

Amendment Local Law No. 1 (Administration) 2025

Explanatory Notes

This Amendment Local Law may be cited as the *Amendment Local Law No. 1 (Administration) 2025*.

REFERENCE TO LAWS

This Amendment Local Law amends *Local Law No. 1 (Administration) 2022*.

WHAT IS THIS AMENDMENT LOCAL LAW TRYING TO ACHIEVE AND WHY?

This Amendment Local Law is required to amend *Local Law No. 1 (Administration) 2022* to ensure the local law aligns with recent changes to state legislation and address operational requirements including:

- Update definitions relevant to *Local Law No. 2 (Animal Management) 2022* including the definitions for birds, stock, large birds, noisy birds
- Update definitions relevant to the *Animal Management (Cats and Dogs) Act 2008* to reflect changes to restricted dogs and to reflect the definition of a working dog
- Remove definitions of 'wet waste' and 'dry waste' and replace the definitions with 'recyclable waste' and 'general waste'
- Insert other waste management definitions relating to waste management plans and wheelie bin services
- Include definitions to reflect operational requirements including for body-worn cameras
- Other minor amendments.

PLAIN ENGLISH EXPLANATION OF AMENDMENT LOCAL LAW

Part 1 – Preliminary

Section 1 – Short title

This section establishes the short title of this Amendment Local Law.

Section 2 - Object

This section provides the scope and context for the provisions of this Amendment local Law (the **object**). The provisions of this Amendment Local Law must be consistent with the object, which is to amend the relevant Local Laws for the reasons stated in section 2.

Section 3 – Commencement

This section identifies when the Amendment Local Law will take effect.

Part 2 – Amendment of Local Law No. 1 (Administration) 2022

Amendment Proposed – With Explanatory Notes	Level of Change
Section 4 – Local law amended This section states that it effects <i>Local Law No. 1 (Administration) 2022</i> .	Small
Section 5 - Amendment of Schedule 1 Dictionary – <i>birds</i> This section removes the word ' <i>special</i> ' from the definition of birds and replaces it with the word ' <i>large</i> '.	Small
Section 6 - Amendment of Schedule 1 Dictionary – <i>Body-worn camera</i> The existing <i>Local Law No. 1 (Administration) 2022</i> does not have a definition for <i>Body-worn camera</i> . This section provides the definition as follows: A definition of <i>Body-worn camera</i> means a device – (a) Worn on clothing or otherwise secured on a person; and (b) Designed to be used to – (i) Record images; or (ii) Record images and sounds.	Medium
Section 7 - Amendment of Schedule 1 Dictionary – <i>Chief Executive Officer</i> The existing <i>Local Law No. 1 (Administration) 2022</i> does not have a definition for <i>Chief Executive Officer</i> . This section provides the definition as follows: A definition of <i>Chief Executive Officer</i> means the Chief Executive Officer of the Council	Small
Section 8 - Amendment of Schedule 1 Dictionary – <i>dry waste</i> There is no longer a 'dry waste' collection within the Cassowary Coast Regional Council area. This section removes the definition of 'dry waste' as it is no longer relevant.	Small
Section 9 - Amendment of Schedule 1 Dictionary – <i>general activity (a)(iv) goods for sale on footpath</i> This section makes an administration change to enable the regulation, where required, of good on footpaths in all Council controlled areas by removing the words 'outside of CBD'.	Small
Section 10 - Insert new section in Schedule 1 Dictionary This section inserts a new definition of ' <i>general waste</i> ' which is consistent with the new kerbside waste collection service in the Cassowary Coast Regional Council area. The definition is as follows: <i>general waste</i> means waste other than recyclable waste and regulated waste and includes: (a) plastic bags; (b) wineglasses; (c) broken windows\plate glass and mirrors; (d) disposable coffee cups; (e) clothing and fabric; (f) bubble wrap; (g) plastic film and aluminium foil; (h) polystyrene balls and Styrofoam; (i) garden hoses; (j) dirty disposable nappies; (k) broken ceramics and crockery; (l) household food scraps; (m) bottle tops;	Medium

