

# Chapter 14: Waste Minimisation

## Scope

The **purpose** of this chapter of the bylaw is to:

- (1) Protect the health and safety of the public and the Council's employees and contractors;
- (2) Prevent contamination of recoverable materials and maximize the recovery of recyclable, compostable and re-usable resources;
- (3) Avoid nuisance relating to the collection and disposal of waste and diverted materials;
- (4) Regulate and monitor waste operators and waste handling facilities within the district.

The **objectives** of this chapter of the bylaw are to:

- (1) Assist with the implementation of the Waste Minimisation Act 2008, the New Zealand Waste Strategy and Council's Waste Management and Minimisation Plan;
- (2) Ensure safe, effective and efficient waste management in the district, and, where appropriate, beyond the district;
- (3) Impose specific performance standards and requirements for waste collection, transportation, disposal and treatment services for the benefit of the public.

### **1400. Interpretation**

1400.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

### **1401. Council kerbside collection**

1401.1. Council may from time to time make and amend and publicly notify policy which may include but is not necessarily limited to the following.

- (a) To determine areas within the Timaru district eligible for solid waste collection.
- (b) To designate the days and time of solid waste collection including alternative days for public holidays.
- (c) To contract any solid waste collection contractor to carry out collection of solid waste for Council.
- (d) To determine the area and type of properties that Council will provide a kerbside collection service to.
- (e) To assign approved containers to eligible premises;
- (f) To determine the frequency of collection of solid waste in each designated collection area of the district.

- (g) To designate the conditions and guidelines relating to the acceptance of solid waste materials for collection as part of a council kerbside collection and at waste management facilities.

## **1402. Owner and occupier responsibilities for kerbside collection**

1402.1. Every owner or occupier of an eligible premise shall:

- (a) Ensure that approved containers are not intentionally damaged.
- (b) Utilise approved containers for the storing and collection of rubbish, recyclable materials and compostable materials.
- (c) Separate and prepare all solid waste generated from within eligible properties so as to comply with the acceptance criteria for solid waste.
- (d) Maintain approved containers in a sanitary manner so as not to cause offence or nuisance.
- (e) Place approved containers out for emptying in accordance with Council instructions for placement.
- (f) Ensure the lid of an approved container is closed shut when the container is placed out for emptying so that no material is sticking out of the approved container.
- (g) Remove any approved containers from the kerbside or roadside not later than 24 hours after the day of collection.
- (h) Notify Council immediately of any damage to any approved container.

1402.2. Landlords shall ensure that tenants of eligible premises which are residential dwellings receive the appropriate allocation of approved containers and shall provide adequate space for storage of the approved containers.

1402.3. When an approved container has been placed outside a premise for collection, no person other than the owner or occupier of that property, or any Council staff, agent or contractor shall interfere with, add to or remove any of the contents of the approved container.

1402.4. No person shall dispose of any solid waste from eligible premises or any commercial premises into a street litter bin.

1402.5. No person other than the occupier / owner of the eligible premises to which the approved container has been allocated, Council staff, agent or contractor shall remove an approved container from its placement on the kerb.

1402.6. Approved containers allocated to an eligible premises shall remain at the eligible premises the approved containers were originally assigned to. The approved containers shall not be removed and used at another premises.

1402.7. Where an approved container has been damaged through negligence, misuse, abuse or alterations the repair of damage or replacement shall be a cost recoverable from the owner or occupier of the eligible premises to which the approved container was assigned.

The owner or occupier of eligible premises shall not be liable for theft, vandalism or damage caused inadvertently by others.

1402.8. The owner or occupier of an eligible premises shall make the approved containers assigned to the eligible premises available to Council, or its contractors or agents for inspection purposes or repair within 24 hours of that request.

1402.9. The owner or occupier of an eligible premises shall ensure that approved containers shall be placed in an area that would not allow a fire to spread to the rest of the building or to any road or other public place

### **1403. Approved containers for kerbside collection**

1403.1. Council shall determine the type of approved containers to be supplied to eligible premises.

1403.2. Approved containers will be identified by the Council name.

1403.3. Coloured lids will be used to identify wheeled bins as follows:

- Green Lid - Compost
- Yellow Lid - Recycle
- Red Lid - Rubbish

1403.4. Containers that are not approved containers will not be emptied or removed.

1403.5. Approved containers may only be emptied by the Council's nominated kerbside collection contractor.

### **1404. Disposal of solid waste via kerbside collection**

1404.1. No person shall, in an approved container or otherwise, present for disposal to landfill, a banned material or prohibited waste as specified within the First and Second Schedules of this chapter to the bylaw.

1404.2. Council may conduct audits to determine if materials placed in an approved container are compliant. Notices may be issued for non-compliance.

### **1405. Preparation of solid waste material for kerbside collection**

1405.1. Every occupier or owner of eligible premises shall ensure that their solid waste is sorted and separated into the corresponding approved containers for recycling, composting and rubbish to landfill.

