



South Australian Current Regulations

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LOCAL GOVERNMENT (GENERAL) REGULATIONS 2013 - REG 12

12—Service rates and charges

(1) In this regulation—

"CWMS Property Units Code" means the Code for Establishing and Applying Property Units as a Factor for the Imposition of Annual Service Charges for Community Wastewater Management Systems published by the LGA on 20 April 2006, as in force at the time that this regulation is made.

(2) For the purposes of this regulation—

- (a) the LGA is declared to be a prescribed body under section 303(4) of the Act; and
- (b) the Code is adopted by these regulations pursuant to section 303(4) of the Act; and
- (c) the principal office of the LGA (at 148 Frome Street, Adelaide, 5000 or, if the LGA moves its principal office, at that new address) is specified for the purposes of section 303(7)(c) of the Act.

(3) For the purposes of section 155(2a) of the Act, the prescribed circumstances in which section 155(2) of the Act does not apply are where the land is non-rateable land of 1 of the following classes and the prescribed services are not made use of at the land:

- (a) unalienated Crown land used wholly or primarily for—
 - (i) the conservation or protection of natural resources within the meaning of the [Natural Resources Management Act 2004](#); or
 - (ii) recreational or sporting activities;
- (b) unalienated Crown land within the meaning of the [Crown Land Management Act 2009](#);
- (c) land constituted as a reserve under the [National Parks and Wildlife Act 1972](#);
- (d) land constituted as a wilderness protection area or wilderness protection zone under the [Wilderness Protection Act 1992](#);
- (e) land vested, under [section 15](#) of the [Harbors and Navigation Act 1993](#), in the Minister to whom that Act is committed.

(4) Pursuant to section 155(3)(b) of the Act, the following factors are prescribed:

- (a) any category of land use declared as a permissible differentiating factor under [regulation 14](#);
- (b) in respect of a service for the collection, treatment or disposal of wastewater or effluent—the number of property units that apply with respect to the relevant land, as determined under the CWMS Property Units Code.

(5) For the purposes of section 155(5) of the Act, the cost of capital (as understood as an economic concept) may be taken into account when determining the cost to the council of establishing, operating, maintaining, improving or replacing the relevant service.

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