and District	
Removal of Office.....	21.70	Councils to be charged at \$3.00 per line.	
Proof of Debts	42.75	Where the notice inserted varies significantly in length from	
Sales of Shares and Forfeiture.....	42.75	that which is usually published a charge of \$3.00 per column line	
Estates:		will be applied in lieu of advertisement rates listed.	
Assigned	31.75	South Australian Government publications are sold on the	
Deceased Persons—Notice to Creditors, etc.....	53.50	condition that they will not be reproduced without prior	
Each Subsequent Name.....	10.90	permission from the Government Printer.	
Deceased Persons—Closed Estates	31.75		
Each Subsequent Estate	1.40		
Probate, Selling of	42.75		
Public Trustee, each Estate	10.90		

All the above prices include GST

GOVERNMENT GAZETTE NOTICES

ALL private advertisements forwarded for publication in the *South Australian Government Gazette* must be PAID FOR PRIOR TO INSERTION; and all notices, from whatever source, should be legibly written on one side of the paper only and sent to **Government Publishing SA** so as to be **received no later than 4 p.m. Tuesday preceding the day of publication. Phone 8207 1045 or Fax 8207 1040. E-mail: governmentgazette@dpc.sa.gov.au.** Send as attachments in Word format. Please include date the notice is to be published and to whom the notice will be charged. **The Government Gazette is available online at: www.governmentgazette.sa.gov.au.**

MISCELLANEOUS LEGISLATION AND GOVERNMENT PUBLICATIONS PRICES AS FROM 1 JULY 2009

Acts, Bills, Rules, Parliamentary Papers and Regulations					
Pages	Main	Amends	Pages	Main	Amends
1-16	2.60	1.20	497-512	36.25	35.25
17-32	3.50	2.20	513-528	37.25	36.00
33-48	4.55	3.25	529-544	38.50	37.25
49-64	5.75	4.40	545-560	39.50	38.50
65-80	6.70	5.55	561-576	40.50	39.50
81-96	7.80	6.45	577-592	41.75	40.00
97-112	8.90	7.60	593-608	43.00	41.50
113-128	9.95	8.75	609-624	43.75	42.75
129-144	11.10	9.85	625-640	45.00	43.25
145-160	12.20	10.90	641-656	46.00	45.00
161-176	13.30	12.00	657-672	46.75	45.50
177-192	14.50	13.10	673-688	48.75	46.75
193-208	15.60	14.40	689-704	49.50	47.75
209-224	16.50	15.20	705-720	50.25	49.00
225-240	17.60	16.30	721-736	52.00	50.00
241-257	18.90	17.20	737-752	52.50	51.00
258-272	19.90	18.30	753-768	53.50	52.00
273-288	21.00	19.70	769-784	54.50	53.50
289-304	21.90	20.60	785-800	55.50	54.50
305-320	23.20	21.80	801-816	57.00	55.00
321-336	24.20	22.80	817-832	58.00	57.00
337-352	25.40	24.10	833-848	59.00	58.00
353-368	26.25	25.20	849-864	60.00	58.50
369-384	27.50	26.25	865-880	61.50	60.00
385-400	28.75	27.25	881-896	62.00	60.50
401-416	29.75	28.25	897-912	63.50	62.00
417-432	31.00	29.50	913-928	64.00	63.50
433-448	32.00	30.75	929-944	65.00	64.00
449-464	32.75	31.50	945-960	66.00	64.50
465-480	33.25	32.50	961-976	68.50	65.50
481-496	35.25	33.25	977-992	69.50	66.00

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GAS ACT 1997

Notice under the Gas Act 1997 by TRUenergy Pty Ltd (ABN 99 086 014 968) of Default Contract Prices for Small Customers

IN accordance with section 34B of the Gas Act 1997 (SA), TRUenergy Pty Ltd (ABN 99 086 014 968) (formerly known as CLP Australia Retail Pty Ltd and SPI Retail Pty Ltd) ('TRUenergy') hereby publishes its default gas contract prices for customers who are consuming less than one terajoule per annum of gas ('small customers'). The default contract prices are set out below in this notice and will apply on and from 3 September 2009.

The prices detailed in this notice apply for small customers only of TRUenergy who are purchasing gas under TRUenergy's Default Contract Terms and Conditions published in the *Government Gazette* on 1 April 2005.

TRUenergy reserves the right to change its default gas contract price from time to time acting in accordance with all applicable regulations.

Justification Statement

The default contract prices set out in this notice reflect our total costs associated with providing gas to TRUenergy's customers in South Australia.

TRUenergy Default South Australian Gas Pricing

Residential Default Pricing		GST Exclusive	GST Inclusive
Usage Charge	First 4,500 MJ/Qtr (c/MJ)	2.01	2.211
	Balance/Qtr (c/MJ)	1.35	1.485
Supply Charge	(\$/Qtr)	48.86	53.75

Business Default Pricing		GST Exclusive	GST Inclusive
Usage Charge	First 25,000 MJ/Qtr (c/MJ)	1.67	1.837
	25,000 to 90,000 MJ/Qtr (c/MJ)	1.65	1.815
	Balance/Qtr (c/MJ)	1.35	1.485
Supply Charge	(\$/Qtr)	95.94	105.53

Explanatory Notes:

1. Residential Default Pricing applies to residential customers in premises used wholly or principally as private residences.

2. Business Default Pricing applies to business customers in premises that are not used wholly or principally as private residences.

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Gouger45 Pty Ltd as trustee for Wkok King Pty Ltd as trustee for Vovo Family Trust and Gouger Food Pty Ltd as trustee the NZ Gouger Family Trust have applied to the Licensing Authority for the transfer of a Restaurant Licence, Section 34 (1) (c), Extended Trading Authorisation, Redefinition and an Extended Trading Area in respect of premises situated at 43-45 Gouger Street, Adelaide, S.A. 5000, known as Gouger Palace and to be known as Chinomi.

The application has been set down for callover on 28 August 2009 at 9 a.m.

Conditions

The following licence conditions are sought:

- approval under Section 34 (1) (c) to sell liquor for consumption on the licensed premises by persons:
 - (a) seated at a table; or
 - (b) attending a function at which food is provided.
- Extended Trading Authorisation is sought for the following days and times in relation to the abovementioned condition:
 - Monday to Saturday: Midnight to 2 a.m. the following day;
 - Sunday: 8 p.m. to 2 a.m. the following day;
 - Good Friday: Midnight to 2 a.m.;
 - Christmas Day: Midnight to 2 a.m.;
 - Sunday Christmas Eve: 8 p.m. to 2 a.m. the following day;
 - Days preceding other Public Holidays: Midnight to 2 a.m. the following day;
 - Sundays preceding Public Holidays: 8 p.m. to 2 a.m. the following day.
- Redefinition of the licensed premises to include the whole of the basement level and the whole of the mezzanine level as per plans lodged with this office.
- Extended Trading Area to include the outdoor area adjacent to Area 1 as per plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the callover date (viz: 21 August 2009).

The applicants' address for service is c/o Moody Rossi & Co., 7th Floor, 185 Victoria Square, Adelaide, S.A. 5000.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 28 July 2009.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Ronald Paul Kassulke has applied to the Licensing Authority for the transfer of a Retail Liquor Merchant's Licence in respect of premises situated at Sheard Road, Cobdogla, S.A. 5346 and known as Cobby Liquor Shop.

The application has been set down for hearing on 2 September 2009 at 10 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 26 August 2009).

The applicant's address for service is c/o Clelands Solicitors, 208 Carrington Street, Adelaide, S.A. 5000 (Attention: Leon McEvoy).

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 28 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Pal. Col. Mar. Pty Ltd has applied to the Licensing Authority for the transfer of a Restaurant Licence in respect of premises situated at Tenancy P21, Promenade Level, The Myer Centre, Adelaide, S.A. 5000, known as Cafe 21 and to be known as Bacio Espresso.

The application has been set down for hearing on 3 September 2009 at 11 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the hearing date (viz: 27 August 2009).

The applicant's address for service is c/o Joel Marino, Tenancy P21, Promenade Level, The Myer Centre, Adelaide, S.A. 5000.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 28 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Justin Anthony Burman and Donna Burman have applied to the Licensing Authority for a Producer's Licence in respect of premises situated at Section 581 of Bundaleer, Jamestown, S.A. 5491 and to be known as Bundaleer Cottage.

The application has been set down for callover on 4 September 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicants at the applicants' address, at least seven days before the callover date (viz: 28 August 2009).

The applicants' address for service is c/o Donna Burman, P.O. Box 48, Stirling North, S.A. 5710.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 30 July 2009.

Applicants

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Vasarelli Cellar Door & Cafe Pty Ltd as trustee for Vasarelli Cellar Door & Cafe Unit Trust has applied to the Licensing Authority for a Special Circumstances Licence in respect of premises situated at 169 Main Road, McLaren Vale, S.A. 5171 and to be known as Vasarelli Cellar Door & Cafe.

The application has been set down for callover on 4 September 2009 at 9 a.m.

Conditions

The following licence conditions are sought:

- To sell liquor in accordance with section 40 of the Liquor Licensing Act 1997, during the hours of:
 - Monday to Thursday: 8 a.m. to 10 p.m.;
 - Friday and Saturday: 8 a.m. to midnight;
 - Sunday: 10 a.m. to 10 p.m.
- For consumption on the licensed premises:
 - to a diner for consumption with or ancillary to a meal;
 - to persons attending a reception or function;
 - by persons seated at a table; and
 - for tastings by members of the public of wine produced by the licensee or a related business.
- For consumption off the licensed premises wine produced by the licensee (or a related business).
- Entertainment Consent is sought for the abovementioned hours for the areas shown on the plans lodged with this office.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 28 August 2009).

The applicant's address for service is c/o Duncan Basheer Hannon, Barristers and Solicitors, G.P.O. Box 2, Adelaide, S.A. 5001 (Attention: Max Basheer or David Tillett).

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 30 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Simon Lang Wines Pty Limited has applied to the Licensing Authority for a Direct Sales Licence in respect of the business to be known as Simon Lang Wines.

The application has been set down for callover on 4 September 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 28 August 2009).

The applicant's address for service is c/o Kelly & Co., Level 21, Westpac House, 91 King William Street, Adelaide, S.A. 5000 (Attention: Caderyn McEwen).

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 31 July 2009.

Applicant

LIQUOR LICENSING ACT 1997

Notice of Application

NOTICE is hereby given, pursuant to section 52 (2) (b) of the Liquor Licensing Act 1997, that Vietnam Kitchen Pty Ltd has applied to the Licensing Authority for a Restaurant Licence in respect of premises situated at 449 Pulteney Street, Adelaide, S.A. 5000 and to be known as Vietnam Kitchen.

The application has been set down for callover on 4 September 2009 at 9 a.m.

Any person may object to the application by lodging a notice of objection in the prescribed form with the Liquor and Gambling Commissioner and serving a copy of the notice on the applicant at the applicant's address, at least seven days before the callover date (viz: 28 August 2009).

The applicant's address for service is c/o Duc Mai Lawyers, P.O. Box 149, Kilkenny, S.A. 5009.

Plans in respect of the premises the subject of the application are open to public inspection without fee at the Office of the Liquor and Gambling Commissioner, 9th Floor, East Wing, 50 Grenfell Street, Adelaide, S.A. 5000. Phone 8226 8410, Fax: 8226 8512. Email: olgc@agd.sa.gov.au.

Dated 31 July 2009.

Applicant

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Mineral Resources Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: Southern Uranium Limited

Location: Lincoln Gap area—Approximately 20 km south-west of Port Augusta.

Pastoral Lease: Pandurra

Term: 1 year

Area in km²: 93

Ref.: 2009/00079

Plan and co-ordinates can be found on the PIRSA website: http://www.pir.sa.gov.au/minerals/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Acting Mining Registrar

MINING ACT 1971

NOTICE is hereby given in accordance with section 28 (5) of the Mining Act 1971, that the Minister for Mineral Resources Development proposes to grant an Exploration Licence over the undermentioned area:

Applicant: AFMECO Mining & Exploration Pty Ltd

Location: Nillinghoo area—Approximately 90 km north-west of Olary.

Pastoral Leases: Koonamore, Cumamona and Baratta

Term: 1 year

Area in km²: 186

Ref.: 2009/00109

Plan and co-ordinates can be found on the PIRSA website: http://www.pir.sa.gov.au/minerals/public_notices or by phoning Mineral Tenements on (08) 8463 3103.

J. MARTIN, Acting Mining Registrar

NATURAL RESOURCES MANAGEMENT ACT 2004

Notice of Restriction on the Taking of Water in the Tatiara Prescribed Wells Area

I, JAY WEATHERILL, Minister for Environment and Conservation in the State of South Australia and Minister to whom the administration of the Natural Resources Management Act 2004 (the Act) is committed, being of the opinion that the rate at which underground water is being taken from the Tatiara Prescribed Wells Area, being the area *gazetted* on 12 July 1984 and varied on 9 January 1986 and 9 July 1986, is such that there is a risk that the quantity of water available can no longer meet the demand, hereby restrict the taking of water from wells in the Tatiara Prescribed Wells Area, excluding the Border Designated Area, pursuant to section 132 (1) of the Act, subject to the conditions set out in Schedule 1.

This Notice does not apply to the taking of water for the following:

- (a) domestic purposes or for watering stock (other than stock subject to intensive farming) pursuant to section 124 (4) of the Act;
- (b) fire-fighting or public road making;
- (c) the purpose of application of chemicals to control a pest plant or animal;
- (d) applying chemicals to non-irrigated crops and non-irrigated pasture;
- (e) reticulating supplies of potable water for townships in the area;
- (f) from a well by a person who is a native title holder in relation to the land or waters on or in which that well is situated, and the taking is for the purpose of satisfying that person's personal, domestic, cultural, spiritual or non-commercial communal needs where they are doing so in the exercise or enjoyment of their native title rights and interests, provided that the taking does not involve stopping, impeding or diverting the flow of water for the purpose of collecting the water.

SCHEDULE 1

1. Subject to Clause 2, an authorisation may be granted at the discretion of the Minister for Environment and Conservation ('the Minister') or his authorised agent on the basis of any one or more of the following criteria.

2. The maximum volume of water that may be taken pursuant to an authorisation in a water-use year is the maximum volume on the authorisation.

3. A person authorised in writing by the Minister or delegate, may take water for the same purpose and subject to the same conditions as specified in the authorisation, except where a person has been issued with more than one authorisation, that person may only take water for the purpose and subject to the same conditions as specified in the latest authorisation issued to that person.

4. Water may only be taken subject to the following conditions:

- (a) the water must be taken through a meter which accurately measures the quantity of water taken and is at all times in good working condition; and
- (b) the person or persons with the right to take water under this notice must permit any person appointed as an authorised officer under sections 66 or 67 of the Act to read the meter and inspect the meter, for the purpose of assessing whether the meter is in good condition and is accurately measuring the rate the water is taken, at any reasonable time.

5. An authorisation may be granted to any person who, at 30 June 2009, held a water licence endorsed with a water taking allocation pursuant to the Act. Each authorisation will be assigned to a management area based on the point of extraction. For an existing water licence endorsed with a water (taking) allocation expressed in Irrigation Equivalents (haIE) the authorisation will convert the haIE to a volume determined by multiplying the number of irrigation equivalents by the conversion factor for that management area as outlined in Table 1.

6. The authorisation may include an additional volume as a crop adjustment factor where the holder of the authorisation has provided evidence by 5 p.m. on 3 January 2010, of having grown an eligible crop in an eligible management area as outlined in Table 2.

7. The crop adjustment factor shall be calculated by multiplying the average area in hectares of the eligible crop grown in 2002-2003, 2003-2004 and 2004-2005 water use years by the crop adjustment factor for the management area endorsed on the authorisation as outlined in Table 2.

8. An authorisation may be granted, for a delivery supplement if the existing allocation was used for flood irrigation prior to 1 July 2009. The volume for the delivery supplement will be calculated using the values outlined in Table 1.

9. If the existing licence is for more than one irrigation system type, the corresponding delivery supplement shall be calculated based on the proportional split of use to each irrigation system type in place in the 2006-2007 water use year.

10. The proportional split shall be calculated by:

- (a) multiplying the area (haIE) of each crop grown in the 2006-2007 water use year, for each irrigation system type by the average net irrigation requirement for the management area for each crop, and summing all values to determine the total net irrigation requirements; then
- (b) summing the individual crop water use for each irrigation system type; then
- (c) dividing the values calculated in (b) by the total crop water use calculated in (a) to determine the proportion of each irrigation system type.

11. An authorisation for a specialised production requirements volume may be granted in the following circumstances:

- (a) an application for the authorisation is made by 5 p.m. on 3 January 2010;
- (b) the application must specify the areas of the eligible crops and the additional volume of water listed in Table 3;
- (c) the application must include evidence that one or more of the eligible crops have been grown during at least one of 2002-2003, 2003-2004 or 2004-2005 water use years (on the basis of annual water use reports supplied to DWLBC by the licensee prior to 1 July 2006) and that crop is, or crops are, the subject of the application for the authorisation; and:
 - (i) for grapevines, that infrastructure in the form of an overhead spray system for frost protection of grapevines was in place prior to 1 July 2005 or a significant financial commitment was made prior to that date for the installation of an overhead spray system for frost protection of grapevines and a separate meter has been installed to measure this allocation by date of application; or

- (ii) for fruit trees, that infrastructure in the form of a spray system for crop cooling of fruit trees was in place prior to 1 July 2005, or a significant financial commitment was made prior to 1 July 2005, for the installation of infrastructure for these purposes; or
- (iii) for maximum production pasture, that the pasture management system, irrigation system, irrigation management system, pasture species and stock and pasture productivity meet the eligibility criteria for maximum production pasture; or
- (iv) for potatoes, onions and subterranean clover seed, that crop was grown under irrigation; or
- (v) for olives, the irrigation water has exceeded the electrical conductivity of 2 500 micro-Siemens per cm.

12. The volume authorised shall not exceed an amount calculated by multiplying the average area of the eligible crop grown in the 2002-2003, 2003-2004 and 2004-2005 water use years by the extra ML/ha required as outlined in Table 3. In the case of maximum production pasture the irrigation system type shall also be considered.

13. Where an authorisation is granted for specialised production requirements relating to a particular crop and purpose, the volume authorised must not be used for a different crop or purpose.

14. In the case of specialised production requirements for frost control for grapevines water can only be extracted between 1 July and 30 November.

15. Where a licence is endorsed with a volumetric allocation prior to 30 June 2009, an authorisation may be granted for the volume on the licence except where the authorisation will be used for:

- (a) irrigation purposes;
- (b) recreational purposes;
- (c) allocations granted for plant nurseries.

16. Authorisations for the purposes in 15 (a), (b) and (c) will be recalculated as described in this notice.

17. Authorisations that result from 15 (a) shall not be for specialised production requirements.

18. Authorisations that result from 15 (b) shall not be for delivery supplements or specialised production requirements.

19. Authorisations that result from 15 (c) shall not be for delivery supplements or specialised production requirements and will be based on industry best practice/standards as determined by the Minister.

20. Any authorisation referred to in this Schedule may be varied by the Minister or delegate by the issue of a further written authorisation granted in accordance with this notice or cancelled where a person authorised to take water has transferred his or her land and the transferee of that land has been authorised to take water in accordance with Clause 5 hereof.

21. Where the land has been transferred from a person authorised under any of the notices referred to in this Schedule, the Minister may authorise the transferee to take water on the same terms as the transferor or such varied terms as the Minister or delegate may specify in writing to the transferee.

22. All authorisations referred to in this Schedule are subject to reductions by the following percentages for the corresponding management areas: Cannawigara, 6.6%; North Pendleton, 2.37%; Stirling, 17.25%; Willalooka, 3.47%; Wirrega, 18.28%.

23. Notwithstanding Clause 22, where an authorisation is for recreational purposes, industrial purposes, or for the purpose of Public Water Supply, no reductions shall be implemented.

This Notice will remain in effect up to, and including, 31 July 2010, unless earlier varied or revoked.

Table 1—Volumetric Conversion

Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H
VOLUMETRIC CONVERSION MANAGEMENT AREA*	Tradeable component (spray, flood) (ML/haIE)**	Tradeable component (drip) (ML/haIE)	Delivery supplement (flood) (ML/haIE)***	Delivery supplement (spray) (ML/haIE)***	Drip Bridging Volume (ML/haIE)	Flood Bridging Volume (ML/haIE)	Spray Bridging Volume (ML/haIE)
Cannawigara	9.04	8.50	2.76	0.00	0.31	4.14	1.38
North Pendleton	9.04	8.50	2.76	0.00	0.31	4.14	1.38
Stirling	9.04	8.50	10.26	0.00	0.31	7.89	1.38
Willalooka (East)	8.57	8.10	6.10	0.00	0.29	9.87	2.25
Willalooka (West)	8.57	8.10	13.14	0.00	0.29	8.28	1.38
Wirrega (South)	8.57	8.10	6.10	0.00	0.29	9.87	2.25
Wirrega (North)	9.04	8.10	6.43	0.00	0.31	10.42	2.37

Table 2—Crop Adjustment Factor (ML per ha of crop)

CONVERSION MANAGEMENT AREA*	Beans Broad/Faba	Carrot Seed	Chinese Cabbage Seed	Clover Seed Perennial	Coriander	Fruit Trees	Grass Seed	Lupins	Maize	Mustard	Native Flowers	Native Foliage	Onion	Peas Field	Potatoes
CANNAWIGARA	0.47	0.00	1.06	0.73	2.16	2.00	0.00	0.47	3.20	0.96	2.22	0.63	2.64	0.15	1.22
NORTH PENDLETON	0.47	0.00	1.06	0.73	2.16	2.00	0.00	0.47	3.20	0.96	2.22	0.63	2.64	0.15	1.22
STIRLING	0.47	0.00	1.06	0.73	2.16	2.00	0.00	0.47	3.20	0.96	2.22	0.63	2.64	0.15	1.22
WILLALOOKA (east)	0.42	0.00	1.01	0.64	2.04	2.00	0.00	0.43	3.23	0.92	2.16	0.58	2.67	0.14	1.31
WILLALOOKA (west)	0.42	0.00	1.01	0.64	2.04	2.00	0.00	0.43	3.23	0.92	2.16	0.58	2.67	0.14	1.31
WIRREGA (south)	0.42	0.00	1.01	0.64	2.04	2.00	0.00	0.43	3.23	0.92	2.16	0.58	2.67	0.14	1.31
WIRREGA (north)	0.47	0.00	1.06	0.73	2.16	2.00	0.00	0.47	3.20	0.96	2.22	0.63	2.64	0.15	1.22

Table 3—Specialised Production Requirements (ML per ha of crop/infrastructure)

CONVERSION MANAGEMENT AREA*	Vines— Frost Protection	Fruit Trees	Potatoes	Olives	Onions	Sub Clover Seed	Maximum Production Pasture		
							Spray	Flood	Drip
CANNAWIGARA	1.55	0.38	1.70	0.28	1.47	0.38	0.72	0.94	0.68
NORTH PENDLETON	1.55	0.38	1.70	0.28	1.47	0.38	0.72	0.94	0.68
STIRLING	1.55	0.38	1.70	0.28	1.47	0.38	0.72	1.54	0.68
WILLALOOKA (east)	1.55	0.38	1.70	0.28	1.47	0.38	0.87	1.49	0.82
WILLALOOKA (west)	1.55	0.38	1.70	0.28	1.47	0.38	0.87	2.21	0.82
WIRREGA (south)	1.55	0.38	1.70	0.28	1.47	0.38	0.87	1.49	0.82
WIRREGA (north)	1.55	0.38	1.70	0.28	1.47	0.38	0.72	1.23	0.68

*Includes split Management Areas for the volumetric conversion process only

Dated 1 August 2009.

JAY WEATHERILL, Minister for Environment and Conservation

NATIONAL ELECTRICITY LAW

THE Australian Energy Market Commission (AEMC) gives notice under the National Electricity Law of the following matter.

Under section 95, Grid Australia has requested the *Early Implementation of Market Impact Parameters* Rule proposal (Project Ref. ERC0093). The proposal relates to the implementation timeframe for components of the service target performance incentive scheme under Clause 6A.7.4 of the Rules. Submissions must be received by **2 October 2009**.

Submissions on this proposal can be lodged online via the AEMC's website at www.aemc.gov.au. Before submitting your submission, you must review the AEMC's privacy collection statement on its website.

Submissions should be submitted in accordance with the AEMC's *Guidelines for making written submissions on Rule change proposals*. The AEMC publishes all submissions on its website subject to a claim of confidentiality.

All documents in relation to the above matter are published on the AEMC's website and are available for inspection at the offices of the AEMC.

John Tamblyn
Chairman
Australian Energy Market Commission

Level 5, 201 Elizabeth Street
Sydney, N.S.W. 2000

Telephone: (02) 8296 7800
Facsimile: (02) 8296 7899

6 August 2009.

ROADS (OPENING AND CLOSING) ACT 1991:
SECTION 24NOTICE OF CONFIRMATION OF ROAD
PROCESS ORDER*Road Closure—Right of Way, Greenacres*

BY Road Process Order made on 20 April 2009, the City of Port Adelaide Enfield ordered that:

1. The whole of the Right of Way situated between Redward Avenue and Wingate Street and dividing Allotments 21 and 41 in Deposited Plan 4945 from Allotments 20 and 42 in Deposited Plan 4945, more particularly delineated and lettered 'A', 'B', 'C' and 'D' in Preliminary Plan No. 09/0002 be closed.

2. Portion of the land subject to closure marked 'A' be transferred to Robert William Ramsay in accordance with agreement for transfer dated 15 April 2009 entered into between the City of Port Adelaide Enfield and R. W. Ramsay.

3. Portion of the land subject to closure marked 'B' be transferred to Maureen Joan Fragomeli in accordance with agreement for transfer dated 15 April 2009 entered into between the City of Port Adelaide Enfield and M. J. Fragomeli.

4. Portion of the land subject to closure marked 'C' be transferred to Raymond Allan Murphy and Ann Murphy in accordance with agreement for transfer dated 15 April 2009 entered into between the City of Port Adelaide Enfield and R. A. and A. Murphy.

5. Portion of the land subject to closure marked 'D' be transferred to John Malcolm Evans in accordance with agreement for transfer dated 15 April 2009 entered into between the City of Port Adelaide Enfield and J. M. Evans.

6. The following easement is granted over portion of the land subject to that closure:

Grant to South Australian Water Corporation an easement for sewerage purposes.

On 13 July 2009 that order was confirmed by the Minister for Infrastructure conditionally upon the deposit by the Registrar-General of Deposited Plan 81117 being the authority for the new boundaries.

Pursuant to section 24 (5) of the Roads (Opening and Closing) Act 1991, NOTICE of the order referred to above and its confirmation is hereby given.

Dated 6 August 2009.

P. M. KENTISH, Surveyor-General

PASSENGER TRANSPORT ACT 1994

Revocation of Authorised Officers

NOTICE is hereby given that the appointment of the following persons as Authorised Officers under section 53 of the Passenger Transport Act 1994, have been revoked by the Minister for Transport:

Ross Craker
Bill Carapeti
Peter Williams
Luke Boettcher
Danielle John
Terence Siggers

Dated 27 July 2009.

P. T. ALLAN, Executive Director, Safety
and Regulation Division

PASSENGER TRANSPORT ACT 1994

Appointment of Prescribed Officers

NOTICE is hereby given that the following persons have been appointed by the Minister for Transport as Prescribed Officers under section 57 of the Passenger Transport Act 1994:

Sheree Sweetland
Mark Robinson
Todd Stehbens
Daniel Polesso
Ravinder Kumar Chhabra

Dated 27 July 2009.

P. T. ALLAN, Executive Director, Safety
and Regulation Division

NOTICE TO MARINERS

NO. 39 OF 2009

South Australia—River Murray—Goolwa Channel—Rise in Water Levels

THE Goolwa Channel Environmental Flow Regulator will be completed in early August 2009. This will cause an immediate rise in the water level between Clayton and Goolwa Barrage. This rise is anticipated to continue for a period of at least three months to a maximum of +0.7mAHD.

Mariners are advised that precautionary measures will need to be taken to adjust boat moorings.

Owners of moored boats throughout the Goolwa Channel are advised to loosen the ropes between their boat and any fixed mooring or relocate their boat. The rise in water levels over the coming weeks could cause boat submersion and consequent damage.

Boat operators are reminded that there is a 150 m vessel exclusion zone on either side of each environmental flow regulator and this will be marked with a row of yellow buoys across the channel. Also displayed at each regulator is a 'blocked channel' sign.

Location	Zone 54H		Latitude	Longitude
	Easting	Northing		
Clayton	311736	6069663	35°29'55.54"S	138°55'27.63"E
	311455	6069333	35°30'06.06"S	138°55'16.20"E
Finniss River	308615	6071924	35°28'40.06"S	138°53'25.75"E
	308370	6071746	35°28'45.66"S	138°53'15.91"E
Currency Creek	302369	6072187	35°28'27.14"S	138°49'18.31"E
	302093	6071388	35°28'52.85"S	138°49'06.66"E

Adelaide, 28 July 2009.

PATRICK CONLON, Minister for Transport

DTEI: 2009/00683

NOTICE TO MARINERS

NO. 40 OF 2009

South Australia—River Murray—Coorong Channel

MARINERS are advised that a channel marker in the main channel from the Murray Mouth into the Coorong has been moved and an additional beacon has been installed. The port beacons beyond the new beacon number 10 have been renumbered.

The channel upstream of Pelican Point beyond Beacon 19 has been marked with five starboard buoys as listed below:

Channel Marker	Old No.	Action	Zone 54H		Latitude	Longitude
			Easting	Northing		
8		moved	317987	6060206	35°35'06.54"S	138°59'27.95"E
10		new	318086	6060112	35°35'09.64"S	138°59'31.81"E
12	10		318210	6060079	35°35'10.78"S	138°59'36.73"E
14	12		318763	6060047	35°35'12.20"S	138°59'58.65"E
16	14		319440	6059724	35°35'23.13"S	139°00'25.26"E
18	16		319757	6059575	35°35'28.18"S	139°00'37.76"E
Buoy		new	321764	6058232	35°36'13.04"S	139°01'56.38"E
Buoy		new	322174	6058008	35°36'20.56"S	139°02'12.48"E
Buoy		new	322581	6057797	35°36'27.69"S	139°02'28.48"E
Buoy		new	322982	6057539	35°36'36.31"S	139°02'44.21"E
Buoy		new	323352	6057284	35°36'44.81"S	139°02'58.70"E

Mariners are reminded that they should take care to familiarise themselves with the realigned channel and additional markers.

Adelaide, 4 August 2009.

PATRICK CONLON, Minister for Transport

DTEI: 2009/00683

NOTICE TO MARINERS

NO. 41 OF 2009

South Australia—River Murray—Mundoo Channel

MARINERS are advised that a channel marker in the Mundoo Channel has been moved and an additional beacon has been installed. Also two starboard buoys have been placed opposite the shacks on the Mundoo Channel. Three dimensional topmarks have been installed and the markers numbered. The positions of all Mundoo Channel beacons are listed hereunder:

Channel Marker	Action	Zone 54H		Latitude	Longitude
		Easting	Northing		
M1	Moved	309733	6063308	35°33'20.31"S	138°54'02.84"E
M2	New	309713	6063080	35°33'27.69"S	138°54'01.84"E
M3		308674	6064231	35°32'49.64"S	138°53'21.58"E
M4	Moved	309741	6063159	35°33'25.14"S	138°54'03.00"E
M6		309699	6063321	35°33'19.87"S	138°54'01.46"E
M8		309692	6063384	35°33'17.81"S	138°54'01.27"E
M10		309650	6063649	35°33'09.18"S	138°53'59.80"E
M12		309001	6064346	35°32'46.15"S	138°53'34.63"E
Buoy	New	308293	6064325	35°32'46.34"S	138°53'06.54"E
Buoy	New	308101	6064488	35°32'40.90"S	138°52'59.05"E

Mariners are reminded that they should take care to familiarise themselves with the realigned channel and additional markers.

Adelaide, 4 August 2009.

PATRICK CONLON, Minister for Transport

DTEI: 2009/00683

NOTICE TO MARINERS

NO. 42 OF 2009

South Australia—River Murray—Goolwa Channel and Lake Alexandrina

MARINERS are advised that many of the navigation beacons from the Goolwa Barrage to Brinkley have been moved. Additionally there are a number of new beacons.

The beacons all have new three dimensional top marks and have been renumbered (see Notice 7 of 2009).

