



**Interim Local Law No. 1**  
**(Waste Management) 2018**

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Chief Executive Officer

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# Redland City Council Interim Local Law No. 1 (Waste Management) 2018

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## **Part 1                      Preliminary**

### **1            Short title**

This interim local law may be cited as *Interim Local Law No. 1 (Waste Management) 2018*.

### **2            Term of interim local law**

This interim local law will commence on 1 July 2018 and will expire on 31 December 2018.

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

- (1)        The purpose of this interim local law is to protect the public health, safety and amenity related to waste management within the local government's local government area.
- (2)        The purpose is to be achieved by providing for—
  - (a)        regulation of the storage, servicing and removal of waste; and
  - (b)        regulation of the disposal of waste at waste facilities; and
  - (c)        regulation of the use of waste facilities; and
  - (d)        regulation of the use of public place waste infrastructure; and
  - (e)        the control of acts or omissions to ensure they do not result in—
    - (i)        harm to human health or safety or personal injury; or
    - (ii)       property damage or loss of amenity; or
    - (iii)      environmental harm or environmental nuisance.

### **4            Definitions—the dictionary**

- (1)        The dictionary in the schedule defines particular words used in this interim local law.
- (2)        If a word used in this interim local law is not defined in this interim local law but is defined under the *Local Law No. 1 (Administration) 2015*, it has the meaning given to it by the *Local Law No. 1 (Administration) 2015*.

### **5            Relationship with other laws<sup>1</sup>**

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<sup>1</sup> This interim local law and any subordinate local law made under it do not apply to the extent of any inconsistency with a law of the State or the Commonwealth. See the Act, section 27.

This interim local law is—

- (a) in addition to and does not derogate from state and federal laws about the management of waste; and
- (b) to be read with *Local Law No. 1 (Administration) 2015*.

## **Part 2 Waste management**

### **Division 1 Designation of areas for general waste or green waste collection**

#### **6 Designation of areas**

The local government may—

- (a) designate areas within its local government area in which the local government may conduct general waste or green waste collection; and
- (b) decide the frequency of general waste or green waste collection in the designated areas.

### **Division 2 Management of waste**

#### **Subdivision 1 Storage of waste**

##### **7 Application of subdivision 1**

Subdivision 1 applies to domestic premises and commercial premises.

##### **8 Owner or occupier of premises to supply waste containers**

- (1) The owner or occupier of premises must—<sup>2</sup>
  - (a) subject to subsection (2), supply standard general waste containers at the premises as—
    - (i) are necessary to contain the general waste produced at the premises; or
    - (ii) are prescribed by subordinate local law; or

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<sup>2</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.

- (b) supply at the premises, waste containers, other than standard general waste containers, as—
  - (i) if required by the local government—are necessary to contain the general waste produced at the premises; or
  - (ii) are prescribed by subordinate local law.

Maximum penalty—20 penalty units.

- (2) However, subsection (1)(a) does not apply if the local government supplies to the premises the number of standard general waste containers the local government reasonably considers is required at the premises.
- (3) If the local government supplies a standard general waste container to premises under subsection (2), the reasonable cost of supplying the container and service is a debt payable by the owner or occupier of the premises to the local government.

## **9 Requirements for storing general waste and green waste in waste containers**

- (1) Subject to subsection (2), the owner or occupier of premises must—<sup>3</sup>
  - (a) store general waste produced as a result of the ordinary use or occupation of the premises in—
    - (i) a standard general waste container; or
    - (ii) if another type of waste container is prescribed by subordinate local law—the other type of container; and
  - (b) store green waste produced as a result of the ordinary use or occupation of the premises in—
    - (i) a standard green waste container; or
    - (ii) if a standard green waste container is not supplied at the premises—a waste container in paragraph (a)(i) or (ii); and
  - (c) keep each waste container clean and in good repair, including replacing, where necessary, waste containers supplied by the local government; and
  - (d) ensure vermin do not infest waste containers or the area where a waste container is stored; and
  - (e) ensure waste does not cause an odour nuisance; and

<sup>3</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.

- (f) ensure that each waste container is securely covered, except when the waste is being placed in, or removed from, the container or the container is being cleaned.

Maximum penalty—20 penalty units.

- (2) Subsection (1) does not prevent green waste being used in home composting systems.

