

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1991, No. 27*

By-laws under the *Local Government Act*

The Darwin City Council, in pursuance of the powers conferred on it by the *Local Government Act* and in accordance with section 204(2) and (3) of the Act, at a meeting held on 30 April 1991, made the following By-laws and, for the purposes of section 63(2)(a) of the *Interpretation Act*, authorised Garry Raymond Storch, the Clerk, to sign them.

Dated 2 May 1991.

Garry Storch
Town Clerk

AMENDMENTS OF DARWIN
(CONTROL OF PUBLIC PLACES) BY-LAWS

1. PRINCIPAL BY-LAWS

The Darwin (Control of Public Places) By-laws are in these By-laws referred to as the Principal By-laws.

2. DEFINITIONS

By-law 2 of the Principal By-laws is amended -

- (a) by inserting after the definition of "footpath" the following:

"'motor boat' means a boat or floating vessel of any kind that is wholly or partly propelled by a motor;"

- (b) by omitting the definition of "park, garden or reserve" and substituting the following:

"'park, garden or reserve' means land, including waters within the park, garden or reserve, being a public place that is vested in, leased to, or under the care, control or management of, the council and capable of being used as a park, garden, recreation ground, oval, playing field or reserve, or for swimming, bathing, boating or other recreation associated with water;" and

* Notified in the *Northern Territory Government Gazette* on 26 June 1991.

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(c) by adding at the end the following:

"'sail boat' includes every type of vessel or craft or floating device propelled by wind or by human energy."

3. DAMAGE TO TREES, PLANT, &c.

By-law 36(1) of the Principal By-laws is amended by adding at the end "or destroyed".

4. PLANTING, &c., OF TREES, &c.

By-law 37(1) of the Principal By-laws is amended by omitting "clause (3)(a)" and substituting "clause (2)".

5. WASHING, &c., OF VEHICLES, &c., IN PUBLIC PLACES

By-law 41(1) of the Principal By-laws is amended by inserting ", motor boat or sail boat" after "motor vehicle" (wherever occurring).

6. BY-LAWS

The Principal By-laws are amended by inserting after by-law 53 the following:

"53A. ANIMALS

"(1) The council may, by notice in a newspaper circulating in the municipality, declare a public place or part of a public place to be an area onto which an animal of a kind specified in the notice may not be taken or may not be permitted to enter or remain or may not enter or remain except in accordance with the conditions, if any, specified in the notice.

"(2) The council shall cause a sign containing the information in the notice referred to in clause (1) to be erected at a prominent place on, or at the approaches to, the area declared in the notice.

"(3) A person shall not bring onto or allow to be brought onto or remain on an area declared in a notice under clause (1) an animal of a kind specified in the notice except in accordance with the conditions, if any, specified in the notice.

"(4) An authorized person may remove, or direct a person in charge of the animal to remove, from a declared area within the time specified by the authorized person, an animal that is not permitted to enter or remain on the area or which enters or remains on the area in contravention of a condition in a notice under clause (1).

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"53B. ANIMALS NOT TO ENTER WATER, &c.

"(1) An authorized person may, when in his or her opinion inconvenience may be caused to the public by the bathing of animals, order a person in charge of the animals not to send or drive the animals into waters within a public place or permit the animals to enter the waters.

"(2) An authorized person may direct the person in charge of an animal to remove the animal from such a place if the animal's presence at the place causes inconvenience or danger to the public."

7. GENERAL OFFENCES

By-law 54(1) of the Principal By-laws is omitted and the following substituted:

"(1) A person shall not without the prior permission in writing of the Council -

- (a) drive or propel a motor vehicle onto or over a park, garden or reserve; or
- (b) drive, propel, sail or tow a motor boat or sail boat at a speed of more than 5 knots in waters within a park, garden or reserve."

The common seal of the Darwin City Council was affixed hereunto in pursuance of a resolution of the Council passed on 30 April 1991 authorising the seal to be so affixed:

Mr A K Markham
Lord Mayor

Mr G R Storch
Town Clerk