The beacons from the Goolwa Barrage to Clayton have been lit after the completion of a trial in the area. From the Goolwa Barrage to Narnu Bay (Beacon No. 44) the lights flash every four seconds and are synchronised. The last beacon of the synchronised lights will flash twice each four seconds. The beacons from Narnu Bay to Clayton are in three sections to assist mariners to determine approximate location along the channel. Each section end is marked with a distinctive flash pattern. All other beacons are unlit and details are listed hereunder:

Bcn No.	Old No.	Type	Action	Zone 54H		Latitude	Longitude	Flash Pattern
				Easting	Northing			
13		Stbd	New	301094	6066778	35°31'21.67"S	138°48'22.95"E	FLG4s
15	16	Stbd		300914	6067004	35°31'14.18"S	138°48'16.04"E	FLG4s
15A		Stbd	New	300526	6067402	35°31'01.01"S	138°48'01.00"E	FLG4s
17		Stbd	New	299842	6067918	35°30'43.78"S	138°47'34.32"E	FLG4s
19		Stbd	New	299471	6067948	35°30'42.53"S	138°47'19.60"E	FLG4s
20	23A	Port		301124	6066440	35°31'32.65"S	138°48'23.85"E	FLR4s
21	18	Stbd	Moved	299285	6068114	35°30'37.00"S	138°47'12.38"E	FLG4s
22	25	Port	Moved	300729	6066916	35°31'16.92"S	138°48'08.61"E	FLR4s
23		Stbd	New	299247	6068393	35°30'27.95"S	138°47'11.11"E	FLG4s
24		Port	New	300483	6067316	35°31'03.77"S	138°47'59.21"E	FLR4s
25	20	Stbd	Moved	299810	6069312	35°29'58.55"S	138°47'34.28"E	FLG4s
26	27	Port		300339	6067440	35°30'59.64"S	138°47'53.61"E	FLR4s
27	22	Stbd	Moved	300311	6069534	35°29'51.69"S	138°47'54.33"E	FLG4s
28	29	Port	Moved	300064	6067597	35°30'54.34"S	138°47'42.83"E	FLR4s

Bcn No.	Old No.	Type	Action	Zone 54H		Latitude	Longitude	Flash Pattern
				Easting	Northing			
29	24	Stbd	Moved	300807	6069696	35°29'46.82"S	138°48'14.15"E	FLG4s
30		Port	New	299834	6067801	35°30'47.56"S	138°47'33.90"E	FLR4s
31	26	Stbd		301121	6069692	35°29'47.16"S	138°48'26.60"E	FLG4s
32	31	Port		299589	6067859	35°30'45.52"S	138°47'24.23"E	FLR4s
33	28	Stbd	Moved	301522	6069653	35°29'48.70"S	138°48'42.48"E	FLG4s
34	35A	Port		300620	6069794	35°29'43.48"S	138°48'06.85"E	FLR4s
35	30	Stbd	Moved	302482	6069532	35°29'53.33"S	138°49'20.47"E	FLG4s
36	35	Port		301852	6069758	35°29'45.53"S	138°48'55.69"E	FLR4s
37	32	Stbd	Moved	302887	6069445	35°29'56.43"S	138°49'36.45"E	FLG4s
38	37	Port	Moved	303455	6069418	35°29'57.70"S	138°49'58.97"E	FLR4s
39	34	Stbd	Moved	303274	6069339	35°30'00.15"S	138°49'51.71"E	FLG4s
40	39	Port	Moved	303804	6069404	35°29'58.42"S	138°50'12.79"E	FLR4s
41	36	Stbd	Moved	303753	6069292	35°30'02.01"S	138°50'10.67"E	FLG4s
42	41	Port	Moved	304276	6069562	35°29'53.64"S	138°50'31.64"E	FLR4s
43	38	Stbd	Moved	304173	6069404	35°29'58.67"S	138°50'27.42"E	FLG4s
44	43	Port	Moved	305118	6069930	35°29'42.29"S	138°51'05.38"E	FLR(2)4s
45	40	Stbd	Moved	304812	6069667	35°29'50.60"S	138°50'52.99"E	FLG4s
46	45	Port	Moved	305810	6070360	35°29'28.85"S	138°51'33.20"E	VQR(3)5s
47	42	Stbd	Moved	305337	6069911	35°29'43.06"S	138°51'14.02"E	VQG(3)5s
48	47	Port	Moved	306437	6070483	35°29'25.27"S	138°51'58.14"E	VQR(3)5s
49	44	Stbd	Moved	305804	6070184	35°29'34.53"S	138°51'32.81"E	VQG(3)5s
50	49	Port	Moved	307045	6070510	35°29'24.82"S	138°52'22.28"E	QR(3)6s
51	46	Stbd	Moved	306214	6070307	35°29'30.83"S	138°51'49.15"E	VQG(3)5s
52	51	Port	Moved	307945	6070614	35°29'22.08"S	138°52'58.07"E	FLR(2+1)6s
53	48	Stbd		306732	6070339	35°29'30.17"S	138°52'09.73"E	VQG(3)5s
54	53	Port		308883	6070646	35°29'21.69"S	138°53'35.29"E	FLR(2+1)6s
55	50	Stbd		307229	6070374	35°29'29.35"S	138°52'29.46"E	FLG(2+1)6s
56	55	Port	Moved	309663	6070397	35°29'30.30"S	138°54'06.03"E	QR(4)6s
57	52	Stbd	Moved	307893	6070473	35°29'26.63"S	138°52'55.89"E	FLG(2+1)6s
58	57	Port	Moved	309868	6070263	35°29'34.80"S	138°54'14.03"E	QR(2)5s
59	54	Stbd	Moved	308625	6070439	35°29'28.22"S	138°53'24.89"E	FLG(2+1)6s
60	59	Port	Moved	310161	6069993	35°29'43.77"S	138°54'25.43"E	QR(2)5s
61	56	Stbd	Moved	309219	6070376	35°29'30.68"S	138°53'48.41"E	FLG(2+1)6s
62	61	Port	Moved	310452	6069808	35°29'49.97"S	138°54'36.82"E	QR(2)5s
63	58	Stbd	Moved	309794	6070208	35°29'36.53"S	138°54'11.07"E	QG(2)5s
64		Port	New	310692	6069785	35°29'50.87"S	138°54'46.34"E	QR(2)5s
65	60	Stbd	Moved	310086	6069921	35°29'46.03"S	138°54'22.39"E	QG(2)5s
66	63	Port	Moved	312293	6069073	35°30'15.07"S	138°55'49.23"E	
67	62	Stbd	Moved	311315	6069640	35°29'55.99"S	138°55'10.92"E	QG(5)7s
68	65	Port	Moved	313310	6068429	35°30'36.65"S	138°56'29.05"E	
69	64	Stbd		313425	6068103	35°30'47.29"S	138°56'33.36"E	
70	67	Port		314115	6068064	35°30'49.02"S	138°57'00.68"E	
71	66	Stbd		313973	6067909	35°30'53.95"S	138°56'54.92"E	
72	69	Port		314696	6067951	35°30'53.09"S	138°57'23.65"E	
73	68	Stbd		314703	6067835	35°30'56.85"S	138°57'23.85"E	
74	71	Port		315141	6067871	35°30'55.98"S	138°57'41.23"E	

Bcn No.	Old No.	Type	Action	Zone 54H		Latitude	Longitude	Flash Pattern
				Easting	Northing			
75	70	Stbd		315403	6067622	35°31'04.23"S	138°57'51.43"E	
76	73	Port		316488	6067438	35°31'10.92"S	138°58'34.33"E	
77		Stbd	New	315739	6067520	35°31'07.76"S	138°58'04.68"E	
78	75	Port		317455	6067007	35°31'25.56"S	138°59'12.35"E	
79	72	Stbd	Moved	316108	6067280	35°31'15.79"S	138°58'19.12"E	
80	77	Port		318695	6067202	35°31'20.05"S	139°00'01.72"E	
81	74	Stbd		316518	6067000	35°31'25.17"S	138°58'35.16"E	
82	79	Port		319394	6067439	35°31'12.81"S	139°00'29.66"E	
83	76	Stbd	Moved	317280	6066658	35°31'36.77"S	138°59'05.11"E	
84	81	Port		320579	6067605	35°31'08.20"S	139°01'16.81"E	
85	78	Stbd	Moved	317880	6066592	35°31'39.30"S	138°59'28.87"E	
85	83	Port		322264	6068419	35°30'42.90"S	139°02'24.31"E	
87	80	Stbd		318623	6066459	35°31'44.09"S	139°02'24.31"E	
88	85	Port		324534	6070355	35°29'41.54"S	138°59'58.27"E	
89	82	Stbd		319391	6066057	35°31'57.65"S	139°00'28.44"E	
90	87	Port	Moved	326892	6072062	35°28'47.66"S	139°05'30.72"E	
91	84	Stbd		320034	6065838	35°32'05.18"S	139°00'53.76"E	
92	89	Port		350324	6081979	35°23'39.59"S	139°21'06.76"E	
93	86	Stbd		320720	6065149	35°32'27.96"S	139°01'20.42"E	
94	91	Port		350292	6082350	35°23'27.52"S	139°21'05.72"E	
95	88	Stbd	Moved	324508	6068127	35°30'53.81"S	139°03'53.10"E	
96	93	Port		350372	6082967	35°23'07.56"S	139°21'09.31"E	
97	90	Stbd	Moved	331096	6071418	35°29'11.14"S	139°08'17.01"E	
98	95	Port		350519	6083226	35°22'59.23"S	139°21'15.30"E	
99	92	Stbd		337110	6073330	35°28'12.74"S	139°12'16.92"E	
100	97	Port		350654	6083474	35°22'51.24"S	139°21'20.81"E	
101	94	Stbd	Moved	342807	6075860	35°26'53.95"S	139°16'04.64"E	
102	99	Port		350893	6083801	35°22'40.77"S	139°21'30.49"E	
103	96	Stbd		348619	6079680	35°24'53.25"S	139°19'57.64"E	
104	101	Port		350971	6084156	35°22'29.30"S	139°21'33.83"E	
105	98	Stbd		350483	6082183	35°23'33.05"S	139°21'13.19"E	
106	103	Port	Moved	351117	6084753	35°22'09.99"S	139°21'39.99"E	
107	100	Stbd		350490	6082563	35°20'20.72"S	139°21'13.73"E	
109	102	Stbd		350830	6082970	35°23'07.70"S	139°21'27.46"E	
111	104	Stbd		351069	6083480	35°22'51.29"S	139°21'37.25"E	
113	106	Stbd		351195	6084048	35°22'32.90"S	139°21'42.60"E	
115	108	Stbd		351312	6084585	35°22'15.56"S	139°21'47.59"E	
117	110	Stbd		351486	6085052	35°22'00.04"S	139°21'47.90"E	

At Milang a port hand beacon has been placed at the end of a sand bar which protrudes from Reedy Island toward the Milang Jetty.

Port (Milang)	New	316622	6079600	35°24'36.49"S	138°58'49.51"E	
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Mariners are reminded that they should take care to familiarise themselves with the changes in their area of operation.

Adelaide, 4 August 2009.

PATRICK CONLON, Minister for Transport

WATER MAINS AND SEWERS

Office of the South Australian Water Corporation
Adelaide, 6 August 2009

WATER MAINS LAID

Notice is hereby given that the following main pipes or parts of main pipes have been laid down by the South Australian Water Corporation in or near the undermentioned water districts and are now available for a constant supply of water to adjacent land.

ADELAIDE WATER DISTRICT**CITY OF BURNSIDE**

Wahroonga Avenue, Wattle Park. p15

CITY OF MARION

Barramundi Drive, Hallett Cove. p1
Sturt Road, Dover Gardens. p13
Harrow Street, Dover Gardens. p13 and 14
Crown Street, Dover Gardens. p13
Clacton Road, Dover Gardens. p14
Renown Avenue, Clovelly Park. p23
Scottish Avenue, Clovelly Park. p23
Renown Place, Clovelly Park. p23
Australian Avenue, Clovelly Park. p23
Glamis Avenue, Seacombe Gardens. p28
Glamis Avenue, Seacombe Gardens. p29

CITY OF MITCHAM

Minnow Drive, Glenalta. p21

CITY OF PORT ADELAIDE ENFIELD

Hay Street, Klemzig. p2
Shropshire Avenue, Hillcrest. p11
Lowan Road, Windsor Gardens. p18
In and across Greenbank Drive, Windsor Gardens. p18
Ramsay Avenue, Hillcrest. p19 and 20
Dragon Street, Hillcrest. p19
Whittington Street, Enfield. p25
Kensington Crescent, Enfield. p25
Jagoe Street, Semaphore. p27

BEETALOO COUNTRY LANDS WATER DISTRICT**NORTHERN AREAS COUNCIL**

Gulnare Tanks Road, Gulnare. p6
Gulnare-Spalding Road, Gulnare. p6

BUNDALEER COUNTRY LANDS WATER DISTRICT**NORTHERN AREAS COUNCIL**

Across and in Thomas Street, Narridy. p10

BURRA WATER DISTRICT**REGIONAL COUNCIL OF GOYDER**

In and across Landore Street, Burra. p16
Easement in section 113, hundred of Kooringa, Landore Street, Burra. p16

MUNDALLIO COUNTRY LANDS WATER DISTRICT**PORT AUGUSTA CITY COUNCIL**

In and across government road known as Hookina Road, Wami Kata. p8

WARREN COUNTRY LANDS WATER DISTRICT**REGIONAL COUNCIL OF GOYDER**

Across and in Emmaus Road, Australia Plains. p4 and 5

WATER MAINS ABANDONED

Notice is hereby given that the undermentioned water mains have been abandoned by the South Australian Water Corporation.

ADELAIDE WATER DISTRICT**CITY OF BURNSIDE**

Wahroonga Avenue, Wattle Park. p15

CITY OF MARION

Sturt Road, Dover Gardens. p13
Harrow Street, Dover Gardens. p13 and 14
Crown Street, Dover Gardens. p13
Clacton Road, Dover Gardens. p14
Renown Avenue, Clovelly Park. p23
Scottish Avenue, Clovelly Park. p23
Renown Place, Clovelly Park. p23
Australian Avenue, Clovelly Park. p23

CITY OF MITHCAM

Minnow Drive, Glenalta. p21

CITY OF ONKAPARINGA

Refinery Road, Lonsdale. p22

CITY OF PORT ADELAIDE ENFIELD

Shropshire Avenue, Hillcrest. p11
Lowan Road, Windsor Gardens. p18
In and across Greenbank Drive, Windsor Gardens. p18
Ramsay Avenue, Hillcrest. p19 and 20
Dragon Street, Hillcrest. p19
Whittington Street, Enfield. p25
Jagoe Street, Semaphore. p27

BEETALOO COUNTRY LANDS WATER DISTRICT**NORTHERN AREAS COUNCIL**

Gulnare Tanks Road, Gulnare. p6
Gulnare-Spalding Road, Gulnare. p6

BUNDALEER COUNTRY LANDS WATER DISTRICT**NORTHERN AREAS COUNCIL**

Thomas Street, Narridy. p10

BURRA WATER DISTRICT**REGIONAL COUNCIL OF GOYDER**

Landore Street, Burra. p16

MUNDALLIO COUNTRY LANDS WATER DISTRICT**PORT AUGUSTA CITY COUNCIL**

In and across government road known as Hookina road, Wami Kata. p8

WARREN COUNTRY LANDS WATER DISTRICT**REGIONAL COUNCIL OF GOYDER**

Emmaus Road, Australia Plains. p4 and 5

SEWERS LAID

Notice is hereby given that the following sewers have been laid down by the South Australian Water Corporation in the undermentioned drainage areas and are now available for house connections.

ADELAIDE DRAINAGE AREA**ADELAIDE CITY COUNCIL**

Hindmarsh Square, Adelaide. FB 1185 p9

CITY OF MARION

Karu Crescent, Mitchell Park. FB 1185 p6

CITY OF MITCHAM

Woodleigh Road, Blackwood. FB 1185 p15

CITY OF PORT ADELAIDE ENFIELD

Delhi Avenue, Hillcrest. FB 1185 p13

Swift Street, Northfield. FB 1185 p16

Central Avenue, Enfield. FB 1185 p17

CITY OF WEST TORRENS

Waymouth Avenue, Glandore. FB 1185 p7

Broughton Avenue, Kurralta Park. FB 1185 p8

BALHANNAH COUNTRY DRAINAGE AREA**ADELAIDE HILLS COUNCIL**

Across Kareda Close, Balhannah. FB 1185 p10

Easements in lot 153 in LTRO DP 15536, Kareda Close and lot 206 in LTRO DP 17397, Lutana Grove, Balhannah. FB 1185 p10

MOUNT GAMBIER COUNTRY DRAINAGE AREA**DISTRICT COUNCIL OF GRANT**

Sewerage land (lot 41 in LTRO DP 68580), Calula Drive, Suttontown. FB 1130 p31, 32, 34 and 35

Across and in Calula Drive, Suttontown. FB 1130 p31, 32, 35 and 36

Easements in lot 49 in LTRO DP 72301, Calula Drive, lots 11, 12 and 10-8 in LTRO DP 72301, lot 6 in LTRO DP 68580 and lot 7 in LTRO DP 72301, Bodey Circuit, Suttontown. FB 1130 p31, 32 and 36

Easement in reserve (lot 40 in LTRO DP 68580), Calula Drive and lot 3 in LTRO DP 68580, O'Leary Road, Suttontown. FB 1130 p31, 32 and 37

In and across Bodey Circuit, Suttontown. FB 1130 p31, 32 and 37

Easements in lot 26 in LTRO DP 72301, Bodey Circuit and lot 51 in LTRO DP 72301, O'Leary Road, Suttontown. FB 1130 p31, 32 and 37

CITY OF MOUNT GAMBIER

Allan Drive, Mount Gambier. FB 1130 p31, 33 and 35

Across and in Graham Road, Mount Gambier. FB 1130 p31, 33 and 35

MURRAY BRIDGE COUNTRY DRAINAGE AREA**THE RURAL CITY OF MURRAY BRIDGE**

In and across Maurice Road, Murray Bridge. FB 1185 p14

Sewerage land (section 394, hundred of Mobilong), Maurice Road, Murray Bridge. FB 1185 p14

SEWERS ABANDONED

Notice is hereby given that the undermentioned sewers have been abandoned by the South Australian Water Corporation.

ADELAIDE DRAINAGE AREA**CITY OF CHARLES STURT**

Easement in reserve (lot 34 in LTRO DP 10877), Gretel Grove, West Lakes—450 mm MSCL pumping main. FB 1185 p11

MOUNT GAMBIER COUNTRY DRAINAGE AREA**CITY OF MOUNT GAMBIER**

Elm Avenue, Mount Gambier—110 mm PE80 pumping main. FB 1130 p31 and 32

Across and in O'Leary Road, Mount Gambier—110 mm PE80 pumping main. FB 1130 p31 and 32

MURRAY BRIDGE COUNTRY DRAINAGE AREA**THE RURAL CITY OF MURRAY BRIDGE**

Edmund Terrace, Murray Bridge—225 mm PVC pumping main. FB 1184 p60

Across and in Mannum Road, Murray Bridge—225 mm PVC pumping main. FB 1184 p60

SEWERS LAID

Notice is hereby given that the undermentioned sewers have been laid down by the South Australian Water Corporation and are not available for house connections.

ADELAIDE DRAINAGE AREA**CITY OF CHARLES STURT**

Easement in reserve (lot 34 in LTRO DP 10877), Gretel Grove, West Lakes—450 mm MSCL pumping main. FB 1185 p11

MOUNT GAMBIER COUNTRY DRAINAGE AREA**DISTRICT COUNCIL OF GRANT**

Sewerage land (lot 41 in LTRO DP 68580), Calula Drive, Suttontown—160 mm PE80 pumping main. FB 1130 p31, 32, 34 and 38

Easements in reserve (lot 40 in LTRO DP 68580), Calula Drive and lot 3 in LTRO DP 68580, O'Leary Road, Suttontown—160 mm PE80 pumping main. FB 1130 p31, 32 and 38

Calula Drive, Suttontown—110 mm PE80 pumping main. FB 1130 p31, 32 and 39

CITY OF MOUNT GAMBIER

Across and in Jubilee Highway West, Suttontown and Mount Gambier—160 mm PE80 pumping main. FB 1130 p31, 33, 38 and 39

Across and in Graham Road, Mount Gambier—160 mm PE80 pumping main. FB 1130 p31, 33 and 39

Across O'Leary Road, Mount Gambier and Suttontown—110 mm PE80 pumping main. FB 1130 p31, 32 and 39

MURRAY BRIDGE COUNTRY DRAINAGE AREA**THE RURAL CITY OF MURRAY BRIDGE**

In and across Maurice Road, Murray Bridge—100 mm PVC pumping main. FB 1185 p14

Sewerage land (section 394, hundred of Mobilong), Maurice Road, Murray Bridge—100 mm PVC pumping main. FB 1185 p14

Edmund Terrace, Murray Bridge—250 mm PVCO pumping main. FB 1184 p60

Across and in Mannum Road, Murray Bridge—250 mm PVCO pumping main. FB 1184 p60

ADDENDUM

Addendum to notice in "Government Gazette" of 14 May 2009

"Notice is hereby given that the following sewers have been laid down by the South Australian Water Corporation in the undermentioned drainage areas and are now available for house connections."

"MURRAY BRIDGE COUNTRY DRAINAGE AREA"**"THE RURAL CITY OF MURRAY BRIDGE"**

"Easements in lots 45-43 in LTRO DP 77531, Waterlily Terrace and lot 51 in LTRO DP 79454, Tussock Place, Murray Bridge. FB 1183 p18, 19 and 22"

To this notice add "This sewer is not available for house connections for the first 43.11 m."

A. HOWE, Chief Executive Officer, South Australian Water Corporation

South Australia

National Parks and Wildlife (Bakara Conservation Park) Proclamation 2009

under section 30(2) of the *National Parks and Wildlife Act 1972*

1—Short title

This proclamation may be cited as the *National Parks and Wildlife (Bakara Conservation Park) Proclamation 2009*.

2—Commencement

This proclamation comes into operation on the day on which it is made.

3—Alteration of boundaries of Bakara Conservation Park

The boundaries of the Bakara Conservation Park are altered by adding to the Park the following Crown land:

Section 54, Hundred of Bakara, County of Albert.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 6 August 2009

EHCS09/0019

South Australia

Liquor Licensing (Dry Areas—Long Term) Variation Regulations 2009

under the *Liquor Licensing Act 1997*

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-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Liquor Licensing (Dry Areas—Long Term) Variation Regulations 2009*.

2—Commencement

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

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Liquor Licensing (Dry Areas—Long Term) Regulations 1997*

4—Variation of Schedule 1—Long term dry areas

- (1) Schedule 1, item headed "Loxton—Area 1", column headed "Period"—delete "2009" and substitute:
2011
- (2) Schedule 1, item headed "Loxton—Area 2", column headed "Period"—delete "2009" and substitute:
2011

- (3) Schedule 1, item headed "Loxton—Area 3", column headed "Period"—delete "2009" and substitute:

2011

Note—

As required by section 10AA(2) of the *Subordinate Legislation 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's Deputy

with the advice and consent of the Executive Council
on 6 August 2009

No 214 of 2009

09MCA0030CS

South Australia

Passenger Transport Regulations 2009

under the *Passenger Transport Act 1994*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Passenger Transport Regulations 2009*.

2—Commencement

These regulations will come into operation on 1 September 2009.

3—Interpretation

- (1) In these regulations, unless the contrary intention appears—
Act means the *Passenger Transport Act 1994*;

Adelaide centralised booking service means a centralised booking service that operates wholly or partly within Metropolitan Adelaide;

appropriate driver's licence in relation to a person applying for an accreditation under Part 4 Division 2 of the Act means—

- (a) a driver's licence in force under the *Motor Vehicles Act 1959* that—
 - (i) authorises the holder of the licence to drive a motor vehicle of a class that, in the opinion of the Minister, is appropriate to the relevant accreditation; and
 - (ii) is an unconditional licence as defined in that Act; and
 - (iii) is not subject to any condition that, in the opinion of the Minister, imposes an inappropriate restriction for the holder of the relevant accreditation; or
- (b) a licence in force under a law of another State or a Territory of the Commonwealth that—
 - (i) authorises the holder of the licence to drive a motor vehicle of a class that, in the opinion of the Minister, is appropriate to the relevant accreditation; and
 - (ii) is not subject to any condition that, in the opinion of the Minister, imposes an inappropriate restriction for the holder of the accreditation;

approved country taxi service plan means a country taxi service plan approved by the Minister under regulation 9(1)(s);

Australian Design Rules has the same meaning as in the *Road Traffic (Miscellaneous) Regulations 1999*;

authorised officer means—

- (a) an authorised officer under section 53 of the Act; or
- (b) a person authorised by the Minister to exercise the powers of an authorised officer under these regulations;

authorised person means—

- (a) an authorised officer; or
- (b) a person authorised by the Minister to exercise the powers of an authorised person under Part 4 Division 2 Subdivision 2; or
- (c) an employee of a regular passenger service operator; or
- (d) the driver of a regular passenger service vehicle (whether or not an employee of the operator); or
- (e) a police officer;

bus means a motor vehicle, other than a taxi—

- (a) designed for the principal purpose of carrying passengers; and
- (b) designed to carry at least 13 seated persons;

business day means any day except a Saturday, Sunday or public holiday;

busway means that part of a public transport system constructed or set apart for the exclusive passage of buses and authorised vehicles;

central control station, in relation to a centralised booking service, means a place approved by the Minister as the central control station for the booking service;

certificate of inspection means a certificate under section 54 of the Act;

chauffeured vehicle service means a service provided under—

- (a) a Small Passenger Vehicle (Metropolitan) Accreditation; or
- (b) a Small Passenger Vehicle (Non-Metropolitan) Accreditation; or
- (c) a Small Passenger Vehicle (Special Purpose) Accreditation; or
- (d) a Small Passenger Vehicle (Traditional) Accreditation;

community transportation service means a community based or community orientated transportation service—

- (a) that is designed—
 - (i) to benefit individuals or groups within a local community who are in need of some form of assistance; or
 - (ii) to assist individuals or groups within a local community to participate to a greater degree in the life of the community (including the wider community); or
 - (iii) to achieve some other form of community, charitable, educational, benevolent, religious, recreational, sporting or philanthropic purpose at the local level; and
- (b) that is not established, or is not principally established, with a view to profit or commercial gain;

compliance plate means a plate authorised to be placed on a motor vehicle, or taken to have been placed on a motor vehicle, under the *Motor Vehicle Standards Act 1989* of the Commonwealth;

council has the same meaning as in the *Local Government Act 1999*;

country taxi means a vehicle used for the purposes of a country taxi service;

Country Taxi Accreditation means the class of accreditation under section 27 of the Act of that name established pursuant to section 32(3) of the Act;

country taxi service means a passenger transport service operated outside Metropolitan Adelaide under a Country Taxi Accreditation;

country taxi service area means the area defined in the approved country taxi service plan for a country taxi service as the area within which the service may be provided;

Department means the administrative unit of the Public Service that is, under the Minister, responsible for the administration of the Act;

disability has the same meaning as in the *Disability Discrimination Act 1992* of the Commonwealth;

flagfall means the amount of fare recorded on a taxi-meter immediately on its being activated at the commencement of a hiring;

legal fare—

- (a) in relation to the hiring of a country taxi or a journey by a country taxi—means a fare for the particular hiring or journey not exceeding the rate determined by the Minister;
- (b) in relation to the hiring of a metropolitan taxi or a journey by a metropolitan taxi—means a fare for the particular hiring or journey determined in accordance with these regulations;

Life Skills Development Program means the program of that name administered and funded by the Department for Families and Communities to assist people with disabilities to participate to a greater degree in the life of the community through the development or improvement of basic life skills;

log onto a computerised telecommunications system means carry out a process (which must include entry of the person's personal identification number) approved by the Minister for logging onto the system;

log out of a computerised telecommunications system means carry out a process approved by the Minister for logging out of the system;

metropolitan taxi means a vehicle for which a taxi licence is held or required to be held;

mm means millimetres;

motor cycle means a motor vehicle (not being a trailer) that moves only on 2 wheels or, if a side car or side box is fitted, on not more than 3 wheels;

off-road passenger vehicle means a passenger vehicle designed with special features for off-road operation as defined by the Australian Design Rules;

passenger station means a building, structure or place at which passengers board, or alight from, public passenger vehicles used in the provision of regular passenger services;

personal identification number is a unique code assigned to the driver of a taxi participating in a centralised booking service by the operator of the booking service in a manner approved by the Minister;

prescribed premises means land or premises used or provided by the Crown or the Minister, or by an operator, for a purpose associated with a passenger transport service, and includes a passenger station;

public directory includes a journal, brochure or other publication (whether in written or electronic form) that lists or advertises passenger transport services;

quarter means a 3 month period beginning on 1 January, 1 April, 1 July or 1 October in any year;

registration plate means a plate issued under section 63 of the Act;

regular passenger service operator means TransAdelaide or a passenger who conducts a regular passenger service wholly or partly within Metropolitan Adelaide;

regular passenger service vehicle means a public passenger vehicle used in the provision of a regular passenger service;

relevant person—

- (a) for a taxi means—
 - (i) in the case of a vehicle in respect of which a taxi licence is in force—the holder of the licence; or
 - (ii) in the case of a vehicle used for the purposes of a country taxi service—the operator of the service;
- (b) for a taxi sign means—
 - (i) if the sign has been issued to, or leased by, the holder of a taxi licence—the holder of the licence;
 - (ii) if the sign has been issued to, or leased by, the operator of a country taxi service—the operator of the service;
 - (iii) in any other case—the owner of the sign;

small passenger vehicle means a motor vehicle (other than a taxi)—

- (a) designed for the principal purpose of carrying passengers; and
- (b) designed to carry not more than 12 seated persons;

Small Passenger Vehicle (Metropolitan) Accreditation means the class of accreditation under section 27 of the Act of that name established pursuant to section 32(3) of the Act;

Small Passenger Vehicle (Non-Metropolitan) Accreditation means the class of accreditation under section 27 of the Act of that name established pursuant to section 32(3) of the Act;

Small Passenger Vehicle (Special Purpose) Accreditation means the class of accreditation under section 27 of the Act of that name established pursuant to section 32(3) of the Act;

Small Passenger Vehicle (Traditional) Accreditation means the class of accreditation under section 27 of the Act of that name established pursuant to section 32(3) of the Act;

standby licence means a standby taxi licence under regulation 30;

standby taxi means a taxi to which a standby taxi licence relates;

student identification card means a non-transferable card issued to a student and approved by the Minister, entitling the holder to travel on public passenger vehicles operated by regular passenger service operators at concessional fares fixed by the Minister;

taxi means a country taxi or a metropolitan taxi;

taxi licence means a licence under Part 6 of the Act;

taxi service means a service involving the use of a taxi;

taxi sign means a sign that—

- (a) is required by these regulations to be fitted to a taxi; and
- (b) displays the word "TAXI" in a manner approved by the Minister; and
- (c) is capable of indicating whether or not the taxi is available for hire;

ticket means a ticket issued or approved by the Minister, entitling the holder to travel on a passenger vehicle in accordance with information encoded or printed on the ticket;

ticket validating equipment or **ticket validator** means equipment designed to encode or print information on tickets and to scan information previously encoded on tickets;

travel concession card means a non-transferable concession card issued or accepted by the Minister, entitling the holder to travel on passenger vehicles at concessional fares fixed by the Minister;

validate means to insert a ticket in a ticket validator so that it may be encoded, printed or scanned;

volunteer driver means—

- (a) a person who provides his or her services as a driver gratuitously (disregarding any reasonable payment for out-of-pocket expenses incurred in undertaking the driving); or
- (b) an employee—
 - (i) whose conditions of employment are unrelated to driving a vehicle but who is willing to undertake some driving to assist his or her employer in some respect; and
 - (ii) whose salary does not include an amount or component attributable to, or based on, the fact that he or she undertakes (or may undertake) some driving;

working animal means—

- (a) a dog accredited under the *Dog and Cat Management Act 1995* as a disability dog, guide dog or hearing dog; or
- (b) any other animal trained to assist a person to alleviate the effect of a disability;

work sheet means a daily trip record for a vehicle, in a form determined or approved by the Minister, setting out various items of information, such as the driver's name, shift details, places where journeys begin and end, and distances travelled.

- (2) If, in relation to a particular animal, a person has an authorisation, issued in a manner and form determined by the Minister, certifying—
 - (a) that the animal has been trained to assist the person to alleviate the effect of a particular disability; and
 - (b) that evidence has been provided that indicates that the animal is able to behave in a safe and appropriate manner on public transport,

then it will be taken that the animal falls within the ambit of paragraph (b) of the definition of **working animal** in subregulation (1).

- (3) Unless the contrary intention appears—
 - (a) a reference in these regulations to the **holder of a taxi licence** includes a reference to a transferee, assignee or lessee of a taxi licence;
 - (b) a reference in these regulations to the **owner of a vehicle** includes a reference to a person who is leasing the vehicle, or who is using the vehicle with the consent of the owner.

- (4) Without limiting the meaning of the expression ***ply for hire***, a person, will for the purposes of these regulations, be taken to ply for hire with a taxi if—
 - (a) the person drives it in a public street, road or place while the taxi sign indicates that the taxi is available for hire; or
 - (b) the person carries a passenger for fee or reward; or
 - (c) the person drives it to or places it at a designated taxi-stand; or
 - (d) the person drives it to a place to pick up passengers to be carried for fee or reward.
- (5) For the purposes of these regulations, a hiring of a taxi commences—
 - (a) subject to paragraph (b), in the case of a hiring by hail or a pre-arranged hiring—when the passenger is seated in the taxi and an instruction or direction is given to the driver by the hirer or passenger;
 - (b) in the case of a pre-arranged hiring—from a time arranged with the hirer provided that, before that time, the taxi has arrived at the place arranged for pick up and the driver has there made personal contact with the hirer or passenger.
- (6) For the purposes of these regulations, the age of a vehicle will be measured—
 - (a) if the vehicle is fitted with a compliance plate—from the end of the month of manufacture shown on the compliance plate;
 - (b) if the vehicle is fitted with 2 or more compliance plates—from the end of the earliest month of manufacture shown on any of the compliance plates;
 - (c) in any other case—from the end of the month of manufacture or, if that is not reasonably practicable to ascertain, the end of the last month of the year of manufacture.

4—Inclusions in definition of *Metropolitan Adelaide*

The areas defined in a plan deposited in the General Registry Office by the Minister for the purposes of this regulation and identified by the Minister by notice in the Gazette are included within the ambit of the definition of ***Metropolitan Adelaide*** in section 4(1) of the Act.

5—Exclusions from definition of *passenger transport service*

- (1) The following are excluded from the ambit of the definition of ***passenger transport service*** in section 4(1) of the Act:
 - (a) a service provided under a car pooling arrangement;
 - (b) a service consisting of a ride provided for the purposes of fun or amusement for a fare that is less than \$5 per ride.
- (2) For the purposes of subregulation (1)(a), a ***service is provided under a car pooling arrangement*** if—
 - (a) the vehicle is provided by the driver; and
 - (b) the driver would be undertaking the relevant journey himself or herself in any event; and
 - (c) the service is not the result of plying for hire by the driver or another person; and

- (d) the maximum number of persons in the vehicle is 8; and
- (e) a payment by a passenger is limited to making a contribution to the costs incurred in making the journey, and other costs associated with the use of the vehicle (other than a fine or penalty imposed under an Act), and does not involve profit for the driver or another person.

6—Exclusions from definition of *regular passenger service*

- (1) The following are excluded from the ambit of the definition of *regular passenger service* in section 4(1) of the Act:
 - (a) a service within the ambit of a declaration of the Minister under subregulation (2);
 - (b) a service provided as part of a Life Skills Development Program.
- (2) The Minister may, on application, make a declaration under this subregulation in respect of a service if the Minister is satisfied—
 - (a) that—
 - (i) the service relates to a particular event or events, or to a particular occasion or occasions; or
 - (ii) the service is a premium service that provides special facilities, advantages or services for a commercial fare without public subsidy; or
 - (iii) the service is designed (or principally designed) for the carriage of tourists, or for the carriage of visitors to a particular region or area; or
 - (iv) the service is provided (and only provided) for recreational, social or amusement purposes; or
 - (v) the service is a community or other similar service not primarily established with a view to profit or commercial gain; or
 - (vi) the service is a school service arranged directly between the operator of the service and the school, or a person or persons acting on behalf of the school or the relevant students; or
 - (vii) the service is to be provided for no more than a specified period on a trial or experimental basis; and
 - (b) in the case of a service provided in the Metropolitan Area—that the service will not be in substitution for any existing regular passenger service operating on the same (or substantially the same) route as part of the "Metroticket" network; and
 - (c) that the operation of the service will not unfairly or unreasonably affect other services being provided by the holders of service contracts under the Act; and
 - (d) that it is appropriate for the service to be provided on a basis other than under a service contract under Part 5 of the Act; and
 - (e) that, taking into account any other matter determined by the Minister to be relevant in a particular case, it is appropriate and reasonable to make a declaration under this regulation.
- (3) Unless sooner revoked by the Minister, a declaration under subregulation (2) expires at the end of a period (not exceeding 5 years) specified by the Minister at the time of the declaration or, if no period is so specified, at the end of 5 years.

- (4) A declaration under subregulation (2) ceases to have effect if the person who is the operator of the relevant service at the time of the declaration transfers or assigns the service, or otherwise ceases to control or to operate the service.
- (5) If the Minister makes a declaration under subregulation (2), the operator of the relevant service must—
 - (a) give notice of the fare or fares (if any) to be charged for the service, and provide other information for the benefit of the public as the Minister thinks fit, in a manner and form determined by the Minister; and
 - (b) provide to the Minister information about patronage levels for the service, and other information as the Minister thinks fit, in a manner and form, and at intervals, determined by the Minister; and
 - (c) comply with other conditions (if any) determined by the Minister on account of the making of the declaration.
- (6) The Minister may—
 - (a) revoke a declaration under this regulation (and the relevant service will then cease to be excluded from the ambit of the definition);
 - (b) vary a determination or condition under subregulation (5).
- (7) A condition may be varied by the addition, substitution or deletion of 1 or more conditions.
- (8) The Minister must, before taking action under subregulation (6)—
 - (a) give the operator of the service written notice of the action under consideration; and
 - (b) allow the operator at least 14 days to make submissions to the Minister (in a manner and form determined by the Minister) about the proposed course of action; and
 - (c) after complying with paragraphs (a) and (b), and after considering any submissions and determining to proceed with the action, give the operator at least 14 days written notice of the action.
- (9) The Minister must ensure—
 - (a) that a record of the declarations under this regulation is kept available for inspection by members of the public (without charge and during normal office hours) at the principal office of the Department; and
 - (b) that information about declarations made under this regulation in a particular financial year is included in the annual report prepared under section 24A of the Act.