- (3) Subject to subsections (6) and (7), a person must not—<sup>4</sup>

- (a) place any of the following in a waste container—

- (i) a liquid, semi-liquid or moist substance, unless the substance is securely wrapped or contained to prevent the substance leaking from the wrapper or container; or
- (ii) material that is smouldering or aflame; or
- (iii) matter or a thing that is alive; or
- (iv) a thing stated in a subordinate local law; or

- (b) place in a waste container waste that is not approved by the local government for storing in the waste container; or

*Example for paragraph (b)—*

Placing waste that is not recyclable waste in a container approved by the local government for storing recyclable waste.

- (c) remove or disturb the cover of a waste container, except when placing waste in or cleaning the container; or
- (d) use or damage a waste container so that it is not weatherproof or serviceable or cannot be securely covered; or
- (e) disturb or otherwise interfere with the contents of a waste container.

Maximum penalty—20 penalty units.

- (4) The occupier of the premises must not allow a thing to be placed in a waste container in contravention of subsection (3).<sup>5</sup>

Maximum penalty—20 penalty units.

<sup>4</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.

<sup>5</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.

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- (5) It is a defence in a proceeding against a person for an offence under subsection (3) for the person to prove the contravention was due to causes over which the person had no control.
  - (6) Subsection (3) does not apply to an employee, agent or contractor of the local government when—
    - (a) performing a duty or responsibility which the local government has authorised the person to perform; or
    - (b) exercising a power that the local government has authorised the person to exercise.
  - (7) Subsection (3)(e) does not apply to the occupier of the premises if the disturbance or interference with the contents of a waste container at the premises is carried out in the ordinary use of the premises.

## 10 General requirements for keeping waste containers at serviced premises

- (1) Subject to subsection (2), the occupier of serviced premises must ensure that a waste container supplied for the serviced premises is kept—<sup>6</sup>
  - (a) if the local government requires the container to be kept at a particular place at the serviced premises—at the place (the *waste container storage place*); or
  - (b) if a subordinate local law requires the container to be kept at a particular place at the serviced premises—at the place (also a waste container storage place); or
  - (c) if paragraphs (a) and (b) do not apply—at a place inside the serviced premises that does not detract from the amenity of the serviced premises and its surrounds.

Maximum penalty—20 penalty units.

- (2) Subsection (1) does not prevent the occupier of the serviced premises from placing a waste container in a place outside the serviced premises for the collection of general waste or green waste from the container, if—
  - (a) the local government has arranged to collect waste from the container at the place; or
  - (b) an authorised person has directed the container be kept in such other place; or
  - (c) the container is in the place for no longer than—

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<sup>6</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.



- (i) the period, if any, allowed under a local law of the local government; or
- (ii) 24 hours before or after the scheduled collection day for the collection of the waste in the container.

*Example of a place outside serviced premises—*

The kerb adjacent to the serviced premises.

- (3) If the local government has arranged for the collection of general waste from a waste container at serviced premises, the occupier of the serviced premises must ensure there is unobstructed access to the waste container for removal of the waste.<sup>7</sup>

Maximum penalty—20 penalty units.

- (4) It is a defence in the proceeding against a person for an offence under subsection (3) for the person to prove the contravention was due to causes over which the person had no control.

## **11 Other requirements for storing general waste at particular serviced premises**

- (1) This section applies to any of the following persons (each a ***prescribed person***) for serviced premises, other than a single unit private dwelling—
  - (a) the owner or occupier of the serviced premises;
  - (b) if a prescribed ERA is carried out at the serviced premises—the holder of the environmental authority for the prescribed ERA.
- (2) The prescribed person must ensure that the waste container storage place for the serviced premises is supplied with—<sup>8</sup>
  - (a) if required by the local government—all of the following—
    - (i) either—
      - (A) an elevated stand at a level required by the local government for holding all waste containers; or
      - (B) an imperviously paved area, drained as required by the local government, where all waste containers can be placed;

<sup>7</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.

<sup>8</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.

- (ii) a hose cock and hose in the vicinity of the elevated stand or the imperviously paved area;
  - (iii) a suitable enclosure for the area where the waste containers are kept;
  - (iv) a waste container of a type, size and capacity adequate to contain the waste generated by use of the serviced premises;
- (b) if a requirement is prescribed by subordinate local law—facilities and structures for the placement, storage and cleaning of waste containers as prescribed by subordinate local law.

Maximum penalty for subsection (2)—20 penalty units.

