

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1989, No. 8*

By-laws under the *Local Government Act*

The Palmerston 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 the Act, at a meeting held on 27 April 1989, hereby makes the following By-laws.

AMENDMENTS OF PALMERSTON (LITTER) BY-LAWS

1. PRINCIPAL BY-LAWS

The Palmerston (Litter) By-laws are in these By-laws referred to as the Principal By-laws.

2. DEFINITIONS

By-law 2 of the Principal By-laws is amended -

- (a) by omitting the definition of "Authority";
- (b) by inserting after the definition of "authorized" the following:

"'Council' means the Palmerston Town Council constituted under the *Local Government Act*";

- (c) by omitting the definition of "Palmerston" and substituting the following:

"'Palmerston' means the municipality of Palmerston as constituted under the *Local Government Act*"; and

- (d) by adding at the end the following:

"'public place' means any place open to or used by the public, whether with or without payment for admission, and includes a road."

* Notified in the *Northern Territory Government Gazette* on 21 JUN 1989.

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3. PREMISES TO BE CLEAN AND FREE FROM LITTER

By-law 9(2) of the Principal By-laws is amended by omitting "may enter the premises" and substituting "may, in accordance with the Act, enter the premises".

4. NEW BY-LAWS

The Principal By-laws are amended by inserting after by-law 12 in Part II the following:

"12A. REMOVAL OF ANIMAL EXCREMENT

"A person in charge of an animal in a public place shall remove from the public place any excrement deposited by the animal in that place.

"12B. DEPOSIT OF OFFENSIVE LITTER, &c., IN COUNCIL RECEPTACLES

"A person shall not deposit in a receptacle provided by the Council in a public place for the purpose of holding litter -

- (a) wet household garbage;
- (b) litter which has an offensive odour;
- (c) litter which may cause a health hazard; or
- (d) trade or commercial waste material.

"12C. STACKING, &c., OF GOODS &c., ON PUBLIC PLACE

"(1) Subject to clause (2), a person shall not stack, store or expose, or permit the stacking, storing or exposing of goods, merchandise or building or construction material in, on or over a public place.

"(2) Clause (1) does not apply to the stacking, storing or exposing of goods, merchandise or building or construction material in accordance with the conditions of a permit granted under the Palmerston (Work on Public Places) By-laws.

"12D. WASHING, &c., OF VEHICLES IN PUBLIC PLACE

"(1) A person shall not -

- (a) wash; or
- (b) subject to clause (2), carry out repairs or maintenance work on,

a motor vehicle on or in a public place.

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(2) Clause (1)(b) does not apply to the carrying out of repairs on a motor vehicle for the purpose of immediately removing that vehicle from a public place.

"12E. OVERGROWN AND UNSIGHTLY LAND

"(1) Where -

- (a) any land in Palmerston is overgrown with grass or other vegetation; or
- (b) any thing stored on land in Palmerston on which premises are erected is -
 - (i) unsightly; and
 - (ii) able to be seen by a person on a public place in the vicinity of the land,

an authorized officer may serve on the occupier or, where there is no occupier, the owner of the land, a notice in the approved form directing the occupier or the owner, as the case may be, within the period specified in the notice, to -

- (c) destroy, burn, cut or remove the grass or vegetation on the land; or
- (d) remove the thing from the land, or store or screen it in such a way so that it cannot be seen by a person on a public place in the vicinity of the land,

as the case may be.

"(2) Where the occupier or owner of land on whom a notice under clause (1) has been served has not complied with the notice within the period specified in that notice, an authorized officer may, with such servants, agents or workmen as the officer thinks fit for the purpose, enter, in accordance with the Act, the land to which that notice relates, and carry out, or cause to be carried out, the work required to be carried by the notice."

5. NEW BY-LAW

The Principal By-laws are amended by adding after by-law 16 the following:

"16A. FEES TO USE DUMP

"(1) Where the Council establishes a garbage dump under by-law 16, it may by resolution from time to time determine the charges to be paid for depositing litter at that dump.

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"(2) A person shall not deposit litter at a garbage dump established under by-law 16 unless that person has paid to the Council or an authorized officer the charges determined under clause (1).".

6. DEAD ANIMALS ON PREMISES

By-law 19(2) of the Principal By-laws is amended by omitting "may enter the premises" and substituting "may, in accordance with the Act, enter the premises".

7. FURTHER AMENDMENTS

The Principal By-laws are further amended as set out in the Schedule.

SCHEDULE

Regulation 7

AMENDMENTS

Provision	Amendment	
	omit	substitute
By-law 2 - definitions of "approved", "authorized" and "person"	"Authority" (wherever occurring)	"Council"
By-laws 3(2), 6, 13(1)(f), (g), 14(b), (c), 15, 16, 17, 21 and 22	"Authority" (wherever occurring)	"Council"

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The common seal of the Palmerston Town Council was affixed hereto on 28 April, 1989 in pursuance of a resolution of the Council authorizing the seal to be so affixed, passed on 27 April, 1989, in the presence of:

J.E. HIGGINS
MAYOR

S. BENNETT
CLERK
