NORTHERN TERRITORY OF AUSTRALIA

JABIRU TOWN DEVELOPMENT (REFUSE) BY-LAWS

TABLE OF PROVISIONS

By-law

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1983, No. 7*

By-laws under the *Jabiru Town Development Act*

The Jabiru Town Development Authority in pursuance of section 31 of the *Jabiru Town Development Act*, at a meeting held on the 27th day of January 1983, made the following By-laws and, for the purposes of section 63(2)(a) of the *Interpretation Act*, authorized Geoffrey Ernest Stolz, its Chairman, to sign them.

Dated this fourth day of February, 1983.

G.E. STOLZ
Chairman

JABIRU TOWN DEVELOPMENT (REFUSE) BY-LAWS

PART I - PRELIMINARY

1. CITATION

These By-laws may be cited as the Jabiru Town Development (Refuse) By-laws.

2. DEFINITIONS

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

"authorized officer" means an officer or employee of the Authority authorized for the purpose of these By-laws;

"dump" means a place established or maintained under by-law 10(1);

"machine" includes tractors, farm implements and mining and earth-moving equipment;

"motor vehicle" has the same meaning as in the *Motor Vehicles Act*;

---

* Notified in the *Northern Territory Government Gazette* on 18 February 1983.

G. L. DUFFIELD, Government Printer of the Northern Territory
Price: 70 cents

"town area of Jabiru" means the area administered by the Authority;

"Town Manager" means the person employed by the Authority as Town Manager of Jabiru, and includes any person authorized by the Authority to act in his place.

PART II - REFUSE COLLECTION SERVICE

3. CONDITIONS UNDER WHICH HOUSEHOLD REFUSE REMOVED BY AUTHORITY

(1) Subject to this by-law, the Authority shall, on not less than 2 days in each week, carry out or cause to be carried out the collection of household refuse from domestic premises in the town area of Jabiru.

(2) The Authority, or the person with whom the Authority has arranged the collection of household refuse, may refuse to collect -

(a) more than 2 bins of refuse at a time from the domestic premises;

(b) refuse which is not contained in a bin;

(c) refuse which is contained in a bin with a capacity of more than 60 litres; or

(d) refuse containing oils or toxic materials.

(3) The Authority may, where as a result of industrial action or other circumstances, it is not possible for garbage to be removed by the Authority, suspend the collection of household refuse.

4. COMMERCIAL REFUSE

The Authority shall permit a dump to be used for the deposit of refuse and waste material from commercial premises and may -

(a) charge for the use of the dump for the deposit of such matter; and

(b) make arrangements for the collection of refuse and waste materials from commercial premises and charge for the collection of it.

PART III - REMOVAL OF RUBBISH AND DISCARDED MATERIAL

5. NOTICE TO REMOVE RUBBISH AND DISCARDED MATERIAL

(1) The Authority may serve on the occupier of land or premises within the town area of Jabiru upon which there is refuse, rubbish or discarded material

which, in the opinion of the Authority, is likely to adversely affect -

(a) the health, convenience or comfort of the occupiers of adjoining or neighbouring land or premises; or

(b) the value of adjoining land or premises,

a notice in writing signed by the Town Manager, requiring the occupier of land to clear from the land or premises within the period specified in the notice the refuse, rubbish or discarded material specified in the notice.

(2) The Authority may, where it cannot ascertain the identity of the occupier of land in respect of which it desires to serve a notice under this by-law, serve the notice on the owner of the land.

6. COMPLIANCE WITH NOTICE

A person on whom a notice under by-law 5 has been served shall, within the period specified in the notice, remove the refuse, rubbish or discarded material specified in the notice.

Penalty: $200 plus $20 for each day during which the offence continues.

7. AUTHORITY MAY CARRY OUT WORK

The Authority may, without prejudice to any proceedings it may initiate in respect of an offence against by-law 5, after the expiry of the period specified in the notice, enter the land or premises the subject of the notice and remove the refuse, rubbish or discarded material specified in the notice and may recover the cost of so doing as a debt due and payable to the Authority by the person on whom the notice was served.

PART IV - STORAGE OF MACHINES OR DISUSED MOTOR VEHICLES

8. MACHINES, &c., NOT TO BE STORED OR BROKEN UP

A person shall not, within the town area of Jabiru -

(a) store a machine, disused motor vehicle or the body or chassis of a motor vehicle, which is not in working order; or

(b) dismantle or break up a machine, disused motor vehicle or the body or chassis of a motor vehicle, which is not in working order,

unless the machine or motor vehicle is stored, dismantled or broken up -

(c) inside a building; or

(d) within an area enclosed by a fence or wall that is -

(i) not less than 2 metres in height; or

(ii) of such a nature as to screen the machine, disused motor vehicle and its parts from the adjoining street and properties.

9. ENFORCEMENT

(1) Where a person has contravened or failed to comply with by-law 8, the Authority may serve on him a notice requiring him, within the period specified in the notice, to take the action required by the notice -

(a) to remove or dismantle a machine, disused motor vehicle or the body or chassis of a motor vehicle, which is not in working order; or

(b) to screen the area within which the machine, disused motor vehicle or body or chassis of a motor vehicle is kept.

(2) A person who fails to comply with a notice under clause (1) within the period specified in the notice is guilty of an offence.

Penalty: $200 plus $20 for each day during which the offence continues.

(3) Where a person on whom a notice under clause (1) is served contravenes or fails to comply with the notice, the Authority may, without prejudice to any proceedings which it may institute for breach of this by-law, carry out the work specified in the notice and recover the expense of so doing as a debt due and payable to the Authority by that person.

PART V - MANAGEMENT OF DUMP

10. DUMP

(1) The Authority may establish or maintain, at such place or places in the town area of Jabiru as it thinks fit, a dump to which residents of Jabiru may bring refuse for disposal.

(2) The Authority may determine the periods of operation of a dump referred to in sub-clause (1) and shall cause notices to be issued and displayed of the hours during which and the days on which the dump shall be open to the public for the deposit of refuse.

11. DISPOSAL OF REFUSE AT DUMP

A person who brings refuse to the dump shall dispose of the refuse in accordance with the instructions, if any, given to him by the person in charge of the dump and shall obey notices in relation to the disposal of refuse.

Penalty: $50.

12. DISPOSAL OF TOXIC MATERIALS

(1) A person shall not dispose of oil or toxic materials in the town area of Jabiru otherwise than at a dump.

(2) A person shall, when bringing oil or toxic materials to a dump, obey the instructions given to him by an authorized officer or clearly displayed on a sign at the dump in relation to -

(a) placing the oil or materials in a container provided by the Authority for that purpose;

(b) disposal of the container; or

(c) such other matters regarding the disposal of oil or toxic materials as the Authority may reasonably require.

Penalty for an offence against this by-law: $100 for the first offence and $500 for a subsequent offence.