NORTHERN TERRITORY OF AUSTRALIA

ALICE SPRINGS (GARBAGE DUMPS) BY-LAWS

As in force at 7 July 2003

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NORTHERN TERRITORY OF AUSTRALIA

This reprint shows the By-laws as in force at 7 July 2003. Any amendments that commence after that date are not included.

ALICE SPRINGS (GARBAGE DUMPS) BY-LAWS

By-laws under the *Local Government Act*

1 Citation

These By-laws may be cited as the *Alice Springs (Garbage Dumps) By-laws*.

2 Definition

In these By-laws, unless the contrary intention appears, ***dump*** means an area of land established by the council as a dump under by-law 7(1) or (2) for the purposes of garbage disposal.

3 Delegation

(1) The council may, by resolution, delegate to an officer of the council any of its powers and functions under these By-laws, other than:

(a) this power of delegation; and

(b) the power to grant a dispensation under by-law 4.

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

(3) A delegation under this by-law does not prevent the exercise of a power or the performance of a function by the council.

4 Dispensations

The council may, at a meeting at which not less than two-thirds of the members are present, by resolution carried by a majority of members then in office, dispense with compliance by a person with these By-laws or any part of them, and these By-laws shall apply accordingly.

5 Clerk to keep register

The clerk shall cause to be kept a register of:

(a) delegations made under by-law 3;

(b) dispensations granted under by-law 4; and

(c) licences granted under by-law 6(3),

by the Council.

6 Garbage not to be dumped without licence

(1) Where the council has notified that a person shall obtain a licence for the depositing or removal of garbage on or from a dump, a person, not being an employee or agent of the council acting within the course of his duties, shall not deposit garbage on or remove garbage from the dump without being the holder of a licence.

(2) A person may apply in writing to the council for a licence to deposit garbage on or remove garbage from a dump, and the council may grant or refuse the application.

(3) Where the council approves an application under clause (2), it may, on payment by the applicant of a fee of $10, issue a licence authorizing a person to use a dump owned, operated or controlled by the council.

(4) A licence issued under clause (3) may be subject to such conditions as the council thinks fit and endorses on the licence.

7 Council may establish dumps, &c.

(1) The council may establish dumps for the deposit of garbage on land owned by or vested in or under the control of the council.

(2) The council may make arrangements or enter into contracts with owners or occupiers of private land for the establishment of dumps or the depositing of garbage on that land.

(3) Where a dump has been established under clause (1) or (2), the council shall, by resolution, determine:

(a) the location of the dump;

(b) the hours during which and the days on which the dump shall be open for the depositing of garbage;

(c) the class or classes of garbage which may be deposited on or removed from the dump;

(d) the manner in which garbage may be deposited on or removed from the dump.

(4) Where a dump is established under this section, the council shall cause notice of the establishment to be published in a newspaper circulating in the municipality.

8 Offences with respect to dumps

(1) A person shall not deposit garbage on a dump:

(a) other than during the hours and on the days specified under by-law 7(3);

(b) unless such garbage is of the class or classes specified by the council; or

(c) other than in the manner specified by the council under by-law 7(3).

(2) A person shall not:

(a) enter or remain on a dump except for the purpose of depositing garbage, unless he is:

(i) an employee or agent of the council acting within the course of his duties;

(ii) a contractor of the council or employee or agent of such contractor in the due performance of the contract; or

(iii) the holder of a licence under by-law 6(3);

(b) remove garbage from a dump without a licence under by-law 6(3);

(c) contravene or fail to comply with the terms of a licence under by-law 6(3);

(d) contravene or fail to comply with the directions of a person authorized by the council to give directions in relation to the operation of a dump; or

(e) act in a disorderly or offensive manner on a dump.

Penalty: $500.

ENDNOTES

1 KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz* = *Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced
od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2 LIST OF LEGISLATION

***Alice Springs (Garbage Dumps) By-laws* (SL No. 31, 1984)**

Notified	6 June 1984
Commenced	6 June 1984

***Statute Law Revision Act (No. 2) 2003* (Act No. 44, 2003)**

Assent date	7 July 2003
Commenced	7 July 2003

3 LIST OF AMENDMENTS

bl 8	amd Act No. 44, 2003, s 6