

NORTHERN TERRITORY OF AUSTRALIA

JABIRU TOWN DEVELOPMENT (CARAVAN PARKS) BY-LAWS 1983

As in force at 18 April 1994

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NORTHERN TERRITORY OF AUSTRALIA

This reprint shows the By-laws as in force at 18 April 1994. Any amendments that commence after that date are not included.

JABIRU TOWN DEVELOPMENT (CARAVAN PARKS) BY-LAWS 1983

By-laws under the *Jabiru Town Development Act 1978*

Part I Preliminary

1 Citation

These By-laws may be cited as the *Jabiru Town Development (Caravan Parks) By-laws 1983*.

2 Definitions

In these By-laws, unless the contrary intention appears:

approved means approved by the Authority.

authorized officer means a person authorized by the Authority for the purposes of these By-laws and includes a member of the Police Force.

camping area means an area of land declared under by-law 3(1) to be a camping area, whether or not it is part of a caravan park.

caravan means a habitable container designed to be towed, driven or carried by a vehicle, whether or not the container is fixed or mobile or has wheels, and includes a demountable accommodation unit.

caravan park means an area of land declared under by-law 3(1) to be a caravan park, and includes the area referred to in by-law 3(2).

land includes buildings.

lessee means the lessee of a caravan park or camping area who is operating the park or area in accordance with these By-laws, and includes a sub-lessee.

3 Declaration of caravan parks and camping areas

- (1) The Authority may, by resolution, declare for the purposes of section 31(1A)(b) of the Act, land in the town area of Jabiru to be a caravan park or camping area.
- (2) For the purposes of clause (1), the area of land and facilities located on Lot 950, town of Jabiru, is a caravan park.

4 Caravan parks or camping areas

Subject to these By-laws, a lessee is operating a caravan park or camping area for the purposes of these By-laws if he receives from another person payment as consideration for permitting that other person to park or live in a caravan or erect or live in a tent on land in which the first-mentioned person has an interest.

5 Duties of lessee

- (1) The lessee of a caravan park or camping area shall:
 - (a) maintain the park or area in a clean and hygienic condition, free of fire, health and safety hazards and free of excessive vegetation;
 - (b) cause all garbage receptacles on the park or camp to be emptied at least twice each week;
 - (c) cause all amenities buildings on the park or camp to be cleaned at least once each day; and
 - (d) ensure that all amenities, ablution and other facilities in the park or camp are maintained in good operating order.
- (2) A lessee who contravenes or fails to comply with this by-law is guilty of an offence.

Penalty: \$500 and \$50 for each day during which the offence continues.

6 Power of authorized officers

- (1) An authorized officer may, at all reasonable times, enter a caravan park or camping area and inspect:
 - (a) buildings and amenities that are available therein for the use or benefit of users of the caravan park or camping area;
 - (b) any thing therein that is or may be a source of health, safety or fire hazard; and

- (c) such other things as are reasonably necessary to ensure that the lessee is fulfilling his duties under By-law 5.
- (2) A lessee or a person employed on or who has an interest in the caravan park or camping area that is inspected under clause (1) shall give every reasonable assistance to an authorized officer.
- (3) A lessee or a person referred to in clause (2) shall, if so requested, make available to an authorized officer such information or documents as he has or has access to concerning the standards of construction, equipment, plumbing, drainage, sewerage disposal or treatment, lighting, ventilation and electrical installation of the caravan park or camping area inspected.

7 Report on inspection

- (1) Where an authorized officer makes an inspection under these By-laws, he shall:
 - (a) make a report on the inspection to the Authority; and
 - (b) serve a copy of the report on the lessee.
- (2) The report referred to in clause (1) shall be in writing and shall specify the matters inspected and indicate in respect of each matter whether the authorized officer was satisfied with the inspection.
- (3) Where the authorized officer is not satisfied with a matter referred to in clause (2) he shall serve a notice on the lessee requiring him to take such action to rectify such matter within the time specified in the notice.
- (4) Subject to by-law 9, a lessee on whom a notice is served under clause (3) specifying a matter that is required to be rectified who contravenes or fails to comply with the notice within such time as the authorized officer requires and is specified in the notice is guilty of an offence.

Penalty: \$500 and \$50 for each day during which the offence continues.

8 Number of persons in caravan, &c.

- (1) An authorized officer may, where he considers it necessary to avoid a health, safety or fire hazard, by notice in writing served on a lessee, order that the number of persons living in a caravan or tent on the caravan park or camping area not exceed a specified number.

- (2) Subject to by-law 9, a lessee who contravenes or fails to comply with a notice under clause (1) is guilty of an offence.

Penalty: \$200 and \$20 for each day during which the offence continues.

9 Appeals

- (1) A lessee who is aggrieved by a notice under by-law 7(3) or 8(1) may, within 7 days after service of the notice, appeal to the Town Manager.

- (2) An appeal under clause (1) shall be in writing and shall set out the reasons for the appeal.

- (3) The Town Manager may:

- (a) uphold;
- (b) modify; or
- (c) cancel,

the notice appealed against and shall advise the appellant of his decision in writing.

10 Construction of site to be approved, &c.

- (1) A site for the parking of a caravan or erection of a tent in a caravan park or camping area shall be constructed to an approved standard and in accordance with a development permit under the *Planning Act 1999*.

- (2) A person who parks a caravan or erects a tent except on a site referred to in clause (1) is guilty of an offence.

Penalty: \$200 and \$20 for each day during which the offence continues.

ENDNOTES

1 KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz = Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced

od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2 LIST OF LEGISLATION

Jabiru Town Development (Caravan Parks) By-laws (SL No. 44, 1983)

Notified	11 November 1983
Commenced	11 November 1983

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

Assent date	31 December 1993
Commenced	18 April 1994 (s 2, s 2 <i>Planning Act 1993</i> (Act No. 85, 1993) and Gaz S28, 18 April 1994)

3 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: rr 1 and 10.

4 LIST OF AMENDMENTS

bl 10 amd Act No. 86, 1993, s 3(2)