

By-Laws Made Under the Flinders University of South Australia Act 1966

Definitions

1 In these by-laws -

'The Act' means The Flinders University of South Australia Act 1966 as amended from time to time.

'Authorised person' means a person appointed by the Council to be an authorised person for the purposes of Section 20 of the Act.

'Delegate' means a person appointed by the Council to be a delegate for the purposes of these by-laws, or for the purpose of the by-law or by-laws in relation to which the expression is used.

'Council' means the Council of the University.

'Give-way sign' means a sign inscribed with the words 'give-way' across the face thereof.

'Intersection' means that area comprised within imaginary straight lines joining the corners formed by the convergence of the lateral boundaries or the prolongation of the lateral boundary lines of two or more roads which cross each other.

'Junction' means the part of a road which is comprised within the prolongation across the road of the lateral boundary lines of another road which joins it: a road shall be deemed to join another road within the meaning of this definition if it joins that road but does not cross it.

'Metered space' means a space within the University grounds which is marked out or designated for the accommodation of a vehicle and at which space a parking meter has been installed.

'Pedestrian crossing' means a crossing for the use of pedestrians established in accordance with these by-laws.

'Road' includes way and track.

'Stop sign' means a sign inscribed with the word 'Stop' across the face thereof.

'University' means The Flinders University of South Australia.

'University grounds' means all land owned and occupied by the University or of which the University has care, control and management.

'Vehicle' includes any motor car, motor truck, motor cycle, aircraft, carriage, cart, bicycle or other vehicle of whatsoever kind or nature and howsoever ridden, driven or propelled.

Trespass on University Grounds

- 2 (a) No person shall trespass on the University grounds.
- (b) Every person reasonably suspected by an authorised person of trespassing on the University grounds -

(i) shall give his or her name and address to that authorised person upon being requested to do so;

(ii) shall forthwith leave the University grounds if requested to do so by that authorised person.

Damage to University Grounds

- 3 (a) No person shall wilfully damage the University grounds or any part thereof or any fixtures, chattels, trees, shrubs, bushes, flowers, gardens or lawns on or in those grounds.
- (b) No person shall on any part of the University grounds:
- (i) remove or interfere with any stake or label on or near any tree, shrub, plant or flower;
 - (ii) walk on or over any bed containing or being prepared for flowers or shrubs;
 - (iii) walk on or over any lawn in contravention of any notice posted thereon;
 - (iv) enter or walk on or over any part of the University grounds which is enclosed and on which is posted a notice prohibiting persons from entering or walking thereon; or
 - (v) interfere with or climb upon any fence, building, or erection, or any fixed or moveable thing.
- 4 (a) No person shall within the University grounds:
- (i) affix any bill, poster or placard to or against any building, wall, fence, structure, road or footpath;
 - (ii) use paint or chalk or any other means to write or draw upon, soil, deface or mark any building, wall, fence, structure, road or footpath.
- (b) This by-law shall not apply to a portion of a building, wall or structure approved by the Council for use for any purpose such as is referred to in paragraph (a) of this by-law, when used in accordance with any condition specified by the Council.

Vehicles, Traffic and Parking

- 5 No person shall drive any vehicle within the University grounds at a speed exceeding the default speed limit as specified for built up areas in the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulation 1999.
- 6 Where any road or area or portion of a road or area within the University grounds has been designated or marked out by a sign or marking as a road or area or portion of a road or area to which a particular speed limit applies, no person shall drive any vehicle on that road or area or that portion of the road or area at a higher speed than the speed limit applicable to that road or area or that portion of the road or area.
- 7 Where any road or area or portion of a road or area within the University grounds has been designated or marked, by a sign or marking as a road or area or portion of a road or area where traffic may proceed in one direction only, no person shall drive any vehicle on that road or area or that portion of the road or area in a direction other than that indicated by the sign or marking.
- 8 No person shall drive any vehicle within the University grounds in a dangerous or careless manner, or without reasonable consideration for other persons in the vicinity.
- 9 No person shall drive or use any motor vehicle on the University grounds in such manner as to cause undue or excessive noise.

