

# NORTHERN TERRITORY OF AUSTRALIA

## CONTROL OF ROADS ACT 1953

As in force at 1 July 2021

### Table of provisions

|               |   |    |
|---------------|---|----|
| <b>Part 1</b> | <b>Preliminary matters</b>  |    |
| 1             | Short title .....   | 1  |
| 2             | Commencement .....  | 1  |
| 5             | Interpretation .....  | 1  |
| <b>Part 2</b> | <b>Administration</b>   |    |
| 7             | Roads etc. vested in Territory .....  | 3  |
| 7B            | Delegation .....  | 3  |
| <b>Part 3</b> | <b>General powers of Minister</b>   |    |
| 8             | Power to form, maintain, drain etc. roads .....   | 3  |
| 9             | Power to plant trees etc. ....  | 3  |
| 10            | Trees etc. obstructing or damaging roads .....  | 4  |
| 11            | Minister may close road temporarily or restrict use of road .....   | 4  |
| 12            | Minister may require fence, wall or other structure to be erected for prevention of certain hazards ..... | 6  |
| 13            | Minister may license timber cutting, quarrying, and other activities on a road.....                       | 6  |
| 14            | Power to construct temporary roads and remove trees or other growing things .....                         | 7  |
| <b>Part 4</b> | <b>Opening and closing of roads</b>   |    |
| 14A           | Definition.....   | 8  |
| 15            | Power to close and open roads .....   | 8  |
| 16            | Agreement for exchange .....  | 8  |
| 17            | Proceedings to open, alter etc. roads .....   | 9  |
| 18            | Duties of Surveyor-General .....  | 9  |
| 20            | Person may object to proposal .....   | 9  |
| 21            | Procedure where no objection received .....   | 10 |
| 22            | Procedure where objection received .....  | 10 |
| 22A           | Certain provisions to apply where proposal amended after objection .....                                  | 10 |
| 23            | Effect of order .....   | 11 |
| 24            | Land to be offered to adjoining owners.....   | 11 |
| 25            | In certain cases land may become Crown lands .....  | 12 |
| 26            | Reservations.....   | 13 |
| 27            | Administrator or Minister empowered to amend existing lease.....  | 13 |

|     |   |    |
|-----|---|----|
| 28  | Easements etc. preserved .....                              | 13 |
| 29  | Registrar-General to correct Register books etc.....        | 13 |
| 30  | Prohibition of removal to the Supreme Court.....            | 14 |
| 31  | Compensation .....  | 14 |
| 31A | Compensation .....  | 14 |
| 32  | Closing of certain roads .....                              | 16 |
| 33  | Order may affect more than one road.....                    | 16 |
| 34  | Duty to fence .....   | 16 |
| 35  | Minister may declare private streets etc. to be roads ..... | 17 |
| 36  | Application of <i>Land Title Act 2000</i> .....             | 17 |

**Part 6                      Miscellaneous matters**

|     |   |    |
|-----|---|----|
| 51  | Metal projections etc. on tyres .....   | 17 |
| 52  | Vehicle or object to have wheels fitted .....   | 17 |
| 53  | Caterpillar type tractors .....   | 18 |
| 54  | Certain acts forbidden .....  | 18 |
| 54A | Use of immobilising devices .....   | 19 |
| 55  | Person not to stop vehicle etc. on bridges or culverts .....                                  | 19 |
| 56  | Vehicles etc. to be removed from bridges and culverts .....                                   | 19 |
| 57  | Timber etc. fixed to roads not to be damaged etc.....   | 20 |
| 58  | Person not to cut timber, quarry, erect petrol pumps or cattle<br>ramps without licence ..... | 20 |
| 59  | Houses and other obstructions on roads .....  | 20 |
| 60A | Approval to drive aircushioned vehicle .....  | 21 |
| 61  | Liability of owner and actual offender .....  | 22 |
| 62  | Regulations.....  | 22 |

**Part 7                      Transitional matters for Northern Territory  
Civil and Administrative Tribunal  
(Conferral of Jurisdiction Amendments)  
(No. 2) Act 2014**

|    |   |    |
|----|---|----|
| 63 | Application before former Tribunal..... | 23 |
|----|---|----|

**ENDNOTES**

# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 1 July 2021

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## CONTROL OF ROADS ACT 1953

An Act to provide for the administration and control of roads

### Part 1 Preliminary matters

#### 1 Short title

This Act may be cited as the *Control of Roads Act 1953*.

#### 2 Commencement

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

#### 5 Interpretation

(1) In this Act:

***adjoining owner*** means an owner in fee simple of land, or a lessee of Crown lands, of land which is contiguous to, or affected by, land comprising a road, or a part of a road.

***attached***, in relation to the connection between a prime mover and a trailer, includes connected indirectly through another trailer.

***pneumatic tyre*** means a tyre consisting of a flexible elastic shell inflated with air, with or without an inner tube.

***rigid***, as applied to a vehicle, means that the longitudinal axis of the vehicle cannot deviate from a straight line in a horizontal direction.

***road*** means, subject to subsection (2):

- (a) all streets, roads, courts, alleys, thoroughfares and culs-de-sac which were, immediately before the date when this Act comes into operation, public streets, roads, courts, alleys, thoroughfares, or culs-de-sac within the meaning of any law then in force in the Northern Territory; or

- (c) land which, whether before or after the date when this Act comes into operation:
  - (i) is proclaimed, dedicated, resumed or otherwise established as a public street, road or thoroughfare; or
  - (ii) is opened as a road or is declared to be a road by the Minister pursuant to this Act; or
  - (iii) is reserved or left as a road in a subdivision of Crown land; or
  - (iv) is conveyed or transferred to the Territory in fee simple and is accepted by the Territory as a road; or
  - (v) not being Crown land leased for purposes which include the construction of a road at the expense of the lessee, is used as a thoroughfare passing through or over Crown land whether alienated or otherwise.

**Surveyor-General**, see section 4 of the *Licensed Surveyors Act 1983*.

**width** means:

- (a) in relation to a vehicle, including an articulated vehicle:
  - (i) in the case of a vehicle to which a trailer is attached, the distance from one side of the vehicle, the trailer, a projecting part of the vehicle, the trailer or the load of the vehicle or trailer, to the other side of the vehicle, the trailer, a projecting part of the vehicle, the trailer or load of the vehicle or trailer, whichever is the greatest; or
  - (ii) in any other case, the distance from one side of the vehicle, a projecting part of the vehicle or its load, to the other side of the vehicle, a projecting part of the vehicle or its load, whichever is the greatest; or
- (b) in relation to a tyre, the width of the surface of the tyre which ordinarily comes into contact with the surface of the road; or
- (c) in relation to tyres on a group of co-axial wheels on one side of the longitudinal centre line of a vehicle, the sum of the widths of the surfaces of those tyres which ordinarily come into contact with the surface of the road.

*Note for subsection (1)*

*The Interpretation Act 1978 contains definitions and other provisions that may be relevant to this Act.*

- (2) For Parts 3 and 4, **road** does not include a road that is under the care, control and management of a local government council.

## **Part 2 Administration**

### **7 Roads etc. vested in Territory**

Subject to section 64 of the *Planning Act 1999* and Part 12.3 of the *Local Government Act 2019*, all roads in the Northern Territory, together with the timber growing on those roads and all bridges, culverts, water-tables, kerbs, gutters, footpaths, lamps, direction boards, kilometre posts, rails, posts, walls, chains, fences and other things erected on or affixed to those roads are the property of and vested in the Territory and are under the care, control and management of the Minister.

### **7B Delegation**

The Minister may delegate any of the Minister's functions and powers under this Act.

## **Part 3 General powers of Minister**

### **8 Power to form, maintain, drain etc. roads**

- (1) The Minister may form, pave, drain, level and repair roads and footpaths, alter the levels of roads and footpaths, erect or construct bridges, culverts, water-tables, kerbs, gutters, lamps, direction boards, kilometre posts, rails, posts, walls, chains and fences, erect or build, or cause to be erected or built, a house or other building, verandah, structure or road side facility on or at the side of a road and may drain water from roads into or through adjacent land.
- (2) The owner in fee simple, or the lessee under a Crown Lease, of land into or through which water is drained from a road, may claim compensation from the Territory except where the drainage follows the natural fall of the ground.

### **9 Power to plant trees etc.**

- (1) The Minister may cause trees, shrubs, gardens or lawns to be planted at the side of a road and tree-guards, stakes or other supports to be erected.
- (2) The Territory is not liable for any damage to property which results from the planting of a tree, shrub, garden or lawn at the side of a road or from the existence of a tree or shrub growing in a road whether caused to be planted by the Minister or not.

- (3) The Minister may cause to be:
- (a) pulled down or demolished a house, building, verandah, hedge, fence or structure or other obstruction erected, built or placed on a road; and
  - (b) filled in a ditch, drain, gutter, sink or watercourse constructed; and
  - (c) cleared out and removed an obstruction in a ditch, drain, gutter, sink or watercourse at the side of a road, which had been placed there;

in contravention of this Act and may, in the name of the Territory, recover the cost of so doing from the person who contravened this Act, whether or not that person has been found guilty of an offence under this Act, as a debt due to the Territory by that person.

#### **10 Trees etc. obstructing or damaging roads**

- (1) If a tree or other thing growing on land adjacent to a road obstructs or damages that road, the Minister may, by notice in writing, served by post on the occupier of that land, require that occupier to remove the tree or other thing or a part of the tree or thing on or before such date as the Minister specifies in that notice.
- (2) If a person fails to comply with a requirement made by the Minister under subsection (1), the Minister may cause the tree or other thing, or a part of the tree or thing, to be removed and may, in the name of the Territory, recover the cost of so doing from that person as a debt due to the Territory by that person.

#### **11 Minister may close road temporarily or restrict use of road**

- (1) The Minister may, if he or she considers it appropriate:
- (a) close a road; or
  - (b) do any of the following in relation to the road:
    - (i) restrict the use of the road to vehicles that do not exceed a specified mass;
    - (ii) restrict the use of the road to a specified class of vehicles;
    - (iii) impose other restrictions on the use or manner of use of the road as the Minister considers appropriate.

- (2) A closure of a road, or a restriction on the use of the road, under subsection (1) is effected by:
- (a) to the extent it is reasonably practicable – causing signs to be displayed in a prominent place at the approaches to the road to which the closure or restriction relates, or erecting fences or barriers on or across the road; and
  - (b) by giving notice of the closure or restriction in accordance with subsection (4) before, or as soon as reasonably practicable after, the closure or restriction.
- (3) If the Minister is satisfied the closure of a road or restriction on the use of the road is no longer required, the Minister must cause the removal of any signs, fences or barriers and give notice of the revocation of the closure or restriction in accordance with subsection (4).
- (4) A notice for this section may be given in the following ways:
- (a) by *Gazette* notice;
  - (b) by notice in a newspaper circulating in the region in which the road is located;
  - (c) by publication on a website maintained by the Department and promoted to the public as a resource for accessing road closure and road condition information;
  - (d) by recorded message accessed by telephone using a telephone number promoted to the public as a resource for accessing road closure and road condition information;
  - (e) by radio or television broadcast in the region in which the road is located.
- (5) A person must not drive a vehicle, or cause or permit a vehicle to be driven, on a road that is closed under this section.

Maximum penalty: 100 penalty units.

- (6) A person must not drive a vehicle, or cause or permit a vehicle to be driven, on a road that is subject to a restriction under this section while in contravention of the restriction.

Maximum penalty: 100 penalty units.

- (7) It is a defence to a prosecution for an offence against subsection (5) or (6) if the person establishes a reasonable excuse.

- (8) Without limiting subsection (7), it is a reasonable excuse if the person has consent from the competent authority for the road:
- (a) to use a road that is closed under this section; or
  - (b) to use a road subject to a restriction under this section without complying with the restriction.

- (9) In this section:

**competent authority**, for a road, means the person, body or authority (including the Territory) having the care, control and management of the road.

**road** includes part of a road.

**vehicle**, see section 3(1) of the *Traffic Act 1987*.

*Note*

*The definition of vehicle in the Traffic Act 1987 includes a wide range of types of transportation. This means the prohibitions in subsections (5) and (6) apply, for example, to riding a bicycle, and to riding or droving animals.*

## **12 Minister may require fence, wall or other structure to be erected for prevention of certain hazards**

- (1) If land adjoining a road is not enclosed to the satisfaction of the Minister, the Minister may, by notice in writing served by post on the occupier of that land, require the occupier, on or before a date mentioned in that notice, to enclose the land by a fence, wall or other structure, sufficient to prevent drift sand, soil or other material from being carried on to the road.
- (2) If the occupier of the land fails or neglects to comply with a requirement made under subsection (1), the Minister may cause the fence, wall or other structure to be erected and the Minister may, in the name of the Territory, recover the cost of so doing from the occupier as a debt due to the Territory by that person.

## **13 Minister may license timber cutting, quarrying, and other activities on a road**

- (1) The Minister, in his or her absolute discretion and subject to such conditions as the Minister sees fit, may grant a licence to a person, authorising that person:
- (a) to cut and remove timber and bark from a road; or
  - (b) to quarry and remove stone, clay, gravel or sand from a road;  
or



- (c) to erect, maintain and operate on a road a petrol pump, together with such tanks, apparatus, pipes and erections as are reasonably necessary for the operation of a pump for the supply of petrol for sale; or
  - (d) to construct and maintain a cattle ramp on a road.
- (2) The Minister may, at any time, by notice in writing served by post on a person to whom a licence has been granted under subsection (1):
- (a) require that person to do such acts or things as the Minister, in his or her absolute discretion, deems necessary or desirable; or
  - (b) cancel a licence, whether or not the licensee has observed all of the conditions under which the licence was granted.
- (3) If a person fails to comply with the requirements of a notice served under subsection (2), the Minister may cause to be done the act or things required to be done and may, in the name of the Territory, recover the cost of so doing from that person as a debt due to the Territory by that person.

**14 Power to construct temporary roads and remove trees or other growing things**

A person acting with the authority, or under the orders, of the Minister may:

- (a) construct a temporary road over uncultivated land for use as a passage for vehicles whilst a road or a part of a road is being made or repaired; and
- (b) remove a tree or thing, growing on land adjacent to a road, which:
  - (i) obstructs, damages or is likely to obstruct or damage that road; or
  - (ii) obstructs or is likely to obstruct the vision of the driver of a vehicle approaching a bend or corner in the road;

and for any of these purposes or for the purpose of carrying out or giving effect to this Act, may, with or without workers, horses, machinery and vehicles, enter in and upon land adjoining a road.

## **Part 4                    Opening and closing of roads**

### **14A            Definition**

In this Part:

***proposal*** means a proposed new road, the proposed alterations of a road or part of a road, or a road or part of a road proposed to be closed, delineated on a plan.

### **15            Power to close and open roads**

Despite any law in force in the Northern Territory, but subject to this Act, the Minister may, whether by one proceeding or otherwise, from time to time:

- (a) open a new road; and
- (b) alter a road or a part of a road; and
- (c) close a road or a part of a road; and
- (d) exchange land comprising a road or a part of a road for land required for a new road or for an alteration of a road; and
- (e) retain land comprising a road or a part of a road, which has been closed under this Act, for any purpose of the Territory or dedicate the land for any public purpose; and
- (f) dispose of land comprising a road, or a part of a road, which has been closed under this Act, whether retained under paragraph (e) or otherwise; and
- (g) execute a transfer, conveyance, lease or other document to give effect to this Act.

### **16            Agreement for exchange**

- (1) If the Commonwealth or the Territory has acquired land or an estate or interest in land for the purpose of making or opening a new road or altering an existing road, the Minister may agree with the person from whom that land or that estate or interest in land was acquired that, in satisfaction in whole or in part of any compensation, the person will receive the grant of a corresponding estate or interest in specified land of the Crown adjoining the parcel of land that contains the land which or the estate or interest in which was acquired.

- (2) In this section:

**compensation** means an amount of money ascertained in accordance with the *Lands Acquisition Act 1978* or any other law in force in the Northern Territory to be the amount which a person is entitled to receive in respect of the acquisition by the Commonwealth or the Territory of land or an estate or interest in land.

## **17 Proceedings to open, alter etc. roads**

- (1) If it is proposed to open a road, or alter or close a road or part of a road, the Surveyor-General must give the Minister:
- (a) a plan, certified by the Surveyor-General as an adequate representation, showing the approximate position of the proposal; and
  - (b) in relation to the plan, a statement showing the names of adjoining owners with the last known address of each of them.
- (2) After consideration of the plan, the proposal and statement mentioned in subsection (1), the Minister may approve or amend the proposal and, as soon as practicable after the approval, must deposit with the Surveyor-General the plan showing the proposal and amendments, if any, endorsed with the approval of the Minister, together with the statement.