7—Sections 27, 28 and 29 of Act not to apply in certain cases

- (1) Section 27 of the Act does not apply with respect to—
 - (a) a transportation service operated by—
 - (i) the Department for Education and Children's Services, a Government school under the *Education Act 1972* (or a school council constituted with respect to a Government school) or a kindergarten under the *Children's Services Act 1985*; or
 - (ii) a non-Government school within the meaning of the *Education Act 1972*; or

- (iii) a child care centre within the meaning of the *Children's Services Act 1985*;
or
 - (iv) a church or other form of religious organisation,
to carry school students or pre-school children; or
 - (b) a transportation service operated by an institution that provides tertiary education to carry students who attend that institution; or
 - (c) a service that involves the use of a motor vehicle that is licensed by a council to operate as a taxi (not being a taxi that requires a licence under Part 6 of the Act) in an area that does not include a part of Metropolitan Adelaide; or
 - (d) a service consisting of the carriage of passengers by train or tram (including a horse-drawn tram); or
 - (e) a service provided as part of a Life Skills Development Program.
- (2) However, paragraph (c) of subregulation (1) does not apply in relation to an area if the Minister has, by notice in the Gazette, determined that the area will not be within the ambit of that paragraph.
- (3) Paragraph (a) and (b) of subregulation (1) operate subject to the condition that if a body that falls within the ambit of either paragraph engages a volunteer driver who does not hold an accreditation under section 28 of the Act by virtue of subregulation (4)(b), then the body must ensure (through the implementation of appropriate assessment procedures and on an on-going basis) that the volunteer driver is of good repute and in all other respects a fit and proper person to be the driver of a public passenger vehicle.
- (4) Section 28 of the Act does not apply—
- (a) in relation to a driver who is driving a public passenger vehicle for the purposes of a service operated or provided by a person or body that falls within the ambit of paragraph (d) or (e) of subregulation (1) (in a circumstance referred to in 1 of those paragraphs); or
 - (b) in relation to a volunteer driver who is driving a public passenger vehicle for the purposes of—
 - (i) a community transportation service; or
 - (ii) a transportation service operated or provided by a body that falls within the ambit of paragraph (a) or (b) of subregulation (1) (in a circumstance referred to in 1 of those paragraphs).
- (5) Section 29 of the Act does not apply with respect to a centralised booking service operated wholly outside Metropolitan Adelaide.

Part 2—Accreditation

Division 1—General passenger services

8—Operators—Eligibility

A person is not eligible to be granted an accreditation under Part 4 Division 1 of the Act unless the Minister is satisfied—

- (a) that the person or, in the case of a body corporate, each director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate, is of good repute and in all other respects fit and proper to be responsible for the operation of a passenger transport service under the accreditation; and
- (b) that the person has the capacity to meet standards determined by the Minister relating to—
 - (i) the ability to provide passenger transport services; and
 - (ii) safety of passengers and the public; and
 - (iii) service to passengers; and
 - (iv) vehicles and equipment (including their design, service, maintenance and condition), to the degree and in the manner required in respect of services of the relevant kind; and
- (c) that the person has attained the age of 18 years or, in the case of a body corporate, each director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate has attained the age of 18 years.

9—Conditions

- (1) Pursuant to section 31(1)(b)(ii) of the Act, the following conditions are prescribed in relation to an accreditation under Part 4 Division 1 of the Act:
 - (a) a condition that the accredited person must, within 7 days, inform the Minister of action to bankrupt the person or to declare the person insolvent, or of proceedings by the person to take the benefit (as debtor) of a law relating to bankruptcy or insolvent debtors or, in the case of a body corporate, of action to windup the body corporate or to place the body corporate under official management or in receivership;
 - (b) a condition that the accredited person must, within 7 days, inform the Minister—
 - (i) of a change in the person's name or residential address or, in the case of a body corporate, of a change in the name of the body corporate, or in the registered office or principal office of the body corporate; or
 - (ii) of a change in the person's business name or trading name; or
 - (iii) in the case of a body corporate, of a change in a director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate;

- (c) a condition that the accredited person must, within 7 days, inform the Minister of a change—
 - (i) affecting the accuracy of information furnished to the Minister for the purposes of gaining accreditation; or
 - (ii) affecting the accuracy of particulars specified in the accreditation;
- (d) a condition that the accredited person must, within 2 business days, inform the Minister—
 - (i) of the laying of a charge for an offence against the person; or
 - (ii) of a finding by a court that the person has been guilty of an offence;
- (e) a condition that the accredited person will provide to a customer or potential customer, on request, a copy of the code of practice that applies to the accredited person;
- (f) a condition that the accredited person will ensure that a vehicle used for the purposes of the service is not driven in contravention of Part 4 Division 2 of the Act (relating to the accreditation of drivers) (although this condition does not apply if the accredited person is operating a community transportation service and the driver is a volunteer driver who does not hold an accreditation by virtue of regulation 7(4)(b));
- (g) a condition that the accredited person will, if using a taxi for the service that participates in an Adelaide centralised booking service—
 - (i) ensure that the taxi is fitted with equipment by which the driver of the taxi may log onto and out of a computerised telecommunications system connecting the taxi and the central control station for the booking service; and
 - (ii) ensure that the taxi is fitted with equipment, approved by the Minister, by which a global positioning system may operate connecting the taxi and the central control station; and
 - (iii) ensure that the equipment fitted to the taxi for the operation of the computerised telecommunications system or the global positioning system connecting the taxi and the central control station is maintained in proper working order at all times the taxi is plying for hire;
- (h) a condition that the accredited person must, within 7 days, inform the Minister of the introduction of a vehicle to the service, or of the withdrawal of a vehicle from the service;
- (i) a condition that a vehicle used for the purposes of the service has a current certificate of inspection (unless a certificate is not required because of an exemption under that section) or, if a certificate of inspection is required under Part 4A of the *Road Traffic Act 1961*, a current certificate of inspection under that Act;
- (j) a condition that a vehicle used for the purposes of the service displays the name of the accredited person, or of a business or trading name approved by the Minister, in a manner determined by the Minister, unless—
 - (i) the vehicle is a taxi; or
 - (ii) the vehicle is used to provide a regular passenger service;

- (k) a condition that the accredited person will ensure that the following information is maintained in a manner and form determined by the Minister, and in such detail as the Minister may require:
 - (i) except for a regular passenger service or taxi service—details of each hiring, including the vehicle used to provide the service, the name and contact information of the person who engaged the accredited person, a general description of the service that was provided, and the amount received for the service;
 - (ii) for a chauffeured vehicle service—the distance travelled in connection with each hiring (including travelling to and from a hiring);
 - (iii) for a regular passenger service—details of each trip undertaken by a vehicle used for the purposes of the service;
 - (iv) for a taxi service—in respect of each taxi, a work sheet for each day that the taxi is used for the purposes of the service;
 - (v) the registration number, make and model of each vehicle used for the purposes of the service;
 - (vi) the names and address of each person employed or engaged by the accredited person to drive a vehicle for the purposes of the service, and the dates and times at which the person drives a vehicle;
 - (vii) if a vehicle used for the purposes of the service is involved in an accident—the date, time and place of the accident, the circumstances of the accident, particulars of injury to a person or to property, particulars of damage to the vehicle, and the name and identification number of the driver;
 - (viii) details of maintenance or repair work carried out on each vehicle, and of any work involving the conversion or rebuilding of a vehicle;
- (l) in the case of an accreditation for a taxi service other than a country taxi service—a condition that the accredited person must, when the person provides a taxi service, be a member of a centralised booking service (unless the person is within the ambit of clause 9 of Schedule 4 of the Act);
- (m) in the case of an accreditation for a taxi service other than a country taxi service (unless the accredited person is within the ambit of clause 9 of Schedule 4 of the Act)—a condition that the accredited person must not terminate his or her membership of a centralised booking service unless or until—
 - (i) all amounts due and payable by the accredited person to the centralised booking service have been paid; and
 - (ii) any signs or other equipment that the accredited person is required to return to the centralised booking service on a termination of membership have been so returned;
- (n) except for an accreditation for a taxi service (including a taxi service operated outside Metropolitan Adelaide) or a regular passenger service, or as specifically authorised under these regulations or by the Minister—

- (i) a condition that a vehicle must not be used to carry passengers for the purposes of the service except under a pre-arranged hiring resulting from a request by the hirer directed to a booking office approved by the Minister and specified in the accreditation or otherwise recorded in a manner determined by the Minister; and
 - (ii) a condition that a vehicle used to carry passengers for the purposes of the service must not have a sign fitted to its roof; and
 - (iii) a condition that any sign fitted to the outside of a vehicle, or fitted or displayed in or from the inside of a vehicle, used to carry passengers for the purposes of the service must conform with any requirements determined by the Minister for the purposes of this provision; and
 - (iv) a condition that the accredited person must not advertise or list his or her service in a public directory under a heading or listing that uses the word "TAXI";
- (o) in the case of a Small Passenger Vehicle (Traditional) Accreditation—
 - (i) a condition that a vehicle used for the purposes of the service must be—
 - (A) a vehicle that has an engine capacity of 6 cylinders or more, has a wheelbase dimension of at least 2 800 mm, is capable of seating at least 4 average-sized adults comfortably plus the driver, and is within a higher quality class of vehicle recognised by the Minister for the purposes of this subparagraph; or
 - (B) a vehicle determined by the Minister (either specifically or according to a class of vehicle) as being appropriate for the purposes of this subparagraph; and
 - (ii) a condition that a vehicle used for the purposes of the service must not travel more than 40 000 kilometres during any prescribed period; and
 - (iii) a condition that a vehicle used for the purposes of the service must not have travelled more than 320 000 kilometres in total; and
 - (iv) a condition that the accredited person must operate the service on the basis of a minimum charge per hiring of \$20, or such other amount as may be determined by the Minister;
- (p) in the case of a Small Passenger Vehicle (Metropolitan) Accreditation—
 - (i) a condition that a vehicle used for the purposes of the service must be—
 - (A) a vehicle that has an engine capacity of 6 cylinders or more, has a wheelbase dimension of at least 2 800 mm, is capable of seating at least 4 average-sized adults comfortably plus the driver, and is within a higher quality class of vehicle recognised by the Minister for the purposes of this subparagraph; or
 - (B) a vehicle determined by the Minister (either specifically or according to a class of vehicle) as being appropriate for the purposes of this subparagraph; and
 - (ii) a condition that a vehicle, when introduced for use in the service, must not be more than 3 years and 6 months old;

- (q) in the case of a Small Passenger Vehicle (Special Purpose) Accreditation—
 - (i) a condition that a vehicle used for the purposes of the service must be a vehicle that has been specifically approved by the Minister for the purposes of that particular service; and
 - (ii) a condition that a vehicle used for the purposes of the service must not travel more than 40 000 kilometres during any prescribed period; and
 - (iii) a condition that a vehicle used for the purposes of the service must not have travelled more than 320 000 kilometres in total; and
 - (iv) except where the vehicle is a motor cycle—a condition that the accredited person must operate the service on the basis of a minimum charge per hiring of \$20, or such other amount as may be determined by the Minister;
- (r) in the case of a Small Passenger Vehicle (Non-Metropolitan) Accreditation—a condition that a vehicle used for the purposes of the service must be—
 - (i) a vehicle that has an engine capacity of 6 cylinders or more and is capable of seating at least 4 average-sized adults comfortably plus the driver; or
 - (ii) a vehicle determined by the Minister (either specifically or according to a class of vehicle) as being appropriate for the purposes of this paragraph;
- (s) in the case of a Country Taxi Accreditation—
 - (i) a condition that a vehicle used for the purposes of the service must be—
 - (A) a vehicle that is capable of seating at least 4 average-sized adults comfortably plus the driver; or
 - (B) a vehicle determined by the Minister (either specifically or according to a class of vehicle) as being appropriate for the purposes of a country taxi service; and
 - (ii) a condition that the accredited person—
 - (A) must have in place a country taxi service plan for the country taxi service that complies with requirements determined by the Minister and is approved by the Minister before the commencement of the service; and
 - (B) must operate the service in accordance with the approved country taxi service plan for the service,

(and the country taxi service plan may be altered from time to time with the approval of the Minister);
- (t) except for an accreditation for a taxi service or a regular passenger service—a condition that the accredited person—
 - (i) must have in place a plan of operation for the relevant service that complies with requirements determined by the Minister and is approved by the Minister before the commencement of the service; and
 - (ii) must operate the service in accordance with that plan of operation,

(and the plan may be altered from time to time with the approval of the Minister);
- (u) if required by the Minister—a condition that the accredited person has successfully completed a course recognised by the Minister for the purposes of this regulation;

- (v) except for an accreditation a regular passenger service—a condition that a policy of public liability insurance indemnifying the accredited person and any authorised driver in an amount of at least five million dollars in relation to death or bodily injury caused by, or arising out of, the use of a vehicle for the purposes of the service must be in force;
 - (w) except for a person who is a member of a centralised booking service—a condition that the accredited person must have in place arrangements to deal with lost property;
 - (x) a condition that the accredited person will ensure that the public is provided with a service that is adequate and appropriate for an accreditation of the relevant kind, and that the accredited person will comply with a direction of the Minister concerning the provision of a service under the accreditation;
 - (y) a condition that if the accredited person is operating a community transportation service and engages a volunteer driver who does not hold an accreditation under section 28 of the Act by virtue of regulation 7(4)(b) to drive for the purposes of the service then the accredited person must ensure (through the implementation of appropriate assessment procedures and on an on-going basis) that the volunteer driver is of good repute and in all other respects a fit and proper person to be the driver of a public passenger vehicle.
- (2) In subregulation (1)(o) and (q)—
- prescribed period*** in relation to a vehicle used for the purposes of a service means any period of 12 months from any day on which the vehicle has been inspected under section 54 of the Act for the purposes of its use in the service.
- (3) A person who is required to provide information to the Minister under this regulation must provide the information in a manner and form determined by the Minister.
- (4) An accredited person must, on the request of a driver, provide the driver with a copy of a work sheet that has been filled in by the driver.
- Maximum penalty: \$750.
- Expiation fee: \$105.
- (5) An authorised officer may, at any reasonable time, in order to ensure that the requirements of this regulation are being met—
- (a) require a person to produce documents; and
 - (b) examine, copy or take extracts from a document so produced.
- (6) An accredited person must comply with a requirement of an authorised officer under subregulation (5) unless to do so—
- (a) might tend to incriminate the person or make the person liable to a penalty; or
 - (b) would breach legal professional privilege.

10—Periodical fees and returns

- (1) Pursuant to section 33(1) of the Act—
- (a) each period of 12 months falling on the anniversary of the day on which the accreditation was granted is a prescribed period for an accreditation under Part 4 Division 1 of the Act; and
 - (b) the relevant day is 14 days after the end of each prescribed period.

- (2) Pursuant to section 33(1)(a) of the Act, the following information is prescribed:
- (a) the person's current name and address;
 - (b) in the case of a body corporate—the name and address of each director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate;
 - (c) in relation to each vehicle used for the purposes of the service during the prescribed period—the registration number, make and seating capacity;
 - (d) other information determined by the Minister.
- (3) The Minister may require that information contained in a return be verified by statutory declaration.

Division 2—Drivers

11—Drivers—Eligibility

- (1) A person is not eligible to be granted an accreditation under Part 4 Division 2 of the Act unless the Minister is satisfied—
- (a) that the person is of good repute and in all other respects a fit and proper person to be the driver of a public passenger vehicle under the accreditation; and
 - (b) that the person has sufficient responsibility, skills and aptitude to drive a vehicle or vehicles under the accreditation—
 - (i) in accordance with the conditions under which a passenger transport service is operated; and
 - (ii) in accordance with law; and
 - (c) that the person is the holder of an appropriate driver's licence; and
 - (d) that the person does not suffer a physical or mental incapacity that would impair his or her ability to work effectively as the driver of a public passenger vehicle under the accreditation; and
 - (e) that the person—
 - (i) is sufficiently competent in speaking, reading and writing English and in arithmetic; and
 - (ii) has sufficient knowledge of the requirements of the Act, and of these and other regulations under the Act; and
 - (iii) in the case of a person who wants to drive a taxi in Metropolitan Adelaide—has sufficient knowledge of streets and places in Metropolitan Adelaide,

to work effectively as the driver of a public passenger vehicle under the accreditation (and a person who satisfies the Minister by such documentary evidence as the Minister may require that the person has successfully completed a course approved by the Minister will be taken to meet the requirements of this paragraph); and
 - (f) if required by the Minister—that the person has successfully completed—
 - (i) a tourism course recognised by the Minister for the purposes of this regulation;

- (ii) a driver training course recognised by the Minister for the purposes of this regulation.
- (2) A person who applies for an accreditation under Part 4 Division 2 of the Act to enable the person to drive a country taxi must, if required by the Minister, satisfy the Minister that he or she has sufficient knowledge of streets and places in the country taxi service area in which the taxi is to be used for the purposes of a country taxi service to work effectively as the driver of a country taxi under the accreditation.

12—Medical examination

The Minister may require a person who holds, or applies for the issue or renewal of, an accreditation under Part 4 Division 2 of the Act to submit a medical report or other evidence acceptable to the Minister to establish that the person does not suffer a physical or mental incapacity that impairs, or could impair, his or her ability to work effectively as the driver of a public passenger vehicle under the accreditation.

13—Conditions

- (1) Pursuant to section 31(1)(b)(ii) of the Act, the following conditions are prescribed in relation to an accreditation under Part 4 Division 2 of the Act:
 - (a) a condition that the accredited person must, within 7 days, inform the Minister of a change in the person's name or residential address;
 - (b) a condition that the accredited person must, within 7 days, inform the Minister of a change—
 - (i) affecting the accuracy of information furnished to the Minister for the purposes of gaining accreditation; or
 - (ii) affecting the accuracy of particulars specified in the accreditation;
 - (c) a condition that the accredited person must, within 2 business days, inform the Minister—
 - (i) of the laying of a charge for an offence against the person; or
 - (ii) of a finding by a court that the person has been guilty of an offence;
 - (d) a condition that the accredited person must, within 2 business days, inform the Minister of the expiry, suspension or cancellation of the person's driver's licence;
 - (e) a condition that the person will, while driving a public passenger vehicle for the purposes of a passenger transport service, display or carry (or both) a form (or forms) of identification determined by the Minister;
 - (f) a condition that the accredited person will, in a manner and form determined by the Minister, fill in a work sheet for each day that the person drives a public passenger vehicle;
 - (g) except where the accredited person is driving a vehicle for a taxi service (including a taxi service operated outside Metropolitan Adelaide) or a regular passenger service, or as specifically authorised under these regulations or by the Minister—
 - (i) a condition that the accredited person will not drive a vehicle for the purposes of a passenger transport service if the vehicle does not comply with the requirements of regulation 9(1)(n)(ii) and (iii);

- (ii) a condition that the accredited person will not ply for hire with a vehicle in a public street, road or place, and will not stand a vehicle being driven by the person at a designated taxi-stand;
 - (iii) except for—
 - (A) a vehicle used for the purposes of a service operated under a Small Passenger Vehicle (Special Purpose) Accreditation; or
 - (B) a vehicle drawn by an animal,a condition that the accredited person will not park or stand a vehicle on a public street, road or place unless a sign approved by the Minister that clearly indicates that the vehicle is not for hire is displayed on or near the vehicle in a manner determined by the Minister for the purposes of this regulation;
 - (iv) a condition that the accredited person will not accept a request for the carriage for hire of a person except under a pre-arranged hiring resulting from a request by the hirer directed to a booking office approved by the Minister under these regulations and the issuing of the booking to that driver following that request;
 - (h) a condition that the accredited person will, if driving a taxi participating in an Adelaide centralised booking service—
 - (i) not accept a hiring unless the person has, by operating the equipment fitted to the taxi, logged onto the computerised telecommunications system connecting the taxi and the central control station for the booking service; and
 - (ii) by operating the equipment fitted to the taxi, log out of the system prior to any other person driving the taxi; and
 - (iii) not misuse or interfere with the equipment fitted to the taxi for the operation of the computerised telecommunications system or the global positioning system connecting the taxi and the central control station;
 - (i) a condition that, if the accredited person has been assigned a personal identification number, the person will not disclose the personal identification number to any other person.
- (2) A person who is required to provide information to the Minister under this regulation must provide the information in a manner and form determined by the Minister.

Division 3—Centralised booking services

14—Centralised booking services—Eligibility

- (1) A person is not eligible to be granted an accreditation under Part 4 Division 3 of the Act unless the Minister is satisfied—
- (a) that the person or, in the case of a body corporate, each director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate, is of good repute and in all other respects fit and proper to be responsible for the operation of a centralised booking service; and
 - (b) that the person will, if granted an accreditation, operate a centralised booking service that complies with the standards prescribed by subregulation (2); and

- (c) that the person has attained the age of 18 years or, in the case of a body corporate, each director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate has attained the age of 18 years.
- (2) For the purposes of section 29(3)(a)(ii) of the Act, the following standards are prescribed:
- (a) a centralised booking service must be able to ensure that 2-way radio or telecommunications contact between a central control station and each passenger transport vehicle participating in the service is continuously available (excluding a case where a vehicle is in an area where such contact is impracticable);
 - (b) an Adelaide centralised booking service must have a computerised telecommunications system, approved by the Minister, connecting the central control station for the booking service and each taxi participating in the booking service that—
 - (i) enables a driver of the taxi to log onto and out of the system by operating the equipment fitted to the taxi; and
 - (ii) records, at the central control station, the taxi, the driver's personal identification number and the times and dates the driver has logged onto and out of the system;
 - (c) an Adelaide centralised booking service must have a global positioning system, approved by the Minister, that enables the location of each taxi participating in the booking service to be recorded at the central control station for the booking service at all times the taxi is plying for hire;
 - (d) a centralised booking service must provide the service 24 hours a day, 7 days a week;
 - (e) a centralised booking service must be able to deal with an emergency situation that involves the driver of a passenger transport vehicle participating in the service;
 - (f) a centralised booking service must be able to meet various levels of customer service (including as to waiting times) set by the Minister in consultation with the relevant service;
 - (g) a centralised booking service must have a customer information system to respond to customer inquiries and complaints.

15—Conditions

- (1) Pursuant to section 31(1)(b)(ii) of the Act, the following conditions are prescribed in relation to an accreditation under Part 4 Division 3 of the Act:
- (a) a condition that the accredited person must ensure compliance with the standards prescribed by regulation 14(2);
 - (b) a condition that the accredited person must, if operating an Adelaide centralised booking service, keep secure from unauthorised access, at the central control station for the booking service, for a period determined by the Minister—
 - (i) a record of all drivers of taxis participating in the booking service and the personal identification number of each of those drivers; and
 - (ii) a record of all taxis participating in the booking service; and
 - (iii) the records generated each time a driver logs onto or out of the computerised telecommunications system; and

- (iv) the records generated by the global positioning system;
- (c) a condition that the accredited person must, if operating an Adelaide centralised booking service, ensure that the booking service does not issue a booking to a driver of a taxi if the driver has not, by operating the equipment fitted to the taxi, logged onto the computerised telecommunications system connecting the central control station for the booking service and the taxi;
- (d) a condition that the accredited person must, within 7 days, inform the Minister of action to bankrupt the person or to declare the person insolvent, or of proceedings by the person to take the benefit (as debtor) of a law relating to bankruptcy or insolvent debtors or, in the case of a body corporate, of action to windup the body corporate or to place the body corporate under official management or in receivership;
- (e) a condition that the accredited person must, within 7 days, inform the Minister—
 - (i) of a change in the person's name or residential address or, in the case of a body corporate, of a change in the name of the body corporate, or in the registered office or principal office of the body corporate; or
 - (ii) of a change in the person's business name or trading name; or
 - (iii) in the case of a body corporate, of a change in a director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate;
- (f) a condition that the accredited person must, within 7 days, inform the Minister of a change—
 - (i) affecting the accuracy of information furnished to the Minister for the purposes of gaining accreditation; or
 - (ii) affecting the accuracy of particulars specified in the accreditation;
- (g) a condition that the accredited person must, within 2 business days, inform the Minister—
 - (i) of the laying of a charge for an offence against the person; or
 - (ii) of a finding by a court that the person has been guilty of an offence;
- (h) a condition that the accredited person will provide to a customer or potential customer, on request, a copy of the code of practice that applies to the accredited person;
- (i) a condition that the accredited person will have in place a business plan to ensure that relevant customer service levels are met;
- (j) a condition that the accredited person will have in place arrangements to deal with lost property found in vehicles participating in the centralised booking service;
- (k) a condition that the accredited person will have a management information system to monitor and record performance;
- (l) a condition that the accredited person will establish and maintain a set of rules and procedures that are to apply in relation to the provision of the centralised booking service (including in relation to the owners and drivers of vehicles participating in the service), will provide a copy of those rules and procedures to the Minister and will, within 14 days, inform the Minister, in a manner and form determined by the Minister, of any alteration to those rules or procedures;

- (m) a condition that the accredited person will establish and maintain a system for dealing with any dispute between the person and the owner or driver of a vehicle participating in the scheme, and that if the dispute is not resolved within a reasonable time and is referred to the Minister, that the accredited person will accept and, if necessary, implement or observe, a decision made by the Minister in order to resolve the dispute.
- (2) A person who is required to provide information to the Minister under this regulation must provide the information in a manner and form determined by the Minister.

16—Periodical fees and returns

- (1) For the purposes of section 33(1) of the Act—
 - (a) each quarter is a prescribed period for an accreditation under Part 4 Division 3 of the Act; and
 - (b) the relevant day for that kind of accreditation is 21 days after the end of a quarter.
- (2) For the purposes of section 33(1)(a) of the Act, the following information is prescribed in relation to the relevant quarter:
 - (a) the number of vehicles participating in the service at the end of the relevant quarter;
 - (b) the average response times for various periods of the day determined by the Minister;
 - (c) the telephone answering standards applied by the centralised booking service;
 - (d) a full explanation for an inability to meet customer service requirements under these regulations;
 - (e) statistical information relating to cases where vehicles were not available to take bookings, including the time of those bookings and the pick-up points;
 - (f) details of customer complaints, and the action taken;
 - (g) details of—
 - (i) disciplinary action against the driver or owner of a vehicle participating in the service; or
 - (ii) a decision to refuse a person membership of the service;
 - (h) other information determined by the Minister.
- (3) The Minister may require information contained in a return be verified by statutory declaration.

17—Authorised officers—prescribed powers

For the purposes of section 53(5)(j) of the Act, the following powers are prescribed:

- (a) the power to enter and inspect, at any reasonable time, premises where a person is operating a centralised booking service;
- (b) the power to require a person to produce evidence about customer service levels and operational practices;
- (c) the power to require a person to produce documents;
- (d) the power to examine, copy or take extracts from a document so produced;
- (e) the power to undertake an assessment of—

- (i) the operations of the centralised booking service; and
- (ii) the vehicles participating in the service; and
- (iii) the maintenance and enforcement of standards within the service.

Division 4—General provisions relating to accreditations

18—Accreditations may be held jointly

- (1) An accreditation under Part 4 Division 1 or 3 of the Act may, if the Minister thinks fit, be issued to more than 1 person on joint application.
- (2) If an accreditation is jointly held, service of a notice on 1 of the accredited persons will be regarded as service on all the accredited persons.

19—Particulars in accreditation

An accreditation under Part 4 of the Act must—

- (a) specify the period for which it will continue in force; and
- (b) specify the conditions (if any) imposed by the Minister in relation to the accreditation under section 31(1)(b)(i) of the Act.

20—Death or incapacity of accredited person

- (1) If a natural person who is the holder of an accreditation under Part 4 Division 1 or 3 of the Act—
 - (a) dies; or
 - (b) has a physical or mental incapacity that prevents the person from carrying on business under the accreditation,

a person who takes over the management of the business may, with the consent of the Minister, continue to operate a passenger transport service or centralised booking service (as the case may be) under the accreditation for a period determined by the Minister.

- (2) For the purposes of subregulation (1)—
 - (a) a period determined by the Minister must be at least 3 months; and
 - (b) the Minister may, if the Minister thinks fit, extend a period; and
 - (c) the duration for which a person may operate a service under subregulation (1) cannot exceed 12 months.

21—Duty of accredited person to furnish information

- (1) The holder of an accreditation under Part 4 of the Act must, if so required by the Minister by notice in writing, furnish to the Minister or to a person nominated by the Minister for the purpose, within a period specified in the notice, a return in a form determined by the Minister setting out such information as to the operation of a service, or as to any other matter relevant to the accreditation, as the Minister, or the nominated person, may require.
Maximum penalty: \$750.
Expiation fee: \$105.
- (2) The Minister may require that information contained in a return under subregulation (1) be verified by statutory declaration.

22—Inquiries by Minister

- (1) The holder of an accreditation under Part 4 of the Act must, if so required by the Minister by notice in writing, attend at a specified place before the Minister, or a person appointed by the Minister for the purpose, and there answer such questions as to the accreditation, and the operation of a service under the accreditation, the person's conduct, or any other matter, as the Minister or the person so appointed considers necessary for the administration or enforcement of the Act, or of these or any other regulations under the Act.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) The notice must describe the matters to be inquired into and must allow a reasonable interval from the date of service of the notice to the date fixed for attendance.

23—Defacing etc of accreditations

The holder of an accreditation under Part 4 of the Act must not—

- (a) deface, alter, or mutilate the accreditation; or
- (b) part with possession of the accreditation except as required under these regulations or the Act.

Maximum penalty: \$750.

Expiation fee: \$105.

24—Delivery of accreditations

The holder of an accreditation under Part 4 of the Act must within 2 business days deliver the accreditation to the Minister—

- (a) if the accreditation is altered or defaced or becomes illegible in a particular; or
- (b) if there is a change in the accuracy of a particular specified in the accreditation; or
- (c) on receiving notice of the suspension or revocation of the accreditation; or
- (d) on being required by the Minister by notice in writing to deliver the accreditation to the Minister; or
- (e) on the expiry of the accreditation.

Maximum penalty: \$750.

Expiation fee: \$105.

25—Issue of duplicate if accreditation lost etc

If—

- (a) the holder of an accreditation satisfies the Minister that the accreditation has been lost or destroyed; or
- (b) an accreditation that has been altered or defaced or has become illegible in a particular is delivered to the Minister,

the Minister may, on payment of the appropriate fee specified in Schedule 1, issue a duplicate of the accreditation and the former accreditation is null and void.

26—Renewals

- (1) Pursuant to section 34(3) of the Act—
 - (a) an application for the renewal of an accreditation under Part 4 Division 1 or 3 of the Act must be made not later than 28 days before the date of expiry of the accreditation; and
 - (b) an application for the renewal of an accreditation under Part 4 Division 2 of the Act must be made not later than 7 days before the date of expiry of the accreditation.
- (2) The day that corresponds to 6 weeks before the date of expiry an accreditation is fixed for the purposes of section 34(5) of the Act.

27—Procedure for variation of an accreditation

- (1) For the purposes of section 35(4) of the Act, the Minister must, before varying a person's accreditation from one class of accreditation to another—
 - (a) notify the person in writing of the proposed action and provide a brief summary of the reasons for the proposed action; and
 - (b) allow the person a reasonable opportunity to make submissions in relation to the matter.
- (2) A notification of a decision by the Minister to vary a person's accreditation under section 35(4) of the Act must include a statement setting out the person's right to appeal against the decision.

Part 3—Taxis

Division 1—Taxi licences

28—Exceptions to sections 45 and 52 of Act

- (1) Section 45(1)(a) of the Act does not apply in relation to the operation of a country taxi service by means of a vehicle that displays the word "TAXI" or that word in combination with the word "COUNTRY".
- (2) Section 45(1)(b) of the Act does not apply in relation to a vehicle plying for hire or standing at a designated taxi-stand within the country taxi service area in which the vehicle may be used for the purposes of a country taxi service.
- (3) Under section 45(1)(c) of the Act, a person who does not hold a taxi licence for a vehicle may cause or permit the vehicle to ply for hire in a public street, road or place if—
 - (a) the vehicle is being used for the purposes of a country taxi service; and
 - (b) the street, road or place is within the country taxi service area in which the vehicle may be used for the purposes of a country taxi service.
- (4) Under section 45(1)(c) of the Act, a person who does not hold a taxi licence for a vehicle may cause or permit the vehicle to ply for hire in a public street, road or place if—
 - (a) the person holds an accreditation under Part 4 of the Act; and
 - (b) the vehicle is being used for the purposes of a service operated under the accreditation; and

- (c) the vehicle is plying for hire—
 - (i) between midnight on the Monday preceding the commencement of a declared period within the meaning of the *South Australian Motor Sport Act 1984* and midnight on the Thursday following the end of that declared period; or
 - (ii) between 10 pm on 31 December of any year and 10 am on 1 January of the following year.
- (5) Under section 45(1)(d) of the Act, a person who does not hold a taxi licence for a vehicle fitted with a taxi-meter may operate a country taxi service by means of the vehicle.
- (6) Under section 45(1)(d) of the Act, a person who does not hold a taxi licence for a vehicle fitted with a taxi-meter may operate a passenger transport service by means of the vehicle if—
 - (a) the vehicle was fitted with the meter before 1 August 1994; and
 - (b) the person used the vehicle for the purpose of the passenger transport service immediately before 1 August 1994; and
 - (c) the person holds an accreditation under Part 4 of the Act; and
 - (d) the following notice is displayed on or near the meter in a manner allowing it to be easily seen by any person sitting in the vehicle:

NOTICE TO ALL PASSENGERS

The rates shown on this meter have not been set under the *Passenger Transport Act 1994*.

The operator of this vehicle must inform passengers as to the rates set on this meter before the journey begins.
- (7) Section 52(1) of the Act does not apply to—
 - (a) the operator of—
 - (i) a centralised booking service for taxis; or
 - (ii) a booking service for taxis operating outside Metropolitan Adelaide; or
 - (b) the operator of a country taxi service; or
 - (c) an employee or agent of a person referred to in paragraph (a) or (b).

29—Suitability of vehicle

An applicant for a taxi licence must satisfy the Minister that the vehicle in respect of which the licence is sought complies with these regulations and any requirement determined by the Minister, is suitable for use as a taxi under a licence of the kind or grade applied for, and is in good order.

30—Prescribed kinds or grades of licences

- (1) Pursuant to section 47(5) of the Act, the following kinds or grades of taxi licence are prescribed:
 - (a) general taxi licences;
 - (b) temporary taxi licences;

- (c) special vehicle licences;
- (d) standby taxi licences.
- (2) A temporary taxi licence is a temporary licence under the Act.
- (3) A special vehicle licence is a licence for a taxi that—
 - (a) is suitable to carry persons who use wheelchairs, scooters or other large (ride-on) mobility aids; and
 - (b) is determined by the Minister to be a special vehicle licence under these regulations.
- (4) A standby taxi licence is a licence for a taxi that is only to be used in place of another taxi that is temporarily out of service.

31—Conditions of licences

Pursuant to section 45(5) of the Act—

- (a) a taxi licence is subject to the following conditions:
 - (i) a condition that the holder of the licence must remain an accredited person of an appropriate kind;
 - (ii) a condition that the holder of the licence must remain a fit and proper person to hold a taxi licence;
 - (iii) a condition that the licence relates only to 1 vehicle;
 - (iv) a condition that, if the Minister consents to the leasing of the licence, the lessee must not sublease the licence;
- (b) a standby taxi licence is subject to the following conditions:
 - (i) a condition that the standby taxi must not be used to ply for hire except in place of another licensed taxi that is temporarily out of service;
 - (ii) a condition that the standby taxi cannot be used in place of a taxi operated—
 - (A) under a general taxi licence that requires the taxi to be suitable to carry persons who use wheelchairs, scooters or other large (ride-on) mobility aids; or
 - (B) under a special vehicle licence,unless the standby taxi is also suitable to carry persons who use wheelchairs, scooters or other large (ride-on) mobility aids;
 - (iii) a condition the holder of the licence will, before the standby taxi is used to ply for hire on any occasion, notify the Minister, in a manner and form determined by the Minister, of the proposed use of the taxi;
 - (iv) a condition that 1 of the taxi registration plates of the taxi that is temporarily out of service must be kept fixed in the rear window of the standby taxi in a manner approved by the Minister or an authorised officer, and kept clearly on display, while it is being used to ply for hire.

32—Licence allocation procedure

- (1) For the purposes of section 47(6)(e) of the Act, the allocation procedure set out in Schedule 2 is specified.
- (2) Section 46(3) of the Act does not apply with respect to a person who is tendering for a taxi licence under Schedule 2.
- (3) However, a person who is a successful tenderer under the procedure set out in Schedule 2 must comply with the requirements of that Schedule relating to obtaining accreditation (if the tenderer is not an accredited person of an appropriate kind).

