

Queensland



Gurulmundi Secure Landfill Agreement Act 1992

GURULMUNDI SECURE LANDFILL BY-LAW 1992

**Reprinted as in force on 1 January 1993
(by-law not amended up to this date)**

Reprint No. 1 *

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Information about this reprint

This by-law is reprinted as at 1 January 1993.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have been made to—

- use citations and references permitted by division 2 of that Act
- use aspects of format and printing style consistent with current drafting practice (s 35).

See endnotes for information about when provisions commenced.

Queensland



GURULMUNDI SECURE LANDFILL BY-LAW 1992

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GURULMUNDI SECURE LANDFILL BY-LAW 1992

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PART 1—PRELIMINARY

1 Short title

This by-law may be cited as the *Gurulmundi Secure Landfill By-law 1992*.

2 Interpretation

In this by-law—

“**authorised person**” means the Committee or a person declared by section 3 to be an authorised person;

“**Committee**” means the Landfill Management Committee;

“**dump**” means place, deposit or discard for the purpose of disposal;

“**fence**” includes a gate;

“**obstruct**” includes hinder, resist and attempt to obstruct;

“**plant**” includes equipment, machinery, a bore and a bore casing;

“**structure**” includes building, fuel storage facility, waste storage pit and works;

“**tamper**” includes damage, destroy, and attempt to tamper;

“**waste**” means anything dumped on the site.

PART 2—AUTHORISED PERSONS

3 Authorised persons

The following are declared to be authorised persons for the purposes of this by-law—

- (a) the Committee;
- (b) the permanent head of the Department of Water Supply and Sewerage, Brisbane City Council;
- (c) the director of Scientific Services, Brisbane City Council;
- (d) the manager of the site.

4 Obstruction of authorised persons

A person must not, without reasonable excuse, obstruct an authorised person in the exercise of a power under this by-law.

Maximum penalty—80 penalty units.

PART 3—SITE MANAGEMENT

5 Control of entry to site

A person must not, without reasonable excuse, enter the site without the permission of an authorised person.

Maximum penalty—30 penalty units.

6 Unauthorised dumping

A person must not dump anything on the site without the permission of an authorised person.

Maximum penalty—80 penalty units.

7 Unauthorised fire

A person must not cause a fire on the site without the permission of an authorised person.

Maximum penalty—80 penalty units.

8 Directions on site

(1) An authorised person may give to a person on the site a direction necessary or convenient for the management of the site.

(2) The direction—

(a) must relate to the activity of the person when on the site, including, for example—

(i) the movement, parking or placing of a vehicle or machinery on the site; or

(ii) the manner of dumping anything on the site; or

(b) may require the person to leave the site.

(3) The person to whom the direction is given must not, without reasonable excuse, fail to comply with the direction.

Maximum penalty—60 penalty units.

9 Unauthorised tampering

A person must not tamper with—

(a) a fence to the site; or

(b) plant, structure or a vehicle on the site; or

(c) waste on the site;

without the permission of an authorised person.

Maximum penalty—80 penalty units.

PART 4—GENERAL

10 Power to require name and address

(1) This section applies if an authorised person—

- (a) finds a person committing an offence against this by-law; or
- (b) finds a person who the authorised person has reasonable grounds for suspecting has committed an offence against this Act; or
- (c) believes on reasonable grounds that the name and address of a person is required for the purpose of the administration or enforcement of this by-law.

(2) The authorised person may require the person to state the person's name and address.

(3) A person who is required under subsection (2) to state the person's name or address must not—

- (a) without reasonable excuse, fail to comply with the requirement; or
- (b) state a false name or address.

Maximum penalty—80 penalty units.

(4) If the authorised person makes a requirement under subsection (2), the authorised person must warn the person that it is an offence against this by-law—

- (a) to fail, without reasonable excuse, to comply with the requirement; or
- (b) to give false information or evidence.

11 Assistance from police officer

(1) An authorised person may call on a police officer to assist in the enforcement of this by-law.

(2) The police officer—

- (a) may provide the assistance; and
- (b) in providing the assistance is acting in the execution of the officer's duty.

12 Proceedings

(1) Proceedings for an offence against this by-law are to be taken in a summary way under the *Justices Act 1886*.

(2) A proceeding must start within 6 months after—

- (a) the commission of the offence; or
- (b) the offence comes to the complainant's knowledge, but not later than 2 years after the commission of the offence;

whichever is the later.

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Gurulmundi Secure Landfill By-law 1992 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 List of legislation

Gurulmundi Secure Landfill By-law 1992 SL No. 433
 notfd Gaz 18 December 1992 pp 1988–96
 commenced on date of notification