## **18 Duties of Surveyor-General**

If a plan is deposited with the Surveyor-General in accordance with section 17(2), the Surveyor-General must:

- (a) cause a notice to be inserted in the *Gazette* and in a newspaper circulating in the locality of the land to which the plan relates stating a general description of the proposal and setting out the names of adjoining owners; and
- (b) maintain a copy of the plan as approved by the Minister, and permit any person, during normal business hours, to inspect it.

## **20 Person may object to proposal**

Any person may, at any time within 28 days from and including the date of publication of the notice in the *Gazette* or the newspaper, whichever is the later, mentioned in section 18(a), object to the proposal by serving a notice, stating the grounds for the objection, on the Minister either personally or by post.

**21 Procedure where no objection received**

If, at the date of expiry of the time limited by section 20, no person has objected to the proposal in accordance with that section, the Minister may, at any time within 6 months from and including that date, by notice in the *Gazette* and in a newspaper circulating in the locality of the proposal, order a new road to be opened or a road or part of a road to be altered or closed in accordance with the plan deposited with the Surveyor-General.

**22 Procedure where objection received**

- (1) If, at the expiry of the time limited by section 20, a person has objected to the proposal in accordance with that section, the Minister may consider the objection and the plan and the statement deposited under section 17, and must determine whether or not the proposal will proceed or an amendment to the proposal must be made.
- (2) Within 6 months after the expiry of the time limited by section 20, the Minister must:
  - (a) by notice in the *Gazette* and in a newspaper circulating in the locality of the land to which the plan and proposal relate, order a new road to be opened or a road or part of a road to be altered or closed in accordance with the plan deposited with the Surveyor-General under section 17(2); or
  - (b) deposit with the Surveyor-General:
    - (i) the plan showing the proposal and amendments, if any, pursuant to subsection (1) endorsed with the approval of the Minister; and
    - (ii) in relation to the plan – a statement showing the names of the adjoining owners with the last known address of each of them.

**22A Certain provisions to apply where proposal amended after objection**

- (1) Subject to this section, if a plan is deposited with the Surveyor-General under section 22(2)(b), sections 18 to 22 inclusive apply to and in relation to that plan and the proposal to which it relates as if the plan were a plan deposited under section 17(2).
- (2) If a plan is deposited with the Surveyor-General under section 22(2)(b), the Surveyor-General must cause a notice to be inserted in the *Gazette* and in a newspaper circulating in the locality of the land to which the plan relates stating a general description of

the proposal, that the proposal is an amended proposal and setting out the names of adjoining owners.

- (3) If the Minister is satisfied that an objection is the same or substantially the same as an objection already submitted under section 20 and considered under section 22, the Minister may disregard the first-mentioned objection and proceed under this Act as if it had not been made.

### **23 Effect of order**

Upon the publication in the *Gazette* of an order made under section 21 or 22:

- (a) land to be taken for a new road or for an alteration to a road, or a part of a road, is, by virtue of this Act, vested in the Territory and is under the care, control and management of the Minister; and
- (b) the Minister may, subject to this Act:
- (i) pay or receive money agreed to be paid or received for the exchange or disposal of land affected by the order; and
  - (ii) dispose of land comprising a road, or a part of a road, which is closed by the order; and
  - (iii) execute such documents as are required or are necessary to be executed.

### **24 Land to be offered to adjoining owners**

- (1) If any land of the Crown comprises:
- (a) a former road or part of a road that has been closed under this Act; or
  - (b) a road or part of a road that it is proposed to close under this Act;

the Minister may agree with a person who has an estate or interest in land adjoining the first-mentioned land that the person will, after the road or part of a road has been so closed, be granted an estate or interest in the first-mentioned land of a like nature to the person's estate or interest in the adjoining land:

- (c) for such amount as is specified in the agreement; or

- (d) if the person's estate or interest in the adjoining land is a lease granted by or on behalf of the Crown, on the resumption of such part of the adjoining land as is specified in the agreement.
- (2) If each of 2 or more parcels of land adjoining land comprising a former road or part of a road that has been closed under this Act is held for an estate in fee simple or leasehold from the Crown and the parcels are not so held by the same person, the Minister may give written notice to all the persons holding the parcels that the Minister is prepared to dispose of the second-mentioned land.
- (3) Each notice under subsection (2) must specify the estate in the land which the Minister is prepared to offer and the amount for which the Minister is prepared to dispose of that estate.
- (4) If notices have been given under subsection (2) and 2 or more of the persons notified inform the Minister in writing, within 28 days after the date on which the last of the notices was given, that they desire to acquire the land specified in the notices, the Minister must invite each such person to tender for an estate in that land of like nature to the estate held by the person in the person's adjoining parcel of land.
- (5) If the Minister receives only one tender of an amount that is not less than the price specified in the notices, the Minister must accept the tender but, if he or she receives more than one tender, the Minister must accept the tender of the person tendering the highest amount.
- (6) If a tender under subsection (5) is accepted the tenderer is entitled to be granted an estate in the land in respect of which the tender is made of like nature to the estate held by the tenderer in his or her adjoining parcel of land.

## **25 In certain cases land may become Crown lands**

If a road, or a part of a road, that is not on land in respect of which a local government council is the registered proprietor of an estate in fee simple is ordered to be closed and:

- (a) the Minister certifies that the land comprising that road or part of the road can be conveniently used, whether separate from other land or when added to other Crown lands; or
- (b) an adjoining owner does not, within one year from and including the date of the publication in the *Gazette* of the order, acquire, or enter into an agreement to acquire the land, or so much of the land as is not disposed of;

the land becomes Crown lands and is subject to the laws of the Northern Territory relating to Crown lands.

## **26 Reservations**

The Minister may, at any stage in a proceeding under this Act, direct that a certificate as to title to be issued, or a lease to be granted, under this Act must be subject to such reservations as the Minister directs.

## **27 Administrator or Minister empowered to amend existing lease**

- (1) If an agreement made under section 16, 24(1) or 24(5) by the acceptance of a tender entitles a person to be granted a leasehold estate, the estate must be granted by amending the person's lease of the land adjoining the land to be granted so that the land comprising the former road or part of a road is included in the land that is subject to the lease, with such alteration of the reservations, covenants, conditions and provisions of the existing lease as are specified in the agreement.
- (2) The Minister is empowered to amend an existing lease to incorporate additional land in the lease and to do all other things necessary to give effect to subsection (1).
- (3) An amendment of an existing lease under this section is effected by lodging with the Registrar-General a memorandum describing the land incorporated and the alterations in the reservations, covenants, conditions and provisions specified in the agreement.
- (4) The Registrar-General must register a memorandum lodged under subsection (3) and must endorse on the original lease in the Register of Crown Leases a note referring to the memorandum and stating that further land has been incorporated in the lease.

## **28 Easements etc. preserved**

If land subject to an easement, mortgage or other charge is included in land for which a certificate as to title is to be issued under section 27, the certificate as to title issued must be subject to that easement, mortgage or other charge.

## **29 Registrar-General to correct Register books etc.**

- (1) Upon issuing of a certificate as to title or the granting of a lease, under this Act, the Registrar-General must make such alterations and corrections as are necessary on any deposited plan and in the Register.

- (2) The Registrar-General may serve notice in writing, by registered post, on a person who holds a certificate as to title which is affected by the issue of a certificate as to title pursuant to this Act, requiring that person to deliver the certificate as to title to the Registrar-General, within a time stated in that notice, in order that the Registrar-General may cancel, correct or alter it in the manner required.
- (3) A person must not fail to comply with the requirements of a notice given in accordance with subsection (2).

Maximum penalty: 3 penalty units.

### **30 Prohibition of removal to the Supreme Court**

An order purporting to be made under this Act must not be removed or removable into the Supreme Court after section 29 has been complied with in respect of that order.

### **31 Compensation**

If a road or a part of a road which is ordered to be opened, altered or added to runs through or over land, in the original grant or in the lease of Crown lands of which a power of making roads has not been reserved, a person, not being a party to an agreement for exchange, who has an estate or interest in the land or a part of the land taken, may, within 12 months from the date of the *Gazette* in which the order was published, serve a notice in writing on the Minister, claiming compensation for the land taken.