33—Licences may be held jointly

- (1) A taxi licence may, if the Minister thinks fit, be issued to more than 1 person on joint application.
- (2) If a taxi licence is jointly held, service of a notice on 1 of the holders of the licence will be regarded as service on all the holders of the licence.

34—Particulars in licence

A taxi licence must—

- (a) specify the period for which it will continue in force; and
- (b) specify the conditions (if any) imposed by the Minister in relation to the licence under section 45 of the Act.

35—Duty to notify Minister of changes in information

The holder of a taxi licence must, within 7 days, inform the Minister of a change—

- (a) affecting the accuracy of information furnished to the Minister for the purposes of gaining the licence; or
- (b) affecting the accuracy of particulars specified in the licence.

Maximum penalty: \$750.

Expiation fee: \$105.

36—Death or incapacity of licence holder

- (1) If a natural person who is the holder of a taxi licence—
 - (a) dies; or
 - (b) has a physical or mental incapacity that prevents the person from carrying on the business of operating a taxi service,

a person who takes over the management of the business may, with the consent of the Minister, continue to operate a taxi under the licence for a period determined by the Minister.

- (2) For the purposes of subregulation (1)—
 - (a) a period determined by the Minister must be at least 3 months; and
 - (b) the Minister may, if the Minister thinks fit, extend a period; and
 - (c) the duration for which a person may operate a taxi under subregulation (1) cannot exceed 12 months.

37—Transfer of licences

- (1) The Minister may, in the Minister's absolute discretion, determine that a taxi licence held under the Act or these regulations on the basis that it cannot be transferred or assigned will, from the date that the determination takes effect, be capable of being transferred or assigned (subject to the operation of section 49 of the Act).
- (2) The Minister may fix a fee that is payable by the holder of a taxi licence that is subject to a determination of the Minister under subregulation (1).
- (3) A fee fixed under subregulation (2) may, if the Minister so determines, be payable in instalments.
- (4) However, a fee is not payable under subregulation (2) unless the determination of the Minister under subregulation (1) is made on the application, or with the concurrence, of the holder of the taxi licence.
- (5) If the Minister consents to a dealing with a licence that is less than a complete transfer, then, unless the Minister otherwise determines—
 - (a) the consent is subject to a condition that the dealing will only operate for a period of 1 year; and
 - (b) the holder of the licence must, if the dealing is to be renewed or continued beyond that period, reapply under this regulation and obtain the Minister's consent to its renewal or continuance for a further period of 1 year.

38—Suspension or cancellation of licences

- (1) For the purposes of section 50(1)(c) of the Act, the following requirements and conditions are prescribed:
 - (a) a requirement that a person who drives the taxi for the purposes of a passenger transport service must be a fit and proper person to be the driver of a taxi;
 - (b) a requirement that the service provided to the public through the use of the taxi must be adequate and appropriate for the kind or grade of licence;
 - (c) a requirement that the taxi must comply with these regulations and any requirement determined by the Minister, remain suitable for use as a taxi under a licence of the kind or grade applied for, and remain in good order;
 - (d) a condition that the holder of the licence must remain eligible under the Act and these regulations to hold a taxi licence.
- (2) If the Minister decides to suspend or cancel a taxi licence under section 50 of the Act, the Minister must—
 - (a) in the case of a temporary licence—give the holder of the licence at least 7 days written notice of the proposed course of action (including a brief summary of the reasons for the Minister's decision); or
 - (b) in any other case—
 - (i) give the holder of the licence written notice of the proposed course of action (including a brief summary of the matters alleged against him or her); and
 - (ii) allow the holder of the licence a reasonable opportunity to answer or make submissions in relation to the matters alleged against him or her.

- (3) The procedures set out in subregulation (2) may be undertaken in conjunction with a process under Part 4 Division 5 of the Act.
- (4) A notification of a decision of the Minister to suspend or cancel a taxi licence, other than a temporary licence, must include a statement setting out the person's right to appeal against the decision.

39—Duty of licence holder to furnish information

- (1) The holder of a taxi licence must, if so required by the Minister by notice in writing, furnish to the Minister, or to a person nominated by the Minister for the purpose, within a period specified in the notice, a return in a form determined by the Minister setting out such information as to the operation of a taxi service under the licence, or as to any other matter relevant to the licence, as the Minister, or the nominated person, may require.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) The Minister may require that information contained in a return under subregulation (1) be verified by statutory declaration.

40—Inquiries by the Minister

- (1) The holder of a taxi licence must, if so required by the Minister by notice in writing, attend at a specified place before the Minister, or a person appointed by the Minister for the purpose, and there answer such questions as to the licence, and the operation of a taxi service under the licence, the conduct of the person or of any person who may have been driving the taxi, or any other matter, as the Minister or the person so appointed considers necessary for the administration or enforcement of the Act or these regulations.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) The notice must describe the matters to be inquired into and must allow a reasonable interval from the date of service of the notice to the date fixed for attendance.

41—Defacing etc, lending of licences

The holder of a taxi licence must not—

- (a) deface, alter, or mutilate the licence; or
- (b) part with possession of the licence except as required under these regulations or the Act.

Maximum penalty: \$750.

Maximum penalty: \$105.

42—Delivery of licences

The holder of a taxi licence must, within 2 business days, deliver the licence to the Minister—

- (a) if the licence is altered or defaced or becomes illegible in a particular; or
- (b) if there is a change in the accuracy of a particular specified in the licence; or
- (c) on receiving notice of the suspension or revocation of the licence; or

- (d) on being required by the Minister by notice in writing to deliver the licence to the Minister; or
- (e) on the expiry of the licence.

Maximum penalty: \$750.

Expiation fee: \$105.

43—Issue of duplicate licence

If—

- (a) the holder of a taxi licence satisfies the Minister that the licence has been lost or destroyed; or
- (b) a taxi licence that has been altered or defaced or has become illegible in a particular is delivered to the Minister,

the Minister may, on payment of the appropriate fee specified in Schedule 1, issue a duplicate of the licence and the former licence is null and void.

44—Substitution of vehicle

- (1) The Minister may, on application by the holder of a taxi licence, consent to the substitution of another vehicle for the taxi to which the licence currently relates.
- (2) An application for consent must—
 - (a) be made in a manner and form determined by the Minister; and
 - (b) be accompanied by the appropriate fee specified in Schedule 1.

Division 2—Vehicles

45—Age of vehicles

A vehicle, when introduced for use as a taxi under a taxi licence, must not be more than 3 years and 6 months old.

46—Colour and markings

- (1) The outside of a taxi must be white in colour.
- (2) A taxi must be fitted, in a manner determined by the Minister, with side stripes that comply with requirements determined by the Minister for the purposes of this regulation.

Division 3—Taxi signs

47—Display of taxi signs by metropolitan taxis

- (1) For the purposes of section 45(4)(a) of the Act, a vehicle displays the word "TAXI" if—
 - (a) a taxi sign of a type approved by the Minister is fitted to the taxi in a manner approved by the Minister; and
 - (b) the taxi sign is in proper working order.
- (2) Section 45(4)(a) of the Act does not apply—
 - (a) in the case of a vehicle being used under a pre-arranged hiring for the conveyance of a bridal party or the conveyance of a person in a funeral procession; or

- (b) in the case of a vehicle being used while fitted with a damaged or faulty taxi sign if—
 - (i) the driver of the vehicle is not aware that the sign is damaged or faulty, or is completing a journey that commenced before he or she had become aware that the sign was damaged or faulty; or
 - (ii) the vehicle is being driven for a purpose connected with the repair or replacement of the taxi sign, or the driver has been authorised by the holder of the taxi licence for the taxi to drive the taxi for such a purpose.

48—Display of taxi signs by country taxis

- (1) A vehicle must not be driven for the purposes of a country taxi service in a public street, road or place unless—
 - (a) a taxi sign of a type approved by the Minister is fitted to the vehicle in a manner approved by the Minister; and
 - (b) the taxi sign is in proper working order.
- (2) Subregulation (1) does not apply while a vehicle is being used under a pre-arranged hiring for the conveyance of a bridal party or the conveyance of a person in a funeral procession.
- (3) If a vehicle is driven in contravention of subregulation (1), the operator of the country taxi service is guilty of an offence.
Maximum penalty: \$4 000.
- (4) It is a defence to a charge of an offence against subregulation (3) for the defendant to prove—
 - (a) that the taxi sign fitted to the taxi at the time of the alleged offence was damaged or faulty; and
 - (b) that the driver—
 - (i) was not aware that the sign was damaged or faulty, or was completing a journey that commenced before the driver became aware that the sign was damaged or faulty; or
 - (ii) was driving the taxi for a purpose connected with the repair or replacement of the sign, or had been authorised by the defendant to drive the taxi for such a purpose.

49—Requirement for taxi sign to indicate when taxi not available for hire

- (1) A person other than an accredited taxi driver must not drive a taxi in a public street, road or place unless the taxi sign fitted to the taxi indicates in a manner approved by the Minister that the taxi is not available for hire.
Maximum penalty: \$750.
Expiation fee: \$105.
- (2) An accredited taxi driver must not drive a taxi in a public street, road or place while the taxi is not available for hire unless the taxi sign fitted to the taxi indicates in a manner approved by the Minister that the taxi is not for hire.
Maximum penalty: \$750.
Expiation fee: \$105.

- (3) Subregulation (2) does not apply to a taxi being used under a pre-arranged hiring for the conveyance of a bridal party or the conveyance of a person in a funeral procession.
- (4) It is a defence to a charge of an offence against subregulation (1) or (2) for the defendant to prove—
 - (a) that the taxi sign fitted to the taxi at the time of the alleged offence was damaged or faulty; and
 - (b) that the defendant—
 - (i) was not aware that the sign was damaged or faulty, or was completing a journey that commenced before he or she became aware that the sign was damaged or faulty; or
 - (ii) was driving the taxi for a purpose connected with the repair or replacement of the sign.

50—Return of taxi signs

A person to whom a taxi sign has been issued, or who has possession or custody of a taxi sign or a vehicle to which such a sign is fitted must, on request by an authorised officer for the return of the sign, immediately deliver the sign to the authorised officer or the Minister.

Maximum penalty: \$750.

Expiation fee: \$105.

51—Unauthorised use of signs

- (1) A person must not, in a public street, road or place in Metropolitan Adelaide or a country taxi service area, drive a vehicle to which there is fitted a taxi sign, or a sign the same as or closely resembling a taxi sign, unless the sign is fitted to the vehicle with the authority of the Minister.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) Subregulation (1) does not apply to—
 - (a) a vehicle for which a taxi licence is held; or
 - (b) a vehicle used for the purposes of a country taxi service.

52—Removal of signs

- (1) If a taxi licence is suspended or cancelled or expires, the holder of the licence must ensure—
 - (a) that any taxi sign on the taxi at the time of suspension, cancellation or expiry is immediately removed from the vehicle; and
 - (b) that a taxi sign is not again fitted to the vehicle unless or until the end of the suspension, or the granting of a new licence in respect of the vehicle.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) If a person ceases to hold a Country Taxi Accreditation, the person must ensure that any taxi sign on a vehicle that was used for the purposes of a country taxi service operated under that accreditation is immediately removed from the vehicle.

Maximum penalty: \$750.

Expiation fee: \$105.

53—Loss or theft of signs

- (1) If a taxi sign is lost or stolen, the relevant person must, within 2 business days, give written notice of the loss or theft to the Minister.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) If a taxi sign, the loss or theft of which has been reported in accordance with subregulation (1) is recovered, the relevant person must immediately notify the Minister of the recovery.

Maximum penalty: \$750.

Expiation fee: \$105.

54—Company signs

- (1) A person must not drive a metropolitan taxi in a public street, road or place unless a sign or signs of a type approved by the Minister, identifying the centralised booking service of which the holder of the taxi licence is a member, is fitted to the taxi in a location, and in a manner, approved by the Minister.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) Subregulation (1) does not apply if the holder of the taxi licence is within the ambit of clause 9 of Schedule 4 of the Act.

55—Advertising

- (1) Advertisements on the outside of a taxi—

(a) may only be displayed on—

- (i) the rear luggage compartment of the vehicle;
- (ii) with the approval of the Minister—the rear window of the vehicle;
- (iii) in the case of a station sedan or van—the tail gate of the vehicle; and

(b) must comply with any standards determined by the Minister.

- (2) A person must not drive a taxi in a public street, road or place if an advertisement on the outside of the taxi—

(a) is displayed other than in accordance with subregulation (1)(a); or

(b) does not comply with subregulation (1)(b).

Maximum penalty: \$750.

Expiation fee: \$105.

- (3) Subregulation (2) does not apply in relation to an advertisement displayed on a taxi with the approval of the Minister.

Division 4—Taxi-meters and fares

56—Requirement for country taxi to have meter

A person must not use a vehicle for the purposes of a country taxi service unless the vehicle is fitted with a meter that complies with these regulations.

Maximum penalty: \$4 000.

57—Requirements relating to meters

- (1) For the purposes of section 45(4)(c) of the Act and regulation 56—
 - (a) a taxi-meter must be of a type approved by the Minister;
 - (b) a taxi-meter must be fitted to the taxi in a manner determined or approved by an authorised officer;
 - (c) a taxi-meter, when fitted, must be in a position where it can be easily read by any person sitting in the taxi;
 - (d) a taxi-meter must be so adjusted that, when the taxi is hired and the meter is activated, the meter will register flagfall and fares not exceeding—
 - (i) in the case of a metropolitan taxi—the rates prescribed by Schedule 3; or
 - (ii) in the case of a country taxi—the rates determined by the Minister;
 - (e) a taxi-meter must have been tested by an authorised officer or other person approved by the Minister;
 - (f) a taxi-meter must have been sealed by the officer or person conducting the test and the seal must remain intact;
 - (g) a taxi-meter must be in proper working order and registering correctly.
- (2) In testing the accuracy of a taxi-meter—
 - (a) the test in respect of distance must be made with the meter fitted to the vehicle and operating over a distance of not less than 1 kilometre allowing a tolerance of plus or minus 22.5 metres only;
 - (b) the test in respect of time must allow a tolerance of plus or minus 3% only.

58—Action required when meter defective

If a taxi-meter fitted to a taxi is not registering correctly or is out of order or the seal affixed to the taxi-meter is broken, the relevant person for the taxi must ensure—

- (a) that an authorised officer is immediately notified; and
- (b) that the taxi is not used to ply for hire until the taxi-meter has been re-adjusted, tested by an authorised officer or person approved by the Minister and found to be in proper working order and registering correctly.

Maximum penalty: \$750.

Expiation fee: \$105.

59—Compulsory inspection of meters

- (1) An authorised officer may, by notice in writing to the relevant person for a taxi, require the taxi to be submitted for testing of its taxi-meter at a time and place specified in the notice.

- (2) If an authorised officer finds that a taxi for which a taxi licence is held is not fitted with a taxi-meter as required under these regulations or is fitted with a meter that does not comply with these regulations, the authorised officer may suspend the taxi licence in respect of that taxi until the holder of the licence satisfies an authorised officer that the taxi is fitted with a taxi-meter that complies with these regulations.
- (3) If an authorised officer finds that a vehicle used for the purposes of a country taxi service is not fitted with a taxi-meter as required by these regulations, or is fitted with a meter that does not comply with these regulations, the authorised officer may give the operator of the service written notice that the vehicle must not be used for the purposes of the service until it is fitted with a taxi-meter that complies with these regulations.

60—Substitution of wheels or alteration of drive train

If the wheels are substituted on a taxi that is fitted with a taxi-meter, or the drive train of such a taxi is altered, the relevant person for the taxi must ensure that the taxi is not used to ply for hire until the taxi-meter fitted to the taxi has been tested by an authorised officer or person approved by the Minister and the taxi-meter has been found to be registering correctly.

Maximum penalty: \$750.

Expiation fee: \$105.

61—Interference with taxi-meters

A person must not interfere with a taxi-meter fitted to a taxi, or with a portion of the mechanism operating a taxi-meter, so as to prevent the proper working of the taxi-meter.

Maximum penalty: \$750.

Expiation fee: \$105.

62—Fees for testing of taxi-meter

A taxi may not be accepted for testing of a taxi-meter fitted to the taxi except on payment of the appropriate fee as from time to time approved by the Minister.

63—Operation of meter by taxi driver

- (1) The driver of a taxi to which a taxi-meter is fitted—
 - (a) must activate the taxi-meter at or after the commencement of a hiring; and
 - (b) must not apply tariff 2 for the hiring except as allowed under Schedule 3 and unless that tariff was displayed by the tariff indicator at the commencement of the hiring; and
 - (c) must not charge a fare for the hiring that exceeds the amount displayed by the taxi-meter at the end of the hiring; and
 - (d) must draw the attention of the hirer to the amount displayed by the taxi-meter before receiving payment for the hiring.
- (2) Subregulation (1) does not apply in relation to a journey for which the fare may be determined by contract as provided in Schedule 3.

Maximum penalty: \$750.

Expiation fee: \$105.

64—Fares for hiring taxis

- (1) The relevant person for a taxi must ensure that no more than the legal fare is demanded or recovered for the hiring of the taxi.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) The driver of a taxi must not demand or recover more than the legal fare for a hiring of the taxi that he or she is driving.

Maximum penalty: \$750.

Expiation fee: \$105.

- (3) In calculating the legal fare, no charge must be made for a period during which the taxi is delayed—

- (a) due to shortage of fuel; or
- (b) by an accident involving the taxi or by the breakdown of, or a defect in, the taxi; or
- (c) at a random breath testing station or police road block or due to compliance with a requirement of a police officer made in the enforcement of a law governing the duties of drivers; or
- (d) by a circumstance that the driver could have prevented by reasonable care.

- (4) The driver of a taxi must accept, in satisfaction of the fare for a hiring of the taxi, payment of the amount of the fare—

- (a) by cash; or
- (b) if applicable, by a docket issued as part of the South Australian Transport Subsidy Scheme, or under a similar scheme recognised by the Minister for the purposes of this regulation; or
- (c) by another means determined or approved by the Minister.

Maximum penalty: \$750.

Expiation fee: \$105.

- (5) A person who hires a taxi must, unless otherwise agreed, pay the legal fare to the driver on termination of the hiring—

- (a) by cash; or
- (b) if applicable, by a docket issued as part of the South Australian Transport Subsidy Scheme, or under a similar scheme recognised by the Minister for the purposes of this regulation; or
- (c) by another means determined or approved by the Minister.

Maximum penalty: \$750.

Expiation fee: \$105.

65—Display of information relating to fares

The relevant person for a taxi must ensure that the legal fares that may be charged for the hiring of the taxi are displayed in the taxi in a manner approved by the Minister together with other information (whether or not relating to fares) that the Minister determines should be displayed in the public interest.

Maximum penalty: \$750.

Expiation fee: \$105.

Division 5—Provision of taxi services**66—Register of taxi-stands designated by Minister**

The Minister must maintain at an office of the Department open to the public during normal office hours a register of all areas designated by the Minister as taxi-stands and the times at which those taxi-stands may be used.

67—Duty of taxi driver not to leave taxi unattended at taxi-stand

The driver of a taxi must not, except with the approval of an authorised officer, leave the taxi unattended at a designated taxi-stand.

Maximum penalty: \$750.

Expiation fee: \$105.

68—Duty to accept or continue hiring

- (1) Subject to this regulation, the driver of a taxi that is available for hire must comply with a request for the carriage for hire of persons, without luggage or together with a reasonable amount of luggage, to—

- (a) in the case of a metropolitan taxi—any place within Metropolitan Adelaide; or
- (b) in the case of a country taxi—any place within the country taxi service area in which the taxi may be used for the purposes of a country taxi service.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) A driver must not carry any persons in excess of the number that the taxi is authorised to carry.

Maximum penalty: \$750.

Expiation fee: \$105.

- (3) A driver is not obliged to accept a hiring or to continue to carry a person—

- (a) if the person making the request for carriage, or any person carried or to be carried, is apparently intoxicated or under the influence of a drug; or
- (b) if the driver has reasonable cause to believe that the fare for hiring of the taxi will not be paid; or
- (c) if the driver has reasonable cause to believe that the hiring is required for some illegal purpose; or

- (d) if the driver has reasonable cause to believe that if he or she accepted the hiring then a person to be carried in the taxi would commit an offence against an Act or other law during the hiring or if, during the hiring, a person being carried commits an offence against an Act or other law; or
 - (e) if the person making the request for carriage, or a person carried or to be carried, acts in a threatening or abusive manner; or
 - (f) if the person making the request for carriage, or a person carried or to be carried, requires an animal (other than a working animal) to be carried in the taxi; or
 - (g) if a person carried or to be carried in the taxi—
 - (i) consumes or uses, or refuses to cease consuming or using, alcohol or another drug or substance the consumption or use of which is not permitted in the taxi; or
 - (ii) smokes, or refuses to cease smoking, while in or before getting into the taxi; or
 - (h) if the driver has reasonable cause to believe that if he or she accepted the hiring then a person to be carried in the taxi would fail to wear or use a seat belt or child restraint that is available for use in the taxi or if, during the hiring and while the taxi is in motion, a person being carried fails to wear or use a seat belt or child restraint that is available for use in the taxi; or
 - (i) if the acceptance of the hiring would involve a breach of these regulations.
- (4) A driver may, on becoming aware of a circumstance or forming a belief referred to in subregulation (3) after the commencement of a hiring—
- (a) terminate the hiring; and
 - (b) stop the taxi (if in motion); and
 - (c) request the passenger to leave the taxi.
- (5) A person must not refuse or fail to comply with a request made of him or her under subregulation (4).
- Maximum penalty: \$750.
- Expiation fee: \$105.
- (6) A driver may, instead of taking action under subregulation (4) in a circumstance where the driver believes that the fare will not be paid, require the passenger to pay a deposit, or the estimated fare, in advance.
- (7) For the purposes of this regulation—
- (a) a taxi will be taken to be available for hire if it is in a public street, road or place, in charge of a driver and the taxi sign fitted to the taxi indicates in a manner approved by the Minister that the taxi is available for hire;
 - (b) the number of persons a taxi is authorised to carry is—
 - (i) in the case of a metropolitan taxi—the number of persons that the taxi is licensed to carry;
 - (ii) in any other case—
 - (A) a number shown on the certificate of inspection under section 54 of the Act or Part 4A of the *Road Traffic Act 1961*; or

- (B) a number determined by the Minister in relation to the relevant vehicle.

69—Duty of taxi driver to take shortest route

If a taxi is hired, the driver must choose the shortest practicable route to reach the place specified unless the hirer requests that some other route be followed.

Maximum penalty: \$750.

Expiation fee: \$105.

70—Right to terminate or vary hiring

- (1) The hirer of a taxi may discharge it at any time.
- (2) The driver of a taxi must not, without reasonable excuse, fail to comply with a request by the hirer of the taxi to the driver to carry him or her to a place not originally specified by the hirer if the place is—
 - (a) in the case of a metropolitan taxi—within Metropolitan Adelaide; or
 - (b) in the case of a country taxi—within the country taxi service area in which the taxi may be used for the purposes of a country taxi service.

71—Multiple-hiring of taxis

The driver of a taxi that has been hired by a person must not, except at the request or with the consent of that person or the passengers for whom that person hired the taxi, carry or agree to carry additional passengers at the same time under another hiring.

Maximum penalty: \$750.

Expiation fee: \$105.

72—Requirement to display no smoking signs in taxi

The holder of a taxi licence must display no smoking signs in the taxi in a manner approved by the Minister.

Maximum penalty: \$750.

Expiation fee: \$105.

Division 6—Security cameras

73—Interpretation

In this Division, unless the contrary intention appears—

accredited supplier means a person who holds an accreditation under regulation 74;

approved means complying with requirements determined by the Minister for the purposes of this Division;

authorised purpose means—

- (a) a purpose connected with the reporting or investigation of an alleged offence by a police officer or a prescribed officer; or
- (b) a purpose connected with the prosecution of, or the issue of an expiation notice in respect of, an alleged offence; or
- (c) a purpose authorised by the Minister for the purposes of these regulations;

download means to transfer a video recording from a security camera system fitted to a taxi to another storage device (including a disk or tape), or to print an image from a recording on a security camera system fitted to a taxi;

incident means an incident involving an act or activity that may constitute an offence;

offence means an offence against a law of the State (including under the Act or these regulations);

prescribed officer means—

- (a) an authorised officer; or
- (b) a person who is authorised by the Minister to exercise powers under the regulation where the expression appears;

recognised procedures, in relation to the operation of a security camera system, means procedures required by these regulations, or specified by the Minister or the manufacturer or supplier of the security camera system, to ensure the correct and appropriate operation of the system;

recorded material means a video recording, printed image or other material (including material stored electronically) that depicts (or is capable of depicting with the aid of an electronic device) the driver of a taxi or a member of the public and that is obtained through the use of a security camera system fitted to a taxi, or that can be traced to material obtained through the use of a security camera system fitted to a taxi;

security camera system means a system that records images of persons (and is designed to be used in or about a taxi);

video recording includes any electronically stored material from which a recorded image or recorded sound can be generated or reproduced.

74—Accreditation of suppliers of security camera systems

- (1) The Minister may accredit persons as **accredited suppliers** of security camera systems for the purposes of these regulations.
- (2) The Minister must not accredit a person unless satisfied that the person is, and is likely to continue to be, able—

- (a) to interact with the Minister and any other relevant authority in the administration of the scheme established by this Division; and
- (b) to provide appropriate and reliable services and facilities to support the operation and maintenance of security camera systems fitted to taxis by the supplier,

and the Minister may take into account other matters, as the Minister thinks fit, in deciding whether to grant an accreditation.

- (3) An accreditation under this regulation is subject to the following conditions:
 - (a) a condition that the accredited person will—
 - (i) before first fitting a particular type of security camera system to taxis, furnish to the Minister a statement certifying that the system complies with requirements determined by the Minister for the purposes of this Division; and
 - (ii) from time to time, as required by the Minister, submit to the Minister a security camera system for independent compliance testing; and

- (iii) furnish to the Minister and to the South Australian Police Department, in a form determined by the Minister, a copy of all software used in connection with any security camera system fitted (or to be fitted) to taxis by the accredited person (including any up-dated or varied software, and any software used to download video recordings or to store recorded material); and
 - (iv) not fit security camera systems in taxis that are not approved security camera systems; and
 - (v) ensure that a person employed or engaged by the accredited person to fit or service security camera systems in taxis, or to download video recordings from such systems, is appropriately qualified; and
 - (vi) ensure that security camera systems are fitted to taxis in accordance with procedures approved or determined by the Minister; and
 - (vii) ensure that any security camera system fitted to a taxi is sealed in a manner approved or determined by the Minister; and
 - (viii) establish and maintain, in a manner and form determined by the Minister, a register of security camera systems fitted in taxis and, on request, or at intervals determined by the Minister, furnish any information recorded on that register to the Minister, a police officer or a prescribed officer; and
 - (ix) ensure that a clear and comprehensive set of instructions on the operation of the system is provided on each occasion that a security camera system is fitted to a taxi; and
 - (x) provide any download facilities for taxis fitted with security camera systems supplied by the accredited person that the Minister may require; and
 - (xi) establish and maintain recording, audit and other systems determined by the Minister;
- (b) such other conditions as the Minister determines (and these conditions may be varied by the Minister from time to time).
- (4) The Minister may, after due inquiry and for good cause, revoke a person's accreditation under this regulation.

75—Requirement to have approved security camera system fitted and operating

- (1) A taxi must not be used for the purposes of a taxi service other than a country taxi service unless the taxi is fitted with an approved security camera system.
- (2) A taxi must not be used for the purposes of a country taxi service if it is fitted with a security camera system that is not an approved security camera system.
- (3) If—
 - (a) a taxi is used in contravention of subregulation (1) or (2); or
 - (b) an approved security camera system fitted to a taxi—
 - (i) was not installed by an accredited supplier; or
 - (ii) is not in good working order,

the operator of the taxi service is guilty of an offence.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (4) The operator of a taxi service must not permit a person to drive a taxi for the purposes of the service unless reasonably satisfied that the person is competent to operate a security camera system fitted to the taxi.

Maximum penalty: \$750.

Expiation fee: \$105.

- (5) The driver of a taxi must—

- (a) if required by the Minister or the operator of a taxi service—have undertaken a specified training course in the operation of security camera systems; and
- (b) ensure that he or she is competent to operate a security camera system fitted to the taxi; and
- (c) not accept a hiring unless a security camera system fitted to the taxi is operating in a manner that indicates that the system will be fully operational during the hiring; and
- (d) operate a security camera system fitted to the taxi in accordance with recognised procedures; and
- (e) if a security camera system fitted to the taxi appears not to be operating correctly—immediately report the matter to—
 - (i) the centralised booking service for the taxi (if any); and
 - (ii) the operator of the taxi service.

Maximum penalty: \$750.

Expiation fee: \$105.

76—Offence to interfere etc with security camera system

A person must not—

- (a) interfere with any part of an approved security camera system fitted to a taxi; or
- (b) cause or permit any such interference,

in a manner that will prevent or impede the proper working of the system.

Maximum penalty: \$2 500.

Expiation fee: \$210.

77—Authorisation to download images

- (1) A person must not download a video recording from a security camera system fitted to a taxi unless the person—

- (a) is acting under an authorisation granted by the Minister for the purposes of these regulations; or
- (b) is a police officer or a prescribed officer; or
- (c) is acting with the permission, or at the direction, of a police officer, a prescribed officer or the Minister; or

- (d) is acting pursuant to an order or direction of a court or tribunal constituted by law.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (2) A person who downloads a video recording from a security camera system fitted to a taxi must comply with any procedures determined by the Minister.
Maximum penalty: \$2 500.
Expiation fee: \$210.
- (3) A person who resets a security camera system fitted to a taxi must record any information determined by the Minister, in accordance with any requirements determined by the Minister.
Maximum penalty: \$750.
Expiation fee: \$105.
- (4) An authorisation under subregulation (1)(a) may be given subject to such conditions as may be determined by the Minister.
- (5) The Minister may, for example, give the authorisation subject to a condition that makes provision for or with respect to—
- (a) the qualifications of any person employed or engaged to download video recordings under the authorisation; or
 - (b) the production of images from any recorded material, the saving and cataloguing of material, the storage or provision of recorded or other material, and other procedures to be followed if recordings are downloaded from a security camera system; or
 - (c) the provision of information or material in connection with the downloading of video recordings under the authorisation, including the provision of information, material or returns to the Minister, a police officer or a prescribed officer.
- (6) The Minister may, after due inquiry and for good cause, revoke an authorisation under subregulation (1)(a).

78—Steps to be followed in the event of an incident etc

If a security camera system fitted to a taxi is activated in connection with an incident in or about the taxi, the driver of the taxi at the time of the incident must comply with any requirements determined by the Minister with respect to the downloading of video recordings or the resetting of the security camera system (unless the driver has been injured, or is directed to take some other action by a police officer or a prescribed officer).

Maximum penalty: \$750.

Expiation fee: \$105.

79—Delivery of material to police station

- (1) A person who arranges to have material downloaded from a security camera system fitted to a taxi must, as soon as it is reasonably practicable to do so after the material is downloaded, unless otherwise directed or determined by the Minister, deliver the material made available by the download to a police station.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) A person who is required to comply with subregulation (1) must not interfere with the material.
Maximum penalty: \$750.
Expiation fee: \$105.
- (3) Subregulation (1) does not apply to—
- (a) a person who is acting under regulation 77; or
 - (b) a person who is authorised or directed by the Minister to keep material downloaded from a security camera system fitted to a taxi pending its use for an authorised purpose, or its disposal under regulation 81.

80—General protection of recorded material

A person must not use recorded material for a purpose other than an authorised purpose.

Maximum penalty: \$2 500.

Expiation fee: \$210.

81—Storage and disposal of material

- (1) This regulation applies to a person who is authorised or directed by the Minister to keep material downloaded from a security camera system fitted to a taxi pending its use for an authorised purpose, or its disposal under this regulation.
- (2) A person to whom this regulation applies must cause—
- (a) such security safeguards as the Minister may determine; and
 - (b) such other security safeguards as are reasonable in the circumstances,
- to be taken to ensure that any video recording made by a security camera system, and any other recorded material in the person's possession, is kept secure and protected against access or use for a purpose other than an authorised purpose, until disposed of in accordance with this regulation.
- Maximum penalty: \$2 500.
Expiation fee: \$210.
- (3) Unless otherwise directed or determined by a police officer, a prescribed officer or the Minister, a person to whom this regulation applies must ensure that any recorded material in his or her possession is disposed of in accordance with subregulation (4) 1 month after the original video recording was made.
- Maximum penalty: \$2 500.
Expiation fee: \$210.
- (4) The recorded material may be disposed of by deletion or other form of destruction or, if it is to be used for an authorised purpose, by giving it to—
- (a) a police officer; or
 - (b) a prescribed officer; or
 - (c) the Minister,
- in a manner determined by the Minister.

- (5) It is the duty of the Commissioner of Police or the Minister (as the case requires) to ensure the destruction of any recorded material that was given to a police officer or a prescribed officer but which is not to be used, or is no longer required, for an authorised purpose.

82—Requirement to display sign in taxi

- (1) The operator of a taxi service where the taxi is fitted with a security camera system must ensure that a sign containing the following information is displayed in the taxi in a manner approved by the Minister:

FOR PASSENGER AND DRIVER SAFETY THIS TAXI IS FITTED WITH A SECURITY SAFETY SYSTEM. BY HIRING THIS TAXI YOU CONSENT TO YOUR IMAGE BEING RECORDED AT ANY TIME AND A RECORDING OF SOUND ACTIVATED IN AN EMERGENCY SITUATION.

- (2) A sign under subregulation (1) must also contain other information or material determined by the Minister.
- (3) An operator of a taxi service who fails to comply with this regulation is guilty of an offence.
Maximum penalty: \$750.
Expiation fee: \$105.

83—Compulsory inspection of systems

- (1) An authorised officer may, by notice in writing to the relevant person for a taxi, require the taxi to be submitted for testing of its security camera system at a time and place specified in the notice.
- (2) If an authorised officer finds that a metropolitan taxi is not fitted with a security camera system as required under these regulations or is fitted with a security camera system that does not comply with requirements determined by the Minister for the purposes of this Division, the authorised officer may suspend the taxi licence in respect of that taxi until the holder of the licence satisfies an authorised officer that the taxi is fitted with an approved security camera system in accordance with the requirements of these regulations.
- (3) If an authorised officer finds that a vehicle used for the purposes of a country taxi service is fitted with a security camera system that does not comply with requirements determined by the Minister for the purposes of this Division, the authorised officer may suspend the accreditation for the service until an authorised officer is satisfied that the security camera system has been removed from the vehicle.

84—Authorised activities

Nothing in this Division prevents—

- (a) a police officer; or
- (b) an authorised officer or other officer; or
- (c) a person acting under the authority of the Minister,

from carrying out an inspection of, or performing any proper function in relation to, a security camera system fitted to a taxi.

Part 4—Conduct of drivers and general passenger issues

Division 1—Provisions applying to drivers

85—General duties of driver of public passenger vehicle

- (1) The driver of a public passenger vehicle must—
- (a) maintain a reasonable standard of personal cleanliness and appearance; and
 - (b) wear a uniform that complies with standards (as to colour, clothing type, style and other similar matters) determined or approved by the Minister, and ensure that the uniform is clean and pressed and does not have any holes, tears or stains; and
 - (c) ensure that the vehicle is reasonably clean; and
 - (d) conduct himself or herself with civility and propriety towards every passenger; and
 - (e) in the case of a driver of a taxi, provide such assistance to a passenger as the passenger may reasonably require to get into or out of the taxi and to load and unload luggage.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) The driver of a public passenger vehicle must not—
- (a) drive the vehicle, or attempt to put the vehicle in motion, while there is present in his or her blood any concentration of alcohol; or
 - (b) consume or use alcohol or a drug or substance the consumption or use of which is prohibited by law between the time of commencing work and of ceasing work on any day; or
 - (c) permit a person to consume or use in the vehicle a drug or substance the consumption or use of which is prohibited by law.

