

# LOCAL GOVERNMENT ACT 1995

Shire of Plantagenet

## LOCAL LAWS RELATING TO THE OPERATION OF THE SHIRE OF PLANTAGENET LANDFILL AND TRANSFER STATION FACILITIES 2004

In pursuance of the powers conferred upon it by the above-mentioned Act and of all the powers enabling it, the Council of the Shire of Plantagenet hereby records having resolved on the 8<sup>th</sup> day of June 2004 to make the following local laws:

### Citation

1. These Local Laws may be cited as “The Shire of Plantagenet Landfill and Transfer Station Facilities Local Laws 2004”.

### Interpretation

2. In these Local Laws, unless the context otherwise requires -

“**Act**” means the *Local Government Act 1995* and such amendments as from time to time adopted by the Parliament of Western Australia.

“**Authorised Staff Member**” means a person employed by the Local Government and its contractor and is authorised to direct other persons in the placement of waste within the facility of the weighing and charging for waste received.

“**Council**” means Council of the Shire of Plantagenet.

“**Local Government**” means the Shire of Plantagenet.

“**Facilities**” means the property and buildings under the control of the Local Government used for the disposal, treatment and recycling of waste material.

“**Chief Bush Fire Control Officer**” means the Chief Bush Fire Control Officer appointed by the Local Government from time to time in accordance with the provisions of the *Bush Fires Act 1954*.

“**Chief Executive Officer**” means the duly appointed Chief Executive Officer of the Local Government.

“**Site Controller**” means an officer authorised by the Chief Executive Officer and is, charged with the conduct of operations at the “Shire of Plantagenet Landfill and Transfer Station” facility and includes any person acting in that position during any period of absence by the appointed Site Controller.

“**Shire of Plantagenet Landfill and Transfer Station Facilities**” means any portion of reserves designated as waste management sites in the Shire of Plantagenet.

“**Waste**” means all manner of material discarded as being no longer required by the person owning or in possession of that material.

3. All persons using the landfill facility shall be subject to the provisions of these Local Laws.

4. The drivers of all vehicles entering the precincts of “The Shire of Plantagenet Landfill and Transfer Station Facilities” shall observe the speed limits as depicted on standard signs erected in proximity to the access roadways.

5. All persons present at the facility shall act in accordance with any lawful instruction given by the Site Controller or authorised staff member. Failure to act in the instructed manner may cause the Site Controller to request the person to immediately leave the facility and failure to do so shall thereupon constitute a contravention of these Local Laws.

6. No person shall place or dispose of waste material in any position other than that directed by an erected notice or instruction of an authorised staff member of the Local Government.
7. No person shall remove or carry away from the facility any refuse or waste material brought into the facility by another person unless authorised to do so by the Site Controller.
8. No person shall damage, deface or otherwise cause a loss of value in any building, sign, plant and equipment of the Local Government situated on the facility.
9. No person shall light any fire within the precincts of the facility unless so authorised by the Site Controller in consultation with the Chief Bush Fire Control Officer for purposes of protection or lessening of fire hazard.
10. No person shall dig up, remove or otherwise damage native flora and growth contained within the precincts of the facility unless so authorised by the Site Controller.
11. No person shall trap, chase, worry or otherwise injure or maim any native fauna within the precincts of the facility unless with the specific approval of the Site Controller.
12. The Council may from time to time set and amend by resolution the hours of operation of the facility and such hours will be displayed for public information.
13. The Council may from time to time set and amend by resolution a scale of fees chargeable for the acceptance and treatment of waste material on the facility. Such schedule may specify classes of waste and differing fees for each class.
14. All charges set by the Council shall be displayed in a notice erected within the proximity of the entry control building.
15. All persons so required shall pay the Local Government the appropriate charge in order to gain entry to the facility and to thereon dispose of waste.
16. No person shall dispose on the site any liquid, toxic or hazardous waste of the class declared by the Department of Environmental Protection of Western Australia to be disposed and treated at other declared facilities.
17. The penalty for contravention of any of these Local Laws is four hundred dollars (\$400.00).

Dated this 8<sup>th</sup> day of June 2004.

The Common Seal of the Shire of Plantagenet was here to affixed by the authority of a resolution of the Council in the presence of -

Cr K. M. FORBES JP, Shire President.  
Mr S.J. BELL, Acting, Chief Executive Officer.