- 10 No person shall drive on the University grounds any vehicle which together with the load thereon, if any, exceeds 30 tonnes in weight, except as authorised in writing by the Vice-Chancellor or delegate.
- 11 No person shall drive on the University grounds any tracked vehicle, except as authorised in writing by the Vice-Chancellor or delegate.
- 12 (a) The Council may from time to time cause:
- (i) pedestrian crossings to be created in the University grounds;
 - (ii) signs to be erected or markings to be made in the University grounds indicating the presence of a pedestrian crossing.
- (b) A pedestrian crossing shall be indicated by:
- (i) a series of white stripes extending across the road and generally parallel to the centre of the road;
 - (ii) advance warning signs bearing the words 'Pedestrian Crossing Ahead' located in positions determined by the Council;
 - (iii) pedestrian crossing signs inscribed with the word 'Crossing' and walking legs symbol located in positions determined by the Council;
 - (iv) any other sign, line or marking as determined by the Council.
- (c) The driver of any vehicle approaching a pedestrian crossing shall give way to any pedestrian on the crossing.
- (d) A driver of any vehicle shall not permit that vehicle or any part thereof to pass another vehicle which is headed in the same direction and has stopped at a pedestrian crossing for the purpose of giving way to pedestrians thereon.
- (e) A pedestrian shall not remain within the limits of a pedestrian crossing longer than is necessary for the purpose of passing over the crossing with reasonable speed.
- 13 (a) The Council may from time to time cause:
- (i) give way signs to be erected in the University grounds;
 - (ii) stop signs to be erected in the University grounds.
- (b) A driver of any vehicle approaching a stop sign at an intersection or junction from the direction towards which the sign is facing shall stop that vehicle at a point before but as near as practicable to the nearer boundary of the road which the vehicle is about to enter and shall give way to any other vehicle that is approaching or is in the intersection or junction.
- (c) A driver of any vehicle approaching a give-way sign in or near an intersection or junction from the direction towards which the sign is facing shall give way to any other vehicle that is approaching or is in the intersection or junction.
- 14 (a) The Council may from time to time cause:
- (i) signs to be erected or markings to be made in the University grounds designating or marking out areas where the parking of vehicles is prohibited or restricted to vehicles belonging to or used by certain persons or classes of persons or where vehicles may be parked or left only for certain periods of time, as indicated by the signs or markings;
 - (ii) parking meters to be erected within the University grounds and metered spaces to be marked out for use in association with such parking meters;

- (iii) markings to be made on any ground within the University grounds marking out or designating areas where individual vehicles may be parked; or
 - (iv) signs to be erected or markings to be made indicating speed limits for particular roads or areas or portions of roads or areas within the University grounds.
- (b) No owner or driver of a vehicle shall park or leave such vehicle or cause allow permit or suffer such vehicle to be parked or left or to remain:
 - (i) in any place in the University grounds unless such vehicle has affixed to or displayed on it a currently valid permit issued by or under the authority of the Council for the parking or leaving of such vehicle in such place, and such permit is affixed or displayed in accordance with any instructions given in writing when such permit is issued; provided that the Council or its delegate may exempt any person or class of persons from this requirement, either generally or in relation to any particular area, and subject to such conditions, (if any) as the Council or its delegate may specify;
 - (ii) in any place within the University grounds which is designated or marked out as a prohibited area by a sign or marking;
 - (iii) in any place within the University grounds for a longer period of time than the period designated or marked out by a sign or marking as the maximum for which vehicles may be parked or left in that area;
 - (iv) in any place within the University grounds so that such vehicle stands across any line designating or marking out a parking space, provided that where spaces so designated or marked out provide for the parking of vehicles and where the length of the vehicle exceeds the length of one such space it shall be lawful to park such vehicle wholly within two such spaces, subject however to these by-laws and in particular (and without limiting the generality) to paragraph (c) of this by-law;
 - (v) in any place within the University grounds which is marked out or designated as a parking space and which is already occupied by another vehicle;
 - (vi) in any place in the University grounds which is not designated or marked out by a sign or marking as an area in which a vehicle may be parked or left.
- (c) No owner or driver of any vehicle shall leave such vehicle parked or standing in or at a metered space within the University grounds, or shall cause allow permit or suffer such vehicle to remain parked or standing in or at a metered space within the University grounds, while the expired indicator in the parking meter at such metered space is visible in the face of the meter, provided that it shall not be an offence under this paragraph if the vehicle is so parked or allowed to stand only during such hours as are not within the hours indicated by a notice on the meter, or on a sign erected in the vicinity of the meter, or by markings on the roadway, as hours during or between which the meter is operative.
- (d) (i) No person shall within the University grounds have in the possession or under the control of that person, or cause allow permit or suffer any other person to have in the possession or under the control of such other person, any key capable of being used for the purpose of opening any parking meter or capable of being used for the purpose of removing or extracting coins therefrom;

- (ii) No person shall deposit or cause to be deposited in any parking meter within the University grounds anything whatever other than a coin or coins of the appropriate denomination required for the proper operation of the parking meter;
- (iii) No person shall operate or attempt to operate any parking meter within the University grounds otherwise than by depositing therein such coin or coins as may be appropriate for the proper operation of the meter.
- 15 The driver of any vehicle within the University grounds, or any person reasonably suspected by an authorised person of having parked or left a vehicle at any place in the University grounds, shall give his or her name and address to any authorised person who asks such driver for such driver's name and address.
- 16 No person shall park or leave any vehicle in University grounds in such a manner as to obstruct the passage of vehicles or pedestrians.
- 17 An authorised person may remove any vehicle from the University grounds without assigning any reason.
- 18 A person being the driver of, or otherwise in charge of, any vehicle within the University grounds shall remove such vehicle from the University grounds upon being directed to do so by an authorised person.
- 19 The expiation fee for offences relating to vehicular traffic and parking shall be such amount as the Council may from time to time determine.

