

NORTHERN TERRITORY OF AUSTRALIA
ALICE SPRINGS (TODD MALL) BY-LAWS

TABLE OF PROVISIONS

By-law

1. Citation
2. Commencement
3. Definitions
4. Control of vehicles &c.
5. Control of certain activities
6. Duty to give name and address on request
7. Removal of objects contravening by-laws
8. Conditional permissions, &c.
9. Breaches of by-laws
10. Fees

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1987, No. 28*

By-laws under the *Local Government Act*

The Alice Springs Town Council, in pursuance of the powers conferred on it by the *Local Government Act* and in accordance with section 204(2) and (3) of that Act, at a meeting held on the 27th day of April 1987, hereby makes the following By-laws.

ALICE SPRINGS (TODD MALL) BY-LAWS

1. CITATION

These By-laws may be cited as the Alice Springs (Todd Mall) By-laws.

2. COMMENCEMENT

These By-laws shall come into operation on a date to be fixed by resolution of the Council.

3. DEFINITIONS

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

"Council" means the Alice Springs Town Council constituted under the *Local Government Act*;

"emergency vehicle" means a vehicle under the control of -

- (a) a member of the Police Force;
- (b) an employee of a fire brigade;
- (c) an officer of an ambulance brigade; or

* Notified in the *Northern Territory Government Gazette* on 22 July, 1987.

Alice Springs (Todd Mall) By-laws

- (d) a person whose use of the vehicle is authorized by an officer of the Northern Territory Emergency Service, and who is using it in the course of his duty;

"service vehicle" means a vehicle which is -

- (a) under the control of an officer of the Northern Territory Electricity Commission or Telecom Australia, or of the Departments of Transport and Works or Lands, or of the Council, and is used in the Mall for a purpose related to a function of the body in question; or
- (b) used under arrangements for the regular removal of garbage from the Mall;

"the Mall" means the Todd Mall declared to be a pedestrian mall under section 25A of the *Control of Roads Act*;

"vehicle" means a conveyance or carriage, whether capable of self-propulsion or not, and whether capable of registration under the *Motor Vehicles Act* or not, but does not include a perambulator or a device designed principally for the carriage of an infirm person.

4. CONTROL OF VEHICLES, &c.

(1) A person shall not drive a vehicle in the Mall, or cause a vehicle to stand in the Mall, unless it is -

- (a) an emergency vehicle;
- (b) a service vehicle;
- (c) a vehicle engaged in the delivery of goods, and used in the Mall for that purpose with the permission in writing of the clerk; or
- (d) a vehicle the presence of which in the Mall has been authorized by the clerk as appearing to him to be warranted by special circumstances.

(2) A person shall not in the Mall drive a vehicle, other than an emergency vehicle, at a speed in excess of 5 kilometres per hour.

(3) A person shall not in the Mall ride or use a bicycle, tricycle or other pedal-powered vehicle, or a roller skate or skateboard.

(4) A person shall not use a cart or barrow in the Mall except in the course of his employment by the Council or with the permission in writing of the clerk.

Alice Springs (Todd Mall) By-laws

5. CONTROL OF CERTAIN ACTIVITIES

(1) A person shall not in the Mall, except with the permission in writing of the clerk, sell any goods or services, or offer, display or advertise for sale any goods or services.

(2) A person shall not in the Mall, except with the permission in writing of the clerk -

- (a) perform or offer any entertainment;
- (b) make a painting or drawing, or take a photograph or film, of any person or thing for commercial purposes; or
- (c) address any persons assembled there.

(3) A person shall not without the permission in writing of the clerk erect or install in the Mall any post, rail, fence, pole, tent, booth, furniture, stand, display, exhibition, decoration or other structure, whether of a permanent nature or temporary.

(4) A person shall not without the permission in writing of the clerk, discharge or dispose of into or in the Mall, in such a way as to cause damage or annoyance to another person, any moisture from an air conditioner, or any fumes, smoke, vapour, dust or other waste products.

(5) A person other than an agent or employee of the Council acting in the course of his duties shall not in the Mall -

- (a) remove or disturb any part of the soil of any flower-bed, or around or under any tree or plant;
- (b) walk, stand, sit or lie upon any part of a flower-bed; or
- (c) remove, cut or damage any flower, plant or tree.

(6) A person shall not without the permission in writing of the clerk remove or displace from or in the Mall a barrier, railing, post, seat or other structure or erection.

(7) Subject to clause (8), a person shall not bring an animal into the Mall without the permission in writing of the clerk.

(8) A person may, without the permission of the clerk, bring into the Mall a dog which is securely under his control by means of a chain or leash, but shall -

- (a) keep the dog securely on a chain or leash at all times that it remains in the Mall; and

Alice Springs (Todd Mall) By-laws

(b) remove any excrement deposited by the dog in the Mall.

(9) A person shall not without the permission in writing of the clerk distribute or hand out in the Mall any handbill or other printed matter.

(10) A person conducting a business to which access is had from the Mall shall not use public refuse bins placed by the Council in the Mall for the disposal of his trade or commercial waste packaging or rubbish.

(11) A person shall not without the permission in writing of the clerk enter or remain on or walk on any part of any roof, covering or canopy erected over the Mall.

6. DUTY TO GIVE NAME AND ADDRESS ON REQUEST

(1) An employee of the Council authorized in writing by the clerk to exercise the power conferred by this by-law may require a person who appears to the employee to have contravened or failed to comply with any of these By-laws, or to be doing so or to intend to do so, to disclose to him his name and address.

(2) A person who has been required under clause (1) to disclose his name and address shall comply with that requirement.

7. REMOVAL OF OBJECTS CONTRAVENING BY-LAWS

(1) Where any vehicle or other thing whatsoever is in the Mall in contravention of any by-law, or is being used in the Mall in contravention of any by-law, a member of the Police Force or any officer, employee or agent of the Council may remove the vehicle or thing to a place within the Mall or outside it.

(2) A person removing a vehicle or thing under clause (1) is not liable for any damage caused to it in or by reason of its removal.

8. CONDITIONAL PERMISSIONS, &c.

The clerk may attach to any permission or authorization given for the purposes of these By-laws such conditions as he thinks fit, and in particular may require a person to produce evidence that he has taken out a public risk policy.

9. BREACHES OF BY-LAWS

A person who contravenes or fails to comply with any of these By-laws is guilty of a regulatory offence.

Penalty: \$200.

Alice Springs (Todd Mall) By-laws

10. FEES

The Council may by resolution determine fees to be paid for the giving by the clerk of any permission or authorization required for the purposes of these By-laws.

The common seal of the Alice Springs Town Council was affixed hereto on 11 May, 1987, in pursuance of a resolution of the Council authorizing the seal to be so affixed, passed on 27 April, 1987, in the presence of

LESLIE I. OLDFIELD
Mayor

ROY MITCHELL
Town Clerk