Maximum penalty: \$750.

Expiation fee: \$105.

- (3) The driver of a public passenger vehicle must not smoke in the vehicle.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (4) The Minister must consult with a centralised booking service before making a determination under subregulation (1)(b) that will affect drivers of vehicles participating in the service provided by that centralised booking service.

86—Prohibition on overloading public passenger vehicle

- (1) The driver of a public passenger vehicle must not—
- (a) carry in the vehicle at any one time a greater number of passengers than the total number authorised to be carried, whether seated or standing; or
 - (b) carry at any one time in a bus a greater number of passengers seated than the number authorised to be carried seated in the bus; or

- (c) carry at any one time in a bus a greater number of passengers standing than the number authorised to be carried standing.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) The number of passengers who, for the purposes of this regulation, are authorised to be carried seated, or are authorised to be carried standing, is—
 - (a) a number shown on the certificate of inspection under section 54 of the Act or Part 4A of the *Road Traffic Act 1961*; or
 - (b) a number determined by the Minister in relation to the relevant vehicle.

87—Prohibition on carriage of passengers on certain portions of public passenger vehicle

The driver of a public passenger vehicle must not, without the approval of the Minister—

- (a) carry a passenger on a portion of the vehicle not set apart or intended for the conveyance of passengers; or
- (b) permit a person to occupy a portion of the driving seat or of the vehicle on the right-hand side of that seat and abreast of it; or
- (c) permit a person to be on a portion of the vehicle in front of the driving seat.

Maximum penalty: \$750.

Expiation fee: \$105.

88—Requirement to store passengers' luggage

The driver of a public passenger vehicle must ensure that the luggage or articles of a passenger (other than hand luggage) are placed in an appropriate storage compartment, or some other place specifically set aside for such luggage or articles.

Maximum penalty: \$750.

Expiation fee: \$105.

Division 2—Provisions applying to passengers and others

Subdivision 1—General provisions

89—Duty to give name and address to driver

If a dispute arises between a passenger and the driver of a public passenger vehicle, the passenger must, on request by the driver or an authorised officer, give his or her name and address to the driver or authorised officer.

Maximum penalty: \$750.

Expiation fee: \$105.

90—Riding in non-carriage area of vehicle

A person must not ride in or on a portion of a public passenger vehicle not set apart or intended for the conveyance of passengers.

Maximum penalty: \$750.

Expiation fee: \$105.

91—Interfering with or distracting driver of vehicle

A person must not interfere with, or unreasonably distract the attention of, the driver of a public passenger vehicle.

Maximum penalty: \$750.

Expiation fee: \$105.

92—Placement of luggage

A passenger on a public passenger vehicle must not put luggage or any other article in a place where it could cause a risk to another passenger.

Maximum penalty: \$750.

Expiation fee: \$105.

93—No smoking in vehicle

A person must not smoke in a public passenger vehicle.

Maximum penalty: \$1 250.

Expiation fee: \$160.

94—Consumption and carriage of alcohol

A person must not—

- (a) consume alcohol in a public passenger vehicle; or
- (b) carry alcohol in an open container in a public passenger vehicle,

without the express permission of the operator.

Maximum penalty: \$1 250.

Expiation fee: \$160.

95—Consumption of food or beverages

- (1) A person must not consume food or drink in a public passenger vehicle after being requested not to do so by an authorised person.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) Without limiting subregulation (1), a person must not consume food or drink in a public passenger vehicle unless it is properly managed or contained so as to prevent spillage or soiling within the vehicle.

Maximum penalty: \$750.

Expiation fee: \$105.

96—Use of seats etc

A person must not stand on, or place a foot on or against, a seat in a public passenger vehicle.

Maximum penalty: \$750.

Expiation fee: \$105.

97—Objects protruding from vehicle

A person must not allow a part of his or her body, or an object, to protrude from a window, door or other opening of a public passenger vehicle.

Maximum penalty: \$750.

Expiation fee: \$105.

98—Boarding or alighting from vehicle in motion

A person must not board or alight from, or attempt to board or alight from, a public passenger vehicle while it is in motion.

Maximum penalty: \$750.

Expiation fee: \$105.

99—Causing inconvenience in vehicles

- (1) A passenger who soils a public passenger vehicle or renders it unclean so that it is necessary to clean or deodorise it before further use must, on demand by the driver, pay a fee of \$66 in addition to any fare or other consideration that is otherwise payable in respect of the service or any penalty that may be imposed.
- (2) A fee payable under subregulation (1) may be recovered as a debt in summary proceedings.

Subdivision 2—Provisions applying in relation to regular passenger services**100—Payment of fares and charges**

- (1) A person must not travel or attempt to travel on a regular passenger service vehicle without paying the appropriate fare or charge.
Maximum penalty: \$1 250.
Expiation fee: \$160.
- (2) In proceedings for an offence against subregulation (1), it is a defence to prove that the defendant did not have a reasonable opportunity to pay the appropriate fare or charge.
- (3) A person who boards a regular passenger service vehicle without a ticket must immediately purchase a ticket.
Maximum penalty: \$1 250.
Expiation fee: \$160.
- (4) In proceedings for an offence against subregulation (3), it is a defence to prove that the defendant was unable to comply with that subregulation because of a disability.
- (5) A person must not—
 - (a) fail to leave a regular passenger service vehicle on arriving at the point to which the person has paid the fare or charge to which a ticket applies; or
 - (b) use a ticket, student identification card, travel concession card or pass that the person is not entitled to use (or not entitled to use in that case), or that is no longer valid.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (6) In proceedings for an offence against subregulation (3) or (5), it is a defence to prove that the act or omission constituting the offence was attributable to an honest and reasonable mistake on the defendant's part.
- (7) This regulation does not apply to a person who is authorised by the Minister, the regular passenger service operator or an authorised person to travel without a ticket.

101—Validation of tickets

- (1) A person who holds a ticket must validate his or her ticket each time that he or she boards a regular passenger service vehicle in which validation equipment is installed.
Maximum penalty: \$1 250.
Expiation fee: \$160.
- (2) In proceedings for an offence against subregulation (1), it is a defence to prove that—
 - (a) the defendant did not have a reasonable opportunity to validate the ticket; or
 - (b) the failure to validate the ticket was attributable to an honest and reasonable mistake on the defendant's part; or
 - (c) the defendant was unable to comply with that subregulation because of a disability.
- (3) A person must not use a ticket that has been validated by another person until the period for which it was last validated has expired.
Maximum penalty: \$1 250.
Expiation fee: \$160.
- (4) This regulation does not apply to a person who is authorised by the Minister, the regular passenger service operator or an authorised person to travel without a ticket.

102—Inspection or surrender of tickets

- (1) A person—
 - (a) who has boarded a regular passenger service vehicle; or
 - (b) who is at a passenger station and apparently intends to board a regular passenger service vehicle,must immediately allow an authorised person access to his or her ticket, student identification card, travel concession card or pass for inspection or validation, when requested to do so by the authorised person.
Maximum penalty: \$1 250.
Expiation fee: \$160.
- (2) The holder of a ticket must, as directed by a sign displayed by a regular passenger service operator or at the request of an authorised person, surrender the ticket at the end of the journey or period for which the ticket was issued.
Maximum penalty: \$1 250.
Expiation fee: \$160.
- (3) In proceedings for an offence against subregulation (2), it is a defence to prove that the defendant did not comply with the subregulation because of a disability.

103—Possession of concession cards

A person must not travel on a regular passenger service vehicle using a concessional ticket unless—

- (a) he or she is a student personally in possession of a valid student identification card; or
- (b) he or she is personally in possession of a valid travel concession card.

Maximum penalty: \$1 250.

Expiation fee: \$160.

104—Special provision for declared areas

- (1) In this regulation—

declared area means—

- (a) the paid concourse or platform area of the Adelaide Railway Station; or
- (b) that part of the concourse, platform or other public area of a passenger station where a regular passenger service operator has, under an arrangement with the Minister, established an area for the purposes of this regulation; or
- (c) an area determined by the Minister, by notice in the Gazette, to be a declared area for the purposes of this regulation.

- (2) A declared area may be established for the purposes of this regulation—

- (a) as a special area where a person must not enter or remain without a ticket or pass (a ***special declared area***); or
- (b) as a general declared area.

- (3) A person must not enter or remain in a declared area unless—

- (a) the person holds a valid ticket or pass; or
- (b) in the case of a general declared area—
 - (i) the person intends to purchase a valid ticket from a facility located in the declared area; or
 - (ii) if it is not possible to purchase a valid ticket in the declared area—the person is intending to board a regular passenger service vehicle stopping at the declared area.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (4) If—

- (a) a person enters a declared area (other than a special declared area) without a valid ticket or pass; and
- (b) it is possible to purchase a valid ticket from a facility located in the declared area,

the person must immediately purchase a valid ticket.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (5) If an authorised person has reason to believe that a person who is present in a declared area does not intend to board a regular passenger service vehicle stopping at the declared area within a reasonable time, the authorised person may request the person to leave the declared area.
- (6) A person who, without reasonable excuse, fails to comply immediately with a request under subregulation (5) is guilty of an offence.
Maximum penalty: \$1 250.
Expiation fee: \$160.
- (7) Subregulations (3) and (4) do not apply to a person who is authorised by the Minister, a regular passenger service operator or an authorised person to be in a declared area without a ticket or pass.
- (8) A person who is in a declared area must immediately allow an authorised person access to his or her ticket, student identification card, travel concession card or pass, or access to evidence of an entitlement to travel free of charge, for inspection, when requested to do so by the authorised person.
Maximum penalty: \$1 250.
Expiation fee: \$160.
- (9) Subregulation (8) does not apply to a person in a general declared area where it is not possible to purchase a valid ticket.
- (10) A regular passenger service operator must, by notice in the Gazette and in such other manner as the Minister may determine, give notice of the establishment of a declared area by the operator under this regulation.

105—Invalid tickets etc

- (1) If an authorised person suspects on reasonable grounds—
 - (a) that a person has presented an invalid ticket, student identification card or travel concession card for inspection; or
 - (b) that a person is using a student identification card or travel concession card that has not been issued for his or her use,the authorised person may require that person to surrender that ticket or card immediately.
- (2) The authorised person may retain possession of the ticket or card but if—
 - (a) proceedings are not instituted against the relevant person for an offence against the Act or these regulations within 3 months; or
 - (b) proceedings are instituted within that period but the relevant person is not subsequently found guilty of an offence,the person is entitled to the return of the ticket or card or, if it has expired, to be issued a substitute ticket or card.
- (3) A person who fails to comply with a requirement under subregulation (1) is guilty of an offence.
Maximum penalty: \$1 250.
Expiation fee: \$160.

106—Nuisances and annoyances

- (1) A person must not, while in a regular passenger service vehicle or at prescribed premises, commit a nuisance or act in a way that is likely to interfere with the comfort of, or disturb or annoy, another person.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) A person must not, without the permission of an authorised person, take into a regular passenger service vehicle or onto prescribed premises an article that is likely to cause obstruction or annoyance.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (3) A person must not, without the permission of an authorised person, play a musical instrument onboard a regular passenger service vehicle or on prescribed premises.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (4) A person must not, without the permission of an authorised person, use a personal audio or visual device onboard a regular passenger vehicle or on prescribed premises unless the person ensures that he or she does not allow any sound from the device to disturb or annoy another person.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (5) A person must not, while in a regular passenger service vehicle or at prescribed premises—

(a) conduct himself or herself in an offensive manner; or

(b) use offensive language.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (6) In this regulation—

personal audio or visual device means—

(a) a radio (including a radio in a mobile phone or other device); or

(b) a device designed to play digital files; or

(c) any other device or equipment capable of emitting sound.

107—Alcohol at prescribed premises

A person must not, without the express permission of the regular passenger service operator who controls prescribed premises—

(a) consume alcohol at the prescribed premises; or

(b) carry, hold or otherwise possess alcohol in an open container at the prescribed premises,

except in areas specifically set apart for that purpose by the operator.

108—Unoccupied seats

A person must not prevent or deter another person from occupying an unoccupied seat in a regular passenger service vehicle or at prescribed premises.

Maximum penalty: \$750.

Expiation fee: \$105.

109—Occupying non-carriage areas in vehicle

- (1) A person must not occupy a stairway, step, entrance platform or exit platform, or part of a regular passenger service vehicle designated by a regular passenger service operator as a prohibited area—

- (a) while the vehicle is in motion; or
- (b) contrary to stipulations contained in a notice affixed on or near the relevant part of the vehicle.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) In proceedings for an offence against subregulation (1)(b), it is a defence to prove that the defendant did not see the relevant notice because of a disability.

110—Obstruction of passengers etc

A person must not obstruct the entrance or exit of passengers from a regular passenger service vehicle, or refuse to move, when requested to do so by an authorised person.

Maximum penalty: \$750.

Expiation fee: \$105.

111—Objects etc protruding from vehicle

A person must not allow a part of his or her body, or an object, to protrude from a window, door or other opening of a regular passenger service vehicle.

Maximum penalty: \$750.

Expiation fee: \$105.

112—Interference with equipment etc

A person must not, without lawful authority—

- (a) interfere with the controls of, or equipment installed in, or attached to, a regular passenger service vehicle; or
- (b) interfere with any ticket validating equipment.

Maximum penalty: \$2 500.

Expiation fee: \$210.

113—Throwing of objects from vehicle etc

- (1) A person must not throw or catapult an object while in a regular passenger service vehicle or at prescribed premises.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) A person must not throw or catapult an object from a regular passenger service vehicle, or at a regular passenger service vehicle.

Maximum penalty: \$1 250.

Expiation fee: \$160.

114—Unlawful boarding of vehicle

A person must not, except in an emergency or with lawful authority—

- (a) board or alight from a regular passenger service vehicle through a window; or
- (b) board or alight from a train through a door that is not immediately facing a platform; or
- (c) board a bus through any doors marked as "EXIT ONLY" doors; or
- (d) open a locked door of a regular passenger service vehicle.

Maximum penalty: \$750.

Expiation fee: \$105.

115—Prohibition of animals in vehicle

- (1) Subject to subregulation (2), a person must not, without the permission of an authorised person, bring an animal on board a regular passenger service vehicle.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) This regulation does not apply in relation to a working animal accompanying a person with a disability.

116—Carriage of bicycles and surfboards

- (1) Subject to subregulation (2), a person must not bring a bicycle or surfboard onboard a regular passenger service vehicle.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) A bicycle or surfboard may be brought onboard a regular passenger service vehicle if—
- (a) the Minister has determined that the vehicle is of a kind in which it is suitable to carry such items; and
 - (b) space permits; and
 - (c) the appropriate fee or fare (if any) has been paid.

117—Carriage of dangerous objects etc on vehicle

- (1) A person must not, without the permission of an authorised person—

- (a) carry a dangerous or offensive object or substance on a regular passenger service vehicle; or
- (b) cause a dangerous or offensive object or substance to be carried on a regular passenger service vehicle.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) If an authorised person has reasonable cause to suspect that a parcel or bag that is being, or is to be, transported on a regular passenger service vehicle may contain a dangerous or offensive object or substance, the authorised person may—
- (a) require the person in possession of the parcel or bag to open the parcel or bag for examination of its contents; or
 - (b) open the parcel or bag and examine its contents.
- (3) A person to whom a requirement is addressed under subregulation (2) must comply with the requirement.
- Maximum penalty: \$1 250.
- Expiation fee: \$160.

118—Reserved seat or space

A person who does not have a disability that makes it preferable or necessary to be seated must not, while in a regular passenger service vehicle or at prescribed premises, take or continue to occupy a seat or space that is reserved for persons who do have a disability that makes it preferable or necessary to be seated, if to do so would prevent a person who has a disability from occupying the seat or space.

Maximum penalty: \$750.

Expiation fee: \$105.

119—Abandoned goods

A person who takes possession of goods left in a regular passenger service vehicle or at the premises of a regular passenger service operator must immediately deliver the goods to the operator.

Maximum penalty: \$750.

Expiation fee: \$105.

120—Removal of goods

A person must not, without lawful authority, remove from a regular passenger service vehicle or prescribed premises goods entrusted to a regular passenger service operator for carriage.

Maximum penalty: \$750.

Expiation fee: \$105.

121—Motor vehicles etc

- (1) A person must not drive, ride, park or leave standing a motor vehicle on prescribed premises except in an area that is set aside for that purpose.
- Maximum penalty: \$750.
- Expiation fee: \$105.
- (2) A person who drives or rides a motor vehicle on prescribed premises must—
- (a) comply with a reasonable direction of an authorised person; and

- (b) obey any speed restriction, traffic control sign or parking control sign displayed on the premises.

Maximum penalty: \$750.

Expiation fee: \$105.

122—Pedal cycles, skateboards etc

- (1) A person must not, without the permission of the regular passenger service operator—
 - (a) ride a bicycle, scooter, skateboard, roller-skates, roller-blades or similar device; or
 - (b) ride, lead or tether an animal,on prescribed premises.

Maximum penalty: \$750.

Expiation fee: \$105.
- (2) Subregulation (1) does not apply to a device used to assist a person with a physical impairment.

123—Pedestrians

A pedestrian must not, without the permission of an authorised person, enter or remain on any part of prescribed premises that is not set aside for use by pedestrians.

Maximum penalty: \$1 250.

Expiation fee: \$160.

124—Duty of pedestrians at pedestrian crossings

- (1) A pedestrian must not enter or remain on a pedestrian crossing—
 - (a) if a vehicle with which he or she may collide is approaching along the busway, railway or tramway, or is on the crossing; or
 - (b) if warned not to do so by an authorised person; or
 - (c) while a warning device at or near the crossing is activated or while the crossing is closed against traffic by gates or barriers, unless he or she is directed by an authorised person to proceed across the crossing.

Maximum penalty: \$1 250.

Expiation fee: \$160.
- (2) A pedestrian must not remain within the limits of a pedestrian crossing any longer than is reasonably necessary for the purpose of passing over the crossing.

Maximum penalty: \$1 250.

Expiation fee: \$160.
- (3) If a pedestrian crossing is controlled by traffic lights, a pedestrian must comply with any instructions applicable to the pedestrian that are indicated by the traffic lights or any sign exhibited with the traffic lights.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (4) In this regulation—

pedestrian crossing means a place designated by the Minister or TransAdelaide as a place where pedestrians may pass over a busway, railway or tramway;

traffic lights means signals for controlling traffic by means of illuminated signs.

125—Duty to comply with directions and obey signs

- (1) A person who is in a regular passenger service vehicle or at prescribed premises must—
- (a) comply with a reasonable direction of an authorised person; and
 - (b) obey any sign displayed in the vehicle or in or on the premises.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) In proceedings for an offence against subregulation (1), it is a defence to prove that the defendant was unaware of the direction or sign, or unable to comply with the direction or sign, because of a disability.

126—Rubbish and other abandoned property

- (1) A person must not, without the permission of the regular passenger service operator—
- (a) deposit garden refuse on prescribed premises; or
 - (b) deposit rubbish in any of the operator's vehicles or on prescribed premises except in receptacles provided for that purpose; or
 - (c) set fire to garden refuse or rubbish on prescribed premises.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) A person must not abandon any other property (not being a motor vehicle) on a regular passenger service vehicle or on prescribed premises.

Maximum penalty: \$250.

Expiation fee: \$80.

- (3) Subject to subregulation (6), if property (other than rubbish or a motor vehicle) is found on a regular passenger service vehicle or at prescribed premises, the regular passenger service operator must hold the property for at least 2 months.

- (4) Property held under subregulation (3) will be handed over to a person—

- (a) who supplies proof of ownership that is satisfactory to an authorised person; and
- (b) who pays such fees as may be determined by the Minister from time to time.

- (5) Property that is not claimed within 2 months may be sold by the regular passenger service operator and the proceeds applied as follows:

- (a) firstly, in payment of the costs of, and incidental to, the sale; and
- (b) secondly, in payment of the costs of, and incidental to, the custody of the property; and
- (c) thirdly, in payment of the balance to the Crown or, if the Minister so determines, to the operator.

- (6) Perishable goods left or abandoned on a regular passenger service vehicle or at prescribed premises may be disposed of by the regular passenger service operator as the operator thinks fit.

127—Abandoned vehicles

- (1) A person must not leave a motor vehicle unattended on prescribed premises except in an area set aside for the parking of motor vehicles.
Maximum penalty: \$750.
Expiation fee: \$105.
- (2) A person must not abandon a motor vehicle on prescribed premises.
Maximum penalty: \$1 250.
Expiation fee: \$160.
- (3) An employee of the regular passenger service operator may remove a motor vehicle left or abandoned in contravention of this regulation and for that purpose, may enter the vehicle (using such force as is reasonable in the circumstances) and drive it, or arrange for it to be towed, driven or taken, to a convenient place.
- (4) As soon as practicable after removal of a motor vehicle, the regular passenger service operator must give the owner of the vehicle notice of the removal and of the place to which the vehicle was removed.
- (5) The notice may be given—
 - (a) by post; or
 - (b) if the identity or whereabouts of the owner is unknown—by publication in a newspaper circulating generally in the State.
- (6) If the owner of the motor vehicle does not, within 1 month after such a notice is given, pay all expenses in connection with the removal or custody of the vehicle and of proceedings under this regulation, the regular passenger service operator may sell it by public auction and apply the proceeds as follows:
 - (a) firstly, in payment of the costs of, and incidental to, the sale;
 - (b) secondly, in payment of the costs of, and incidental to, the removal and custody of the vehicle and of proceedings under this regulation;
 - (c) thirdly, in payment of the balance to the owner.
- (7) If, after reasonable inquiry, the owner cannot be found, the balance must be paid to the Treasurer as unclaimed money.

128—Graffiti

A person must not, without the permission of the Minister or the regular passenger service operator, write, draw, paint or affix a word, representation, character or poster on or to a regular passenger service vehicle, part of a regular passenger service vehicle, part of prescribed premises, or anything situated at prescribed premises.

Maximum penalty: \$2 500.

Expiation fee: \$210.

129—Commercial activities

A person must not, without the permission of the Minister or the regular passenger service operator—

- (a) sell or hire, or offer for sale or hire, an article or thing in a regular passenger service vehicle or on prescribed premises;
- (b) distribute handbills to, or solicit money from, another person in a regular passenger service vehicle or on prescribed premises.

Maximum penalty: \$750.

Expiation fee: \$105.

130—Behaviour of children in company of adults

If a child is accompanied by an adult in a regular passenger service vehicle or at prescribed premises, that adult must take reasonable steps to prevent the child from acting contrary to these regulations.

Maximum penalty: \$1 250.

Expiation fee: \$160.

131—Exclusion or removal of persons by authorised persons

- (1) An authorised person may direct a person not to board or enter a regular passenger service vehicle or prescribed premises, or to leave a regular passenger service vehicle or prescribed premises—
 - (a) if the authorised person has reason to believe—
 - (i) that the person may, if permitted to board or remain on the vehicle or to enter or remain on the premises, commit an offence against the Act or these regulations (including by refusing or failing to pay the appropriate fare or charge); or
 - (ii) that the person has, while on the vehicle or premises, committed an offence against the Act or these regulations; or
 - (b) if the person appears to be intoxicated or under the influence of a drug and the authorised person believes that, because of this condition, the person is likely to be offensive or to cause discomfort or embarrassment to another person; or
 - (c) if the person acts in a threatening or abusive manner; or
 - (d) if the person is not properly dressed, or the condition of the person or the person's clothing or the nature or condition of anything carried by the person is such as would cause justified offence to another person or is likely to soil a part of the vehicle or premises; or
 - (e) in the case of a regular passenger service vehicle, if the vehicle is displaying a "FULL" sign or is fully loaded with passengers or, when the person entered the vehicle, it displayed a "FULL" sign or was fully loaded with passengers; or
 - (f) if the authorised person has reason to believe that the person is not entitled to be on the vehicle or premises due to the terms of an exclusion order that applies to the person under regulation 133.
- (2) An authorised person may direct a person to leave a regular passenger service vehicle if the person refuses or fails to pay the appropriate fare or charge.

- (3) A person who fails to comply immediately with a direction under this regulation is guilty of an offence.
Maximum penalty: \$1 250.
Expiation fee: \$160.
- (4) If a person fails to comply with a direction under this regulation, a member of the police force or a person who is authorised by the Minister to exercise powers under section 56(8) of the Act may exercise reasonable force to remove the person from the relevant vehicle or premises.
- (5) A person removed from a vehicle or premises pursuant to this regulation is not entitled to a refund of a fare or charge.

Division 3—Miscellaneous

132—Conditions of travel

- (1) The Minister may determine (or vary) conditions of travel that will apply to persons on regular passenger service vehicles or at prescribed premises in addition to the provisions of these regulations.
- (2) The Minister must ensure that conditions of travel (or a variation to conditions of travel) under subregulation (1) are published in the Gazette.
- (3) A regular passenger service operator may, with the approval of the Minister, determine (or vary) conditions of travel that will apply to persons on regular passenger service vehicles or at prescribed premises provided or controlled by the operator.
- (4) The operator must ensure that conditions of travel (or a variation to conditions of travel) under subregulation (3) are published in the Gazette.
- (5) Conditions of travel may include rules, procedures, prohibitions, restrictions or limitations that are to apply to persons on regular passenger service vehicles or at prescribed premises.
- (6) A condition of travel published in the Gazette will be taken to have been properly and effectively brought to the notice of a person who buys a ticket for a regular passenger service, travels on a regular passenger service vehicle or attends at prescribed premises.
- (7) The conditions of travel known as the "State Transport Authority Conditions of Travel 1993" (as varied), adopted by the State Transport Authority under the *State Transport Authority Act 1974* and in force immediately before the commencement of the *Passenger Transport Act 1994*, will, except to the extent of any inconsistency with these or any other regulations, continue to apply as conditions of travel for passengers on services provided as part of the *Adelaide Metro* network under Part 5 of the Act (until superseded by new conditions of travel).

133—Exclusion orders

- (1) The Minister may, after complying with the procedures set out in this regulation, make an order (an **exclusion order**) against a person (**the respondent**) if the Minister is satisfied—
 - (a) that the person has contravened, or failed to comply with, the Act or this Part on at least 3 occasions; and
 - (b) that it is reasonable to believe that the respondent may, unless action is taken, again contravene, or fail to comply with, the Act or this Part; and

- (c) that the making of the order is in the public interest in order to promote the safety or comfort of members of the general public who use public transport, or in order to take steps to protect facilities used in connection with public transport from unlawful damage or interference.
- (2) The Minister must hold an inquiry for the purpose of determining whether the Minister should make an order under this regulation with respect to a particular person.
- (3) The Minister must, in connection with the operation of subregulation (2), give the person against whom an order is under consideration written notice of the time and place at which the Minister intends to hold the inquiry.
- (4) The period of written notice under subregulation (3) must be not less than 14 days.
- (5) However—
 - (a) if the Minister cannot ascertain the whereabouts of a person for the purposes of subregulation (3) after making reasonable inquiries, the Minister may give the written notice by publishing the notice in a newspaper circulating generally throughout the State; and
 - (b) the Minister is not required to give written notice under subregulation (3) in the case of an adjournment.
- (6) An exclusion order may ban the respondent from—
 - (a) boarding or travelling on—
 - (i) specified classes of public transport; or
 - (ii) all public transport other than as specified by the order; or
 - (iii) all public transport;
 - (b) entering or remaining on—
 - (i) specified prescribed premises; or
 - (ii) specified classes of prescribed premises; or
 - (iii) all prescribed premises other than as specified by the order; or
 - (iv) all prescribed premises.
- (7) An exclusion order must be served on the respondent personally and is not binding on the respondent until it has been so served.
- (8) Subject to subregulation (11), an exclusion order will operate for a period, not exceeding 6 months, determined by the Minister (which may be expressed to commence at the time of service).
- (9) The Minister may, at any time—
 - (a) vary an exclusion order; or
 - (b) revoke an exclusion order.
- (10) However, the Minister must, before varying an exclusion order, comply with the requirements for making an order unless the variation is favourable to the respondent.
- (11) The Minister may, for reasonable cause—
 - (a) extend the period of operation of an exclusion order, including beyond the expiration of the period of 6 months referred to in subregulation (8);

- (b) renew an exclusion order, including after the expiry of the period of 6 months referred to in subregulation (8).
- (12) If—
 - (a) an exclusion order is varied; or
 - (b) the period of operation of an exclusion order is extended; or
 - (c) an exclusion order is renewed,a copy of the order as varied, extended or renewed must be served on the respondent personally and until so served—
 - (d) the variation, extension or renewal is not binding on the respondent; but
 - (e) the order as in force prior to the variation, extension or renewal continues to be binding on the respondent (unless the order expires).
- (13) A person who contravenes an exclusion order is guilty of an offence.
Maximum penalty: \$2 500.
Expiation fee: \$210.

134—Lost property

- (1) A passenger who finds property on a public passenger vehicle must deliver it to the driver.
- (2) The driver of a public passenger vehicle must at the conclusion of each shift carefully examine the vehicle for property that may have been left in the vehicle.
- (3) The driver of a public passenger vehicle in which lost property is found must—
 - (a) in the case of property found in a vehicle that is participating in a centralised booking service—
 - (i) immediately notify the centralised booking service that the property has been found; and
 - (ii) as soon as is reasonably practicable (and in any event within 48 hours), deliver the property to the operator of the centralised booking service or to an approved collection agent;
 - (b) in any other case—as soon as is reasonably practicable (and in any event within 48 hours), deliver the property to the operator of the service, or to an approved collection agent.
- (4) A driver must ensure that property delivered under subregulation (3) is accompanied by a written notice, in a form determined by the Minister, signed by the driver, setting out—
 - (a) the licence or registration number of the vehicle on which the property was found; and
 - (b) the day on which, and the time at which, the property was found; and
 - (c) the driver's name and identification number; and
 - (d) other details determined by the Minister (if any).
- (5) If the property is delivered to an operator under subregulation (3), the operator must—
 - (a) make a record of the delivery of the property; and
 - (b) immediately, in a manner and form determined by the Minister, notify the Minister of the delivery of the property; and

- (c) unless the operator has in turn delivered the property to an approved collection agent—
 - (i) ensure that reasonable steps are taken to locate the owner of the property, and to return it to him or her; and
 - (ii) deliver the property to a person who provides reasonable proof of an entitlement to the property, or otherwise satisfies the person that he or she is entitled to the property; and
 - (iii) ensure that the property is kept in a secure place until the property is claimed, or able to be disposed of under this regulation; and
 - (iv) make a record when or if it is disposed of under this regulation; and
 - (v) until the property is disposed of, provide, in a manner and form determined by the Minister, a weekly report to the Minister.
- (6) An operator to whom property is delivered under subregulation (3) must retain possession of the property for 2 days (unless the property is returned to its owner in the meantime), and may then, at the operator's discretion, deliver it to an approved collection agent.
- (7) An approved collection agent must, in relation to property delivered to it under this regulation—
 - (a) make a record of the delivery of the property; and
 - (b) immediately, in a manner and form determined by the Minister, notify the Minister of the delivery of the property; and
 - (c) ensure that reasonable steps are taken to locate the owner of the property, and to return it to him or her; and
 - (d) deliver the property to a person who provides reasonable proof of an entitlement to the property, or otherwise satisfies the approved collection agent that he or she is entitled to the property; and
 - (e) ensure that the property is kept in a secure place until the property is claimed, or able to be disposed of under this regulation; and
 - (f) make a record when or if it is disposed of under this regulation; and
 - (g) as required by the Minister, provide reports to the Minister in relation to the property.
- (8) If an operator or approved collection agent still has custody of lost property after 2 months, he or she may—
 - (a) return it to the driver of the relevant vehicle; or
 - (b) sell it by public auction, or otherwise sell or dispose of it in a manner approved by the Minister; or
 - (c) with the approval of the Minister—retain it for his or her own use.
- (9) An operator who sells property under subregulation (8) is entitled to retain the proceeds of sale.
- (10) The proceeds from the sale of property by an approved collection agent will be dealt with in a manner determined by agreement between the Minister and the approved collection agent.

- (11) If a person informs the operator of a passenger transport service that the person has lost an item of property on a vehicle used for the purposes of that service, the operator must take reasonable steps to locate the property and to return it to the person.
- (12) If a person informs the operator of a centralised booking service that the person has lost an item of property on a vehicle participating in the service, and the operator does not have possession of the property under subregulation (3), and has not delivered the property to an approved collection agent under subregulation (6), the operator must—
 - (a) place a call over the network asking whether the property has been found; and
 - (b) if the property is not located within 24 hours, repeat the call.
- (13) An administration fee, of an amount determined by the Minister, may be charged before lost property is returned to its owner under this regulation.
- (14) In this regulation—

approved collection agent means a person appointed by the Minister to establish and maintain a central repository for the collection, storage and handling of lost property;

owner of property includes a person lawfully entitled to possession of the property.
- (15) This regulation does not apply in relation to property lost on a regular passenger service vehicle.

Note—

Division 2 Subdivision 2 contains provisions relating to property left on regular passenger service vehicles.

Part 5—Vehicle standards and inspections

Division 1—Vehicle standards

135—Maximum age of vehicles

- (1) A person must not use a vehicle for the purposes of a passenger transport service if the vehicle is—
 - (a) in the case of—
 - (i) a metropolitan taxi; or
 - (ii) a vehicle being used for the purposes of a service operated under—
 - (A) a Small Passenger Vehicle (Metropolitan) Accreditation; or
 - (B) a Small Passenger Vehicle (Special Purpose) Accreditation,(other than a motor cycle or an off-road vehicle that is being used wholly or predominantly for travel outside Metropolitan Adelaide),
more than 6 years and 6 months old; or
 - (b) in the case of—
 - (i) a country taxi; or
 - (ii) a vehicle being used for the purposes of a service operated under—
 - (A) a Small Passenger Vehicle (Traditional) Accreditation; or
 - (B) a Small Passenger Vehicle (Non-Metropolitan) Accreditation; or

- (iii) a motor cycle; or
 - (iv) an off-road vehicle that is being used wholly or predominantly for travel outside Metropolitan Adelaide,
more than 15 years old; or
 - (c) in any other case—more than 25 years old.
- (2) However—
 - (a) subject to subregulations (3), (4) and (5), the Minister may approve the use of an older vehicle—
 - (i) if the Minister is satisfied—
 - (A) that the vehicle is in a condition that at least equals the original standard or condition of the vehicle; and
 - (B) that it is an integral part of the person's business that a vehicle or vehicles of the age or period of the particular vehicle be used; and
 - (C) that the vehicle is suitable for use when assessed against the plan of operation for the relevant service and appropriate standards for passenger safety and service; and
 - (D) that the vehicle satisfies any other criteria determined by the Minister for the purposes of this subparagraph; or
 - (ii) in the case of a vehicle being used wholly or predominantly for a regular passenger service—if the Minister is satisfied that the vehicle meets appropriate standards for passenger safety and comfort determined by the Minister; or
 - (iii) if the Minister is satisfied that there is some other exceptional circumstance that justifies an exemption under this regulation; and
 - (b) Subregulation (1) does not apply to a vehicle drawn by an animal.
- (3) The Minister cannot grant an approval under subregulation (2)(a) in relation to—
 - (a) —
 - (i) a taxi; or
 - (ii) a vehicle used (or to be used) for the purposes of a service operated under a Small Passenger Vehicle (Metropolitan) Accreditation,
other than where the vehicle is specifically designed or adapted to carry persons who use wheelchairs, scooters or other large (ride-on) mobility aids; or
 - (b) a vehicle being used wholly or predominantly for a regular passenger service that is more than 30 years old.
- (4) The Minister may, in granting an approval in respect of a vehicle under subregulation (2)(a), specify an age or date beyond which the vehicle will not be granted further approvals under this regulation.
- (5) The Minister may, for the purposes of this regulation, specify an age beyond which vehicles of a specified class will not be granted approvals under this regulation.