1405.2. Solid waste materials shall be prepared in accordance with instructions provided by Council.

- 1405.3. Solid waste shall not be packed tightly into approved containers, but shall be stored in a manner that enables the contents to tip out freely.
- 1405.4. Council may from time to time amend its instructions regarding the collection and disposal of solid waste. This may include but is not limited to instruction on maximum weight for approved containers (80 kgs maximum), the type of solid waste materials to be placed into approved containers and any other such matters Council considers relevant.

**1406. Placement of approved containers for kerbside collection**

- 1406.1. Approved containers shall where possible be placed for collection free of obstruction in the horizontal and vertical plane for emptying. Approved containers shall be spaced at least 0.5 metres apart. Red-lidded containers shall be placed first from the driver's direction of travel.
- 1406.2. Occupiers or owners of eligible premises shall place their approved containers at the kerbside or roadside for emptying in accordance with instructions provided by Council or its contractor, no earlier than 6:00pm on the day prior to collection.
- 1406.3. Approved containers placed out on the wrong collection day will not be emptied and the owner or occupier of the eligible premises shall be responsible for removing the container.
- 1406.4. An approved container will only be emptied once on each collection day unless approval is given by Council for any further emptying of an approved container.
- 1406.5. Council's collection contractor is not required to return to empty approved containers that have not been placed out in time for emptying. In such circumstances, the owner or occupier of the eligible premises shall be responsible for emptying the approved container. The contractor, where possible, may return to empty an approved container.

**1407. Collection times**

- 1407.1. Council kerbside collection shall not commence before 6.00am.

**1408. Improperly prepared materials and contamination of approved containers for kerbside collection**

- 1408.1. Council's collection contractor shall not collect improperly prepared materials or empty contaminated approved containers.
- 1408.2. Where an approved container is declined for collection, the owner or occupier of the eligible premises shall be notified of the problem by Council as soon as is practicable in the circumstances.
- 1408.3. When notified of improperly prepared materials or contamination of approved containers the owner or occupier of the eligible premises shall be responsible for remedying or mitigating the contamination or improperly prepared materials.

- 1408.4. An approved container so notified as being contaminated or improperly prepared will not be emptied until the next designated collection day.
- 1408.5. Council may advise the owner or occupier informing them of the acceptance criteria for preparation of and collection of materials.
- 1408.6. Where the owner or occupier of an eligible premises of an approved container fails to adhere to Council advice then Council may stop the Council kerbside collection for that eligible premises.

**1409. Commercial premises**

- 1409.1. The disposal of solid waste not eligible for collection by Council is the responsibility of the generator of that solid waste.
- 1409.2. The owner of commercial premises shall ensure sufficient space is provided to accommodate containers for solid waste, including separate containers for residual waste, recyclable, and compostable waste material.
- 1409.3. The owner or occupier of commercial premises shall sort and separate all solid waste generated at the premises so as to facilitate the collection of materials for recycling and composting and to comply with Council's waste acceptance criteria.

This waste may be placed in approved containers or contractor containers.

**1410. Accumulation of waste on commercial premises**

- 1410.1. The occupier or owner of any premises shall not permit or allow any accumulation of solid waste, reusable, recyclable and or compostable materials in, on, or about that premises to be or become unsightly or offensive so as to be a nuisance or likely to be injurious to health.
- 1410.2. Where approved containers or contractor containers are provided solid waste shall be placed in the respective containers. Home composting systems are permitted to dispose of compostable materials, as long as there is no breach of clause 1410.1 hereof.

**1411. Commercial solid waste collectors and operators to be licensed**

- 1411.1. Any person who, as part of a commercial operation, collects solid waste from residential dwellings or commercial premises or who sorts and processes solid waste as part of a solid waste collection business shall be licensed by Council to do so.
- 1411.2. The purpose of such a licence is to ensure that the objectives of Council's Waste Management and Minimisation Plan are achieved with regard to the separation of reusable, recyclable, compostable and waste materials presented to Council for disposal.
- 1411.3. Every application for a licence shall be made on the prescribed form, and shall include a description of the activities undertaken and shall be accompanied by a fee as set by Council from time to time.

1411.4. Licences may be granted at the discretion of Council, and may be subject to such terms and conditions as Council determines.

1411.5. A licence shall be personal to the holder and is not transferable.

**1412. Matters to be considered for issue of licences for commercial operators**

1412.1. When exercising its discretion in granting a licence and the conditions to be imposed, Council may take into account such matters including but not limited to the following:

- (a) The suitability of the applicant to hold a licence.
- (b) The extent to which the licensed activities will promote public health and safety and achievement of Council's Waste Management and Minimisation Plan and waste reduction initiatives.
- (c) The type of solid waste to be removed, collected or transported.
- (d) The manner of treatment (if any) and disposal of the solid waste type, and the location of the waste management facility at which it is proposed that processing or disposal will occur.
- (e) The frequency and location of the solid waste collection, removal, transportation or disposal services offered.
- (f) The specifications of the vehicles, equipment and containers to be used for the collection, removal, transportation, processing or disposal of solid waste.
- (g) The applicant's experience, reputation and track record in the solid waste industry, including any past operational issues which may affect the applicant's performance.
- (h) The applicant's financial ability to carry out the proposed business.
- (i) The terms and conditions under which such disposal of solid waste is permitted and the existence of or need for any statutory approvals, authorisations or consents required to be held or complied with in respect of such disposal.

