

NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1990, No. 22\*

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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 26 June 1990, made the following By-laws, and for the purposes of section 63(2)(a) of the *Interpretation Act*, authorized Garry Raymond Storch, the Clerk, to sign them.

Dated 26 June 1990.

G. Storch  
Town Clerk

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AMENDMENTS OF THE BY-LAWS OF THE MUNICIPALITY OF DARWIN

1. PRINCIPAL BY-LAWS

The By-laws of the Municipality of Darwin are in these By-laws referred to as the Principal By-laws.

2. INTERPRETATION

By-law 10.01 of the Principal By-laws is amended by omitting the definition of "APPROVED GARBAGE BIN".

3. REPEAL AND SUBSTITUTION OF PART III OF CHAPTER 5

Part III of Chapter 5 of the Principal By-laws is repealed and the following substituted:

"PART III - GARBAGE SERVICES

"18. DEFINITION

"In this Part 'premises' includes land on which premises are situated.

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\* Notified in the *Northern Territory Government Gazette* on 16 July 1990.

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"19. COLLECTION OF GARBAGE BY COUNCIL

"The Council's service for the collection of garbage shall be as described, and conducted as specified in a notice published from time to time in a newspaper generally circulating in the municipality and an occupier of premises to which the notice applies in the municipality shall comply with the notice.

"20. PROVISION AND MAINTENANCE OF GARBAGE RECEPTACLES

"(1) The Council may provide or cause to be provided a garbage receptacle as part of a garbage service.

"(2) If the Council does not provide or cause to be provided a garbage receptacle for premises, the occupier of the premises shall provide on the premises sufficient approved receptacles for holding garbage produced on the premises.

"(3) For the purposes of clause (2), an approved garbage receptacle shall be -

- (a) of a type and capacity approved by the Council;
- (b) fitted with handles and a close fitting lid;
- (c) made of material impervious to moisture and to vermin; and
- (d) if required by the Council, marked with the name of the occupier and the lot number of the premises where the receptacle is kept.

"(4) An occupier of premises shall in relation to a garbage receptacle used in connection with the premises -

- (a) maintain it in good condition;
- (b) not permit it to attract or to harbour flies, insects or vermin, to become unsightly or to cause an offensive odour;
- (c) not permit it to become or to cause a danger to public health or to interfere with or to affect the comfort of persons occupying or passing through or along neighbouring premises;
- (d) ensure that its lid is kept closed except when it is removed for the purpose of putting garbage in or removing it from the receptacle;
- (e) ensure that all garbage produced on the premises is put into the receptacle unless the owner intends to otherwise lawfully dispose of it;

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- (f) cause wet garbage to be effectively wrapped to keep it enclosed and separate from other garbage before being placed in the receptacle;
- (g) cause all receptacles on the premises to be placed for collection on the day at the time and in the manner notified in accordance with by-law 19 and at a collection point specified by the Council to enable the person collecting it to have access to the contents of the receptacle;
- (h) cause the receptacle to be placed inside the premises as soon as practicable after the contents have been removed by the garbage collector;
- (j) cause each receptacle to be cleansed thoroughly with antiseptic solution at least once in every 4 weeks; and
- (k) not remove from the premises a receptacle supplied by or on behalf of the Council except for the purpose of collection of its contents.

"21. INTERFERENCE WITH GARBAGE RECEPTACLES

"(1) A person shall not damage a garbage receptacle.

"(2) A person other than -

- (a) the occupier of the premises for which a garbage receptacle is provided;
- (b) an employee or agent of the Council acting within the scope of his or her duties as employee or agent; or
- (c) a contractor in the due performance of a contract for garbage collection between the contractor and the Council, or an employee or agent of the contractor,

shall not, without reasonable cause, touch, use, remove, mark or otherwise interfere with a receptacle.

"(3) A person who damages or causes a garbage receptacle to be damaged is liable for the costs of the repair to or replacement of the receptacle.

"(4) An amount of costs of repairing or replacing a garbage receptacle provided by or on behalf of the Council is a debt due and payable to the Council by the person who damaged it or caused the damage.

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"22. GARBAGE RECEPTACLES TO BE RETURNED TO LOCATION

"A person engaged in the collection of garbage on behalf of the Council shall, after collecting the contents of a garbage receptacle, replace its lid and put the receptacle at the location where it was before removing the contents.".

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The common seal of the Darwin City Council was affixed hereto in pursuance of a resolution of the Council passed on 26 June 1990, authorizing the seal to be so affixed.

MR G R STORCH  
TOWN CLERK

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LORD MAYOR

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