*Note for section 31*

*See section 16 for agreement to exchange.*

### **31A Compensation**

- (1) This section applies to:
- (a) a person who has an estate or interest in land, or a part of land, at the time a section 31 order relating to the land is published; or
  - (b) a person who had an estate or interest in land, or a part of land, at the time a section 31 order relating to the land was published before the commencement.
- (2) It is declared that:
- (a) after the section 31 order is published, the person mentioned in subsection (1)(a) has a right to apply to; or



- (b) after the section 31 order was published, the person mentioned in subsection (1)(b) always had a right to apply to;

the Tribunal to determine an amount payable to the person as compensation, on just terms, for the person's estate or interest in the land, or the part of the land, taken as mentioned in section 31.

- (3) The Tribunal may hear and determine the following:
- (a) an application under subsection (2);
  - (b) an application by a person for leave to serve a notice under section 31 after 12 months from the date of publishing of the section 31 order relating to land, or part of land, in relation to which the person had an estate or interest at the time of publishing.
- (4) A person may not apply under subsection (2) or (3)(b) if the person, in writing, agrees or, before the commencement, agreed, to an amount of compensation in relation to the estate or interest in the land or the part of the land taken.
- (6) In relation to an application under subsection (2), the Tribunal must hold a directions hearing within 28 days after the date of the application.
- (7) This section, including the fact that an application is made under subsection (2) or (3)(b), does not prevent a person to whom this section applies from making an agreement with the Minister about the person's estate or interest in land, or a part of land, that is or was the subject of a section 31 order.
- (8) If an agreement as mentioned in subsection (7) is made, the person who made the agreement with the Minister must withdraw any application made under subsection (2) or (3)(b).
- (9) In this section:

**commencement** means the commencement of this section.

**published**, in relation to a section 31 order (including a section 31 order made before the commencement) means published in the *Gazette*.

**section 31 order** means an order, as mentioned in section 31, by which a road or a part of a road is to be opened, altered or added to.

**Tribunal** means the Civil and Administrative Tribunal.

**32 Closing of certain roads**

- (1) Despite anything contained in this Act, the Minister may, on the recommendation of the Surveyor-General, by notice in the *Gazette* and in a newspaper circulating in the locality of that road, order that a road or a part of a road be closed if all the land contiguous to that road, or that part of a road, is land:
  - (a) occupied by or on behalf of the Territory or by an agent or instrumentality of the Territory; or
  - (b) belonging to the Territory or an agent or instrumentality of the Territory which has not been granted, sold, leased or contracted to be granted, sold or leased to any persons and is vacant land.
- (2) The date upon which a road, or a part of a road, is to be closed under this section must not be less than one month after the date of the *Gazette* or the date of the newspaper, whichever is the later, in which the order is published.
- (3) From and including the date when a road or a part of a road is closed under this section, the land mentioned in the order is Crown lands and is subject to the provisions of the laws of the Northern Territory relating to Crown lands.
- (4) The Registrar-General must make such corrections on any deposited plan and in the Register Book or in the Register Book of Crown Leases as are necessary to give effect to an order made under this section.

**33 Order may affect more than one road**

An order made under this Act may affect more than one road, or part of a road, and may affect more than one act or proceeding with regard to a road or a part of a road.

**34 Duty to fence**

If land contiguous to a road is fenced and the boundary of that road is altered in consequence of an order made under this Act, other than an order made under section 32, the Minister, at the expense of the Territory, must cause the road to be fenced so that the boundary of the contiguous land is fenced with a substantial fence of the same nature as the fence previously separating the road from that land.

**35 Minister may declare private streets etc. to be roads**

- (1) If a private street, road, court, alley, thoroughfare or cul-de-sac, situated within a town, has been made or paved at the cost of its owner, whether before or after the date when this Act comes into operation, the Minister may, on the written request of the owner, declare the street, road, court, alley, thoroughfare or cul-de-sac to be a road.
- (2) The Minister may, on behalf of the Territory, accept as a road land which is transferred or conveyed to the Territory in fee simple by the owner of the land.
- (3) When land is declared to be, or is accepted by the Territory as, a road, under this section, compensation is not payable to the owner by or on behalf of the Territory.

**36 Application of *Land Title Act 2000***

The provisions of this Part apply, despite the provisions of the *Land Title Act 2000*, the *Crown Lands Act 1992* or any other law of the Northern Territory relating to Crown lands.

**Part 6 Miscellaneous matters****51 Metal projections etc. on tyres**

A person must not drive or haul a vehicle on the formed or paved part of a road, if a part of a wheel or tyre of the vehicle, which comes into contact with the road, has a metal projection, bar, spike or stud on, or attached to it.

Maximum penalty: 3 penalty units or imprisonment for 6 months.

**52 Vehicle or object to have wheels fitted**

- (1) A person must not drive or haul or cause to be driven or hauled on or across a paved part of a road a vehicle or object unless:
  - (a) the vehicle or object is so supported on or by wheels as to prevent any part of the vehicle or object other than its wheels from coming into contact with the surface of the road; and
  - (b) the wheels are equipped with rubber tyres; and
  - (c) any rubber tyre, not being a pneumatic tyre, which is fitted to a wheel of the vehicle or object is at least 30 millimetres thick at its thinnest part and has a surface of which the portion that

ordinarily comes into contact with the paved part of the road is at least 30 millimetres wide and is even across its full width.

Maximum penalty: 3 penalty units or imprisonment for 6 months.

- (2) It is a defence to a prosecution under this section if the defendant proves to the satisfaction of the Court hearing the case:
- (a) that the defendant's failure to comply with the requirements of this section occurred immediately after:
- (i) an accident in which the vehicle or object was damaged; or
  - (ii) a tyre, or a mechanical or structural part, of the vehicle or object ceased to function efficiently;
- so that it was then not reasonably practicable for the defendant to comply with those requirements; and
- (b) that the defendant then took all reasonable steps to comply with those requirements as soon as possible.

### **53 Caterpillar type tractors**

Despite section 52, a person may drive or haul a caterpillar type tractor or machine transversely across a road if the tracks of the tractor or machine are so constructed or protected that metal projections, bars, spikes or studs on or attached to those tracks do not come into contact with the surface of a road.

### **54 Certain acts forbidden**

A person must not do any of the following:

- (a) retard the progress of a vehicle by means of an instrument or device which comes into contact with the surface of a road;
- (b) make or assist in making, or cause to be made a fire on or within 3 metres of a road;
- (c) suffer the effluent from a septic tank, dirty water, filth, dirt or other offensive matter, fluid or thing to run or flow on to a road from a house, land or premises occupied by that person;
- (d) leave a stone or other thing, having been used for blocking or stopping the wheels of a vehicle, to remain on a road or a part of a road after that vehicle has moved from the place where that stone or other thing was so used;

- (e) except with lawful excuse, deposit sand, stone, rubbish or material of any description on a road or part of a road.

Maximum penalty: 3 penalty units or imprisonment for 6 months.

#### **54A Use of immobilising devices**

- (1) The Commissioner of Police may authorise the use by police officers of a vehicle immobilising device:
- (a) to prevent the use of a vehicle by a person for the purpose of escaping from lawful custody or avoiding lawful arrest; or
  - (b) to stop or assist in stopping a vehicle in connection with the pursuit of the vehicle by police officers.
- (2) Section 54(a) does not apply to the placing or deploying of a vehicle immobilising device by a police officer acting in the course of the officer's duties.
- (3) In this section:

**vehicle immobilising device** means a device capable of causing a vehicle to stop or preventing a vehicle from moving and includes a device designed for, or capable of, deflating tyres.

#### **55 Person not to stop vehicle etc. on bridges or culverts**

A person must not stop a vehicle on a road whilst the vehicle, a part of the vehicle or a trailer attached to the vehicle, is on a bridge or culvert, or causeway except in case of mechanical break-down, accident or other unavoidable cause.

Maximum penalty: 0.8 penalty unit.

#### **56 Vehicles etc. to be removed from bridges and culverts**

If a person has stopped a vehicle on a road whilst the vehicle, a part of the vehicle or a trailer attached to the vehicle, is on a bridge or culvert, or causeway, the person must not fail to remove the vehicle, the part of the vehicle or the trailer attached to the vehicle, from that bridge or culvert or causeway as soon as is reasonably practicable.

Maximum penalty: 0.8 penalty unit.