136—Vehicle design—left-hand drive vehicles

For the purposes of section 27(2)(a)(ii) of the Act, a person cannot use a left-hand drive vehicle for the purposes of a passenger transport service unless the vehicle was being used for those purposes immediately before 17 June 1999.

137—Airconditioning

- (1) A vehicle first used for the purposes of a taxi service on or after 1 August 1994 must be fitted with an airconditioner that complies with standards determined by the Minister.
- (2) A vehicle first used for the purposes of a chauffeured vehicle service on or after 1 February 1998 must be fitted with an airconditioner in good working order.
- (3) Subregulation (2) does not apply to—
 - (a) a vehicle that does not have airconditioning fitted as a standard feature; or
 - (b) a vehicle excluded from the operation of that subregulation by determination of the Minister.

Division 2—Inspections and reporting of accidents**138—Inspections**

- (1) For the purposes of section 54(5) of the Act, the following periods are prescribed:
 - (a) for a metropolitan taxi—a period of 6 months, calculated from the last day of the month in which the taxi was last inspected under section 54 of the Act;
 - (b) for a country taxi—a period of 12 months, calculated from the last day of the month in which the vehicle was last inspected under section 54 of the Act;
 - (c) for a vehicle used for the purposes of a chauffeured vehicle service—
 - (i) if the service is operated under a Small Passenger Vehicle (Metropolitan) Accreditation—a period of 6 months;
 - (ii) in any other case—a period of 12 months, calculated from the last day of the month in which the vehicle was last inspected under section 54 of the Act;
 - (d) for any other kind of vehicle—a period of 12 months, calculated from the last day of the month in which the vehicle was last inspected under section 54 of the Act.
- (2) For the purposes of section 54(6) of the Act, the form set out in Schedule 4 is prescribed as the form for a certificate of inspection.
- (3) A person who issues a certificate of inspection in relation to a vehicle must also note on the certificate—
 - (a) the number of engine cylinders for the vehicle; and
 - (b) the wheelbase dimension of the vehicle; and
 - (c) in the case of a taxi—the size of the tyres that are fitted to the vehicle; and
 - (d) the time at which the inspection is completed.
- (4) For the purposes of section 54(17)(c) of the Act, the following circumstances are prescribed:
 - (a) that the person has ceased to be a fit and proper person to act as an approved vehicle inspector;

- (b) that the person obtained his or her accreditation improperly;
- (c) that the person has, in the course of acting as an approved vehicle inspector, acted negligently or fraudulently;
- (d) that the person has breached, or failed to comply with, a code of practice established under section 54(17) of the Act;
- (e) that the person has breached, or failed to comply with, a condition to which the accreditation is subject;
- (f) that the Minister determines that it is appropriate for some other reason that the person's accreditation should be revoked.

139—Prescribed scheme of maintenance for buses

- (1) For the purposes of section 54(8) of the Act, the scheme of maintenance specified in section 15 of the Code is prescribed as a scheme of maintenance for buses.
- (2) The operator of a bus must—
 - (a) record on the appropriate form specified in Parts 1 to 4 of the First Schedule of the Code, in a clear and legible manner, particulars of all maintenance and repair work carried out on the bus that falls within the ambit of section 15 of the Code; and
 - (b) retain the record in South Australia in a form that permits quick and convenient reference—
 - (i) in the case of a record in the form of Part 1 of the First Schedule of the Code—for a period of not less than 6 months;
 - (ii) in the case of a record in the form of Part 2 of the First Schedule of the Code—for a period of not less than 12 months;
 - (iii) in any other case—for a period of not less than 3 years.

Maximum penalty: \$750.

Expiation fee: \$105.

- (3) The Minister may exempt a person from compliance with a provision of this regulation.
- (4) An exemption may be granted on conditions determined by the Minister and a person must not contravene or fail to comply with any such condition.
- (5) The Minister may, at any time—
 - (a) vary or revoke an exemption; or
 - (b) vary or revoke a condition of an exemption.
- (6) In this regulation—

Code means the *Code of Practice for Buses*, as amended and in force from time to time, and as recognised by the Minister for the purposes of these regulations;

operator has the same meaning as in section 54 of the Act.

140—Duty to facilitate inspections

A person who delivers a vehicle to an approved vehicle inspector for inspection under section 54 of the Act must comply with a direction given by the inspector to facilitate the inspection.

Maximum penalty: \$750.

Expiation fee: \$105.

141—Issue and display of inspection labels

- (1) An approved vehicle inspector who issues a certificate of inspection under section 54 of the Act must at the same time issue an inspection label in accordance with subregulation (2).
- (2) The inspection label must—
 - (a) be in a form, and be a colour, determined by the Minister; and
 - (b) indicate, in a manner determined by the Minister—
 - (i) the month during which the relevant certificate of inspection will expire through effluxion of time; or
 - (ii) in the case of a label issued with a temporary certificate—the time when the certificate will expire.
- (3) The operator of a vehicle to which section 54 of the Act applies must ensure that a valid inspection label for the vehicle is affixed to the inside or back surface of—
 - (a) the left side of the windscreen of the vehicle; or
 - (b) a pivoted or hinged ventilation window adjacent to the left side of the windscreen of the vehicle; or
 - (c) a fixed window adjacent to the left side of the windscreen of the vehicle,in a position where the entire front of the label faces towards, and is visible from, the front or left hand side of the vehicle, whenever the vehicle is used as a public passenger vehicle.

Maximum penalty: \$750.

Expiation fee: \$105.
- (4) A person must not provide or drive a public passenger vehicle for the purposes of a passenger transport service, other than a vehicle that does not require a certificate of inspection under section 54 of the Act, if—
 - (a) an inspection label is not affixed to the vehicle in the manner referred to in subregulation (3); or
 - (b) there is affixed to the vehicle an inspection label that has ceased to be in force, or that has been issued in respect of another vehicle; or
 - (c) an inspection label affixed to the vehicle has been altered, defaced, mutilated or added to; or
 - (d) the vehicle has affixed to it an imitation of an inspection label.
- (5) For the purposes of subregulation (4)(b), an inspection label will cease to be in force if the certificate of inspection issued in respect of the vehicle is no longer in force under section 54 of the Act.

- (6) The Minister or an approved vehicle inspector may, if satisfied that an inspection label issued under this section has been lost, destroyed, or rendered useless, issue a substitute label.
- (7) An authorised officer or an approved vehicle inspector may remove from a vehicle an inspection label that relates to a certificate of inspection that is no longer in force under section 54 of the Act.
- (8) This regulation does not apply with respect to a vehicle that is the subject of a certificate of inspection recognised by the Minister under section 54(19) of the Act.
- (9) This regulation does not apply with respect to a vehicle used as a public passenger vehicle immediately before the commencement of this regulation until the vehicle is first inspected under section 54 of the Act after the commencement of this regulation.
- (10) In this regulation—
operator has the same meaning as in section 54 of the Act.

142—Reporting of accidents involving taxis

- (1) If a taxi is involved in an accident, the operator of the taxi service must, within 2 business days, submit to the Minister a written report, in a form determined by the Minister, containing the following information:
 - (a) the date, time and place of the accident; and
 - (b) the circumstances of the accident; and
 - (c) particulars of injury to any passenger; and
 - (d) particulars of damage to the vehicle; and
 - (e) the name and identification number of the driver of the vehicle.

Maximum penalty: \$750.

Expiation fee: \$105.

- (2) If a taxi is damaged as a result of an accident so that the chassis, body, registration plates, or any sign required to be displayed on the vehicle, needs repairs or replacement, the operator of the service must ensure that the vehicle is not used to provide a passenger transport service, without the authority of the Minister or an authorised officer, until—
 - (a) the necessary repairs and replacements have been made; and
 - (b) the vehicle has been found on inspection by an approved vehicle inspector under section 54 of the Act to be free from defects.

Maximum penalty: \$750.

Expiation fee: \$105.

Part 6—Registration plates

143—Prescribed classes of vehicles

For the purposes of the definition of *prescribed vehicle* in section 63(1) of the Act, the following are prescribed:

- (a) taxis;
- (b) small passenger vehicles.

144—Defacing, lending and unauthorised use of registration plates

(1) A person must not—

- (a) deface, alter, mutilate or damage a registration plate; or
- (b) lend a registration plate to another person.

Maximum penalty: \$750.

Expiation fee: \$105.

(2) If a registration plate becomes defaced or damaged so that the numbers, letters or symbols on the plate are not distinctly legible, the person to whom it was issued must deliver it to an authorised officer or the Minister.

Maximum penalty: \$750.

Expiation fee: \$105.

(3) A person must not drive on a public street, a road or place a vehicle to which there is fitted a registration plate, or a plate the same as or closely resembling a registration plate, unless the plate or sign is fitted to the vehicle with the authority of the Minister.

Maximum penalty: \$750.

Expiation fee: \$105.

145—Seizure of registration plates unlawfully held

If a person has in his or her possession or custody a registration plate that the person is not entitled to hold, an authorised officer may seize and retain possession of it.

146—Surrender of registration plates

If—

- (a) a vehicle ceases to be entitled to bear registration plates; or
- (b) the person to whom registration plates are issued—
 - (i) ceases to hold an accreditation under Part 4 Division 1 of the Act; or
 - (ii) in the case of plates issued for a metropolitan taxi—ceases to hold a taxi licence for the taxi,

the person to whom the plates were issued must deliver the plate to the Minister or an authorised officer within 2 business days of the relevant event.

Maximum penalty: \$750.

Expiation fee: \$105.

147—Loss or theft of registration plates

(1) If a registration plate is lost or stolen, the person to whom it was issued must—

- (a) within 2 business days, give written notice of the loss or theft to the Minister; and
- (b) verify the loss or theft by statutory declaration if the Minister so requests.

Maximum penalty: \$750.

Expiation fee: \$105.

(2) If a registration plate the loss or theft of which has been reported in accordance with subregulation (1) is recovered by the person to whom it was issued, that person must—

- (a) immediately notify the Minister of the recovery; and

- (b) if another plate has been issued in substitution for the lost or stolen sign—deliver the recovered plate to the Minister.

Maximum penalty: \$750.

Expiation fee: \$105.

Part 7—Miscellaneous

148—Fees

- (1) The fees set out in Schedule 1 are payable as specified in that Schedule.
- (2) The Minister may, on application, in the Minister's discretion, waive payment of the whole or a part of a fee, or refund a fee (in whole or in part).

149—Minister may determine fares, charges etc for regular passenger services

- (1) The Minister may—
 - (a) determine the fares, charges and other arrangements for remuneration (including the mode of computing fares, charges or other rates of remuneration) to be paid by a person for a service provided by the operator of a regular passenger service; and
 - (b) provide for the collection or payment of such fares, charges or other remuneration; and
 - (c) determine the form of any ticket, pass or identification or concession card for the purposes of the Act.
- (2) The Minister must ensure that notice of a determination under subregulation (1) is published in the Gazette.

150—Fares for passenger transport services (other than taxi services or regular passenger services)

- (1) The operator of a passenger transport service (other than a taxi service or regular passenger service) must ensure that a person who engages a vehicle is aware of the cost of the service, or the basis for the calculation of the cost of the service, before the relevant journey begins.
- (2) The cost of a passenger transport service (other than a taxi service or regular passenger service) must be—
 - (a) a fixed amount determined before the relevant journey begins; or
 - (b) a cost determined according to 1 or more of the following:
 - (i) a rate per kilometre;
 - (ii) a rate per hour;
 - (iii) a rate per day;
 - (iv) a rate per passenger;
 - (v) a rate approved by the Minister.
- (3) An operator of a passenger transport service (other than a taxi service or regular passenger service) may also charge—
 - (a) a booking fee; and
 - (b) a fee for the alteration or cancellation of a booking.

151—Codes of practice

For the purposes of Part 4 of the Act, the codes of practice set out in Schedule 5 are prescribed.

152—Keeping of records

Subject to an express provision in these regulations, a person must retain a record required to be kept by the person under the Act or these regulations for—

- (a) in the case of a work sheet—a period of not less than 6 months after the date of the last entry in it;
- (b) in any other case—a period of not less than 2 years after the date of the last entry in it,

and must, if required by the Minister to do so by notice in writing, produce it for inspection or deliver it to the Minister.

Maximum penalty: \$750.

Expiation fee: \$105.

153—Minister may require various notices etc to be fitted

The Minister may require that public passenger vehicles display or be fitted with such notices, signs, equipment or other devices or fittings as the Minister thinks fit.

154—Power of Minister to dispense with certain requirements

A requirement or condition under—

- (a) Division 1, Division 2 or Division 3 of Part 2 of these regulations; or
- (b) Part 3 of these regulations,

may, in respect of a particular person, or a person of a class determined by the Minister, be dispensed with according to the discretion of the Minister.

155—Service

- (1) A notice or document required or authorised by or under the Act to be given to or served on a person may—
 - (a) be served on the person personally; or
 - (b) be posted in an envelope addressed to the person—
 - (i) at the person's last known address; or
 - (ii) if the person holds an accreditation under Part 4 of the Act—at the person's address for service; or
 - (c) if the person holds an accreditation under Part 4 of the Act—be left for the person at the person's address for service with someone apparently over the age of 16 years; or
 - (d) be transmitted by fax to a fax number provided by the person (in which case the notice or document will be taken to have been given or served at the time of the transmission).
- (2) The address for service of an accredited person is the address of which the Minister has been last notified in writing by the person as the person's address for service.

- (3) Without limiting the effect of subregulation (1), a notice or other document required or authorised to be given or sent to, or served on, a person for the purposes by or under the Act may, if the person is a company or registered body within the meaning of the *Corporations Act 2001* of the Commonwealth, be served on the person in accordance with that Act.

156—Evidentiary provision

In proceedings for an offence against these regulations, a certificate apparently signed by the Minister and certifying as to an act or decision of the Minister, constitutes proof, in the absence of proof to the contrary, of the matters stated in the certificate.

Schedule 1—Fees

- 1 Application fee for an accreditation under the Act—
 - (a) in respect of an accreditation under Part 4 Division 1—
 - (i) unless (ii) or (iii) applies \$356
 - (ii) in the case of a Small Passenger Vehicle (Traditional) Accreditation, a Small Passenger Vehicle (Special Purpose) Accreditation, a Small Passenger Vehicle (Non-Metropolitan) Accreditation or a Country Taxi Accreditation \$356 plus \$72 for each vehicle that will initially be used for the purposes of a service operated under the accreditation
 - (iii) in the case of a Small Passenger Vehicle (Metropolitan) Accreditation \$356 plus \$1 608 for each vehicle that will initially be used for the purposes of a service operated under the accreditation
 - (b) in respect of an accreditation under Part 4 Division 2 \$150
 - (c) in respect of an accreditation under Part 4 Division 3 \$796
- 2 Periodical fee payable under section 33(1)(b) of the Act—for each prescribed period (see regulation 8(1))—
 - (a) in respect of an accreditation under Part 4 Division 1—
 - (i) unless (ii) or (iii) applies \$356
 - (ii) in the case of a Small Passenger Vehicle (Traditional) Accreditation, a Small Passenger Vehicle (Special Purpose) Accreditation, a Small Passenger Vehicle (Non-Metropolitan) Accreditation or a Country Taxi Accreditation \$356 plus \$72 for each vehicle used (or available for use) for the purposes of a service operated under the accreditation (as at the end of the relevant period)
 - (iii) in the case of a Small Passenger Vehicle (Metropolitan) Accreditation \$356 plus \$1 608 for each vehicle used (or available for use) for the purposes of a service operated under the accreditation (as at the end of the relevant period)
 - (b) in respect of an accreditation under Part 4 Division 3 \$796
- 3 Penalty for a default under section 33(2) of the Act \$48
- 4 Renewal fee under section 34 of the Act—
 - (a) in respect of an accreditation under Part 4 Division 1—
 - (i) unless (ii) or (iii) applies \$356

	(ii)	in the case of a Small Passenger Vehicle (Traditional) Accreditation, a Small Passenger Vehicle (Special Purpose) Accreditation, a Small Passenger Vehicle (Non-Metropolitan) Accreditation or a Country Taxi Accreditation	\$356 plus \$72 for each vehicle used (or available for use) for the purposes of a service operated under the accreditation at the time of renewal
	(iii)	in the case of a Small Passenger Vehicle (Metropolitan) Accreditation	\$356 plus \$1 608 for each vehicle used (or available for use) for the purposes of a service operated under the accreditation at the time of renewal
	(b)	in respect of an accreditation under Part 4 Division 2	\$150
	(c)	in respect of an accreditation under Part 4 Division 3	\$796
5		Application to vary an accreditation under Part 4 Division 2	\$150
6		Notification to the Minister of—	
	(a)	the introduction of a vehicle to a service—	
	(i)	unless (ii) or (iii) applies	\$17
	(ii)	in the case of a vehicle used for the purposes of a service operated under a Small Passenger Vehicle (Traditional) Accreditation, a Small Passenger Vehicle (Special Purpose) Accreditation, a Small Passenger Vehicle (Non-Metropolitan) Accreditation or a Country Taxi Accreditation	\$72 per vehicle
	(iii)	in the case of a vehicle used for the purposes of a service operated under a Small Passenger Vehicle (Metropolitan) Accreditation	\$1 608 per vehicle
		However, if a vehicle is introduced to a service operated under an accreditation referred to in subparagraph (ii) or (iii) during a prescribed period for that accreditation under regulation 8(1) the fee payable under subparagraph (ii) or (iii) may be adjusted on a pro rata basis by applying the proportion that the number of months that are left to run to the end of that prescribed period bears to 12 months (on the basis that parts of a month count as a full month)	
	(b)	the withdrawal of a vehicle from a service	\$17
7		Application fee for a licence under Part 6 of the Act—	
	(a)	in respect of a special vehicle licence	\$117
	(b)	in respect of any other kind of licence	\$268
8		Renewal fee under Part 6 of the Act—	
	(a)	in respect of a special vehicle licence	\$117
	(b)	in respect of any other kind of licence	\$268
9		Application fee for the consent of the Minister under section 49 of the Act	\$78
10		Application fee for consent to the substitution of another vehicle for a licensed taxi	\$34
11		Fee for issue of a duplicate of an accreditation or licence that has been lost etc	\$48

12	Prescribed fee under section 54 of the Act—	
	(a) for a first inspection	\$81
	(b) for a subsequent inspection (if necessary)	\$59
13	Tender fee for the purposes of Schedule 1	\$31

Schedule 2—Taxi licence allocation procedure

1—Interpretation

- (1) In this Schedule—
beneficiary includes—
 - (a) the object of a discretionary trust; or
 - (b) a person who will take or acquire an interest in default of an appointment under a discretionary trust.
- (2) For the purposes of this Schedule, a *person has an interest in a tender* if—
 - (a) the person is a tenderer under the tender; or
 - (b) the person and a tenderer under the tender are close associates.
- (3) For the purposes of this Schedule, 2 persons are *close associates* if—
 - (a) they are related corporations for the purposes of the *Corporations Act 2001* of the Commonwealth; or
 - (b) they are in partnership; or
 - (c) one is an agent of the other; or
 - (d) one is a body corporate and the other is a director of the body corporate; or
 - (e) they are both trustees or beneficiaries of the same trust or one is a trustee and the other is a beneficiary of the same trust; or
 - (f) a chain of relationships can be traced between them under any 1 or more of the above paragraphs.

2—Call for tenders

- (1) The Minister must, at least 1 month before tenders close, by advertisement in 2 newspapers circulating generally throughout the State, call for tenders for such number of taxi licences as the Minister has determined will be issued according to the results of the tender.
- (2) An advertisement under subclause (1) must—
 - (a) fix a time and date on which tenders close; and
 - (b) specify the maximum number of taxi licences that the Minister has determined that the Minister will issue according to the results of the tender; and
 - (c) specify the kind or grade and the term of taxi licences that will be issued according to the results of the tender; and
 - (d) require all tenders—
 - (i) to be made in a manner and form determined by the Minister (and specified in the advertisement); and

- (ii) to comply with other requirements imposed by the Minister for the purposes of the tender (and specified in the advertisement or contained in a document referred to in the advertisement and made reasonably available to interested persons by the Minister); and
 - (iii) to be accompanied by the tender fee specified in the advertisement,
- and may include other information determined by the Minister as being appropriate in the particular circumstances.

3—Close of tenders

Tenders will close at the time and date specified in the advertisement.

4—Process for dealing with tenders

- (1) The Minister must provide a locked box into which tenders are to be deposited.
- (2) Each tender must—
 - (a) be enclosed in an envelope provided by the Minister and deposited by the tenderers in the locked box provided by the Minister for that purpose; and
 - (b) be otherwise made in the manner and form determined by the Minister and comply with any other requirements imposed by the Minister (see clause 2(2)(d)); and
 - (c) be accompanied by the tender fee specified in the advertisement.
- (3) There must be 1 tender per envelope.
- (4) The tender fee must be provided in the form of a bank cheque made payable in a manner specified by the Minister (unless otherwise permitted by the Minister).
- (5) The Minister must ensure that tenders deposited in the box are kept locked in the box until the close of tenders.
- (6) A person must not interfere with or remove a tender from the box prior to the close of tenders.
- (7) The Minister must appoint 2 persons to carry out the process of determining the successful tenderers.
- (8) At the close of tenders, 1 of the persons appointed by the Minister must—
 - (a) open the locked box; and
 - (b) remove each of the envelopes from the box, taking each 1 singly and at random; and
 - (c) after removing each envelope from the box, open the envelope and hand the contents to the other person.
- (9) At the close of tenders, the other person must—
 - (a) prepare a schedule of tenderers; and
 - (b) on receiving the contents of each envelope, enter in the schedule—
 - (i) the name of the tenderer; and
 - (ii) alongside the name, the amount tendered,arranging the entries in the schedule in the order in which the envelopes containing the tenders were removed from the box; and
 - (c) when all tenders have been removed from the box and the schedule of tenderers has been completed, examine each tender and the schedule of tenderers.

- (10) The 2 persons appointed by the Minister may reject any tender that does not comply with a requirement imposed by this Schedule, or by the Minister for the purposes of the tender.
- (11) If a tender is rejected under subclause (10) —
 - (a) an entry recording that fact must be made in the schedule of tenderers; and
 - (b) the tender will be disregarded for the purposes of the remaining provisions of this Schedule.
- (12) If only 1 licence is to be issued—
 - (a) the amount payable for the licence is an amount equal to the highest amount tendered; and
 - (b) the successful tenderer will be the person who tendered an amount equal to the highest amount.
- (13) If only 1 licence is to be issued and more than one person tendered an amount equal to the highest amount, of the persons who tendered an amount equal to the highest amount, the person whose tender was removed from the box first will be the successful tenderer.
- (14) If more than 1 licence is to be issued and the number of tenderers is equal to the number of licences to be issued—
 - (a) each tenderer is a successful tenderer; and
 - (b) the amount payable for a licence is the amount tendered.
- (15) If the number of tenderers exceeds the number of licences to be issued, the following provisions apply:
 - (a) 1 of the persons appointed by the Minister under subclause (7) must prepare a schedule of tenders and enter in the schedule—
 - (i) the amount of each tender commencing with the highest amount tendered; and
 - (ii) alongside each tender, the name of the tenderer;
 - (b) if more than 1 person tendered the same amount, the order in which the names of those tenderers are entered in the schedule will be determined according to the order in which their tenders were removed from the box;
 - (c) the persons whose names appear first on the schedule, having regard to the number of licences to be issued, will be the successful tenderers;
 - (d) the amount payable for a licence by a successful tenderer is the amount tendered by that person.
- (16) The Minister must serve on each person who is a successful tenderer notice in writing requiring the person—
 - (a) to pay to the Minister—
 - (i) within 7 days of receipt of the notice, a deposit of 10% of the amount tendered; and
 - (ii) within 28 days of receipt of the notice, the balance of the amount tendered and the appropriate licence fee under item 7 of Schedule 1; and
 - (b) if the person is not an accredited person of the appropriate kind—to obtain the necessary accreditation within 28 days of receipt of the notice.

- (17) If 1 or more successful tenderers fail to comply with a requirement of the notices served under subclause (16)—
- (a) in respect of the tender, or each or any tender, to which the failure relates—the tender will, subject to any determination or allowance of the Minister, be taken to be withdrawn; and
 - (b) the Minister may, at the Minister's discretion, treat as successful tenderers one or more of the tenderers (if any) whose names next appear on the schedule of tenders after the names of all other successful tenderers and accordingly serve further notices under subclause (16) on those further successful tenderers.
- (18) The Minister may, in connection with the operation of subclause (17), require a person whose name appears on the schedule of tenders and who may be eligible to be treated as a successful tenderer under to furnish to the Minister within a time specified by the Minister such information, verified by statutory declaration, as the Minister may require to determine whether the person has had an interest in a tender for an amount equal to, or greater than, the amount of the relevant tender and if a person fails to provide that information in accordance with the requirements of the Minister or if the Minister determines that the person has had an interest in such a tender and the tender is a tender that has been taken to be withdrawn under subclause (17)(a) then the Minister may, if the Minister thinks fit, determine that the person will not be treated as a successful tenderer under subclause (17)(b) (and that determination will have effect according to its terms).
- (19) If a person on whom notice has been served under subclause (16)—
- (a) complies with the notice; and
 - (b) satisfies the Minister that he or she is eligible to hold a taxi licence under the Act and these regulations,
- a taxi licence may be issued to the person.
- (20) A person is not entitled to a refund of a tender fee if the tender is rejected, withdrawn or unsuccessful under this Schedule.

Schedule 3—Maximum fares (metropolitan taxis)

1—Journeys ending in Metropolitan Adelaide

- (1) For a journey by metropolitan taxi within Metropolitan Adelaide and for a journey by metropolitan taxi that begins and ends in Metropolitan Adelaide, the fare must not exceed the sum of the following:
- (a) flagfall—
 - (i) on tariff 1 \$3.00
 - (ii) on tariff 2 \$4.70
 - (b) for the distance travelled—
 - (i) on tariff 1—for every 66.93 metres or part \$0.10
 - (ii) on tariff 2—for every 61.06 metres or part \$0.10
 - (c) for waiting time after the commencement of the hiring—
 - (i) on tariff 1—for each period of 10.68 seconds \$0.10
 - (ii) on tariff 2—for each period of 10.68 seconds \$0.10

- (2) Tariff 2 may be applied for any hiring commenced between the hours of 7 pm on Monday to Thursday inclusive and 6 am on the following day, or between the hours of 7 pm on Friday and 6 am on the following Monday, or during a public holiday.
- (3) Tariff 1 applies for all other hirings.

2—Journeys ending outside the Metropolitan Adelaide

- (1) For a journey by metropolitan taxi that begins in Metropolitan Adelaide and ends outside that area, the fare must be determined by contract between the hirer and the driver but must not exceed \$0.97 per kilometre calculated on the forward and return journey plus waiting time at the rate of \$0.10 for each period of 10.68 seconds.
- (2) The hirer must, if requested to do so by the driver, pay the estimated fare in advance.
- (3) If at the conclusion of the forward journey the hirer requests the driver to wait and pays the fare for the forward journey plus the estimated waiting time at the rate of \$0.10 for each period of 10.68 seconds up to a limit of 2 hours, the driver must comply with the request and complete the journey at the contract rate.
- (4) The hirer must pay for all meals and accommodation expenses necessarily incurred by the driver in the journey but time spent during meals or rest periods must not be calculated as waiting time.
- (5) Unless otherwise agreed, the flagfall specified in clause 1 applies to any such journey.

3—Journeys from Adelaide Airport T1 Airport Terminal

For a journey by metropolitan taxi that begins at the taxi rank of the "T1 Airport Terminal" on Andy Thomas Circuit at Adelaide Airport, the fare may include an additional amount of \$2 if a service fee of that amount has been charged to the taxi for entering that taxi rank.

4—Multiple hirings

If a metropolitan taxi is used to carry a number of passengers at the same time under separate hirings, the fare for any of the hirers must not exceed 75% of the fare as recorded on the taxi-meter on reaching that hirer's destination.

5—Special services

The fare for—

- (a) a metropolitan taxi that is used to provide a premium service approved by the Minister for the purposes of this clause; or
- (b) a metropolitan taxi that is used for the conveyance of a bridal party and that is specially prepared for the occasion; or
- (c) a metropolitan taxi that is used for the conveyance of a person in a funeral procession,

may, if the taxi is engaged under a prearranged hiring and the parties agree, be a fare determined by contract.

Schedule 4—Forms

1—Certificate of inspection under section 54 of the Act

VEHICLE INSPECTION REPORT						Reg'n No.																																																																																
Owner's Name: _____																																																																																						
Address: _____ _____																																																																																						
Taxi Meter: _____ Make of Meter: _____ Model: _____ Serial No.: _____																																																																																						
Compliance Plate No.: _____				Odometer Reading: _____																																																																																		
Chassis No.: _____				Make: _____																																																																																		
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WHITE COPY – PASSENGER TRANSPORT BOARD, YELLOW COPY – INSPECTION STATION, PINK COPY – OPERATOR.

CONDITIONS APPLICABLE TO CERTIFICATE OF INSPECTION

VEHICLES INSPECTED UNDER SECTION 54 OF THE PASSENGER TRANSPORT ACT, 1994
OR

VEHICLES INSPECTED UNDER PART IVA OF THE ROAD TRAFFIC ACT, 1961.

CONDITIONS OF INSPECTION

1. The inspection to which this report refers is visual only and does not include defects or conditions that may be found by dismantling parts, components etc.
2. The report applies only to the condition of the vehicle at the time of inspection, and no liability is accepted for defects or conditions that occur following this inspection.

OPERATORS COPY

The following information is relevant if faults have been identified:

The items listed over page as 'faults' must be rectified before re-inspection.

This certificate will only be temporary certificate until those faults are rectified.

Important: If faults have been identified, this form is evidence that the vehicle has previously been inspected and the re-inspection fee will apply.

It is important that form is handed to the Inspector when the vehicle is re-inspected, or the first inspection fee will be charged.

Schedule 5—Codes of practice

1—Bus operators

The operator of a passenger transport service involving the use of 1 or more buses must—

- (a) treat customers with politeness, courtesy, helpfulness and honesty; and
- (b) observe and promote truth in advertising; and
- (c) deal promptly and courteously with complaints by passengers and other members of the public, and respond promptly to complaints directed from the Minister; and
- (d) employ only appropriately accredited drivers, of a general calibre capable of meeting the needs of customers; and
- (e) ensure that drivers are aware of, and abide by, the code of practice for drivers; and
- (f) promote customer awareness of any authorised star rating system for vehicles, and indicate the rating of his or her vehicles in promotion material, and on the vehicles; and
- (g) keep a vehicle as clean as possible when used for carrying passengers for hire or reward; and
- (h) not engage in dishonest or dishonourable conduct in relation to a service, or in relation to the accreditation, and not permit an employee or agent of the operator to do so; and
- (i) at all times comply with policies determined by the Minister directed at promoting service to the public; and

- (j) provide an area of off-street parking adequate to park the number of vehicles under the control of the operator; and
- (k) provide an adequate area and standard of undercover maintenance facilities and equipment in order to garage, service and maintain the vehicles used for the purposes of the service, or else have ready access to an appropriate repair workshop; and
- (l) monitor staff performance and assist in the provision of appropriate skill enhancement training and promote the themes of courtesy, safety and professional service among staff; and
- (m) ensure trip times that do not force drivers to travel in excess of lawful speed limits and enable drivers to abide by any statutory limits on the periods for which a person may drive a vehicle; and
- (n) ensure that all on and off road equipment is correctly maintained, is safe to operate and is appropriately licensed as required; and
- (o) have regard to existing laws about not discriminating against a person because of the person's sex, race, disability, age, marital status, sexuality or pregnancy; and
- (p) be particularly sensitive to the needs of people with disabilities.

2—Small passenger vehicle operators

The operator of a passenger transport service involving the use of 1 or more small passenger vehicles must—

- (a) treat customers with politeness, courtesy, helpfulness and honesty; and
- (b) observe and promote truth in advertising; and
- (c) deal promptly and courteously with complaints by passengers and other members of the public, and respond promptly to complaints directed from the Minister; and
- (d) employ only appropriately accredited drivers, of a general calibre capable of meeting the needs of customers; and
- (e) ensure that drivers are aware of, and abide by, the code of practice for drivers.
- (f) strive to keep a vehicle as clean as possible when used for carrying passengers for hire or reward; and
- (g) not engage in dishonest or dishonourable conduct in relation to a service or in relation to the accreditation, and not permit an employee or agent of the operator to do so; and
- (h) at all times comply with policies determined by the Minister directed at promoting service to the public; and
- (i) provide a standard pre-paid booking record to the public where applicable, with clear conditions for deposits and payments; and
- (j) refund cancellations of bookings in full, or less deposit and costs proportionate to the time elapsed between the time of booking and the time of the booked service, subject to the customer having been advised of cancellation costs in advance; and
- (k) not take bookings unless the operator is confident that the booking can be met; and

- (l) monitor staff performance and assist in the provision of appropriate skill enhancement training and promote the themes of courtesy, safety and professional service among staff; and
- (m) ensure that a driver who has worked for more than 5 hours in another job does not commence work as a driver without a break; and
- (n) ensure that all on and off road equipment is correctly specified and maintained, is safe to operate and is appropriately licensed as required; and
- (o) have regard to existing laws about not discriminating against a person because of the person's sex, race, disability, age, marital status, sexuality or pregnancy; and
- (p) be particularly sensitive to the needs of people with disabilities.

3—Taxi operators

The operator of a taxi service must—

- (a) treat customers with courtesy, helpfulness and honesty; and
- (b) keep a vehicle as clean as possible when used for carrying passengers for hire or reward; and
- (c) ensure that the vehicle is maintained to regulated standards of passenger comfort and safety, and is mechanically and bodily sound; and
- (d) deal promptly and courteously with complaints, including those directed from the Minister; and
- (e) prominently display on a vehicle information identifying the centralised booking service to which it belongs and the credit facilities that are accepted; and
- (f) not engage in dishonest or dishonourable conduct in relation to a service or in relation to the accreditation, and not permit a driver to do so; and
- (g) at all times comply with policies determined by the Minister directed at promoting service to the public; and
- (h) ensure that customers will have access to at least all credit facilities authorised by the centralised booking service; and
- (i) ensure that a sufficient supply of credit vouchers is available to the driver at the beginning of each shift; and
- (j) ensure that drivers are aware of the requirements of the relevant code of practice for drivers; and
- (k) not leave the membership of a centralised booking service before the operator has fulfilled all of his or her financial obligations to that service; and
- (l) have regard to existing laws about not discriminating against a person because of the person's sex, race, disability, age, marital status, sexuality or pregnancy; and
- (m) be particularly sensitive to the needs of people with disabilities; and
- (n) ensure that drivers are aware of the procedures to be followed in the event of an incident that requires the downloading of material from a security camera system, including where to take the taxi for that downloading to occur; and
- (o) ensure that the Minister and the relevant centralised booking service are informed when a security camera system is installed in the taxi, or transferred to another taxi.

4—Taxi drivers

A taxi driver must—

- (a) treat all customers with courtesy, helpfulness and honesty, and pay particular attention to the needs of the frail aged, disabled and children; and
- (b) take the shortest and/or most practicable route, unless the passenger requests otherwise; and
- (c) observe the laws that relate to safe driving; and
- (d) not take drugs as a means of overcoming fatigue, ensure that he or she does not have any concentration of alcohol in his or her blood while driving, and observe the laws that relate to driving under the influence of drugs; and
- (e) readily accept all credit vouchers authorised by any relevant centralised booking service; and
- (f) offer to put on the air conditioning on warm or hot days; and
- (g) accept all lawful requests for carriage, no matter what the distance; and
- (h) display current identification at all times inside the vehicle; and
- (i) keep the interior of the taxi clean and tidy; and
- (j) drive in a manner that will minimise wear and tear on the vehicle; and
- (k) have regard to existing laws about not discriminating against a person because of the person's sex, race, disability, age, marital status, sexuality or pregnancy; and
- (l) be particularly sensitive to the needs of people with disabilities; and
- (m) be honest, polite and patient in network communication and as far as possible, cooperate in the efficient and responsive processing of network bookings; and
- (n) check the vehicle for lost property at the end of each shift; and
- (o) ensure that any relevant centralised booking service is notified if a mobile telephone or other form of communications facility is installed in the taxi, used in conjunction with the taxi or otherwise used to book the taxi; and
- (p) not, if the driver has been issued a booking by the centralised booking service, pass the booking onto another driver except through the booking service; and
- (q) assist other drivers with disabled vehicles, particularly if the disabled vehicle is carrying a passenger; and
- (r) check that a security camera system fitted to the taxi is operating correctly before commencing a shift; and
- (s) not be available for hire, stand at a taxi-stand or accept a hiring if a security camera system fitted to the taxi is not operating correctly.
- (t) report any security related incident immediately if it is safe to do so; and
- (u) following a security related incident, comply with any direction of the Minister, a police officer, an authorised officer or other officer, or another person acting under the authority of the Minister.