## Subdivision 2 Removal of waste

### 12 Local government may give notice about collection of general waste

- (1) The local government may give the occupier of serviced premises a written notice (a *waste collection notice*) stating any or all of the following—
- (a) the days (each a *scheduled collection day*) on which the waste is to be collected;
  - (b) the location (*collection location*) where the waste container is to be placed for collection of the waste;
  - (c) the time by which the waste container is to be placed in the collection location for collection of the waste;
  - (d) the time by which the waste container is to be removed from the collection location.

*Example—*

Occupiers of serviced premises on streets with limited or difficult access for waste collection vehicles, or for reasons to reduce nuisance, may be required to place waste containers at a common designated location serving the street or a number of serviced premises on the street.

- (2) A waste collection notice may be given by publication on the local government's website.

### 13 Depositing or disposal of general waste and green waste from premises other than serviced premises

- (1) This section applies if general waste or green waste is produced at a premises, other than serviced premises.

- (2) The local government may impose requirements on a written approval to the owner or occupier of the premises for depositing or disposing of the waste, including, for example, requirements about—
  - (a) the place for depositing or disposing of the waste; or
  - (b) the method of depositing or disposing of the waste.
- (3) The occupier of the premises must ensure that the waste produced at the premises is deposited or disposed of—<sup>9</sup>
  - (a) at a waste facility; or
  - (b) in accordance with the requirements of the local government under subsection (2) for depositing or disposing of the waste.

Maximum penalty for subsection (3)—20 penalty units.

## **Division 3      Storage of industrial waste**

### **14      Requirements for storing industrial waste**

- (1) The occupier of premises where there is industrial waste must,<sup>10</sup> if required by the local government—
  - (a) supply at the premises the number of industrial waste containers required by the local government for storing the industrial waste at the premises safely, efficiently and without causing a nuisance; and
  - (b) keep the industrial waste containers at the particular place at the premises required by the local government; and
  - (c) keep each industrial waste container clean and in good repair; and
  - (d) comply with any requirement in a subordinate law.

Maximum penalty—20 penalty units.

## **Part 3              Receiving and disposing of waste**

### **15      Unlawful disposal of waste at waste facility**

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<sup>9</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.

<sup>10</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.

- (1) A person must not deposit the following waste at a waste facility—<sup>11</sup>
- (a) liquid or semiliquid waste;
  - (b) hot ash;
  - (c) material that is smouldering or aflame;
  - (d) material that can spontaneously combust;
  - (e) 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;
  - (f) material containing asbestos;
  - (g) material containing fire ants;
  - (h) an explosive;
  - (i) 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;
  - (j) waste prescribed by subordinate local law.
- Maximum penalty—20 penalty units.
- (2) Subsection (1) does not apply to waste deposited with the consent of the operator for the waste facility.

## **16 Restrictions on burning waste at waste facility**

A person must not set fire to, or burn, waste at a waste facility other than—<sup>12</sup>

- (a) under an environmental authority; or
- (b) under a development condition of a development approval; or
- (c) under the *Fire and Emergency Services Act 1990*.

Maximum penalty—20 penalty units.

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<sup>11</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.

<sup>12</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.

## 17 Restrictions on use of waste facility

(1) Subject to subsections (1) and (2), a person must not, without the consent of the operator for a waste facility—<sup>13</sup>

- (a) enter the facility other than to deposit waste or purchase from an approved sale point;

*Example for paragraph (a)—*

RecycleWorld Redland Bay.

- (b) remain on the facility after depositing or purchasing waste; or
- (c) interfere with waste at, or remove waste from, the facility (including exchanging waste with another person); or
- (d) interfere with any part of the operations at the facility; or
- (e) interrupt an employee of the operator for the facility or an authorised person.

Maximum penalty—20 penalty units.

(2) Subsection (1) does not apply to—

- (a) the operator for the waste facility; or
- (b) an authorised person.

## 18 Person to comply with directions and give information

(1) This section applies to a person who—

- (a) transports waste to a waste facility; or
- (b) deposits waste at a waste facility.

(2) The person must—<sup>14</sup>

- (a) comply with all relevant and reasonable directions contained in any sign, road pavement marking or other infrastructure displayed at the waste facility; and
- (b) comply with all reasonable instructions about dealing with the waste at the waste facility which are given by the operator for the

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<sup>13</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.

<sup>14</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.

waste facility or an authorised person; and if asked by the operator for the waste facility or an authorised person, give the following information to the operator or the authorised person—

- (i) the type and amount of waste being delivered to the waste facility; and
- (ii) information that provides satisfactory evidence of the identity and residential address of the person.

Maximum penalty—10 penalty units.

