



*By-law made under the Local Government Act 1999*

## **NUISANCES CAUSED BY BUILDING SITES BY-LAW 2016**

### **By-law No. 6 of 2016**

*To prevent and suppress certain kinds of nuisance caused by rubbish escaping from land on which building work is being undertaken.*

#### **Part 1 – Preliminary**

##### **1. Short Title**

This by-law may be cited as the *Nuisances Caused by Building Sites By-law 2016*.

##### **2. Commencement**

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

##### **3. Definitions**

In this by-law:

3.1 **building work** has the same meaning as in the *Development Act 1993*.

#### **Part 2 – Prevention of Nuisances**

##### **4. No Unauthorised Discharge**

4.1 The person in charge of building work on land must take all reasonable steps necessary to ensure that all paper, plastic, or other building materials (not including soil, sand or stones) on the land associated with the building work is secure so that it does not blow from the land in a wind.

##### **5. Removal of Discharge**

5.1 If paper, plastic or other building materials (not including soil, sand or stones) blows from the land in a wind, the person in charge of the building work must remove all such materials from adjacent land at the request in writing of an authorised person.

- 5.2 If the person in charge of building work on land fails to comply with clause 5.1, then the Council or such person as authorised by the Council may undertake the work, and recover the cost of doing so from that person.

### Part 3 – Miscellaneous

#### 6. Revocation

Council's *By-law No. 6 – Nuisances Caused by Building Sites*, published in the *Gazette* on 10 December 2009, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the District Council of Yankalilla held on the 16<sup>th</sup> day of August 2016 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

  
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Mr Nigel Morris  
Chief Executive