**57 Timber etc. fixed to roads not to be damaged etc.**

A person must not dig up, break, pull down, cut, destroy, injure or damage, or drive a vehicle on a road in such a manner as to destroy, injure or damage, timber growing on a road or a bridge, culvert, water-table, kerb, gutter, footpath, lamp, direction board, kilometre post, rail, post, wall, chain, fence or other thing erected on or affixed to a road.

Maximum penalty: 3 penalty units or imprisonment for 6 months.

**58 Person not to cut timber, quarry, erect petrol pumps or cattle ramps without licence**

A person must not do any of the following:

- (a) cut or remove timber or bark from a road;
- (b) quarry or remove stone, clay, gravel, or sand from a road;
- (c) erect, maintain or operate a petrol pump on a road;
- (d) construct or maintain a cattle ramp on a road;

unless the person holds a licence, granted by the Minister under section 13, which is in force.

Maximum penalty: 0.8 penalty unit.

**59 Houses and other obstructions on roads**

- (1) Subject to this section, a person must not do any of the following:
- (a) erect or build, or cause to be erected or built, a house or other building, verandah, wall, fence or structure on or at the side of a road, or in such a place or in such a manner as to reduce the width of, or encroach upon, the road;
  - (b) make or cause to be made a drain, gutter, sink or watercourse, in or across a road or a part of a road;
  - (c) fill up or obstruct a ditch, drain, gutter, sink or watercourse at the side of a road;
  - (d) obstruct the public use of a road or part of a road.

Maximum penalty: 0.8 penalty unit.

- (2) Despite subsection (1), a person may do an act prohibited by that subsection if the act is done in accordance with the permission of the Minister given under this section.
- (3) For the purposes of this section, the Minister may, by notice in writing and on payment by a person of such fees and charges as the Minister determines, give permission to the person to do an act prohibited by subsection (1).
- (4) Permission given under this section may be subject to such conditions, including the giving of indemnities, as the Minister thinks fit and specifies in the notice.
- (5) The Minister may revoke a permission given under this section by notice in writing to the person to whom the permission was given, and the permission is revoked at the expiration of 6 months after the date the notice was given.
- (6) If a permission is revoked under subsection (5), the person must remove the house, building, verandah, wall, fence, structure or obstruction erected or built on or at the side of the road or remove or restore the drain, gutter, sink, watercourse made, filled up or obstructed in, across or at the side of the road, as the case may be, in accordance with the directions, if any, of the Minister.
- (7) If a person fails to comply with subsection (6), section 9(3) applies as if permission under this section had never been given and the house, building, verandah, fence, structure or obstruction was erected or built, or the ditch, drain, gutter, sink or watercourse was made, filled up or obstructed, as the case may be, in contravention of this Act.
- (8) If a permission is revoked under this section, the person to whom the permission was given is not entitled to any compensation for any loss sustained in respect of or as a consequence of the revocation or for any costs incurred in respect of the removal or demolition of the house, building, verandah, wall, fence, structure or obstruction or the removal or restoration of the ditch, drain, gutter, sink or watercourse.

#### **60A Approval to drive aircushioned vehicle**

A person must not drive a hovercraft over a road without the written approval of the Minister.

Maximum penalty: 0.8 penalty unit.

**61 Liability of owner and actual offender**

- (1) Except as provided by this section, if a vehicle is driven on a road or part of a road in contravention of this Act, the owner and the driver of the vehicle at the time it was so driven are each guilty of the offence in respect of that contravention and liable on being found guilty to the penalty provided for the offence.
- (2) It is a defence to a prosecution against the owner of a vehicle for an offence mentioned in subsection (1) if the owner of the vehicle satisfies the court that the vehicle was being driven at the time of the alleged offence without the owner's express or implied authority.
- (3) In this section:
  - (a) **owner** has the same meaning as in the *Motor Vehicles Act 1949*; and
  - (b) a document issued:
    - (i) by the Registrar of Motor Vehicles appointed under that Act; or
    - (ii) by an officer having duties in connection with the registration of motor vehicles in a State or in another Territory, bearing the officer's written, stamped or printed signature and stating that during a specified period or on a specified date, a specified person was the person whose name was registered as the owner of a specified motor vehicle is evidence of the matters stated in the document without proof of the signature of the person by whom the document purports to have been issued or of the fact that the person was the Registrar or the officer.

**62 Regulations**

- (1) The Administrator may make regulations under this Act.
- (2) A regulation may prescribe fees payable under this Act for the issue of a licence or permit or the giving of an approval.



**Part 7 Transitional matters for Northern Territory Civil  
and Administrative Tribunal (Conferral of  
Jurisdiction Amendments) (No. 2) Act 2014**

**63 Application before former Tribunal**

- (1) This section applies if, before the commencement:
  - (a) a person had made an application under section 31A to the former Tribunal; and
  - (b) the former Tribunal had not decided the application.
- (2) The former Tribunal must continue to deal with the matter in accordance with the former legislation.
- (3) In this section:

**commencement** means the commencement of Part 5 of the *Northern Territory Civil and Administrative Tribunal (Conferral of Jurisdiction Amendments) (No. 2) Act 2014*.

**former legislation** means the following as in force immediately before the commencement:

- (a) this Act;
- (b) the *Lands, Planning and Mining Tribunal Act 1998*.

**former Tribunal** means the Lands, Planning and Mining Tribunal as in existence under the *Lands, Planning and Mining Tribunal Act 1998* immediately before the commencement of the *Northern Territory Civil and Administrative Tribunal Act 2014*.

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**ENDNOTES**
**1 KEY**

Key to abbreviations

|                              |                                     |
|------------------------------|-------------------------------------|
| <b>amd = amended</b>         | <b>od = order</b>                   |
| <b>app = appendix</b>        | <b>om = omitted</b>                 |
| <b>bl = by-law</b>           | <b>pt = Part</b>                    |
| <b>ch = Chapter</b>          | <b>r = regulation/rule</b>          |
| <b>cl = clause</b>           | <b>rem = remainder</b>              |
| <b>div = Division</b>        | <b>renum = renumbered</b>           |
| <b>exp = expires/expired</b> | <b>rep = repealed</b>               |
| <b>f = forms</b>             | <b>s = section</b>                  |
| <b>Gaz = Gazette</b>         | <b>sch = Schedule</b>               |
| <b>hdg = heading</b>         | <b>sdiv = Subdivision</b>           |
| <b>ins = inserted</b>        | <b>SL = Subordinate Legislation</b> |
| <b>lt = long title</b>       | <b>sub = substituted</b>            |
| <b>nc = not commenced</b>    |                                     |

**2 LIST OF LEGISLATION*****Control of Roads Ordinance 1953 (Act No. 8, 1953)***

|             |   |
|-------------|---|
| Assent date | 1 July 1953                                       |
| Commenced   | 1 April 1954 ( <i>Gaz No. 11, 17 March 1954</i> ) |

***Control of Roads Ordinance 1955 (Act No. 9, 1955)***

|             |  |
|-------------|--|
| Assent date | 8 June 1955  |
| Commenced   | 15 October 1955 ( <i>Gaz No. 41, 12 October 1955</i> ) |

***Control of Roads Ordinance 1956 (Act No. 18, 1956)***

|             |  |
|-------------|--|
| Assent date | 4 May 1956   |
| Commenced   | 19 September 1956 ( <i>Gaz No. 37, 19 September 1956</i> ) |

***Control of Roads Ordinance 1958 (Act No. 21, 1958)***

|             |   |
|-------------|---|
| Assent date | 14 November 1958  |
| Commenced   | 13 February 1959 ( <i>Gaz No. 6, 11 February 1959</i> ) |

***Administrator's Council Ordinance 1959 (Act No. 22, 1959)***

|             |  |
|-------------|--|
| Assent date | 7 July 1959  |
| Commenced   | 28 April 1960 ( <i>Gaz No. 18, 27 April 1960</i> ) |

***Control of Roads Ordinance 1962 (Act No. 22, 1962)***

|             |  |
|-------------|--|
| Assent date | 18 June 1962                                 |
| Commenced   | 8 May 1963 ( <i>Gaz No. 19, 8 May 1963</i> ) |

***Control of Roads Ordinance (No. 3) 1962 (Act No. 8, 1963)***

|             |                 |
|-------------|-----------------|
| Assent date | 23 January 1963 |
| Commenced   | 23 January 1963 |

***Control of Roads Ordinance (No. 2) 1962 (Act No. 40, 1963)***

|             |  |
|-------------|--|
| Assent date | 27 May 1963  |
| Commenced   | 11 December 1963 ( <i>Gaz No. 50, 11 December 1963</i> ) |