**1413. Licence conditions for commercial operators**

1413.1. The terms and conditions upon which a licence may be granted include, but are not limited to the following:

- (a) A licence may be granted for a term of not more than 5 years, and may be renewable.
- (b) The licensee shall pay an annual licence fee as determined by Council from time to time.
- (c) The licensee shall comply with Council's standards and policies for the collection, removal, transportation processing or disposal of solid waste.

**1414. Hours for commercial operators**

1414.1. Commercial solid waste collection operators shall operate only between the hours of 6.00am and 10.00pm. Collection outside these hours may only be undertaken with approval from Council as a variation to a licence.

**1415. Placement of containers by commercial operators**

1415.1. Large contractor containers and skips for the collection of solid waste shall not be placed on a kerbside, footpath or road reserve so as to obstruct any vehicle or pedestrian.

1415.2. Contractor containers shall not be placed in situations that cause a hazard or block the passage of vehicles or pedestrians to or from any premises.

**1416. Commercial operator's containers**

1416.1. Containers supplied by a licensee for solid waste collection shall comply with any health and safety requirements. It is the responsibility of the licensee to ensure the safety and structural worthiness of containers.

1416.2. Licensee's containers shall be capable of containing the material deposited within.

1416.3. Licensee's containers shall be clearly labelled to indicate the material which can be placed into the container.

1416.4. The licensee's name and contact telephone number shall be posted on the side of the container and maintained so that it is clearly and easily able to be read at all times.

1416.5. Each licensee container shall be given a unique identifier number.

**1417. Waste acceptance criteria for commercial operators**

1417.1. The licensee shall ensure that all solid waste taken to Council's waste management facilities complies with the waste acceptance criteria for the respective waste management facility.

1417.2. The licensee shall be liable for any extra costs for processing contaminated loads or loads that do not comply with the waste acceptance criteria for the waste management facility.

**1418. Improperly prepared materials and contamination in commercial containers**

1418.1. It is the responsibility of the licensee to ensure that customers properly prepare solid waste materials for collection.

1418.2. Council may help by providing information and advice to assist with the proper preparation and separation of solid waste materials.

1418.3. The licensees container shall be cleaned out regularly and as necessary to avoid any odours which may cause offence or nuisance.

1418.4. The licensee's container shall be emptied to avoid overflowing solid waste.

**1419. Disposal of recyclable and compostable material by commercial operators**

1419.1. Licensees shall ensure recyclable and compostable material is taken to the appropriate waste management facility for processing. Recyclable and compostable material shall not be disposed of as rubbish into Council's landfill.

**1420. Illegal dumping into commercial containers**

1420.1. No person other than the hirer of a solid waste collection contractor or other authorised person shall place solid waste into a container of the collector.

**Other Matters**

**1421. Waste importing**

1421.1. No person shall import from outside the Timaru District commercial solid waste for disposal to Council's landfill unless such importing and disposal is approved by Council.

**1422. Council waste management facilities**

1422.1. All persons entering a council waste management facility shall:

- Observe and comply with all erected signs, notices and instructions;
- Comply with all waste acceptance criteria;
- Pay the appropriate fees;
- Not damage any plant, equipment or premise at the facility;
- Separate reusable, recyclable and compostable materials as instructed by on site staff;
- Leave the site as instructed prior to closing time.

**1423. Access**

1423.1. Access to a council waste management facility outside normal opening hours is determined by Council or its contractor or agent.

**1424. Removal of material from facilities**

1424.1. No unauthorised person shall enter, loiter, cause a disturbance or deposit any solid waste material at or to remove any solid waste or article of any kind from a council waste management facility.

**1425. Banned and prohibited materials**

1425.1. Materials identified in Schedule One to this chapter of the bylaw are prohibited from being disposed of to a landfill in the Timaru District. These materials must be taken to an appropriate recycling or composting facility.

1425.2. Materials identified in Schedule Two of this chapter of the bylaw are prohibited from being disposed of to the Redruth landfill, either via Council



or contractor container, or by any other means including private or commercial vehicle.

# CHAPTER 14: Waste Minimisation

## FIRST SCHEDULE BYLAW POLICY

Banned materials

### Subject

Clause 1425.1 - Banned materials

The following items shall not be disposed of as rubbish into a Council landfill, but shall be disposed of as reusable, recyclable or compostable material at appropriate processing facilities:

1. