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NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1983, No. 29 \*

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 350(3) of the Act, at a meeting held on the 28th day of March, 1983, hereby makes the following By-laws.

ALICE SPRINGS (SWIMMING CENTRE) BY-LAWS

PART I - PRELIMINARY

1. CITATION

These By-laws may be cited as the Alice Springs (Swimming Centre) By-laws.

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2. DEFINITIONS

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

"adult" means a person who has attained the age of 15 years;

"centre" means the Alice Springs Swimming Centre and includes land, fencing, turnstiles, dressing cubicles, shower recesses, spectator stands, plant room, seating, lavatories, barbecue areas and other structures erected for the use and convenience of persons using the centre or for the operation of the centre;

"child" means a person who has not attained the age of 15 years;

"manager" means the person appointed by the Council to control and manage the centre, and includes a person acting in his stead or on his behalf;

\* Notified in the Northern Territory Government Gazette on 26 AUG 1983.

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"pool" means a swimming pool within the centre and includes a wading pool;

"season ticket" means a season ticket under by-law 4;

"session" means the period during which the centre is open to the public as determined from time to time by the Council;

"ticket" means a ticket which enables a person to be admitted to the centre for one session;

"token" means a token which enables a person to be admitted to the centre for one session.

## PART II - ADMINISTRATION

### 3. ADMISSION

(1) A person shall not, without the express permission of the Council or the manager, enter the centre except through a turnstile or gate erected for that purpose and upon -

- (a) presentation of a ticket or token; or
- (b) offering for inspection a season ticket.

Penalty: \$200.

(2) A person wishing to obtain a ticket or token granting admission to the centre for a session may, upon payment of the prescribed charge, obtain it from the manager.

(3) The Council shall, by resolution -

- (a) at least once in each financial year, determine days on which the centre will be open for sessions and the duration of sessions;
- (b) from time to time, determine the charges for tickets, tokens and the issue of season tickets; and
- (c) determine the form of tickets, tokens and season tickets.

### 4. SEASON TICKETS

(1) A season ticket shall entitle the holder to admission to the centre for a series of sessions and may be obtained, upon payment of the prescribed charge, from the manager.

(2) A season ticket is not transferable and may be used only by the person in whose name it is issued.

(3) A list of the holders of a season ticket shall be kept at the centre and the manager may refuse admission to a person using a season ticket where he reasonably believes that the person is not the person to or in relation to whom the season ticket was issued.

(4) A person shall not enter, or attempt to enter, the centre by using a season ticket issued to another person.

Penalty: \$200.

#### 5. HOURS OF ADMISSION

(1) Subject to clause (2), the centre shall be open at the times determined by the Council in pursuance of by-law 3(3) and posted on a notice board at the entrance to the centre.

(2) The Council may restrict or prohibit public access to the centre on a specific day or specific days by posting a notice to that effect on the notice board at the entrance to the centre.

#### 6. RISK

(1) A person using the centre does so at his own risk.

(2) A person entering the centre may deposit valuables with the manager, but the Council shall not be liable in the event that such valuables are lost, stolen, damaged or otherwise interfered with whilst in the custody of the manager.

### PART III - CONDUCT OF PERSONS

#### 7. CONTROL OF PREMISES

(1) A person shall obey all reasonable directions of the manager with regard to that person's conduct in or in relation to the centre.

(2) A person in the centre shall not obstruct, interfere with or hinder the manager in the exercise of his powers or discharge of his duties under these By-laws.

Penalty for an offence against this by-law: \$200.

## 8. OFFENCES

(1) A person shall not enter or be at the centre whilst in an intoxicated condition whether such condition is induced by liquor, drugs or otherwise, and a person shall not bring into the centre spirits, drugs or intoxicating liquor or have such items in his possession while in the centre.

(2) Where a person in the centre appears in such a condition as to be, in the opinion of the manager, indecently or insufficiently clad, the manager shall require that person to forthwith resume his ordinary clothing and it shall be an offence to fail to comply with such a requirement.

(3) A person shall not -

(a) use soap in the centre, other than in the dressing cubicles, shower baths or shower recesses;

(b) in a part of the centre, behave in an unseemly, improper, disorderly, riotous or indecent manner, swear or use indecent, obscene, offensive or abusive language, gamble or misconduct himself;

(c) enter the pool without first using a shower bath provided in the centre;

(d) smoke in a part of the centre where the Council has caused a notice to be exhibited prohibiting smoking in that part;

(e) eat in or take into the dressing cubicles food of any kind;

(f) climb up to or on a fence, partition, roof or other part of the centre;

(g) in the dressing cubicles or elsewhere in the centre, wastefully use the water or leave a tap running;

(h) spit or expectorate in the pool or on the concourse or part of the centre; or

(j) whilst in the pool, use a substance or preparation which may cause the water to discolour or render the water turbid or otherwise unfit for the use of bathers;

(k) wilfully -

(i) foul or pollute water in a shower bath or the pool;