**Control of Roads Ordinance 1964 (Act No. 21, 1964)**

Assent date 14 May 1964  
Commenced 14 May 1964

**Control of Roads Ordinance 1966 (Act No. 25, 1966)**

Assent date 6 July 1966  
Commenced 6 July 1966

**Control of Roads Ordinance 1968 (Act No. 25, 1968)**

Assent date 18 June 1968  
Commenced 18 June 1968

**Control of Roads Ordinance 1970 (Act No. 40, 1970)**

Assent date 28 October 1970  
Commenced 28 October 1970

**Control of Roads Ordinance 1969 (Act No. 41, 1970)**

Assent date 4 November 1970  
Commenced 4 November 1970

**Amending Legislation**

**Control of Roads Ordinance 1971 (Act No. 42, 1971)**

Assent date 27 September 1971  
Commenced 27 October 1971 (Gaz No. 43, 27 October 1971)

**Control of Roads Ordinance 1971 (Act No. 42, 1971)**

Assent date 27 September 1971  
Commenced 27 October 1971 (Gaz No. 43, 27 October 1971)

**Ordinances Revision Ordinance 1973 (Act No. 87, 1973)**

Assent date 11 December 1973  
Commenced 11 December 1973 (s 12(2))

**Amending Legislation**

**Ordinances Revision Ordinance 1974 (Act No. 34, 1974)**

Assent date 26 August 1974  
Commenced 11 December 1973 (s 3(2))

**Ordinances Revision Ordinance (No. 2) 1974 (Act No. 69, 1974)**

Assent date 24 October 1974  
Commenced 11 December 1973 (s 3)

**Ordinances Revision Ordinance 1976 (Act No. 27, 1976)**

Assent date 28 June 1976  
Commenced ss 1, 2 and 6: 28 June 1976 (s 6(2));  
ss 3 and 4: 11 December 1973; s 5: 24 October 1974

**Control of Roads Ordinance 1974 (Act No. 38, 1974)**

Assent date 23 September 1974  
Commenced 23 September 1974

**Control of Roads Ordinance 1975 (Act No. 20, 1975)**

Assent date 30 July 1975  
Commenced 30 July 1975

**Ordinances Revision Ordinance 1976 (Act No. 27, 1976)**

Assent date 28 June 1976  
 Commenced ss 1, 2 and 6: 28 June 1976 (s 6(2));  
 ss 3 and 4: 11 December 1973; s 5: 24 October 1974

**Transfer of Powers (Further Provisions) Ordinance 1977 (Act No. 51, 1977)**

Assent date 9 December 1977  
 Commenced 1 January 1978 (s 8)

**Transfer of Powers (Self-Government) Ordinance 1978 (Act No. 54, 1978)**

Assent date 1 July 1978  
 Commenced 1 July 1978 (s 8)

**Statute Law Revision Act 1978 (Act No. 95, 1978)**

Assent date 5 September 1978  
 Commenced 5 September 1978

**Control of Roads Act 1979 (Act No. 64, 1979)**

Assent date 15 June 1979  
 Commenced 24 August 1979 (*Gaz* G34, 24 August 1979, p 9)

**Control of Roads Amendment Act 1980 (Act No. 58, 1980)**

Assent date 22 December 1980  
 Commenced 1 January 1981 (s 2, s 2 *Crown Lands Amendment Act (No. 2) 1980* (Act No. 56, 1980) and *Gaz* S41, 31 December 1980)

**Statute Law Revision Act 1981 (Act No. 29, 1981)**

Assent date 25 March 1981  
 Commenced 25 March 1981

**Control of Roads Amendment Act 1981 (Act No. 46, 1981)**

Assent date 29 June 1981  
 Commenced 29 June 1981

**Statute Law Revision Act (No. 3) 1981 (Act No. 91, 1981)**

Assent date 21 September 1981  
 Commenced 21 September 1981

**Control of Roads Amendment Act 1982 (Act No. 68, 1982)**

Assent date 8 October 1982  
 Commenced 1 January 1983 (s 2)

**Control of Roads Amendment Act 1983 (Act No. 13, 1983)**

Assent date 17 June 1983  
 Commenced 17 June 1983

**Statute Law Revision Act 1984 (Act No. 28, 1984)**

Assent date 20 July 1984  
 Commenced 20 July 1984

**Statute Law Revision Act 1989 (Act No. 60, 1989)**

Assent date 2 October 1989  
 Commenced 2 October 1989

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***Real Property (Consequential Amendments) Act 1991 (Act No. 33, 1991)***

Assent date 25 June 1991  
 Commenced 1 October 1991 (*Gaz S49*, 1 October 1991)

***Statute Law (Miscellaneous Amendments) Act 1991 (Act No. 77, 1991)***

Assent date 16 December 1991  
 Commenced 16 December 1991

***Pastoral Land (Consequential Amendments) Act 1992 (Act No. 39, 1992)***

Assent date 25 June 1992  
 Commenced 26 June 1992 (s 2, s 2 *Pastoral Land Act 1992* (Act No. 17, 1992) and *Gaz S33*, 26 June 1992)

***Control of Roads Amendment Act 1992 (Act No. 60, 1992)***

Assent date 22 October 1992  
 Commenced 9 December 1992 (s 2, s 2 *Local Government Amendment Act (No. 3) 1992* (Act No. 63, 1992) and *Gaz G49*, 9 December 1992, p 3)

***Local Government (Consequential Amendments) Act 1993 (Act No. 84, 1993)***

Assent date 31 December 1993  
 Commenced 1 June 1994 (s 2, s 2 *Local Government Act 1993* (Act No. 83, 1993) and *Gaz S35*, 20 May 1994)

***Planning (Consequential Amendments) Act 1993 (Act No. 86, 1993)***

Assent date 31 December 1993  
 Commenced 18 April 1994 (s 2, s 2 *Planning Act 1993* (Act No. 85, 1993) and *Gaz S28*, 18 April 1984)

***Control of Roads Amendment Act 1995 (Act No. 16, 1995)***

Assent date 26 June 1995  
 Commenced 26 June 1995

***Sentencing (Consequential Amendments) Act 1996 (Act No. 17, 1996)***

Assent date 19 April 1996  
 Commenced 1 July 1996 (s 2, s 2 *Sentencing Act 1995* (Act No. 39, 1995) and *Gaz S15*, 13 June 1996)

***Planning (Consequential Amendments) Act 1999 (Act No. 56, 1999)***

Assent date 14 December 1999  
 Commenced 12 April 2000 (s 2, s 2 *Planning Act 1999* (Act No. 55, 1999) and *Gaz S15*, 12 April 1999)

***Land Title (Consequential Amendments) Act 2000 (Act No. 45, 2000)***

Assent date 12 September 2000  
 Commenced 1 December 2000 (s 2, s 2 *Land Title Act 2000* (Act No. 2, 2000) and *Gaz G38*, 27 September 2000, p 2)

***Statute Law Revision Act 2001 (Act No. 3, 2001)***

Assent date 22 March 2001  
 Commenced 22 March 2001

***Local Government (Consequential Amendments) Act 2008 (Act No. 28, 2008)***

Assent date 14 November 2008  
 Commenced 1 July 2008 (s 2)

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***Mineral Titles (Consequential Amendments) Act 2010 (Act No. 37, 2010)***

Assent date 18 November 2010  
 Commenced 7 November 2011 (*Gaz G41*, 12 October 2011, p 5)

***Control of Roads Amendment Act 2011 (Act No. 4, 2011)***

Assent date 16 March 2011  
 Commenced 31 May 2011 (*Gaz S26*, 30 May 2011)

***Penalties Amendment (Miscellaneous) Act 2013 (Act No. 23, 2013)***

Assent date 12 July 2013  
 Commenced 28 August 2013 (*Gaz G35*, 28 August 2013, p 2)

***Local Government Amendment Act 2014 (Act No. 19, 2014)***

Assent date 2 June 2014  
 Commenced s 16: 1 July 2014; s 18: 1 December 2014; rem: 2 June 2014, (s 2)

***Northern Territory Civil and Administrative Tribunal (Conferral of Jurisdiction Amendments) (No. 2) Act 2014 (Act No. 35, 2014)***

Assent date 13 November 2014  
 Commenced pts 4, 9, 10 and 19: 1 June 2015 (*Gaz S53*, 29 May 2015, p 2); rem: 1 January 2015 (*Gaz G51*, 24 December 2014, p 7)