(n) waxed cardboard; (o) recyclable waste only if the recyclable waste collection container at the same serviced premises is full; and (p) otherwise notified by the local government to be non-recyclable waste.	
Section 11 - Amendment of Schedule 1 Dictionary – <i>large bird</i> This section removes 'guinea fowl type birds' from the definition of '<i>large bird</i>' and adds the words 'birds of a similar size.'	Small
Section 12 - Amendment of Schedule 1 Dictionary – <i>general activity section</i> (a)(viii) market stalls; This section is an administrative correction by removing the word 'stalls', thus reflecting the markets are a general rather than each market stall.	Small
Section 13 - Amendment of Schedule 1 Dictionary – <i>mooring site</i> This is an administrative correction to number the schedule correctly to Schedule section '1 (13)'	Small
Section 14 - Insert new section in Schedule 1 Dictionary This section inserts a new definition of '<i>noisy bird</i>' which will be referred to within <i>Local Law No. 2 (Animal Management) 2022</i> so that particular noisy birds can be better regulated. This is a pro-active approach to regulating noisy birds rather than residents having to prove that a noise nuisance is occurring which is the requirement under the current local laws. The new definition is proposed as follows: 'noisy bird' means: (a) a cacophonous bird such as a galah, sulphur-crested cockatoo, geese or guinea fowl, but does not include a rooster; or (b) a bird that is not a cacophonous bird about which a decision has been made for the purpose of section 11(2)(i) of Local Law No. 2 (Animal Management) 2022 that the bird causes an unreasonable nuisance.	Large
Section 15 - Insert new section in Schedule 1 Dictionary This section inserts a new definition of '<i>recyclable waste</i>' which is consistent with the new kerbside waste collection service in the Cassowary Coast Regional Council area. The definition is proposed as follows: <i>recyclable waste</i> means: (a) Cardboard and paper (i) Books (no plastic/hard covering/binders) (ii) Cardboard/cardboard boxes e.g. cereal box, empty pizza boxes (uncontaminated, no tape or labels) (iii) Paper/envelopes/junk mail/magazines/newspapers (iv) Poppers/tetra packs e.g juice box (b) Metals (i) Aerosol cans (ii) Drink cans, foil, packaging (iii) Steel tins/cans (clean and empty) (c) Plastics (i) Cartons (rinsed, lids off) (ii) Lids (larger than credit card) (iii) Medicine bottles (no lids) (iv) Plastic containers and bottles (lids off, clean), including rigid plastic containers (e.g shampoo bottle) (v) Takeaway containers - clean (vi) Yogurt containers - rinsed (d) Glass (i) Wine bottles (ii) Oil and vinegar bottles	Medium

(iii) Juice and soft drink bottles (iv) Glass jars/bottles (lids removed)	
Section 16 - Amendment of Schedule 1 Dictionary – <i>restricted dog</i> This section removes the definition of restricted dog which is consistent with the <i>Animal Management (Cats and Dogs) Act 2008</i>	Small
Section 17 - Amendment of Schedule 1 Dictionary – <i>stock</i> This section removes the word 'poultry, from the definition of stock as poultry has its own definition.	Small
Section 18 - Amendment of Schedule 1 Dictionary – <i>waste collection containers</i> This section removes wording that is not relevant for waste management operations.	Medium
Section 19 - Amendment of Schedule 1 Dictionary – <i>waste management plan</i> This section inserts a definition of ' <i>waste management plan</i> ' which will apply within <i>Local Law No. 3 (Community and Environment) 2022</i> . The definition is proposed as follows: A definition of <i>waste management plan</i> means a Waste management plan approved under Local Law No. 3 (Community and Environment) 2022' Refer to explanatory notes for <i>Amendment Local Law No. 3 (Community and Environment) 2025</i> for further information on how a waste management plan will be applied.	Medium
Section 20 - Amendment of Schedule 1 Dictionary – <i>wet waste</i> There is no longer a 'wet waste' collection within the Cassowary Coast Regional Council area. This section removes the definition of 'wet waste' as it is no longer relevant.	Small
Section 21 - Amendment of Schedule 1 Dictionary – <i>working dog</i> This section removes the definition outlined in <i>Local Law No. 1 (Administration) 2022</i> and replaces it with the definition that is consistent with the <i>Animal Management (Cats and Dogs) Act</i> Schedule 2 Dictionary.	Small
Section 22 - Amendment of Part 5 Enforcement This section includes a new provision relevant to the use of body-worn cameras. Council's Authorised Officers use body-worn camera in their daily operations as a workplace health and safety measure as well as a means of collecting evidence and ascertaining facts. This section reflects similar provisions under state legislation.	Medium