

# Subordinate Local Law No. 7 (Waste Management) 2018

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## **Part 1 Preliminary**

### **1 Short title**

This subordinate local law may be cited as *Subordinate Local Law No. 7 (Waste Management) 2018*.

### **2 Purpose and how it is to be achieved**

- (1) The purpose of this subordinate local law is to assist in the implementation of the Local Law.
- (2) The purpose is to be achieved by providing for matters as prescribed by the Local Law.

### **3 Authorising local law**

The making of the provisions in this subordinate local law is authorised by the Local Law.

### **4 Definitions**

- (1) Subject to subsection (2), particular words used in this subordinate local law have the same meaning as provided for in the Local Law.
- (2) The dictionary in Schedule 11 defines particular words used in this subordinate local law that are not defined in the Local Law.

## **Part 2 Waste management**

### **5 Areas designated for general or green waste collection – Local Law, s 5(1)**

- (1) Subject to subsection (2), for section 5(1) of the Local Law:
  - (a) the whole of the local government area is designated as an area in which the local government may conduct general waste collection; and
  - (b) all urban areas within the local government area are designated as areas in which the local government may conduct green waste collection.
- (2) A designation under subsection (1) does not apply to commercial premises, other than in relation to the collection of food organic waste.

**6 Requirements about supplying standard general waste containers – Local Law, s 6(1)(a)(i)**

For section 6(1)(a)(i) of the Local Law, if a circumstance mentioned in column 1 of Schedule 1 applies to premises, the requirements stated opposite in column 2 of Schedule 1 are prescribed for the premises.

**7 Requirements about supplying other waste containers – Local Law, s 6(1)(b)(i)**

For section 6(1)(b)(i) of the Local Law, if a circumstance mentioned in column 1 of Schedule 2 applies to premises, the requirements stated opposite in column 2 of Schedule 2 are prescribed for the premises.

**8 Types of waste containers – Local Law, s 7(1)(a)(i)**

For section 7(1)(a)(i) of the Local Law, if a circumstance mentioned in column 1 of Schedule 3 applies to premises, a type of waste container stated opposite in column 2 of Schedule 3 is prescribed.

**9 Things that must not be placed in a waste container – Local Law, s 7(2)(a)(iv)**

For section 7(2)(a)(iv) of the Local Law, a thing mentioned in Schedule 4 is stated.

**10 Places for keeping waste containers – Local Law, s 8(1)(b)**

For section 8(1)(b) of the Local Law, if a circumstance mentioned in column 1 of Schedule 5 applies to serviced premises, a waste container must be kept at a place stated opposite in column 2 of Schedule 5.

**11 Prescribed facilities and structures – Local Law, s 9(2)(b)**

For section 9(2)(b) of the Local Law, if a circumstance mentioned in column 1 of Schedule 6 applies to serviced premises, the facilities or structures stated opposite in column 2 of Schedule 6 are prescribed.

**12 Requirements for storing industrial waste – Local Law, s 12(1)(b)**

For section 12(1)(b) of the Local Law, if a circumstance mentioned in column 1 of Schedule 7 applies to premises where there is industrial waste, the requirements stated opposite in column 2 of Schedule 7 are prescribed.

**13 Requirements about treating industrial waste – Local Law, s 13(b)**

For section 13(b) of the Local Law, if a circumstance mentioned in column 1 of Schedule 8 applies to premises where there is industrial waste, the requirements stated opposite in column 2 of Schedule 8 are prescribed.

**14 Waste that must not be deposited at a waste facility – Local Law, s 14(1)(h)**

For section 14(1)(h) of the Local Law, waste mentioned in Schedule 9 is prescribed.

**15 Things that are waste – Local Law, Schedule (Dictionary)**

For the definition of “waste” in the Schedule (Dictionary) of the Local Law, a thing mentioned in Schedule 10 is specified to be waste.

## Schedule 1 Requirements about supplying standard general waste containers

### Section 6

	<b>Column 1 Circumstances</b>	<b>Column 2 Requirements</b>
1	Exempt premises	<p>Standard general waste containers must be supplied that:</p> <ul style="list-style-type: none"><li>(a) are 240L and meet the Australian standards consistent with waste containers supplied by the local government to serviced premises; and</li><li>(b) enable segregation of general waste and green waste in separate identifiable waste containers; and</li><li>(c) are capable of being transported to enable the waste to be disposed of at a local government transfer station.</li></ul>

## Schedule 2      Requirements about supplying other waste containers

Section 7

	<b>Column 1 Circumstances</b>	<b>Column 2 Requirements</b>
1	<i>No circumstances are prescribed</i>	<i>No requirements are prescribed</i>

## Schedule 3 Requirements about types of waste containers

### Section 8

	<b>Column 1 Circumstances</b>	<b>Column 2 Requirements</b>
1	Serviced premises	240 L waste containers supplied by the local government with: (a) a red lid for general waste; (b) a yellow lid for recycling waste; and (c) a light green lid for green waste.
2	Exempt premises	240 L waste containers supplied by the local government with: (a) a red lid for general waste; (b) a yellow lid for recycling waste; and (c) a light green lid for green waste.



## **Schedule 4      Things that must not be placed in a waste container**

### Section 9

A person must not place any of the following in a waste container –

- (a) hot ash;
- (b) material that can spontaneously combust;
- (c) material containing a substance that may be harmful to persons or property because, if it reacts with air or water, it may produce toxic gases or become corrosive or explosive;
- (d) an explosive; or
- (e) ammunition, other than ammunition that no longer contains explosives, pyrotechnics or propellants apart from trace residues that are no longer capable of supporting combustion or an explosive reaction.

**Schedule 5      Places for keeping waste containers**

Section 10

	<b>Column 1 Circumstances</b>	<b>Column 2 Places</b>
1	<i>No circumstances are prescribed</i>	<i>No requirements are prescribed</i>

**Schedule 6 Prescribed facilities and structures**

Section 11

	<b>Column 1 Circumstances</b>	<b>Column 2 Facilities and structures</b>
1	<i>No circumstances are prescribed</i>	<i>No requirements are prescribed</i>

**Schedule 7      Requirements for storing industrial waste**

Section 12

	<b>Column 1 Circumstances</b>	<b>Column 2 Requirements</b>
1	All premises	Industrial waste containers must be – (a) of steel or plastic construction and meet Australian standards; (b) located without obstruction for collection purposes; (c) kept in clean and in good repair to prevent the escape or overflow of any industrial waste from the waste container; and (d) kept in such a way as to enable the segregation of regulated waste from general industrial waste.

## Schedule 8 Requirements about treating industrial waste

Section 13

	<b>Column 1 Circumstances</b>	<b>Column 2 Requirements</b>
1	All premises	<p>The occupier of premises where there is industrial waste must:</p> <ul style="list-style-type: none"> <li>(a) segregate different types of general industrial waste in separate identifiable industrial waste containers (ie. recyclable waste, green waste) to prevent cross-contamination for disposal;</li> <li>(b) segregate and keep all regulated waste in separate, fit for purpose industrial waste containers in accordance with the requirements of the EP Act and EP Reg and any other relevant laws;</li> <li>(c) ensure all industrial waste is adequately covered to prevent the escape or cross-contamination of any waste material during transportation to a waste facility; and</li> <li>(d) ensure all industrial waste is disposed of in accordance with environmental authorities and statutory requirements.</li> </ul>

**Schedule 9      Waste that must not be deposited at a  
waste facility**

Section 14

No other types of waste are prescribed.

## **Schedule 10 Things that are waste**

Section 150

No things are specified.

## Schedule 11 Dictionary

### Section 4

<b>EP Act</b>	means the <i>Environmental Protection Act 1994</i> .
<b>EP Reg</b>	means the <i>Environmental Protection Regulation 2008</i> .
<b>exempt premises</b>	means premises where general domestic waste is produced but which are not serviced premises as it has been determined by an authorised person that the local government is unable to reasonably provide a waste collection service to the premises for any reason, including but not limited to – <ul style="list-style-type: none"><li>a) inadequate truck turn-around space;</li><li>b) roads are deemed unsafe or unsuitable; or</li><li>c) the premises is unoccupied for a minimum period of twelve months.</li></ul>
<b>Local Law</b>	means the local government's <i>Local Law No. 7 (Waste Management) 2018</i> .
<b>urban area</b>	has the meaning given in the <i>Planning Act 2016</i> .