***Statute Law Amendment Act 2018 (Act No. 10, 2018)***

Assent date 23 May 2018  
 Commenced 20 June 2018 (*Gaz S41*, 20 June 2018)

***Transport Legislation Amendment Act 2019 (Act No. 35, 2019)***

Assent date 6 November 2019  
 Commenced s 11: nc (Act rep by Act No. 23/2020 before comm); rem: 11 December 2019 (*Gaz S70*, 11 December 2019)

***Local Government Act 2019 (Act No. 39, 2019)***

Assent date 13 December 2019  
 Commenced pt 8.6: 1 July 2022; rem: 1 July 2021 (*Gaz S27*, 30 June 2021)

**Amending Legislation**

***Statute Law Revision Act 2020 (Act No. 26, 2020)***

Assent date 19 November 2020  
 Commenced 20 November 2020 (s 2)

***Local Government Amendment Act 2021 (Act No. 15, 2021)***

Assent date 25 May 2021  
 Commenced 26 May 2021 (s 2)

**3**

**SAVINGS AND TRANSITIONAL PROVISIONS**

s 3 *Control of Roads Ordinance 1964* (Act No. 21, 1964)  
 s 6 *Control of Roads Amendment Act 1982* (Act No. 68, 1982)

## 4 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Ordinances Revision Ordinance 1973* (as amended) to the following provisions: ss 4, 5, 10 – 13, 15, 17 – 24, 27 – 31, 34, 36, 38 – 43, 45 – 46, 48 – 50, 50A, 50C, 50F – 50H, 51 – 60.

## 5 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: ss 1, 5, 7, 11, 16, 36, 61 and 63.

## 6 LIST OF AMENDMENTS

|            |  |
|------------|--|
| It         | amd No. 29, 1981, s 2  |
| pt I hdg   | amd No. 4, 2011, s 11  |
| s 1        | amd No. 17, 1938, s 4; No. 29, 1981, s 2   |
| s 2        | amd No. 29, 1981, s 2  |
| s 3        | rep No. 38, 1974, s 3  |
| s 4        | amd No. 29, 1981, s 2; No. 91, 1981, s 2<br>rep No. 4, 2011, s 4   |
| s 5        | amd No. 9, 1955, s 3; No. 18, 1956, s 3; No. 21, 1958, s 3; No. 8, 1963, s 2;<br>No. 25, 1968, s 2; No. 42, 1971, s 3; No. 38, 1974, ss 4 and 19; No. 27, 1976,<br>s 6; No. 54, 1978, s 4; No. 64, 1979, s 4; No. 29, 1981, s 2; No. 68, 1982, s 4;<br>No. 60, 1989, s 6; No. 39, 1992, s 3; No. 60, 1992, s 4; No. 84, 1993, s 6;<br>No. 28, 2008, s 3; No. 4, 2011, s 11; No. 37, 2010, s 13; No. 19, 2014, s 26;<br>No. 10, 2018, s 6 |
| s 6        | rep No. 54, 1978, s 4  |
| pt II hdg  | amd No. 4, 2011, s 11  |
| s 7        | amd No. 38, 1974, s 19; No. 54, 1978, s 4; No. 28, 1984, s 3; No. 60, 1992,<br>s 5; No. 84, 1993, s 6; No. 86, 1993, s 3; No. 56, 1999, s 3; No. 28, 2008, s 3;<br>No. 4, 2011, s 11; No. 39, 2019, s 370  |
| s 7A       | ins No. 42, 1971, s 4<br>amd No. 54, 1978, s 4; No. 29, 1981, s 2<br>rep No. 68, 1982, s 5   |
| s 7B       | ins No. 38, 1974, s 5<br>amd No. 20, 1975, s 3; No. 51, 1977, s 3; No. 54, 1978, s 4; No. 29, 1981, s 2<br>sub No. 4, 2011, s 5  |
| pt III hdg | amd No. 4, 2011, s 11  |
| s 8        | amd No. 18, 1956, s 4; No. 38, 1974, s 19; No. 54, 1978, s 4; No. 16, 1995,<br>s 2; No. 4, 2011, s 11  |
| s 9        | amd No. 54, 1978, s 4; No. 29, 1981, s 2; No. 91, 1981, s 2; No. 17, 1996,<br>s 6; No. 4, 2011, s 11   |
| s 10       | amd No. 54, 1978, s 4; No. 4, 2011, s 11   |
| s 11       | amd No. 54, 1978, s 4<br>sub No. 4, 2011, s 6  |
| s 11A      | ins No. 38, 1974, s 6<br>amd No. 20, 1975, s 4; No. 54, 1978, s 4; No. 29, 1981, s 2<br>rep No. 4, 2011, s 6   |
| s 12       | amd No. 22, 1959, s 6; No. 54, 1978, s 4; No. 4, 2011, s 11  |
| s 13       | amd No. 54, 1978, s 4; No. 4, 2011, s 11   |
| s 14       | amd No. 54, 1978, s 4; No. 29, 1981, s 2; No. 4, 2011, s 11  |

## ENDNOTES

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| pt 4 hdg     | amd No. 4, 2011, s 11  |
| s 14A        | ins No. 13, 1983, s 3<br>amd No. 4, 2011, s 11   |
| s 15         | amd No. 22, 1959, s 6; No. 40, 1970, s 2; No. 54, 1978, s 4; No. 29, 1981, s 2; No. 4, 2011, s 11  |
| s 16         | sub No. 25, 1966, s 2<br>amd No. 40, 1970, s 3; No. 54, 1978, s 4; No. 64, 1979, s 5; No. 4, 2011, s 11  |
| s 17         | sub No. 40, 1970, s 4<br>amd No. 54, 1978, s 4; No. 95, 1978, s 2<br>sub No. 13, 1983, s 4<br>amd No. 4, 2011, s 11  |
| s 18         | amd No. 40, 1970, s 5; No. 54, 1978, s 4<br>sub No. 13, 1983, s 5<br>amd No. 4, 2011, s 11   |
| s 19         | amd No. 40, 1970, s 6; No. 54, 1978, s 4<br>rep No. 13, 1983, s 6  |
| s 20         | amd No. 54, 1978, s 4; No. 13, 1983, s 7; No. 4, 2011, s 11  |
| s 21         | amd No. 18, 1956, s 5<br>sub No. 40, 1970, s 7<br>amd No. 54, 1978, s 4; No. 13, 1983, s 8   |
| s 22         | sub No. 40, 1970, s 7<br>amd No. 38, 1974, s 7; No. 54, 1978, s 4; No. 87, 1973, s 12; No. 95, 1978, s 2<br>sub No. 13, 1983, s 9<br>amd No. 4, 2011, s 11 |
| s 22A        | ins No. 40, 1970, s 7<br>amd No. 87, 1973, s 12; No. 38, 1974, s 7; No. 54, 1978, s 4; No. 29, 1981, s 2; No. 13, 1983, s 10; No. 4, 2011, s 11            |
| s 23         | amd No. 40, 1970, s 8; No. 54, 1978, s 4; No. 29, 1981, s 2; No. 4, 2011, s 11   |
| s 24         | sub No. 25, 1966, s 3<br>amd No. 54, 1978, s 4; No. 29, 1981, s 2; No. 4, 2011, s 11   |
| s 25         | amd No. 40, 1970, s 9; No. 54, 1978, s 4; No. 58, 1980, s 4; No. 4, 2011, s 11; No. 35, 2014, s 26   |
| ss 25A – 25B | ins No. 64, 1979, s 6<br>rep No. 60, 1992, s 6   |
| s 26         | amd No. 54, 1978, s 4; No. 29, 1981, s 2; No. 33, 1991, s 7; No. 4, 2011, s 11   |
| s 27         | amd No. 18, 1956, s 6<br>sub No. 25, 1966, s 4<br>amd No. 27, 1976, s 6; No. 54, 1978, s 4; No. 29, 1981, s 2; No. 91, 1981 s 2; No. 4, 2011, s 11         |
| s 28         | sub No. 18, 1956, s 7<br>amd No. 33, 1991, s 7; No. 4, 2011, s 11  |
| s 29         | amd No. 25, 1968, s 4; No. 29, 1981, s 2; No. 33, 1991, s 7; No. 77, 1991, s 13; No. 3, 2001, s 8; No. 4, 2011, s 11; No. 23, 2013, s 12                   |
| s 30         | amd No. 29, 1981, s 2; No. 4, 2011, s 11   |
| s 31         | amd No. 54, 1978, s 4; No. 39, 1992, s 3; No. 4, 2011, s 7   |
| s 31A        | ins No. 4, 2011, s 8<br>amd No. 35, 2014, s 33   |
| s 32         | amd No. 22, 1959, s 6; No. 21, 1964, s 2; No. 54, 1978, s 4; No. 29, 1981, s 2; No. 13, 1983, s 11; No. 4, 2011, s 11                                      |
| s 33         | amd No. 29, 1981, s 2  |
| s 34         | amd No. 54, 1978, s 4; No. 29, 1981, s 2; No. 4, 2011, s 11  |
| s 35         | amd No. 22, 1959, s 6; No. 54, 1978, s 4; No. 29, 1981, s 2; No. 4, 2011, s 11   |
| s 36         | amd No. 29, 1981, s 2; No. 45, 2000, s 11; No. 4, 2011, s 11   |
| s 37         | rep No. 54, 1978, s 4  |