## **Part 4 Public place waste infrastructure**

### **19 Restrictions on use of public place waste infrastructure**

- (1) A person must not—<sup>15</sup>
  - (a) dispose of domestic, commercial or industrial waste or green waste in public place waste infrastructure;

Maximum penalty—20 penalty units.

- (2) A person must not scavenge waste from public place waste infrastructure.<sup>16</sup>

Maximum penalty—20 penalty units.

## **Part 5 Authorised persons**

### **20 Who are authorised persons**

- (1) The following persons are authorised persons for this interim local law—
  - (a) a person who is an authorised person under a subordinate local law for this paragraph;
  - (b) a person appointed as an authorised person for this interim local law under this section.
- (2) A local government may appoint any of the following persons as authorised persons for this interim local law—
  - (a) employees or workers of the local government;

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<sup>15</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.

<sup>16</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.

- (b) other persons who are eligible for appointment as authorised persons under the Act.<sup>17</sup>
- (3) An appointment of a person as an authorised person under this section must state the provisions of this interim local law for which the person is appointed as an authorised person.
- (4) A local government may appoint a person as an authorised person under this section only if—
  - (a) the local government considers the person has the necessary expertise or experience for the appointment; or
  - (b) the person has satisfactorily finished training approved by the local government for the appointment.

## **21 Limitation on authorised person’s powers**

An authorised person’s powers may be limited in the person’s instrument of appointment or under a subordinate local law for this section.

## **22 Authorised person’s appointment conditions**

- (1) An authorised person holds office on the conditions stated in the instrument of appointment or a subordinate local law for this subsection.
- (2) An authorised person—
  - (a) if the instrument or subordinate local law provides for a term of appointment—ceases holding office at the end of the term; and
  - (b) if appointed as an authorised person under section 20(1)(b)—may resign by signed notice of resignation given to the local government; and
  - (c) if the person holds a particular rank or position, and is an authorised person under a subordinate local law because he or she holds the relevant rank or position—ceases holding office as an authorised person on ceasing to hold the relevant rank or position; and
  - (d) if the conditions of appointment provide—ceases holding office as an authorised person on ceasing to hold another office stated in the appointment conditions (the *main office*).
- (3) However, an authorised person may not resign from the office of authorised person (the *secondary office*) under subsection (2)(b) if a condition of the authorised person’s employment in the main office requires the authorised person to hold the secondary office.

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<sup>17</sup> See the Act, chapter 6, part 6.

### **23 Authorised person's identity card**

- (1) Each authorised person must hold an identity card issued by the local government.
- (2) An identity card issued by the local government must—
  - (a) contain a recent photograph of the authorised person; and
  - (b) be signed by the authorised person; and
  - (c) identify the person as an authorised person for the local government; and
  - (d) include an expiry date.
- (3) A person who ceases to be an authorised person must return the person's identity card to the local government within 21 days after the person ceases to be an authorised person.  
Maximum penalty for subsection (3)—10 penalty units.
- (4) This section does not prevent the giving of a single identity card to a person for this part and for other purposes.

### **24 Production of identity card**

- (1) An authorised person may exercise a power in relation to someone else (the *other person*) only if the authorised person—
  - (a) first produces his or her identity card for the other person's inspection; or
  - (b) has the identity card displayed so it is clearly visible to the other person.
- (2) However, if for any reason it is not practicable to comply with subsection (1), the authorised person must produce the identity card for the other person's inspection at the first reasonable opportunity.

### **25 Offence**

A person must not pretend to be an authorised person.<sup>18</sup>  
Maximum penalty—50 penalty units.

### **26 Protection from liability**

- (1) This section applies to—
  - (a) an authorised person; and

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<sup>18</sup> Where 2 or more persons are engaged in the relevant activity, the liability is joint and several. See *Local Law No.1 (Administration) 2015*, section 35.



- (b) a person acting under the direction of an authorised person.
- (2) The person does not incur civil liability for an act done or omission made honestly and without negligence under this interim local law.
- (3) A liability that would, apart from this section, attach to the person attaches instead to the local government.

