



CITY OF CHARLES STURT

By-law made under the Local Government Act 1999

ROADS BY-LAW 2021

By-law No. 4 of 2021

For the management, control and regulation of activities on roads.

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Roads By-law 2021*.

2. Commencement

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

3. Definitions

In this by-law unless the contrary intention is clearly indicated:

- 3.1 **camp** includes setting up a camp, or causing a tent, caravan or motorhome to remain on the land for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the land;
- 3.2 **emergency vehicle** means a vehicle driven by a person who is an emergency worker;
- 3.3 **emergency worker** has the same meaning as in Regulation 54 of the *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 3.4 **electoral matter** has the same meaning as in the *Electoral Act 1985* provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 3.5 **green organics** means any clean organic matter consisting of lawn clippings, plants, leaves, prunings or other materials for which permission has been given by the Council but no item larger than 15 cm in diameter;
- 3.6 **household waste** means any kind of domestic and kitchen waste generated from residences, but excludes liquids, metals (other than food containers), building materials, stones, bricks, soil, lead acid batteries and any dangerous or toxic waste;

3.7 **recyclables** means newspapers, magazines, clean paper and cardboard, clean plastic containers of a type specified by the Council, clean tins and cans, clean glass and clean milk and juice containers and other materials for which permission has been given by the Council;

3.8 **road** has the same meaning as in the *Local Government Act 1999*.

Part 2 – Management of Roads

4. Activities Requiring Permission

A person must not, without permission, on any road:

4.1 Advertising

display any sign for the purpose of advertising, other than a moveable sign which is displayed on a road in accordance with or exempt from the provisions of the Council's *Moveable Signs By-law 2021*;

4.2 Amplification

use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound or broadcasting announcements or advertisements;

4.3 Animals

exercise any animal in such a manner as to endanger the safety of another person;

4.4 Bicycles

chain, lock or affix a bicycle to any pole, fence or other structure on a Road where the bicycle may cause an obstruction or damage the structure, other than on a structure specifically designed and set aside by the Council for that purpose;

4.5 Bridge Jumping

jump or dive from any bridge or other structure;

4.6 Camping

4.6.1 camp;

4.6.2 erect any tent or other structure of calico, canvas, plastic or similar material;

4.6.3 camp in a motorhome, except where a sign or signs erected by the Council indicates that camping on the road in such a vehicle is permitted;

4.7 Canvassing

convey any advertising, religious or other message to any bystander, passerby or other person;

4.8 Donations

ask for or receive or indicate that he or she desires a donation of money or any other thing;

4.9 Preaching

preach, canvass, harangue or otherwise solicit for religious purposes except on any road or part thereof where the Council has, by resolution, determined this restriction shall not apply;

4.10 Public Exhibitions and Displays

4.10.1 sing, busk, play a recording or use a music instrument, or perform similar activities;

4.10.2 conduct or hold a concert, festival, show, circus, performance or a similar activity;

4.10.3 erect a stage or structure for the purpose of conducting or holding a concert, festival, show, circus, performance or a similar activity;

4.10.4 cause any public exhibitions or display;

4.11 Touting for Business

tout for business;

4.12 Use of Council Rubbish Bins

deposit any commercial waste or other rubbish emanating from commercial premises in any Council rubbish bin;

4.13 Working on Vehicles

perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.

Part 3 – Miscellaneous**5. Waste Management**

An occupier of premises must:

5.1 facilitate the collection and removal of household waste, recyclables or green organics from the premises on the day of or the night before the scheduled collection day (and not before these times); and

- 5.2 in order to comply with subparagraph 5.1, ensure that, prior to the time appointed by the Council for the collection of a particular kind of household waste, recyclables or green organics from the premises, the container containing that kind of waste is placed out for collection in a position:
- 5.2.1 on the street in front of and on the same side as the premises, abutting the edge of (but not on) the carriageway and positioned so that the side of the container on which the hinges of the lid are situated faces the premises;
- 5.2.2 that is not under the overhanging branches of any street tree that would obstruct the collection vehicle;
- 5.2.3 as otherwise approved by the Council;
- 5.3 remove the waste, recyclables or green organics container from its position on the same day as the collection, after the collection has taken place.

6. Exemptions

- 6.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council Officer, or to an emergency worker when driving an emergency vehicle.
- 6.2 The restrictions in paragraphs 4.7 and 4.9 of this by-law do not apply to:
- 6.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 6.2.2 electoral matters authorised by a candidate and which relate to an election under the *Local Government Act 1999* or the *Local Government (Elections) Act 1999* that occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
- 6.2.3 matters which relate to and occur during the course of and for the purpose of a referendum.
- 6.3 The restrictions in paragraph 4.10.1 do not apply to an activity carried out in a manner approved by resolution of the Council.

7. Revocation

Council's *Roads By-law 2014*, published in the *Gazette* on 21 August 2014, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the City of Charles Sturt held on the _____ day of _____ 20 _____ by an absolute majority of the

members for the time being constituting the Council, there being at least two thirds of the members present.

.....
Mr Paul Sutton
Chief Executive Officer