- (ii) soil, defile, damage, injure, destroy, use improperly, disfigure or write in or upon a dressing cubicle, furniture or other article or equipment in the centre; or
- (ii) discharge litter of any description on, in or about the centre or bring litter into the centre;
- (m) carelessly or negligently damage or improperly use or interfere with a tap, lock, valve, locker or other fitting or appliance in or about the centre;
- (n) damage, remove, mark or without lawful excuse interfere with the barbeque facilities provided in the centre, or equipment forming part of the barbeque facilities, or leave such facilities and equipment in an unclean or untidy condition after use;
- (p) damage, remove, mark or interfere with trees, plants or turf in the centre;
- (q) cause or allow a dog or other animal belonging to him or under his control to enter or remain in the centre;
- (r) interfere with another person or throw or push, or attempt to throw or push, another person into the pool, or throw a stone or stick or other matter or thing to the annoyance of another person using the facilities of the centre;
- (s) while suffering from a cutaneous infection or contagious disease, or while in an unclean condition, enter the pool;
- (t) be a nuisance in the centre; or
- (u) leave at the centre a child who has not attained the age of 8 years, unless the child is in the custody and control of an adult who has undertaken to the person leaving the child to be responsible for the safety and good behaviour of the child while the child is in the centre.
- (4) Where an adult -
  - (a) accompanies into the centre; or
  - (b) within the centre takes or has the custody or control of,

a child who has not attained the age of 8 years, the  
tult shall -

(c) ensure that the child obeys these By-laws; and

(d) ensure, or make provision for, the safety of the  
child while in the centre.

(5) A male person over the age of 4 years shall not  
enter a part of the centre set apart for females, and a  
female person over the age of 4 years shall not enter a  
part of the centre set apart for males, nor shall a person  
enter or attempt to enter, without the consent of the  
occupant, a shower recess or dressing cubicle or other  
compartment which is already occupied.

(6) A person in respect of whom a direction has been  
issued in accordance with by-law 13(3) shall not, knowing  
that the direction is in force, enter, or attempt to  
enter, the centre.

(7) A person shall not play ball games or take any  
action which shall, in any way, limit the enjoyment of  
other users of the pool or the centre at such time or  
times as the centre is in general public use, but this  
clause shall not apply to the playing, at a time approved  
by the manager, of a game or aquatic sport specially  
organized and conducted at the centre by a person.

Penalty for an offence against this by-law: \$200.

#### 9. LOST PROPERTY

(1) Where a person finds an article which he reason-  
ably believes to have been abandoned or lost in the  
centre, he shall immediately deliver the article to the  
manager.

(2) Where an article is delivered to the manager in  
pursuance of clause (1) or he finds an article which may  
have been abandoned or lost in the centre, the manager  
shall, as soon as practicable, enter a description of the  
article and all particulars relating thereto in a register  
which he shall keep for that purpose and a person claiming  
an article, who satisfies the manager that he is the owner  
of the article, shall have it returned to him upon signing  
for it in the register.

(3) The manager shall report to the Clerk, at least  
once a month, regarding articles abandoned or lost in the  
centre during the immediately preceding month and produce  
the register for inspection by the Clerk.

(4) The Council shall not incur liability in respect  
of articles abandoned or lost in the centre or stolen from  
a person while he is in the centre.

(5) An article abandoned or lost in the centre and not claimed within one month after the date of the entry under clause (2) in relation to it in the register shall be handed by the manager to a member of the Police Force for disposal in accordance with the laws relating to abandoned or lost property.

#### PART IV - MISCELLANEOUS

##### 10. CARNIVALS

(1) A person conducting a carnival at the centre shall be responsible for ensuring that these By-laws are observed by all persons participating in or attending the carnival.

(2) A person to whom the centre is made available for the purpose of holding a swimming carnival shall, at least 14 days before the proposed date of the carnival, forward to the Clerk details of the programme of events for the carnival and of games or sports proposed to be conducted.

(3) Where the manager does not approve of an item in the programme, it shall be varied in such manner as the manager thinks fit.

##### 11. HIRE OF CENTRE

The Council may, on receipt of an application in writing made to the Clerk, allow a person to have sole use of the centre for such period and subject to such conditions as it thinks fit.

##### 12. COACHING

(1) A person shall not, for reward, teach, coach or train another person in the centre except with the consent in writing of the Council.

(2) The Council may, in writing, consent to a person, for reward, teaching, coaching or training another person in the centre.

##### 13. ENFORCEMENT

(1) A person who contravenes or fails to comply with these By-laws may be removed from the centre by the manager or may be detained by the manager and given into the custody of a member of the Police Force from whom the manager may request assistance at any time.

(2) The manager may refuse to admit to the centre a person who has been convicted of an offence against these By-laws.

(3) The Council may issue a written direction to the manager that a person named in the direction shall not be admitted to the centre and, whilst that direction remains in force, the manager shall not admit that person to, or allow him to remain in, the centre.

#### 14. DELEGATION

(1) The Council may, by resolution, delegate to an officer of the Council any of its powers under these By-laws, other than this power of delegation, its power to prescribe charges under by-law 3(3) and its power to dispense with the need to comply with these By-laws.

(2) A power delegated under this section, when exercised by the delegate, shall, for the purpose of these By-laws, be deemed to have been exercised by the Council.

(3) A delegation under this by-law does not prevent the exercise of a power by the Council.

(4) The Clerk shall cause a register to be kept of all delegations under this by-law.

The common seal of the Alice Springs Town Council was affixed hereto on the sixth day of June, 1983, in pursuance of a resolution of the Council authorizing the seal to be so affixed, passed on the twenty-eighth day of March, 1983, in the presence of



*Leslie Iren Oldfield*  
 Mayor  
 (Leslie Iren Oldfield)

*Eric Roy Mitchell*  
 Town Clerk  
 (Eric Roy Mitchell)