## **Part 6 Subordinate local laws**

### **27 Subordinate local laws**

The local government may, by subordinate local law, specify—

- (a) requirements about the supply at premises of standard general waste containers<sup>19</sup>; and
- (b) requirements about the supply at premises of waste containers, other than standard general waste containers, to contain the general waste produced at the premises<sup>20</sup>; and
- (c) another type of waste container for the storage of general waste produced as a result of the ordinary use or occupation of premises<sup>21</sup>; and
- (d) a thing that a person must not place in a waste container<sup>22</sup>; and
- (e) requirements about the keeping of the waste container supplied for serviced premises at a particular place at the serviced premises<sup>23</sup>; and
- (f) requirements about the supply of facilities and structures for the placement, storage and cleaning of waste containers<sup>24</sup>; and
- (g) requirements about the supply at premises of industrial waste containers for storing industrial waste at the premises and other

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<sup>19</sup> See section 8(1)(a).

<sup>20</sup> See section 8(1)(b).

<sup>21</sup> See section 9(1)(a).

<sup>22</sup> See section 9(3)(a).

<sup>23</sup> See section 10(1)(b).

<sup>24</sup> See section 11(2)(b).

requirements about waste containers for the storage of industrial waste<sup>25</sup>; and

- (h) waste that a person must not deposit at a waste facility<sup>26</sup>; and
- (i) the appointment of authorised persons for this local law<sup>27</sup>; and
- (j) a thing that is specified to be waste<sup>28</sup>; and
- (k) premises that is specified to be commercial premises<sup>29</sup>; and
- (l) premises that is specified to be domestic premises<sup>30</sup>.

**Part 7                      Application of Local Law No. 1  
   (Administration) 2015**

**Part 8                      Transitional provisions**

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<sup>25</sup> See section 14(1)(d).

<sup>26</sup> See section 15(1)(j).

<sup>27</sup> See section 20(1)(a).

<sup>28</sup> See schedule.

<sup>29</sup> See schedule.

<sup>30</sup> See schedule.

## Schedule      Dictionary

section 3

*Act* means the *Local Government Act 2009*.

*authorised person* means a person who is an authorised person for this interim local law appointed under part 5.

*collection location* means a place at, or adjacent to, premises at which a waste container associated with the premises can be easily accessed by a waste collection vehicle without causing obstruction.

*commercial premises* means any of the following types of premises—

- (a) a hotel, motel, caravan park, cafe, food store or canteen;
- (b) an assembly building, institutional building, kindergarten, child minding centre, school or other building used for education;
- (c) premises where a sport or game is ordinarily played in public;
- (d) an exhibition ground, show ground or racecourse;
- (e) an office, shop or other premises where business or work, other than a manufacturing process, is carried out;
- (f) a church, or other building, used as a place of worship, or for religious purposes;
- (g) other premises that is specified to be commercial premises under a subordinate local law.

*commercial waste* means waste, other than green waste, domestic recyclable waste, commercial recyclable waste, interceptor waste or waste discharged to a sewer, produced as a result of the ordinary use or occupation of commercial premises.

*commercial recyclable waste* means recyclable waste produced as a result of the ordinary use or occupation of commercial premises.

*development approval* has the meaning given in the *Planning Act 2016*.

*domestic premises* means any of the following types of premises—

- (a) a single unit private dwelling;
- (b) premises containing 2 or more separate flats, apartments or other dwelling units;

- (c) rooming accommodation, lodging house or guest house;
- (d) other premises that is specified to be domestic premises under a subordinate local law.

**domestic waste** means waste, other than domestic clean-up waste, green waste, domestic recyclable waste, commercial recyclable waste, interceptor waste or waste discharged to a sewer, produced as a result of the ordinary use or occupation of domestic premises.

**domestic recyclable waste** means recyclable waste produced as a result of the ordinary use or occupation of domestic premises.

**environmental authority** has the meaning given in the *Environmental Protection Act 1994*.

**environmental harm** has the meaning given in the *Environmental Protection Act 1994*.

**environmental nuisance** has the meaning given in the *Environmental Protection Act 1994*.

**general waste** means—

- (a) waste other than regulated waste; and
- (b) for part 2, any of the following—
  - (i) commercial waste;
  - (ii) domestic waste;
  - (iii) commercial recyclable waste;
  - (iv) domestic recyclable waste; and
  - (v) domestic green waste;
- (c) for part 4, any of the following—
  - (i) commercial waste;
  - (ii) domestic waste;
  - (iii) commercial recyclable waste;
  - (iv) domestic recyclable waste;
  - (v) industrial waste.

**government premises** means premises of which the owner or occupier is a government entity, including the local government.

**green waste** means grass cuttings, trees, bushes, shrubs, loppings of trees, bushes or shrubs, or similar matter produced as a result of the ordinary use or occupation of premises.