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- s 38 sub No. 18, 1956, s 8  
amd No. 21, 1958, s 4; No. 40, 1963, s 3; No. 25, 1968, s 4; No. 41, 1970,  
s 2; No. 38, 1974, ss 18 and 19; No. 29, 1981, s 2  
rep No. 68, 1982, s 5
- s 38A ins No. 40, 1963, s 4  
amd No. 41, 1970, s 3; No. 38, 1974, s 19; No. 51, 1977, s 3; No. 54, 1978,  
s 3; No. 29, 1981, s 2  
rep No. 68, 1982, s 5
- s 39 sub No. 18, 1956, s 9  
amd No. 21, 1958, s 5; No. 25, 1968, s 4; No. 38, 1974, s 18; No. 29, 1981,  
s 2  
rep No. 68, 1982, s 5
- s 40 amd No. 21, 1958, s 6; No. 25, 1968, s 4; No. 38, 1974, s 18; No. 29, 1981,  
s 2  
rep No. 68, 1982, s 5
- s 41 sub No. 18, 1956, s 10  
amd No. 21, 1958, s 7; No. 25, 1968, s 4; No. 41, 1970, s 5; No. 38, 1974,  
ss 18 and 19; No. 29, 1981, s 2  
rep No. 68, 1982, s 5
- s 42 amd No. 25, 1968, s 4; No. 38, 1974, ss 9, 18 and 19; No. 27, 1976, s 6;  
No. 29, 1981, s 2; No. 91, 1981, s 2  
rep No. 68, 1982, s 5
- s 43 amd No. 25, 1968, s 4; No. 38, 1974, ss 18 and 19; No. 29, 1981, s 2; No. 91,  
1981, s 2  
rep No. 68, 1982, s 5
- s 44 amd No. 29, 1981, s 2  
rep No. 68, 1982, s 5
- s 45 amd No. 18, 1956, s 11; No. 21, 1958, s 8; No. 25, 1968, s 4; No. 38, 1974,  
s 10; No. 20, 1975, s 5; No. 29, 1981, s 2  
rep No. 68, 1982, s 5
- s 45A ins No. 21, 1958, s 9  
amd No. 38, 1974, s 19  
rep No. 68, 1982, s 5
- s 46 amd No. 18, 1956, s 12; No. 41, 1970, s 8; No. 38, 1974, s 19; No. 54, 1978,  
s 4  
rep No. 68, 1982, s 5
- s 47 amd No. 18, 1956, s 13; No. 21, 1958, s 10; No. 38, 1974, s 11; No. 51,  
1977, s 3; No. 54, 1978, s 3; No. 29, 1981, s 2  
rep No. 68, 1982, s 5
- s 48 amd No. 54, 1978, s 4; No. 29, 1981, s 2  
rep No. 68, 1982, s 5
- s 49 amd No. 21, 1958, s 11; No. 38, 1974, s 19; No. 20, 1975, s 6; No. 29, 1981,  
s 2; No. 91, 1981, s 2  
rep No. 68, 1982, s 5
- s 50 amd No. 21, 1958, s 12; No. 25, 1968, s 4; No. 38, 1974, ss 18 and 19;  
No. 29, 1981, s 2  
rep No. 68, 1982, s 5
- s 50A ins No. 21, 1958, s 13  
amd No. 41, 1970, s 9; No. 38, 1974, s 19; No. 29, 1981, s 2  
rep No. 46, 1981, s 2
- ss 50B – 50C ins No. 21, 1958, s 13  
amd No. 38, 1974, s 19  
rep No. 68, 1982, s 5
- ss 50D – 50E ins No. 21, 1958, s 13  
rep No. 68, 1982, s 5

## ENDNOTES

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- s 50F ins No. 21, 1958, s 13  
amd No. 22, 1962, s 3; No. 38, 1974, s 19; No. 38, 1974, s 19; No. 29, 1981,  
s 2; No. 91, 1981, s 2  
rep No. 68, 1982, s 5
- s 50G ins No. 21, 1958, s 13  
sub No. 22, 1962, s 4  
amd No. 29, 1981, s 2  
rep No. 68, 1982, s 5
- s 50H ins No. 21, 1958, s 13  
amd No. 38, 1974, ss 12 and 19; No. 27, 1976, s 6; No. 29, 1981, s 2  
rep No. 68, 1982, s 5
- pt IV hdg  
s 51 amd No. 4, 2011, s 11  
amd No. 25, 1968, s 4; No. 38, 1974, s 18; No. 29, 1981, s 2; No. 91, 1981,  
s 2; No. 4, 2011, s 11; No. 23, 2013, s 4
- s 52 sub No. 22, 1962, s 5  
amd No. 25, 1968, s 4; No. 38, 1974, ss 18 and 19; No. 29, 1981, s 2; No. 91,  
1981, s 2; No. 4, 2011, s 11; No. 23, 2013, s 4
- s 53 amd No. 29, 1981, s 2; No. 4, 2011, s 11
- s 54 amd No. 25, 1968, s 4; No. 38, 1974, ss 18 and 19; No. 29, 1981, s 2; No. 91,  
1981, s 2; No. 4, 2011, s 11; No. 23, 2013, s 4
- s 54A ins No. 35, 2019, s 4
- ss 55 – 56 amd No. 25, 1968, s 4; No. 38, 1974, s 18; No. 29, 1981, s 2; No. 4, 2011,  
s 11; No. 23, 2013, s 4
- s 57 amd No. 25, 1968, s 4; No. 38, 1974, ss 18 and 19; No. 29, 1981, s 2; No. 91,  
1981, s 2; No. 4, 2011, s 11; No. 23, 2013, s 4
- s 58 amd No. 25, 1968, s 4; No. 38, 1974, s 18; No. 54, 1978, s 4; No. 29, 1981,  
s 2; No. 4, 2011, s 11; No. 23, 2013, s 4
- s 59 amd No. 25, 1968, s 4; No. 38, 1974, s 18; No. 29, 1981, s 2; No. 16, 1995,  
s 3; No. 4, 2011, s 11; No. 23, 2013, s 4
- s 60 amd No. 25, 1968, s 4; No. 38, 1974, s 13; No. 29, 1981, s 2  
rep No. 4, 2011, s 9
- s 60A ins No. 38, 1974, s 14  
amd No. 54, 1978, s 4; No. 29, 1981, s 2; No. 4, 2011, s 11; No. 23, 2013, s 4
- s 61 amd No. 25, 1968, s 4  
sub No. 38, 1974, s 15  
amd No. 29, 1981, s 2; No. 17, 1996, s 6; No. 4, 2011, s 11
- s 61A ins No. 18, 1956, s 14  
rep No. 38, 1974, s 16
- s 62 amd No. 25, 1968, s 3; No. 54, 1978, s 4; No. 29, 1981, s 2; No. 4, 2011,  
s 11; No. 35, 2019, s 5
- pt 7 hdg ins No. 35, 2014, s 34
- s 63 ins No. 35, 2014, s 34
- sch 1 amd No. 91, 1981, s 2  
rep No. 4, 2011, s 10
- sch 2 rep No. 25, 1966, s 5
- sch 3 – 4 sub No. 38, 1974, s 17  
amd No. 91, 1981, s 2  
rep No. 68, 1982, s 5
- sch 5 rep No. 18, 1956, s 15  
ins No. 21, 1958, s 14  
rep No. 38, 1974, s 17