Disorderly Conduct

- 20 (a) No person shall on the University grounds use any indecent language or be guilty of any disorderly conduct.
- (b) An authorised person may remove from the University grounds any person guilty of indecent language or committing disorderly conduct thereon.
- 21 No person shall throw, place, deposit or leave on the University grounds any rubbish, refuse, paper, bottles, or glass (broken or otherwise), or any litter of any kind or nature whatsoever.

Alcoholic Liquor

- 22 (a) No person shall, without the permission of the Council or its delegate, bring any alcoholic liquor upon the University grounds, or keep or consume any alcoholic liquor upon the University grounds.
- (b) An authorised person may remove from the University grounds any intoxicated person, and search the University grounds and vehicles for alcoholic liquor, and may seize any alcoholic liquor reasonably suspected of having been brought on to the University grounds contrary to this by-law.
- (c) The Council may confiscate any alcoholic liquor brought on to the University grounds contrary to this by-law, and thereupon such liquor shall become the property of the University.
- (d) This by-law does not apply to any licensed premises within the University grounds.

Noise and Unseemly Behaviour

- 23 No person shall interrupt any lecture or any meeting by any noise or unseemly behaviour on the University grounds, whether in or outside of buildings.

General

- 24 No person shall-
- (a) Kill or injure any livestock within the University grounds;

- (b) Bring within the University grounds any dog, unless such dog is at all times whilst within the University grounds kept on a leash;
- (c) Bring within the University grounds any other livestock (not being a horse used as a beast of burden or traction or any animal or animals brought within the University grounds pursuant to a contract of arrangement made between the owner or person having the custody thereof and the University).
- (d) Be in possession of a fire-arm or of any explosive device or explosive substance within the University grounds.
- (e) Bathe in or pollute any lake or pool situated within the University grounds or take or attempt to take any fish therefrom.
- (f) Light any fire within the University grounds, except in a place set aside for that purpose.

Defences and Exemptions

- 25 A person doing an act which, but for this paragraph, would be an offence against any of the foregoing by-laws shall not be guilty of an offence against such by-law if, in doing the act in question:
- (a) that person was an employee of the University performing that person's specified duties; or
 - (b) that person was:
 - (i) a police officer or other public official; or
 - (ii) a person employed under or pursuant to a contract with the University; acting in the course of his or her duty or employment; or
 - (c) that person was authorised to do the act by a resolution of the Council (of which a writing purporting to be under the hand of the Secretary to Council and to contain a copy of such resolution shall be sufficient evidence) or by writing under the hand of the Vice-Chancellor, a Deputy Vice-Chancellor or the Vice-President (Strategic Finance and Resources).
- 26 The owner, driver or person in charge of the following vehicles shall be exempt from the provisions of by-laws 14(b), 14(c) and 16:
- (a) a vehicle used as an ambulance and being at the time used on urgent ambulance service;
 - (b) a vehicle used by a fire brigade for attendance at fires and at the time called in connection with or attending at an outbreak of fire or suspected outbreak of fire; or
 - (c) a vehicle being used by a member of the police force in the course of his duty as such.
- 27 It shall be a defence to any charge of an offence under by-law 6 or by-law 7 or by-law 12 involving a sign or marking if the defendant proves that the sign or marking was erected or marked without the authority of the Council.

Penalties

- 28 Any person who contravenes or fails to observe any of these by-laws shall be guilty of an offence and liable to a penalty of an amount determined by Council for that purpose, not exceeding a division 10 fine, and to pay compensation for damage as hereinafter provided.
- 29 (a) Penalties incurred under these by-laws may be recovered in a summary manner.

- (b) In any proceedings for the recovery of penalties, the University may claim and recover summarily compensation for any damage done by the defendant to the University grounds or to anything growing or being thereon.

Delegation by Council

- 30 The Council may appoint any person to be a delegate of the Council for the purposes of these by-laws, or for the purposes of any one or more of these by-laws specified in the resolution of the Council making such appointment. The Council may, at will, revoke any such appointment.