

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1988, No. 46*

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 27 September 1988, hereby makes the following By-laws.

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. REPEAL AND SUBSTITUTION OF BY-LAW 4

By-law 4 of the Principal By-laws is repealed and the following substituted:

"4. DELEGATION

"(1) Subject to this by-law, an officer or employee of the council may, for the purposes of these By-laws, exercise all or any of the following powers:

- (a) sign, seal, or sign and seal, notices, orders and agreements which the council is entitled to issue, sign, seal, revoke or cancel;
- (b) sign letters, receipts and other documents; and
- (c) do or perform an act, deed or thing necessary, ancillary or incidental to the exercise of the functions of the council under these By-laws.

"(2) An officer or employee of the council shall exercise a power conferred by clause (1) only on the resolution of the council and in accordance with the conditions, if any, imposed by the council.

* Notified in the Northern Territory Government Gazette on 14 February, 1989.

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"(3) A determination under clause (2) may be of a general nature or for a class or classes of cases or be with respect to a particular case.

"(4) A power or function delegated under this by-law when exercised or performed by the delegate, shall, for the purposes of these By-laws, be deemed to have been exercised or performed by the council."

3. REPEAL OF BY-LAW 11

By-law 11 of the Principal By-laws is repealed.

4. GENERAL OFFENCES

By-law 54 of the Principal By-laws is amended by omitting clause (8).

5. CAMPING OR SLEEPING IN PUBLIC PLACES

By-law 55 of the Principal By-laws is amended -

(a) by omitting clause (1) and substituting the following:

"(1) A person shall not -

(a) camp;

(b) sleep, including in a motor vehicle or tent; or

(c) park a motor vehicle or erect a tent for the purpose of camping or sleeping,

in a public place otherwise than -

(d) in a caravan park or camping area within the meaning of the Caravan Parks Act; or

(e) in accordance with a permit.";

(b) by omitting from clause (2)(a) "in a motor vehicle or tent"; and

(c) by omitting from clause (2) all words after paragraph (b) and substituting the following:

"in contravention of clause (1) to do one or both of the following:

(i) leave the public place; or

(ii) remove the motor vehicle or tent to a place specified by the authorized person."

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6. REMOVAL OF PERSONS FROM PARK, GARDEN OR RESERVE OR THE MALL

By-law 56 of the Principal By-laws is amended by omitting "or reserve" (three times occurring) and substituting "or reserve or the Mall within the meaning of the Mall By-laws" (first occurring) and "or reserve or the Mall" (second and third occurring) respectively.

The common seal of the Darwin City Council was affixed hereunto on 5 October 1988, in pursuance of a resolution of the council authorizing the seal to be so affixed, passed on 27 September 1988 in the presence of:

Alec Fong Lim
LORD MAYOR

Garry Storch
TOWN CLERK