5—General passenger service drivers

A general passenger service driver must—

- (a) treat customers with politeness, courtesy, helpfulness and honesty; and
- (b) observe the laws that relate to safe driving; and
- (c) ensure that he or she does not have any concentration of alcohol in his or her blood while driving, and observe the laws that relate to driving under the influence of drugs; and
- (d) strictly observe legal requirements relating to driving hours and rest periods; and
- (e) drive defensively in the interests of general public safety; and
- (f) ensure that any destination sign is accurate; and
- (g) be sensibly and safely dressed when dealing with customers, in a manner that will advance the image of the passenger transport industry; and
- (h) have regard to existing laws about not discriminating against a person because of the person's sex, race, disability, age, marital status, sexuality or pregnancy; and
- (i) be particularly sensitive to the needs of people with disabilities.

6—Centralised booking service operators

The operator of a centralised booking service must—

- (a) ensure that all customers and potential customers are treated in a courteous manner, and that complaints or enquiries are handled efficiently, honestly, responsibly and impartially; and
- (b) specify a uniform for its drivers that clearly shows the name of the service and complies with the following minimum standard:
 - (i) shirt: business style, collar attached in the approved service's colour;
 - (ii) trousers, skirts, jumpers, cardigans and jackets: as approved by the service;
 - (iii) shorts: conventional business style walk shorts can be worn but only with long sock worn pulled up;
 - (iv) shoes: black or brown leather, conventional style. Sandals and other footwear may be worn if approved by the service; and
- (c) regularly monitor the fleet to ensure that vehicles are kept clean and tidy, both inside and outside; and
- (d) not knowingly allow vehicles with serious defects to use the service; and
- (e) be familiar with and comply with all regulations set down from time to time under Commonwealth laws relating to radio and other forms of communication; and
- (f) ensure that all staff are adequately trained to carry out their respective duties; and
- (g) ensure that there are sufficient telephonists on duty at all times to enable each operator to acquire and record appropriate customer information; and
- (h) ensure that procedures are fair and equitable in the allocation of bookings and are non-discriminatory; and

- (i) ensure telephonists and dispatchers understand that it is unlawful to discriminate against a person because of the person's sex, race, disability, age, marital status, sexuality or pregnancy, and are particularly sensitive to the needs of people with disabilities; and
- (j) ensure that an accredited driver operating within the service is aware of the service's policies, initiatives or other matters relating to an efficient service to its customers; and
- (k) ensure that drivers and operators are aware of, and abide by their respective codes of practice; and
- (l) seek at all times to foster service to the public and promote the passenger transport industry as a whole; and
- (m) at all times observe and promote truth in advertising; and
- (n) take immediate disciplinary action against employees and drivers for serious breaches of customer service requirements; and
- (o) not accept an operator into membership of the service unless the operator has a clearance from the service that he or she has left. A decision regarding clearance should be finalised within 24 hours; and
- (p) put into place and observe a policy for ringing off work to ensure that all taxi customers are not disadvantaged; and
- (q) keep a record of all breaches of the drivers code in a register, and make that register available to the Minister, or to the driver, on request; and
- (r) undertake public awareness and education regarding the use of vehicles participating in the service; and
- (s) ensure that all dockets of the South Australian Transport Subsidy Scheme (SATSS dockets) are—
 - (i) thoroughly checked at the time of presentation by the driver, to ensure that the driver has actually carried out the work; and
 - (ii) tagged and recorded in such a manner that any information from that docket can be accessed quickly and accurately; and
 - (iii) returned to the operator if there are any obvious deletions or alterations, of if the docket is not legible; and
- (t) take all necessary steps to ensure that SATSS dockets are not being fraudulently or inappropriately lodged; and
- (u) appoint a Security Liaison Officer in connection with the installation and operation of security camera systems in taxis; and
- (v) provide a reasonable level of advice and assistance to operators and drivers in connection with the operation and maintenance of security camera systems installed in taxis; and
- (w) advise the relevant operator if a driver fails to comply with a procedure for the operation and use of a security camera system fitted in the taxi, or for the downloading of material or the provision of material to the police or the Minister; and

- (x) on request, provide a driver with information on where material can be downloaded from a security camera system fitted to a taxi following a security related incident; and
- (y) maintain a register of taxis fitted with security camera systems (including details of the registration number of the taxi, the kind of system installed, and other information determined by the Minister).

Schedule 6—Revocations and transitional provisions

1—Revocation of regulations

The following regulations are revoked:

- (a) the *Passenger Transport (General) Regulations 1994*;
- (b) the *Passenger Transport (Regular Passenger Services; Conduct of Passengers) Regulations 1994*;
- (c) the *Passenger Transport (Regular Passenger Services; Fares and Charges) Regulations 1994*.

2—Transitional provision relating to vehicle standards

The conditions specified by regulation 9(1)(o)(i), (p)(i), (q)(i) and (r) do not apply in relation to a vehicle that was being used for the purposes of a passenger transport service immediately before 1 February 1998 while the vehicle continues to be used for that purpose.

Note—

As required by section 10AA(2) of the *Subordinate Legislation 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's Deputy

with the advice and consent of the Executive Council
on 6 August 2009

No 215 of 2009

MTR09/040

South Australia

Passenger Transport Variation Regulations 2009

under the *Passenger Transport Act 1994*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Passenger Transport Regulations 2009*

- 4 Variation of regulation 11—Drivers—Eligibility
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Passenger Transport Variation Regulations 2009*.

2—Commencement

These regulations will come into operation immediately after the *Passenger Transport Regulations 2009* come into operation.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Passenger Transport Regulations 2009*

4—Variation of regulation 11—Drivers—Eligibility

Regulation 11(1)(c)—delete paragraph (c) and substitute:

- (c) that the person—
 - (i) is the holder of an appropriate driver's licence; and
 - (ii) in the case of a person who wants to drive a taxi—has been the holder of such a licence for a period of at least 6 months prior to applying for accreditation; and

Note—

As required by section 10AA(2) of the *Subordinate Legislation 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's Deputy

with the advice and consent of the Executive Council
on 6 August 2009

No 216 of 2009

MTR09/032

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CITY OF CAMPBELLTOWN

PUBLIC CONSULTATION

Periodical Review of Elector Representation

NOTICE is hereby given that the Council has undertaken a review to determine whether alterations are required in respect to elector representation, including ward boundaries and the composition of Council. As an outcome of this review, Council proposes to reduce the size of the Council to 11 members with a composition of the Mayor plus five wards of two Councillors and abolish the four Area Councillor positions.

Report

Council has prepared a report which details the review process, public consultation undertaken and the proposal Council considers could be carried into effect. A copy of this report is available from:

- Council's Office, 172 Montacute Road, Rostrevor;
- Campbelltown Library, 171 Montacute Road, Rostrevor;
- Athelstone Library, 338 Gorge Road, Athelstone;
- Council's Website, www.campbelltown.sa.gov.au; or
- By contacting the Manager Governance on 8366 9222.

Written Submissions

Written submissions are invited from interested persons and should be directed to the Chief Executive Officer, P.O. Box 1, Campbelltown, S.A. 5074 or email:

cityof@campbelltown.sa.gov.au,

to be received by 5 p.m. on Friday, 28 August 2009.

Any person(s) making a written submission will be given the opportunity to appear before a meeting of Council or Council Committee to be heard in support of their submission.

P. DI IULIO, Chief Executive Officer

CITY OF CHARLES STURT

DEVELOPMENT ACT 1993

*Charles Sturt (City) Development Plan—West Lakes Council
Depot Development Plan Amendment—Draft for Public
Consultation*

NOTICE is hereby given that the City of Charles Sturt has prepared a draft Development Plan Amendment to amend the Charles Sturt (City) Development Plan. The West Lakes Council Depot Development Plan Amendment affects land within the Special Uses Zone.

The Development Plan Amendment proposes to amend the Charles Sturt (City) Development Plan by:

- Incorporating the former depot site at the junction of Frederick Road and Lochside Drive within West Lakes Medium Density Policy Area 5 of the Residential Zone, to allow the site to be developed for medium density housing;
- Integrating future development with that of the adjacent Special Uses areas to the north and south.

The draft Development Plan Amendment will be available for public inspection and purchase during normal office hours at the Council Office, 72 Woodville Road, Woodville, and may be viewed on Council's web site at www.charlessturt.sa.gov.au and at West Lakes Library, corner West Lakes Boulevard and Brebner Drive, Monday to Wednesday and Friday, 8.30 a.m. to 5.30 p.m., Thursday, 8.30 a.m. to 8 p.m., Saturday, 9.15 a.m. to 5 p.m. and Sunday, 1.30 p.m. to 4.30 p.m., from 6 August 2009 to 8 October 2009. Copies of the Development Plan Amendment can be purchased from the Council office at \$10 each.

Written submissions regarding the draft amendment will be accepted by the City of Charles Sturt until 5 p.m. on 8 October 2009. The written submission should clearly indicate whether you will wish to speak at the public meeting on your submission. All submissions should be addressed to the Chief Executive, City of Charles Sturt, P.O. Box 1, Woodville, S.A. 5011, or by email to council@charlessturt.sa.gov.au.

Copies of all submissions received will be available for inspection by interested persons at the Council Office, 72 Woodville Road, Woodville, or on Council's website from 8 October 2009 until the date of the public meeting.

A public meeting, if requested, has been set for Monday, 2 November 2009 at 6 p.m. at Council's Civic Centre, 72 Woodville Road, Woodville.

Persons wishing to be heard at the Public Meeting are requested to indicate their intention in their submission. The public meeting may not be held if no submission indicates an interest in speaking at the public meeting.

Dated 6 August 2009.

M. WITHERS, Chief Executive

CITY OF MITCHAM

Change of Road Name

NOTICE is hereby given that in accordance with the provisions of section 219 (1) of the Local Government Act 1999, at the meeting held on 28 July 2009, Council resolved to rename the portion of Rowallan Road, Torrens Park, east of Carruth Road as shown in Deposited Plan 77632, to Lochwinnoch Road, to join up with the existing Lochwinnoch Road.

H. DYER, Chief Executive Officer

RURAL CITY OF MURRAY BRIDGE

Change of Road Names

NOTICE is hereby given that the Council of the Rural City of Murray Bridge at its meeting held on 27 July 2009, resolved pursuant to section 219 (1) of the Local Government Act 1999, that the name of a certain road be changed as follows:

Schenscher Road, Brinkley to be changed to Baker Road;

Sunnyside Drive to be changed to Clifftop Drive.

A plan delineating the roads subject to change of street name, together with a copy of Council's resolutions are available for inspection at the Local Government Centre, 2 Seventh Street, Murray Bridge, during normal business hours.

D. MOLONEY, Chief Executive Officer

RURAL CITY OF MURRAY BRIDGE

Change of Road Name

NOTICE is hereby given that the Council of the Rural City of Murray Bridge at its meeting held on 13 July 2009, resolved pursuant to section 219 (1) of the Local Government Act 1999, that the name of a certain road be changed as follows:

Carawatha Road, between Woolshed Road and Balanada Drive, be changed to Woolshed Road.

A plan delineating the road subject to change of street name, together with a copy of Council's resolutions is available for inspection at the Local Government Centre, 2 Seventh Street, Murray Bridge, during normal business hours.

D. MOLONEY, Chief Executive Officer

CITY OF PORT ADELAIDE ENFIELD

Change of Name for a Portion of a Public Road

NOTICE is hereby given that the Council of the City of Port Adelaide Enfield at its meeting held on 14 July 2009, resolved pursuant to section 219 (1) of the Local Government Act 1999, that the name of a portion of a certain public road located in the suburb of Semaphore be changed as follows:

- The name of the portion of Robin Road marked 'A' on Map 1 running between Company Street and Swan Terrace be changed to Freshwater Road, Semaphore.

A plan that delineates the portion of public road that is subject to the change of street name, together with a copy of the Council's resolution are both available for inspection at the Council's Principal Office, 163 St Vincent Street, Port Adelaide; The Parks Library Council Office, 2-46 Cowan Street, Angle Park; Enfield Library Council Office, 1-9 Kensington Crescent, Enfield and Greenacres Library Council Office, 2 Fosters Road, Greenacres, during their normal business hours.

H. J. WIERDA, City Manager

CITY OF SALISBURY

Variation to Declaration of Salisbury Town Centre Separate Rate

NOTICE is hereby given that the City of Salisbury at a meeting held on 27 July 2009, reconsidered the Salisbury Town Centre Separate Rate previously declared by the Council at a meeting held on Monday, 22 June 2009 and subsequently *Gazetted* on 2 July 2009.

By resolution at that meeting, the City of Salisbury revoked its declaration of the Salisbury Town Centre Separate Rate and declared a separate rate of 0.07313 cents in the dollar on the capital value of rateable land used for commercial purposes within that part of its area comprising the Salisbury Town Centre District Centre Zone which is delineated on Maps SAL/61 and SAL/62 of the Development Plan under the Development Act 1993, applicable to the Council's area for the purpose of providing a fund to promote and enhance business viability, profitability, trade and commerce in that part of the Council's area which is the subject of the separate rate.

S. HAINS, City Manager

TOWN OF WALKERVILLE

CORRIGENDUM

Adoption of Valuations and Declaration of Rates

IN *Government Gazette* dated 30 July 2009 on page 3454, second notice appearing, the date of the meeting held on Monday, 29 July 2009 should read as Monday, 29 June 2009.

K. MAGRO, Chief Executive Officer

ALEXANDRINA COUNCIL

Change of Council Meeting Dates

NOTICE is hereby given that the Council at its meeting held on Monday, 3 August 2009, resolved that due to a Public Holiday being held on Monday, 5 October 2009, the Council Meetings in October will now be held on:

Tuesday, 6 October 2009, commencing at 1.30 p.m.; and

Monday, 19 October 2009, commencing at 4.30 p.m.,

with both meetings being held in the Alexandrina Council Community Chambers, Cadell Street, Goolwa unless otherwise advised.

J. COOMBE, Chief Executive

THE BAROSSA COUNCIL

PUBLIC CONSULTATION

Periodical Review of Elector Representation

NOTICE is hereby given that the Council has undertaken a review to determine whether alterations are required in respect to elector representation, including ward boundaries and the composition of Council.

As an outcome of this review Council proposes:

- (a) that Council retain the office of Mayor (elected by the whole of the community) as its principal member;
- (b) that the Council not be divided into wards;
- (c) that Council be comprised of 11 area councillors.

Council has prepared a report which details the review process, public consultation undertaken and the proposal Council considers should be carried into effect. A copy of this report is available from the Council Offices, 43-51 Tanunda Road, Nuriootpa, S.A. 5355 and at Council's website at www.barossa.sa.gov.au or by contacting Ben Dornier by telephone on (08) 8563 8418.

Written submissions are invited from interested persons and should be directed to the attention of the Chief Executive Officer, fax (08) 8563 8461 or email bdornier@barossa.sa.gov.au by close of business on 19 August 2009.

Any person(s) making a written submission will be given the opportunity to appear before a meeting of Council to be heard in support of their submission.

D. MORCOM, Chief Executive Officer

KINGSTON DISTRICT COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 1—Permits and Penalties

TO create a permit system for Council by-laws, to fix maximum and continuing penalties for breaches of Council by-laws, to clarify the construction of such by-laws and to repeal by-laws.

1. *Repeal of By-laws*

All previous by-laws made or adopted by the Council, prior to the date this by-law is made, are hereby repealed from the day on which this by-law comes into operation.

2. *Definition*

In this by-law 'person' includes a natural person, a body corporate, an incorporated association and an unincorporated association.

3. *Permits*

- 3.1 In any by-law of the Council unless the contrary intention is clearly indicated the word 'permission' means the permission of the Council, or such other person as the Council may by resolution authorise for that purpose, granted in writing prior to the act, event or activity to which it relates.
- 3.2 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.
- 3.3 The Council, or such other person as the Council may by resolution authorise for that purpose, may attach such conditions to a grant of permission (including time limits, renewal and transfer requirements) as it thinks fit, and may vary or revoke such conditions or impose new conditions by notice in writing to the person granted permission.
- 3.4 Any person granted permission shall comply with every such condition.
- 3.5 The Council, or such other person as the Council may by resolution authorise for that purpose, may revoke such grant of permission at any time by notice in writing to the person granted permission.

4. *Penalties*

- 4.1 Any person who commits a breach of any by-law of the Council shall be guilty of an offence and shall be liable to a maximum penalty being the maximum penalty referred to in the Local Government Act 1999, that may be fixed by by-law for any breach of a by-law.
- 4.2 Any person who commits a breach of any by-law of the Council of a continuing nature shall be guilty of an offence and, in addition to any other penalty that may be imposed, shall be liable to further penalty for every day on which the offence or breach of the by-law continues, such penalty being the maximum penalty referred to in the Local Government Act 1999, which may be fixed by by-law for offences or breach of a by-law of a continuing nature.

5. Construction

- 5.1 Every by-law of the Council shall be subject to any Act of Parliament and Regulations made thereunder.
- 5.2 In any by-law of the Council, 'the Council' means the Kingston District Council.

The foregoing by-law was duly made and passed at a meeting of the Kingston District Council held on 24 July 2009, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

M. MCCARTHY, Chief Executive Officer

KINGSTON DISTRICT COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 2—Moveable Signs

TO protect visual amenity and public safety on roads and footpaths by setting standards for moveable signs and regulating their placement in a manner which recognises the advertising needs of businesses to maximise economic viability.

1. Definitions

In this by-law:

- 1.1 'Authorised Person' has the same meaning as in the Local Government Act 1999.
- 1.2 'Business Premises' means the premises from which a business, trade or calling is conducted.
- 1.3 'Footpath Area' means:
 - 1.3.1 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
 - 1.3.2 a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles.
- 1.4 'Moveable Sign' has the same meaning as in the Local Government Act 1999.
- 1.5 'Road' has the same meaning as in the Local Government Act 1999.
- 1.6 'Road Related Area' has the same meaning as in the Road Traffic Act 1961.

2. Construction and Design

A Moveable Sign must:

- 2.1 be of a kind known as an 'A' Frame or Sandwich Board sign, an inverted 'T' sign, or a flat sign, or, with the permission of the Council, a sign of some other kind;
- 2.2 be designed, constructed and maintained in good condition so as not to present a hazard to any member of the public;
- 2.3 be of strong construction so as to be stable when in position and to be able to keep its position in adverse weather conditions;
- 2.4 not contain sharp or jagged edges or corners;
- 2.5 not be unsightly or offensive in appearance or content;
- 2.6 not rotate or contain moving parts;
- 2.7 not contain flashing lights or be illuminated internally;
- 2.8 be constructed of timber, cloth, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 2.9 not exceed 900 mm in perpendicular height, or have a base with any side exceeding 600 mm in length;
- 2.10 not have a display area exceeding 0.7 m² in total or, if the sign is two-sided, 0.7 m² on each side;
- 2.11 be stable when in position;
- 2.12 in the case of an 'A' Frame or Sandwich Board sign:
 - 2.12.1 be hinged or joined at the top; and
 - 2.12.2 be of such construction that its sides shall be securely fixed or locked in position when erected; and

- 2.13 in the case of an inverted 'T' sign, contain no struts or supports that run between the display area and the base of the sign.

3. Appearance

A Moveable Sign on a Road must, in the opinion of an Authorised Person:

- 3.1 be painted or otherwise detailed in a competent and professional manner;
- 3.2 be aesthetically appealing, legible and simply worded to convey a precise message;
- 3.3 be of such design and contain such colours as are compatible with the architectural design of the premises adjacent to the sign, and which relate well to the townscape and overall amenity of the locality in which it is situated and not detract from or conflict with traffic, safety or direction signs or signals; and
- 3.4 contain combinations of colours and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated.

4. Placement

A Moveable Sign must:

- 4.1 only be placed on the Footpath Area of a Road;
- 4.2 be adjacent to the Business Premises to which it relates;
- 4.3 where there is no kerb to define the Footpath Area, must allow a set back of 400 mm from the edge of the carriageway;
- 4.4 in the case of a flat sign, be in line with and against the property boundary of the Road;
- 4.5 be placed no less than 2 m away from any structure, fixed object, tree, bush or plant (including another Moveable Sign);
- 4.6 not be fixed, tied or chained to or leaned against any other structure, fixed object, tree, bush or plant (including another Moveable Sign);
- 4.7 not be placed on a sealed part of any Footpath Area, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.8 m wide;
- 4.8 not be placed within 1 m of the corner of a Road;
- 4.9 not be placed on a landscaped area other than landscaping that comprises only lawn;
- 4.10 not be placed on a designated parking area or within 1 m of an entrance to or exit from Business Premises;
- 4.11 not be placed within 6 m of an intersection; and
- 4.12 not unreasonably restrict the use of the Footpath Area or Road or endanger the safety of members of the public.

5. Restrictions

A moveable sign displayed on a public street or road shall:

- 5.1 display material which advertises a business being conducted on Business Premises adjacent to the sign, or the products available from that business;
- 5.2 be limited to one per Business Premises;
- 5.3 only be displayed when the business is open to the public;
- 5.4 be securely fixed in position such that it cannot be blown over or swept away;
- 5.5 not be in such a position or in such circumstances that the safety of any user of the Road is at risk;
- 5.6 not be displayed during the hours of darkness; and
- 5.7 not to be displayed on a median strip, traffic island or on a carriage way of a Road.

6. Exemptions

- 6.1 Paragraph 4.2 and paragraph 5.1 do not apply to a Moveable Sign which is used:
 - 6.1.1 to advertise a garage sale taking place from residential premises;

- 6.1.2 as a directional sign to an event run by an incorporated association or a charitable body; or
- 6.1.3 with permission of the Council.
- 6.2 Paragraphs 5.1 and 5.2 do not apply to a flat sign, the message of which only contains newspaper headlines and the name of a newspaper.
- 6.3 This by-law does not apply to a Moveable Sign that is:
 - 6.3.1 placed on a Road pursuant to an authorisation under the Local Government Act 1999, or another Act;
 - 6.3.2 designed to direct people to the open inspection of any land or building that is available for purchase or lease;
 - 6.3.3 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 days; or
 - 6.3.4 related to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is displayed 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.

7. Removal of Non-complying Moveable Signs

- 7.1 If:
 - 7.1.1 the design or construction of a Moveable Sign that has been placed on a Road does not comply with a requirement of this by-law;
 - 7.1.2 the positioning of a Moveable Sign does not comply with a requirement of this by-law;
 - 7.1.3 any other relevant requirement of this by-law is not complied with;
 - 7.1.4 the Moveable Sign unreasonably:
 - 7.1.4.1 restricts the use of the Road; or
 - 7.1.4.2 endangers the safety of members of the public,
 an Authorised Person may order the owner of the sign to remove the sign from the Road.
- 7.2 A person must comply with an order of an Authorised Person made pursuant to subparagraph 7.1 of this by-law.
- 7.3 If the Authorised Person cannot find the owner, or the owner fails to comply immediately with the order of an Authorised Person, the Authorised Person may remove and dispose of the Moveable Sign.
- 7.4 The owner or other person entitled to recover a Moveable Sign removed pursuant to subparagraph 7.3 of this by-law must pay to the Council any reasonable costs incurred by the Council in removing, storing and attempting to dispose of the Moveable Sign before being entitled to recover the Moveable Sign.

8. Removal of Complying Moveable Signs

- 8.1 The owner of, or other person responsible for, a Moveable Sign must remove or relocate the Moveable Sign at the request of an Authorised Person if, in the reasonable opinion of that Authorised Person and notwithstanding 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.
- 8.2 The owner of, or other person responsible for, a Moveable Sign must remove or relocate the Moveable Sign at the request of an Authorised Person for the purpose of special events, parades, Road works or in any other circumstances which, in the reasonable opinion of the Authorised Person, requires relocation or removal of the Moveable Sign to protect public safety or to protect or enhance the amenity of a particular locality.

The foregoing by-law was duly made and passed at a meeting of the Kingston District Council held on 24 July 2009, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

M. MCCARTHY, Chief Executive Officer

KINGSTON DISTRICT COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 3—Local Government Land

FOR the management and regulation of the use of and access to local government land vested in or under the control of the Council, including the prohibition and regulation of particular activities on local government land.

1. Definitions

In this by-law:

- 1.1 'Aquatic Life' means any animal or plant living or growing in water including but not limited to yabbies, fish, insects, insect pupa or larvae and water plants.
- 1.2 'Authorised Person' has the same meaning as in the Local Government Act 1999.
- 1.3 'Boat Ramp' means a facility constructed, maintained and operated for the launching and retrieval of a boat, yacht or other seagoing craft.
- 1.4 'Electoral Matter' has the same meaning as in the Electoral Act 1985.
- 1.5 'Emergency Vehicle' has the same meaning as in the Australian Road Rules 1999 and the Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 1999.
- 1.6 'Foreshore' means the area between the low water mark on the seashore and the nearest boundary of:
 - 1.6.1 a Road;
 - 1.6.2 a section boundary;
 - 1.6.3 a public reserve; or
 - 1.6.4 land comprised in a land grant, Crown Land or Crown Licence.
- 1.7 'Liquor' has the same meaning as in the Liquor Licensing Act 1997.
- 1.8 'Livestock' has the same meaning as in the Livestock Act 1997.
- 1.9 'Local Government Land' and 'Land' means all land owned by the Council or under the Council's care, control and management (including but not limited to Parks).
- 1.10 'Low Water Mark' means the lowest meteorological tide.
- 1.11 'Moveable Sign' has the same meaning as in the Local Government Act 1999.
- 1.12 'Open Container' means a container which:
 - 1.12.1 after the contents thereof have been sealed at the time of manufacture and:
 - 1.12.1.1 being a bottle, has had its cap, cork or top removed (whether or not it has since been replaced);
 - 1.12.1.2 being a can, has been opened or punctured;
 - 1.12.1.3 being a cask, has had its tap placed in a position to allow it to be used;
 - 1.12.1.4 being any form of container, has been opened, broken, punctured or manipulated in such a way as to allow access to the contents thereof; or
 - 1.12.2 is a flask, glass or mug or other container used for drinking purposes.

- 1.13 'Park' has the same meaning as in the Local Government Act 1999.
- 1.14 'Permit' means a permit purchased from the Council authorising the launch of a registered craft at a Boat Ramp, and is valid until the expiry date contained in the Permit. The craft for which the Permit is issued may be launched as often as necessary without incurring additional launch fees for the duration of the Permit.
- 1.15 'Public Place' has the same meaning as in the Local Government Act 1999.
- 1.16 'Reserve' has the same meaning as in the Local Government Act 1999.
- 1.17 'Road' has the same meaning as in the Local Government Act 1999.
- 1.18 'Sand Dune' and 'Coastal Slope or Cliff' means the sand dunes, coastal slopes, cliffs or other geomorphologic coastal forms under the care, control and management of the Council.
- 1.19 'Vehicle' has the same meaning as in the Australian Road Rules 1999.
- 1.20 'Waters' includes any body of water including a pond, lake, river, creek or wetland under the care, control and management of the Council.
- 1.21 'Wheeled Recreational Device' has the same meaning as in the Road Traffic Act 1961.

2. Activities Requiring Permission

A person must not, without permission, undertake any of the following activities on any Local Government Land:

2.1 Access to Water

- 2.1.1 Subject to the provisions of the Harbours and Navigation Act 1993, swim in any Waters:
 - 2.1.1.1 in an area which the Council has by resolution determined may not be used for such purpose; and
 - 2.1.1.2 except in accordance with any conditions that the Council may have determined by resolution apply to such use.

2.2 Admission Charges

Impose any charge for admission thereto.

2.3 Advertising

Display any sign for the purpose of commercial advertising, other than a Moveable Sign which is displayed on a Road in accordance with the Council's Moveable Signs By-law.

2.4 Amplification

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

2.5 Animals

- 2.5.1 Cause or allow any animal to stray onto, move over, graze or be left unattended on any Local Government Land.
- 2.5.2 Cause or allow any animal to enter, swim, bathe or remain in any Waters located on Local Government Land to which the Council has resolved this subparagraph shall apply.
- 2.5.3 Lead or drive a horse, cattle or sheep, except where the Council has set aside a track or other area for use by or in connection with an animal of that kind.

2.6 Aquatic Life

Take, interfere with, disturb or introduce any Aquatic Life in any Waters located thereon to which the Council has resolved this paragraph shall apply.

2.7 Attachments

- 2.7.1 Attach anything to a tree, plant, equipment, fence, post, structure or fixture on Local Government Land except for:

- 2.7.1.1 any electoral matter attached by or with the authority of a candidate and which is related to a Commonwealth or State Government election and is attached 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;
- 2.7.1.2 any electoral matter attached by or with the authority of a candidate and which is related to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is attached 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
- 2.7.1.3 any matter posted during the course of and for the purposes of a Referendum.

2.8 Bees

Place or allow any beehive to remain thereon.

2.9 Boats

- 2.9.1 Subject to the provisions of the Harbours and Navigation Act 1993:

- 2.9.1.1 launch, propel, float or otherwise use any boat, raft, pontoon or watercraft or other object or device on or in any Waters located on Local Government Land;
- 2.9.1.2 launch or retrieve a boat to or from any Waters on Local Government Land;
- 2.9.1.3 hire out a boat, raft, pontoon or watercraft or similar device or otherwise use such device for commercial purposes, except in an area which the Council has by resolution permitted such an activity and in accordance with any conditions applicable thereto.

2.10 Boat Ramps

- 2.10.1 Use or launch a boat or other object in any Waters except where a sign or signs are displayed by the Council requiring the purchase of a Permit prior to launch.
- 2.10.2 In respect of a Permit:
 - 2.10.2.1 the Council shall prescribe a fee at least once in each financial year for Permits to use a Boat Ramp;
 - 2.10.2.2 a Permit may be purchased for a fee to which the conditions of use shall be attached and applicable;
 - 2.10.2.3 upon request of an Authorised Person, any person about to use, using or having used a Boat Ramp, must produce a Permit purchased prior to the request in compliance with this by-law;
 - 2.10.2.4 the Council, or such other person as the Council may authorise by resolution for that purpose, may exempt organisations involved in search and rescue at sea from the requirement to purchase a Permit; and
 - 2.10.2.5 the Council may, by resolution and the erection of a sign or signs, restrict the use of special areas or Boat Ramps to either commercial or recreational use, or prohibit their use entirely.
- 2.10.3 Allow any Vehicle, boat, yacht or other sea-going craft to remain stationary on any Boat Ramp longer than is necessary to launch or retrieve a boat.
- 2.10.4 Hire out a boat on or from part of any Waters.

2.11 *Burials and Memorials*

- 2.11.1 Bury, inter or spread the ashes of any human or animal remains.
- 2.11.2 Erect any memorial.

2.12 *Camping and Tents*

- 2.12.1 Camp or stay overnight except where a person is in a caravan park on Local Government Land, the proprietor of which has been given permission to operate the caravan park on that Land.
- 2.12.2 Erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation.

2.13 *Canvassing*

- 2.13.1 Convey any advertising, religious or other message to any bystander, passer-by or other person except for any message or material:
 - 2.13.1.1 that is related to a Commonwealth or State Government election and is conveyed 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;
 - 2.13.1.2 that is related to an election under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is conveyed 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
 - 2.13.1.3 that is related to and conveyed during the course of and for the purpose of a Referendum.

2.14 *Cemeteries*

Comprising a cemetery:

- 2.14.1 bury or inter any human or animal remains;
- 2.14.2 erect any memorial; or
- 2.14.3 drive or propel any Vehicle except on paths or Roads constructed and set aside for that purpose and in compliance with any signs that have been erected.

2.15 *Closed Lands*

Enter or remain on any part of Local Government Land:

- 2.15.1 at any time during which the Council has declared that part shall be closed to the public, and which is indicated by a sign to that effect;
- 2.15.2 where the Land is enclosed with fences and/or walls and gates, at any time when the gates have been closed and locked;
- 2.15.3 where admission charges are payable for that person to enter that part, without paying those charges; or
- 2.15.4 where that person has been requested by an officer, employee or agent of the Council or a Council subsidiary to leave that Land.

2.16 *Distribution of Printed Material*

- 2.16.1 Place on any Vehicle (without the consent of the owner of the Vehicle), or give out or distribute any hand bill, book, notice, leaflet or other printed matter to any bystander, passer-by or other person except any hand bill, book, notice, leaflet or other printed matter:
 - 2.16.1.1 that is related to a Commonwealth or State Government election and is placed, given out or distributed 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;

2.16.1.2 that is related to an election under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is placed, given out or distributed 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

2.16.1.3 that is related to and placed, given out or distributed during the course of and for the purpose of a Referendum.

2.17 *Donations*

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

2.18 *Entertainment and Busking*

- 2.18.1 Sing, busk or play any recording or use any musical instrument so as to appear to be for the purpose of entertaining other persons or receiving money.
- 2.18.2 Conduct or hold any concert, festival, show, public gathering, circus, meeting, performance or any other similar activity.

2.19 *Fires*

Subject to the Fire and Emergency Services Act 2005, light any fire except:

- 2.19.1 in a place provided by the Council for that purpose; or
- 2.19.2 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 4 m.

2.20 *Flora and Fauna*

- 2.20.1 Subject to the Native Vegetation Act 1991 and the National Parks and Wildlife Act 1972:
 - 2.20.1.1 damage, pick, disturb, interfere with or remove any plant or flower thereon;
 - 2.20.1.2 lead or drive any animal, or stand or walk, on any flower bed or garden plot;
 - 2.20.1.3 deposit, dig, damage, disturb, interfere with or remove any soil, stone, wood, clay, gravel, pebbles, timber, bark or any part of the Land;
 - 2.20.1.4 take, interfere with, tease, harm or disturb any animal, bird or marine creature or the eggs or young of any animal, bird or marine creature;
 - 2.20.1.5 pick, collect, take, interfere with or disturb any fruit, nuts, berries or native seeds;
 - 2.20.1.6 disturb, interfere with or damage any burrow, nest or habitat of any animal or bird;
 - 2.20.1.7 use, possess or have control of any device for the purpose of killing or capturing any animal, bird or marine creature; or
 - 2.20.1.8 burn any timber or dead wood.

2.21 *Firearms and Fireworks*

Shoot or discharge a firearm or ignite any fireworks.