**industrial waste** means—

- (a) interceptor waste; or
- (b) waste other than the following—
  - (i) commercial waste;
  - (ii) domestic clean-up waste;
  - (iii) domestic waste;
  - (iv) green waste;
  - (v) recyclable interceptor waste;
  - (vi) commercial recyclable waste;
  - (vii) domestic recyclable waste;
  - (viii) waste discharged to a sewer.

**industrial waste container** means a container of a type approved by the local government for storing industrial waste at premises in the local government's local government area.

**interceptor** means a device used to intercept a substance in sewage, waste water or trade waste and prevent its discharge into a sewer, septic tank, waste water disposal system or other treatment device.

*Examples of interceptors—*

- neutralising interceptors for neutralising acidic and alkaline substances
- grease interceptors for collecting and solidifying fat, grease and similar matter
- oil interceptors for collecting oil and petroleum products
- silt interceptors for collecting soil, sand, gravel and other sedimentary solids

**interceptor waste** means matter, other than recyclable interceptor waste, intercepted by, and held in, an interceptor.

**local government** means the Redland City Council.

**local government area** has the meaning given in the Act.

**main office** see section 22(2).

**manufacturing process** means a handcraft or other process relating to adapting, altering, assembling, cleaning, finishing, making, ornamenting, preparing, renovating, repairing, washing, or wrecking goods for trade, sale or gain or otherwise in connection with a business.

**occupier** of premises includes the following—

- (a) a person who apparently occupies, or has control or management of, the premises;
- (b) a person who is apparently acting with the authority of:
  - (i) the owner of the premises; or
  - (ii) a person who apparently occupies, or has control or management, of the premises;
- (c) if paragraphs (a) and (b) do not apply—an owner of the premises;

**operator**, for a waste facility, means the person who is responsible for the carrying out of the waste facility or is in charge of the waste facility, and includes the owner of the waste facility, or holder of the Environmental Authority for the facility.

**other person** see section 24(1).

**owner** of premises means the person for the time being entitled to receive the rent for the premises or would be entitled to receive the rent for it if it were let to a tenant at a rent.

**premises** includes domestic premises, government premises and commercial premises.

**prescribed ERA** has the meaning given in the *Environmental Protection Act 1994*.

**prescribed person** see section 11(1).

**public place waste infrastructure** means a waste container and associated infrastructure in a local government area or a road owned or controlled by the local government.

**recyclable interceptor waste** means matter that is, or is intended to be, removed from a grease interceptor and taken elsewhere for processing into a non-toxic, non-hazardous and usable substance for sale.

**recyclable waste**, means clean and inoffensive waste that the local government's recycling collection services accept for recycling.

*Examples of waste that the local government's recycling services accept for recycling—*

glass bottles and jars, plastic bottles and containers, paper, cardboard, and steel

and aluminium cans and containers

**regulated waste** has the meaning given in the *Environmental Protection Regulation 2008*.

**rooming accommodation** has the meaning given in the *Planning Regulation 2017*.

**scheduled collection day** see section 12(1).

**secondary office** see section 22(3).

**serviced premises** means the following premises to the extent that the local government has arranged to collect or remove general waste for part 2 or green waste from the premises—

- (a) domestic premises;
- (b) commercial and industrial premises for which the local government has been requested in writing by the owner or occupier of the premises to arrange for removal of general waste or green waste from the premises.

**standard general waste container**—

- (a) means a container of a type approved by the local government for storing domestic waste, commercial waste, domestic recyclable waste or commercial recyclable waste at premises in the local government's local government area; and
- (b) for the avoidance of doubt, includes 1 or more containers each of which is approved by the local government for storing, at premises in the local government's local government area—
  - (i) 1 or more or multiple types of commercial waste; or
  - (ii) 1 or more or multiple types of recyclable waste.

**standard green waste container** means a container of a type approved by the local government for storing green waste at premises in the local government's local government area.

**waste**, has the meaning given in the *Environmental Protection Act 1994*, and includes any thing that is specified to be waste under a subordinate local law.

**waste collection notice** see section 12(1).

**waste container storage place** see section 10(1).

**waste facility**—

- (a) for part 2, means a facility for the recycling, reprocessing, treatment, storage, incineration, conversion to energy or disposal of waste; and
- (b) for part 3, means a facility for the recycling, reprocessing, treatment, storage, incineration, conversion to energy or disposal of waste, but only if the local government is the operator or owner of the facility or holds the Environmental Authority for the facility.