2.22 *Games*

- 2.22.1 participate in, promote or organise any game, recreation or amusement which involves the use of a ball, missile or other object which by its use may cause or be likely to cause injury or discomfort to any 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;

- 2.22.2 fly any model aircraft or operate any power model boat from or on any Local Government Land;
- 2.22.3 play any organised competition or sport, as distinct from organised social play on any Local Government Land to which this subparagraph applies; or
- 2.22.4 play or practice any game which involves kicking, hitting or throwing a ball or other object on any Local Government Land to which this subparagraph applies.
- 2.23 *Golf*
Except on a properly constructed golf course or practice fairway, play or practice the game of golf.
- 2.24 *Jetties*
- 2.24.1 Jump or dive from a jetty into water or onto a beach.
- 2.24.2 Tie or affix any water craft to a jetty.
- 2.24.3 After being requested to leave a jetty by an Authorised Officer for an alleged offence, come back onto the jetty within 24 hours of the request being made.
- 2.25 *Mooring*
- 2.25.1 Moor any boat, house boat, raft or other water craft on or to Local Government Land except in any area that the Council has set aside for that purpose.
- 2.25.2 Obstruct any boat, raft or other water craft or any mooring place, or any access to any boat, raft or other object (either floating or sunk) whether that access is by water or by land.
- 2.26 *Objects on Local Government Land*
Erect, place, use or allow to remain on any Local Government Land any object including, but not limited to any planter box, table, chairs, display stand, hoarding, crane, cherry picker, elevated platform vehicle, scaffolding, stage, ladder, trestle, appliance or other equipment.
- 2.27 *Overhanging Articles or Displaying Personal Items*
Suspend or hang any article or object from any building, verandah, pergola, post or other structure on any Local Government Land where it might present a nuisance or danger to any person using the Land or be of an unsightly nature.
- 2.28 *Playing Area*
Use or occupy any playing area:
- 2.28.1 in such a manner as is likely to or does damage the surface of the playing area and/or infrastructure (above and below ground level);
- 2.28.2 in any manner contrary to the purpose for which the playing area was intended to be used or occupied; or
- 2.28.3 contrary to the directions of the Council made by resolution and indicated on a sign displayed adjacent to the playing area.
- 2.29 *Picking of Fruit, Flowers, etc.*
Pick fruit, nuts, berries or flowers from any tree, bush or other plant thereon.
- 2.30 *Posting of Bills etc.*
- 2.30.1 Post or allow or cause to be posted any bills, advertisements or other papers or items on a building or structure on any Local Government Land or Public Place except for:
- 2.30.1.1 any electoral matter posted on a building or structure by or with the authority of a candidate which is related to a Commonwealth or State Government election and is posted 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;
- 2.30.1.2 any electoral matter posted on a building or structure by or with the authority of a candidate which is related to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is posted 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
- 2.30.1.3 any matter posted during the course of and for the purpose of a Referendum.
- 2.31 *Preaching*
Preach, harangue or solicit for religious purposes.
- 2.32 *Rubbish and Rubbish Dumps*
- 2.32.1 Interfere with, remove or take away any rubbish that has been discarded at any rubbish dump on Local Government Land.
- 2.32.2 Remove, disperse or interfere with any rubbish (including bottles, newspapers, cans, containers or packaging, etc.) 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 agents.
- 2.32.3 Deposit in any receptacle any rubbish emanating from domestic or trade purposes, unless designated by a sign or signs.
- 2.33 *Soil*
Deposit, dig, carry away or remove any soil, clay, gravel, sand, timber, stones, pebbles or any other matter.
- 2.34 *Swimming and Aquatic Activity*
Enter, swim or bathe, or allow any animal to enter or swim, or engage in any aquatic activity, in or on any Waters located on any Local Government Land to which this paragraph applies except:
- 2.34.1 Waters that the Council has set aside for that purpose;
- 2.34.2 in an area where a nearby sign states that such activity is allowed and in accordance with any conditions stated on the sign; or
- 2.34.3 the sea.
- 2.35 *Times of Sport*
Play or practice any game or sport other than at the times indicated on a sign applicable to such area and displayed by the Council.
- 2.36 *Trading*
- 2.36.1 Carry on the business of buying, selling offering or exposing for sale or the hiring or leasing of any goods, merchandise, commodity, article, service or thing including, but not limited to, any Vehicle, watercraft or aircraft.
- 2.36.2 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 including, but not limited to, any Vehicle, watercraft or aircraft.
- 2.37 *Vehicles Generally*
Drive or propel a motor vehicle, except on any Local Government Land constructed or set aside by the Council for the parking or travelling of Vehicles.
- 2.38 *Vehicles on the Foreshore*
Drive or propel a Vehicle along the Foreshore between the Threadgold Beach Access and the Maria Creek Outlet.
- 2.39 *Vehicles on Parks etc.*
- 2.39.1 Drive or propel a Vehicle unless on an area constructed or set aside by the Council for the parking or travelling of Vehicles.

- 2.39.2 Except on a properly constructed area for the purpose, promote, organise or take part in any race, test or trial of any kind in which motor vehicles, motor cycles, motor scooters or bicycles take part.

2.40 *Vehicle Repairs*

Perform the work of repairing, washing, painting, panel beating or other work of any nature on any Vehicle, provided that this paragraph shall not extend to running repairs in the case of accidental break down.

2.41 *Weddings, Funerals or Special Events*

Conduct or participate in a marriage ceremony, funeral or special event on any Park or Reserve.

3. *Prohibited Activities*

No person shall on any Local Government Land:

3.1 *Ablutionary Facilities*

In any ablutionary facility located on Local Government Land:

- 3.1.1 urinate other than in a urinal or pan or defecate other than in a pan for the purpose;
- 3.1.2 smoke tobacco or any other substance;
- 3.1.3 deposit anything in a pan, urinal or drain that is likely to cause a blockage or damage to the facility or any drain, pipe or property associated with the facility;
- 3.1.4 use the ablutionary facilities for a purpose for which it was not designed or constructed;
- 3.1.5 enter any ablutionary facilities that is set aside for the use of the opposite sex except for:
- 3.1.5.1 a child under the age of 10 years accompanied by an adult person;
- 3.1.5.2 providing assistance to a disabled person; or
- 3.1.6 deface or make use of a facility other than for its proper purpose or cause any insanitary or unclean condition in any ablutionary facility or any apparatus, fixtures or fittings therein.

3.2 *Alcohol*

Consume or possess or be in charge of any alcoholic beverage on any Park or Reserve to which this paragraph applies.

3.3 *Annoyances*

- 3.3.1 Annoy or unreasonably interfere with any other person's use of Local Government Land by making a noise, being annoying, offensive, indecent or creating a disturbance that has not been authorised by the Council.
- 3.3.2 Spit, urinate or defecate other than in provided toilets.

3.4 *Climbing*

Climb on or over any fixture, fitting, plant, object or building other than in a playground or similar area that the Council has set aside for that purpose.

3.5 *Defacing Property*

Deface, paint, write, cut names, letters or make marks on or affix bills or advertisements to any tree, rock, gate, fence, building, sign or property of the Council on Local Government Land except for:

- 3.5.1 any electoral matter posted on a building or structure by or with the authority of a candidate which is related to a Commonwealth or State Government election and is posted 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;
- 3.5.2 any electoral matter posted on a building or structure by or with the authority of a candidate which is related to an election held under the Local Government Act 1999 or the Local Govern-

ment (Elections) Act 1999 and is posted 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

- 3.5.3 any matter posted during the course of and for the purpose of a Referendum.

3.6 *Glass*

Wilfully break any glass, china or other brittle material.

3.7 *Interference with Land*

- 3.7.1 Interfere with any Local Government Land such as levelling or flattening sand hills, planting grass, lawn or other vegetation, paving the Land or otherwise use the land in a manner contrary to the purpose for which the Land was designed to be used.

- 3.7.2 Destroy, damage or deface or cause or permit to be destroyed, damaged or defaced any article, structure, building or thing fixed to any Local Government Land.

3.8 *Interference with Permitted Use*

Interrupt, disrupt or interfere with any other person's use of Local Government Land which is permitted or for which permission has been granted.

3.9 *Missiles*

Throw, roll or discharge any stone, substance or missile to the danger of any person or animal on any Local Government Land.

3.10 *Obstruction*

Obstruct:

- 3.10.1 any path or cycle tracks on any Local Government Land;
- 3.10.2 any door, entrance, stairway or aisle on any building on any Local Government Land; or
- 3.10.3 any gate or entrance to any Local Government Land.

3.11 *Sand Dunes*

- 3.11.1 Use a sand board or other item to slide down a Sand Dune, Coastal Slope or Cliff.
- 3.11.2 Destabilise sand on a Sand Dune, Coastal Slope or Cliff so as to cause it to unnecessarily mass waste down slope.
- 3.11.3 Ride a horse within the Sand Dunes or on a Coastal Slope at locations other than those permitted by the Council.
- 3.11.4 Destroy, remove or cause interference to live or dead vegetation within a Sand Dune, Coastal Slope or Cliff.
- 3.11.5 Light or cause to be lit or permit to remain alight any fire within a Sand Dune or on a Coastal Slope or Cliff.
- 3.11.6 Ride or operate a bicycle, motorcycle, Vehicle or other mechanised apparatus in the Sand Dunes or on a Coastal Slope or Cliff without the written prior approval of the Chief Executive Officer of the Council, who may provide approval upon such terms and conditions and at such times and places as he or she thinks proper.
- 3.11.7 Introduce non-indigenous flora and fauna or dump any material in the Sand Dunes or down Coastal Slopes or Cliffs.
- 3.11.8 Carry out any other activity which may threaten the integrity of Sand Dunes, Coastal Slopes and Cliffs in the area.

3.12 *Smoking*

Smoke tobacco or any other substance on any Local Government Land, or building thereon, or part thereof to which this paragraph applies.

3.13 *Use of Equipment*

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

3.14 *Waste*

3.14.1 Deposit or leave on any Local Government Land:

3.14.1.1 anything obnoxious or offensive;

3.14.1.2 any offal, dead animal, dung or filth; or

3.14.1.3 any mineral, mineral waste, industrial waste or by-products.

3.14.2 Foul or pollute any creek, well, lake, dam or reservoir situated thereon.

3.14.3 Deposit any rubbish other than in receptacles provided by the Council for that purpose.

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

3.15 *Wheeled Recreational Devices*

Subject to the Road Traffic Act 1961 and the Local Government Act 1999, ride a Wheeled Recreational Device on any Local Government Land to which this paragraph applies.

4. *Removal of Animals, Persons and Objects*

4.1 If any animal, person or object is found on any part of Local Government Land in breach of this by-law:

4.1.1 any person in charge of the animal, person or object shall forthwith remove it from the Land on the request of an Authorised Person;

4.1.2 an Authorised Person may remove and dispose of the animal or object from the Land if the person in charge of it fails to comply with the request, or if no person is in charge of it; and

4.1.3 the Council may recover the cost of doing so from the person in charge of the animal or object.

4.2 An Authorised Person may direct any person who is considered to be committing or has committed a breach of this by-law to leave that part of the Local Government Land. Failure to comply with that direction forthwith is a breach of this by-law.

5. *Directions*

A person must comply with any reasonable direction or request from an Authorised Person relating to:

5.1 that person's use of any Local Government Land;

5.2 that person's conduct and behaviour on Local Government Land;

5.3 that person's safety on any Local Government Land;

5.4 the safety and enjoyment of any Local Government Land by other persons; and/or

5.5 that person entering or remaining on premises on any Local Government Land in circumstances where that person has been known to misbehave in those premises.

6. *Exemptions*

The restrictions in this by-law do not apply to any 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 authorisation of a Council Officer, or to the driver of a Police Vehicle or an emergency worker when driving an Emergency Vehicle in an emergency situation.

7. *Applications*

Any of the subparagraphs 2.5.2, 2.6, 2.22.3, 2.34, 3.2, 3.12 and 3.15 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with section 246 (3) (e) of the Local Government Act 1999.

This foregoing by-law was duly made and passed at a meeting of the Kingston District Council held on 24 July 2009, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

M. MCCARTHY, Chief Executive Officer

KINGSTON DISTRICT COUNCIL

BY-LAW MADE UNDER THE LOCAL GOVERNMENT ACT 1999

By-law No. 4—Roads

FOR the management, control and regulation of activities on roads in the Council's area.

1. *Definitions*

In this by-law:

1.1 'Authorised Person' has the same meaning as in the Local Government Act 1999.

1.2 'Electoral Matter' has the same meaning as in the Electoral Act 1985.

1.3 'Moveable Sign' has the same meaning as in the Local Government Act 1999.

1.4 'Road' has the same meaning as in the Local Government Act 1999.

2. *Activities Requiring Permission*

No person shall without permission on any Road:

2.1 *Advertising*

Display any sign for the purpose of commercial advertising, other than a Moveable Sign which is displayed on a Road in accordance with the Council's Moveable Signs By-law.

2.2 *Amplification*

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

2.3 *Animals on Roads*

2.3.1 Lead or drive any horse, cattle, sheep or other 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.

2.3.2 Stand, draw up or allow to remain stationary any horse, cattle, sheep or other animal, whether attached to a vehicle or not.

2.4 *Camping*

Camp or remain overnight.

2.5 *Donations*

Ask for or receive or indicate that he or she desires a donation of money or any other thing, or otherwise solicit for a charitable purpose.

2.6 *Exhibition or Display*

2.6.1 Sing, busk or play any recording or use any musical instrument.

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

2.6.3 Cause any public exhibitions or displays.

2.7 *Posting of Bills etc.*

Post or allow or cause to be posted any bills, advertisements or other papers or items on a building or structure on a Road except for:

- 2.7.1 any electoral matter posted on a building or structure by or with the authority of a candidate which is related to a Commonwealth or State election and is posted 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
- 2.7.2 any electoral matter that is related to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is posted 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
- 2.7.3 any matter that is posted during the course of and for the purpose of a Referendum.

2.8 *Preaching*

Preach or harangue, or otherwise solicit for religious purposes.

2.9 *Working on Vehicles*

Perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.

3. *Directions*

A person must comply with any reasonable direction or request from an Authorised Person relating to:

- 3.1 that person's use of the Road;
- 3.2 that person's conduct and behaviour on the Road;
- 3.3 that person's safety on the Road;
- 3.4 the safety and enjoyment of the Road by other persons.

4. *Removal of Animals and Persons*

- 4.1 If any animal is found on any part of a Road in breach of this by-law:
 - 4.1.1 any person in charge of the animal must remove it from that part of the Road on the request of an Authorised Person; and
 - 4.1.2 an Authorised Person may remove the animal if a person fails to comply with the request, or if no person is in charge of the animal.
- 4.2 A person who is committing or has committed a breach of this by-law must immediately comply with a direction of an Authorised Person to leave that part of the Road.
- 4.3 Any Authorised Person may remove any person from a Road who is found committing a breach of this by-law, but must not use force in doing so.

5. *Exemptions*

The restrictions in this by-law do not apply to any 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 of a Council Officer, or an emergency worker when driving an Emergency Vehicle while driving that vehicle in relation to an emergency.

6. *Application*

Paragraph 2.3.1 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct in accordance with section 246 (3) (e) of the Local Government Act 1999.

The foregoing by-law was duly made and passed at a meeting of the Kingston District Council held on 24 July 2009, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

M. MCCARTHY, Chief Executive Officer

KINGSTON DISTRICT COUNCIL

BY-LAW MADE UNDER THE DOG AND CAT MANAGEMENT ACT 1995 AND THE LOCAL GOVERNMENT ACT 1999

By-law No. 5—Dogs

TO limit the number of dogs kept on premises and for the management and control of dogs in the Council's area.

1. *Definitions*

In this by-law:

- 1.1 'Approved Kennel Establishment' means a building, structure or area approved by a relevant authority pursuant to the Development Act 1993, for the keeping of dogs on a temporary or permanent basis.
- 1.2 'Disability Dog' has the same meaning as in the Dog and Cat Management Act 1995.
- 1.3 'Dog' has the same meaning as in the Dog and Cat Management Act 1995.
- 1.4 'Effective Control' means a person exercising control of a dog by command, the dog being in close proximity to the person and the person being able to see the dog at all times.
- 1.5 'Guide Dog' has the same meaning as in the Dog and Cat Management Act 1995.
- 1.6 'Hearing Dog' has the same meaning as in the Dog and Cat Management Act 1995.
- 1.7 'Local Government Land' has the same meaning as in the Local Government Act 1999.
- 1.8 'Premises' means any domestic and non-domestic premises, except an Approved Kennel Establishment.
- 1.9 'Township' has the same meaning as in the Local Government Act 1999.
- 1.10 'Working Dog' means a dog primarily used for the purposes of herding stock.

2. *Limit on Dog Numbers*

- 2.1 The limit on the number of Dogs kept in any Premises in the Township shall be two Dogs.
- 2.2 The limit on the number of Dogs kept in any Premises outside of the Township shall be three Dogs (other than Working Dogs).
- 2.3 No person shall, without the written permission of the Council, or such other person as the Council may by resolution authorise for that purpose, keep any Dog on any Premises where the number of Dogs on those Premises exceeds the limit unless the Premises are an Approved Kennel Establishment.

3. *Dog Free Areas*

No person shall on any Local Government Land to which this paragraph applies cause, suffer or permit any Dog (except an accredited Guide Dog, Hearing Dog or Disability Dog), under that person's control, charge or authority to be or remain in that place.

4. *Dogs on Leashes*

No person shall on any Local Government Land to which this paragraph applies cause, suffer or permit any dog under that person's control, charge or authority to be or remain in that place unless such Dog is restrained by a strong leash not exceeding 2 m in length and either tethered securely to a fixed object or held by a person capable of controlling the dog and preventing it from being a nuisance or danger to others.

5. *Dog Exercise Areas*

- 5.1 Subject to paragraphs 3 and 4 of this by-law, any person may enter upon any part of Local Government Land for the purpose of exercising a Dog under his or her Effective Control.
- 5.2 Where a person enters upon such part of Local Government Land for that purpose, he or she shall ensure that the Dog or Dogs under his or her control remain under Effective Control while on that land.

6. Application

Paragraphs 3 and 4 of this by-law shall apply only in such portion or portions of the area as the council may by resolution direct in accordance with section 246 (3) (e) of the Local Government Act 1999.

The foregoing by-law was duly made and passed at a meeting of the Kingston District Council held on 24 July 2009, by an absolute majority of the members for the time being constituting the Council, there being at least two-thirds of the members present.

M. MCCARTHY, Chief Executive Officer

MID MURRAY COUNCIL

PUBLIC CONSULTATION

Periodical Review of Elector Representation

NOTICE is hereby given that the Council has undertaken a review to determine whether alterations are required in respect to elector representation, including ward boundaries and the composition of Council.

As an outcome of this review Council proposes to:

- Retain the Mayor as the principal member of Council, to be elected by the community at Council-wide elections.
- Retain 11 ward councillors.
- Divide the Council area into five wards, with two wards each being represented by three ward councillors, two wards each being represented by two ward councillors each and the remaining ward being represented by one ward councillor.
- The wards be identified as Randell (Ward 1), River South (Ward 2), Sturt (Ward 3), River North (Ward 4) and Reedy Creek (Ward 5).
- Not introduce area councillors in addition to ward councillors.

Report

Council has prepared a report which details the review process, public consultation undertaken and the proposal Council considers should be carried into effect. A copy of this report is available from the Council Offices, 49 Adelaide Road, Mannum, S.A. 5238, Main Street, Cambrai, S.A. 5353 and corner of Fourth and Eighth Streets, Morgan, S.A. 5320, at Council's website at www.mid-murray.sa.gov.au or contacting Robin Bourne on 8569 0100.

Written Submissions

Written submissions are invited from interested persons and should be directed to the Chief Executive Officer, Mid Murray Council, P.O. Box 28, Mannum, S.A. 5238, fax 8569 1931 or email postbox@mid-murray.sa.gov.au by close of business on Friday, 28 August 2009.

Any person(s) making a written submission will be given the opportunity to appear before a meeting of Council or Council committee to be heard in support of their submission.

D. H. GOLLAN, Chief Executive Officer

DISTRICT COUNCIL OF MOUNT BARKER

Adoption of Valuations and Declaration of Rates

NOTICE is hereby given that at its meeting held on 20 July 2009, the Council in exercise of the powers contained in Chapter 10 of the Local Government Act 1999, resolved as follows:

Adoption of Valuation

That the most recent valuation of the Valuer-General available to the Council of the capital value of land within the Council's area totalling \$5 082 870 460 be adopted for the 2009-2010 financial year.

NB: Valuation as at 24 June 2009.

Declaration of Differential General Rates

That Differential General Rates be declared according to the following land use categories in the Council area (Local Government Act 1999, section 156 (1)) as follows:

- (1) For land within Local Government Code 1—Residential:
0.3478 cents in the dollar on the capital value of rateable land.
- (2) For land within Local Government Code 1—Residential 2:
0.3134 cents in the dollar on the capital value of rateable land.
- (3) For land within Local Government Code 2—Commercial—Shop:
0.3478 cents in the dollar on the capital value of rateable land.
- (4) For land within Local Government Code 3—Commercial—Office:
0.3478 cents in the dollar on the capital value of rateable land.
- (5) For land within Local Government Code 4—Commercial—Other:
0.3478 cents in the dollar on the capital value of rateable land.
- (6) For land within Local Government Code 5—Industry—Light:
0.3478 cents in the dollar on the capital value of rateable land.
- (7) For land within Local Government Code 6—Industry—Other:
0.3478 cents in the dollar on the capital value of rateable land.
- (8) For land within Local Government Code 7—Primary Production:
0.2916 cents in the dollar on the capital value of rateable land.
- (9) For land within Local Government Code 8—Vacant Land:
0.3478 cents in the dollar on the capital value of rateable land.
- (10) For land within Local Government Code 9—Other:
0.3478 cents in the dollar on the capital value of rateable land.

Minimum Rate

Pursuant to section 158 (1) (a) of the Local Government Act 1999, that a minimum amount payable by way of rates of \$537 be fixed in respect of rateable land in the Council's area.

Maximum Increase

Pursuant to section 153 (3) of the Local Government Act 1999, a maximum increase in the general rate is to apply to eligible residential ratepayers' principal place of residence and will apply to Residential 1, Residential 2 and Primary Production properties. A rebate of general rates will be granted to the Principal Ratepayer where the amount of any maximum increase in the general rate is greater than 12.5% and, Principal Ratepayers who hold a State Concession Card and are eligible for the maximum pensioner concession, where the amount of any maximum increase in the general rate is greater than 4%. Conditions apply in accordance with section 153 (4) of the Local Government Act 1999 and Council's Annual Business Plan 2009-2010.

Payment of Rates—Instalment Due Dates

Pursuant to section 181 (2) (a) of the Local Government Act 1999, all rates will be payable in four instalments. The instalments will be payable on 4 September, 4 December, 5 March and 4 June of the financial year for which the rates are declared.

Declaration of Service Charges—Community Wastewater Management Systems Service Charge

Pursuant to section 155 of the Local Government Act 1999, the Council declares for the financial year ending 30 June 2010, the following service charges payable by ratepayers benefited by the Community Wastewater Management Systems authorised by the Minister in those portions of the area as follows:

- (i) a charge of \$334 per unit in Mount Barker;
- (ii) a charge of \$334 per unit in Littlehampton;
- (iii) a charge of \$334 per unit in Brukunga;
- (iv) a charge of \$334 per unit in Meadows;
- (v) a charge of \$334 per unit in Echunga;
- (vi) a charge of \$334 per unit in Nairne;
- (vii) a charge of \$334 per unit in Macclesfield.

Refuse Charge

That a refuse charge for the kerbside waste collection service and disposal for the 2009-2010 year of \$138 each rateable property within Council's designated kerbside waste and recycling collection area is entitled to receive:

- (i) One weekly kerbside waste collection comprising of 140 L Mobile Garbage Bin (MGB).
- (ii) One fortnightly kerbside recycling collection comprising 240 L MGB.
- (iii) Provision of one 140 L MGB and 240 L MGB by Council.

That a refuse charge for the kerbside waste collection service and disposal for the 2009-2010 year of \$165 each rateable property within the collection area designated as 'township' in the kerbside collection area is entitled to receive:

- (i) One weekly kerbside waste collection comprising of 140 L Mobile Garbage Bin (MGB).
- (ii) One fortnightly kerbside recycling collection comprising 240 L MGB.
- (iii) Provision of one 140 L MGB and 240 L MGB by Council plus one fortnightly kerbside green waste collection comprising 240 L MGB.

This applies to all properties within the respective collection area with the following exceptions:

Vacant Land

Properties classified as vacant land are exempt under Council's rating policy for the refuse service charge and consequently no service (or associated refuse charge) applies to these properties.

Primary Production

Properties classified as Primary Production where no dwelling exists are exempt under Council's rating policy for the refuse charge and consequently no service (or associated refuse charge) applies to these properties.

Premises classified as exempt from the kerbside collection service due to inaccessibility of similar reasoning by Council will not be required to pay the annual service charge and therefore will not receive a kerbside collection service.

Conditions apply to Schools, multiple Tenancies, Commercial and Industrial Bin Provision and Replacement and Council-owned properties (refer Kerbside Waste and Recycling Collection Service Policy for definitions).

Section 188 of the Act permits Council to apply the charge *pro rata* against the remaining period of the financial year.

Meadows Water Service Charge

That Meadows water service charge for the 2009-2010 financial year be fixed at \$265 per rateable assessment.

Separate Rate—Hahndorf

That pursuant to section 154 of the Local Government Act 1999, for the fiscal year ending 30 June 2010 and in order to undertake the project of promoting and enhancing business viability, profitability, trade and commerce in that part of the Council's area.

Comprising land within Historical Township of Hahndorf (HT1) as described in the Development Plan applicable to the District Council of Mount Barker, the following differential separate rates are declared on all rateable land based upon capital value of the land subject to the rate as follows:

Land Uses—Category 2 (Commercial—Shop), Category 3 (Commercial—Office), Category 4 (Commercial—Other), Category 5 (Industry—Light), Category 6 (Industry—Other) and Category 8 (Vacant Land), 0.1 cents in the dollar.

Separate Rate—Mount Barker

That pursuant to section 154 of the Local Government Act 1999, for the fiscal year ending 30 June 2010, for enhancing the commercial and business viability of the Regional Town Centre as determined by the Mount Barker Town Centre Development Association, when formed.

Comprising land within Mount Barker Regional Town Centre Zone as described in the Development Plan applicable to the District Council of Mount Barker, the following differential separate rates are declared on all rateable land based upon capital value of the land subject to the rate as follows:

Land Uses—Category 2 (Commercial—Shop), Category 3 (Commercial—Office), Category 4 (Commercial—Other), Category 5 (Industry—Light), Category 6 (Industry—Other) and Category 8 (Vacant Land), 0.046054 cents in the dollar.

Separate Rate—Developer Contributions

Pursuant to section 154 of the Local Government Act 1999, the Council declares a separate rate on each of the development sites listed below:

Sims Road West—CT 5704/106, Allotment 101, DP 51577;

Gum Tree Drive—CT 5931/823, Allotment 1, DP 65900,

of an amount comprising a fixed charge for the purpose of securing the construction of infrastructure works located directly adjacent or within or near to the development site being works of particular benefit to the land and to the occupiers of the land that is the subject of the proposed development and to visitors to that part of the Council area; and

Hurling Drive—CT 5798/189, Allotment 98, FP 215216;

Hurling Drive—CT 5807/442, Allotments 104 and 105, DP 53125;

Hurling Drive—CT 5411/888, Allotment 1001, DP 31638;

Hurling Drive—CT 5406/172, Allotment 14, DP 46774;

Hurling Drive—CT 5818/898, Allotment 28, HP 160105;

Hurling Drive—CT 5162/448, Allotment 1, FP 8847;

Sims Road East—CT 5144/868, Allotment 3, FP 10713;

Hallet Road—CT 5792/224, Allotment 42, FP 157277;

Gardner Street—CT 5902/341, Allotment 101, DP 62247;

Matthew Road—CT 5918/382, Allotment 124, DP 62889,

of an amount comprising a fixed charge for the purpose of securing the construction of infrastructure works located directly adjacent or within or near to the development site being works of particular benefit to the land and to the occupiers of the land that is the subject of the proposed development and to visitors to that part of the Council area; and

Meadows East—CT 5346/571, Allotment 99, DP 27399;

Meadows West—CT 5334/230, Allotment 25, DP 44616,

of an amount comprising a fixed charge for the purpose of securing the construction of infrastructure works located directly adjacent or within or near to the development site being works of particular benefit to the land and to the occupiers of the land that is the subject of the proposed development and to visitors to that part of the Council area; and

Hawthorn Road—CT 5888/156, Allotment 98, DP 60057;

Hawthorn Road—CT 5875/791, Allotment 69, FP 159946,

of an amount comprising a fixed charge for the purpose of securing the construction of infrastructure works located directly adjacent or within or near to the development site being works of particular benefit to the land and to the occupiers of the land that is the subject of the proposed development and to visitors to that part of the Council area.

Separate Rate—Natural Resources Management Levy

That in exercise of the powers contained in the Natural Resources Management Act 2004 and section 154 of the Local Government Act 1999, in order to reimburse to the Council the amount of \$89 763 contributed to the Adelaide and Mount Lofty Ranges Natural Resources Management Board.

A separate rate of 0.010504 cents in the dollar based upon the capital value of rateable land, is declared on all rateable land in the Council's area, within the Adelaide and Mount Lofty Ranges Natural Resources Management Board area for the year ending 30 June 2010.

That in exercise of the powers contained in the Natural Resources Management Act 2004 and section 154 of the Local Government Act 1999, in order to reimburse to the Council the amount of \$221 093 contributed to the SA Murray-Darling Basin Natural Resources Management Board.

A separate rate of 0.005422 cents in the dollar based upon the capital value of rateable land, is declared on all rateable land in the Council's area, within the SA Murray-Darling Basin Natural Resources Management Board area for the year ending 30 June 2010.

A. STUART, Chief Executive Officer

DISTRICT COUNCIL OF ORROROO/CARRIETON

Adoption of Valuation and Declaration of Rates

NOTICE is hereby given that at its meeting held on 28 July 2009, the District Council of Orroroo/Carrieton, for the financial year ending 30 June 2010:

1. Adopted, for rating purposes, the Valuer-General's valuation of capital value of land within the Council's area totalling \$148 472 700.
2. Declared a general rate of 0.2788 cents in the dollar.
3. Imposed a fixed charge of \$180 as part of the general rate upon each separate piece of rateable land.
4. Imposed an annual service charge of \$148 on all land within the Council area to which the refuse collection service is provided.
5. Declared a separate rate of 0.0192 cents in the dollar on all rateable land in the Council area in order to raise the amount of \$22 806 payable to the Northern Yorke Natural Resources Management Board.
6. Declared that all rates and charges be payable in four equal or approximately equal instalments on 25 September 2009, 18 December 2009, 26 March 2010 and 25 June 2010.

I. WILSON, Chief Executive Officer

DISTRICT COUNCIL OF ORROROO/CARRIETON

PUBLIC CONSULTATION

Periodical Review of Elector Representation

NOTICE is hereby given that the Council has undertaken a review to determine whether alterations are required in respect to elector representation, including ward boundaries and the composition of Council.

As an outcome of this review Council proposes to:

- retain the office of Chairperson (chosen by the elected members of Council) as its principal member, with the title of Chairman (pursuant to the provisions of section 51 (1) (b) of the Local Government Act 1999);
- not divide the Council area into wards;
- comprise seven area councillors.

Report

Council has prepared a report which details the review process, public consultation undertaken and the proposal Council considers should be carried into effect. A copy of this report is available from the Council Office, 17 Second Street, Orroroo.

Written Submissions

Written submissions are invited from interested persons and should be directed to the Chief Executive Officer, P.O. Box 3, Orroroo, S.A. 5431, by close of business on 28 August 2009.

Any person(s) making a written submission will be given the opportunity to appear before a meeting of Council or Council Committee to be heard in support of their submission.

I. WILSON, Chief Executive Officer

WAKEFIELD REGIONAL COUNCIL

Review of Elector Representation

NOTICE is hereby given that the Council has undertaken a review to determine whether alterations are required in respect to elector representation, including ward boundaries and the composition of Council.

As an outcome of this review Council proposes:

- that the Mayor should continue to be elected by the electors for the area;
- that the electors of the Council area should be represented by 10 Councillors in four Wards.

Council has prepared a report which details the review process, public consultation undertaken and the proposal Council considers should be carried into effect. A copy of this report is available from the Council office or can be viewed on our website at www.wakefieldrc.sa.gov.au. Alternatively, ring us on 8862 0800 and we will forward a copy of the document to you.

Council is seeking community feedback on the proposed alteration to its composition and structure. Interested persons are invited to make a written submission to the Chief Executive Officer, P.O. Box 167, Balaklava, S.A. 5461, by close of business on Friday, 28 August 2009. Any person(s) making a written submission will be given the opportunity to appear before a Council meeting to be heard in support of their submission.

Further information regarding the representation review can be obtained by contacting Steve Jonas on 8862 0800.

P. J. BARRY, Chief Executive Officer

WAKEFIELD REGIONAL COUNCIL

ERRATUM

Adoption of Valuation and Declaration of Rates

IN *Government Gazette* No. 53 dated 23 July 2009, page 3412, second notice appearing under the heading 'Waste Collection Charge', a service charge of \$200 *should* read as \$222.

[*]

P. J. BARRY, Chief Executive Officer

WATTLE RANGE COUNCIL

Declaration of Public Road—Wattle Range Road, Hundred of Riddoch

NOTICE is hereby given that Wattle Range Council at its meeting held on 14 July 2009, in accordance with the provisions of section 208 of the Local Government Act 1999, declared Allotment 2 in Deposited Plan 13967 (formerly portion of Section 23), Hundred of Riddoch as contained in certificate of title volume 5683, folio 360, to be a public road.

This land is required as a road to provide legal access along the road known as Wattle Range Road.

F. N. BRENNAN, Chief Executive Officer

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

- Bungey, Ross*, late of 55 St Bernards Road, Magill, retired bank messenger, who died on 2 May 2009.
- Chipperfield, Mollie*, late of 16-24 Penneys Hill Road, Hackham, of no occupation, who died on 5 May 2009.
- Foster, Frank*, late of 25 Newton Street, Whyalla, retired fisherman, who died on 19 April 2009.
- Longe, Ethel Maud Mary*, late of 5 Renfrey Street, Oaklands Park, retired assessor, who died on 28 May 2009.
- Malkin, Isabel Joyce*, late of 1099 Grand Junction Road, Hope Valley, of no occupation, who died on 21 May 2009.
- McCabe, Owen James*, late of 30 Sussex Terrace, Westbourne Park, retired chartered town planner, who died on 20 May 2009.

Mobbs, Doris, late of 16-24 Penneys Hill Road, Hackham, of no occupation, who died on 8 May 2009.

Morgan, Marion, late of 4 Worden Street, Davoren Park, retired retail buyer, who died on 4 May 2009.

Trejtner, Albine, late of 336 Kensington Road, Leabrook, retired bookkeeper, who died on 3 May 2009.

Walsh, Edna Ann, late of 34 Molesworth Street, North Adelaide, of no occupation, who died on 7 June 2009.

Notice is hereby given pursuant to the Trustee Act 1936, as amended, 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 Public Trustee, 25 Franklin Street, Adelaide, S.A. 5000, full particulars and proof of such claims, on or before 4 September 2009, otherwise they will be excluded from the distribution of the said estate; and notice is also hereby given that all persons who are 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 the same to the Public Trustee.

Dated 6 August 2009.

M. I. BODYCOAT, Public Trustee

SALE OF PROPERTY

Auction Date: Friday, 21 August 2009 at 12 a.m.

Location: 5 Ainsley Court, Athelstone

NOTICE is hereby given that on the above date at the time and place stated, by virtue of the Warrant of Sale issued out of the District Court, Action No. 2209 of 2007, directed to the Sheriff of South Australia in an action wherein Sisto Priarollo is the Plaintiff and Janet Hamilton West is the Defendant, I, Mark Stokes, Sheriff of the State of South Australia, will by my auctioneers, Professionals Real Estate, make sale of the estate, right, title or interest whatsoever it may be of the Defendant Janet Hamilton West as the registered proprietor of an estate in fee simple in the following:

That piece of land situated in the area named Enfield, being Allotment 13 in Deposited Plan 22610, in the area named Athelstone, Hundred of Adelaide, being the property comprised in certificate of title register book volume 5380, folio 834.

Further particulars from the auctioneers:

Professionals Glynde
495 Payneham Road
Felexstow, S.A. 5070
Telephone (08) 8365 0599

ATTENTION

CUSTOMERS requiring a proof of their notice for inclusion in the *Government Gazette*, please note that the onus is on you to inform **Government Publishing SA** of any subsequent corrections by **10 a.m. on Thursday**, which is our publication deadline.

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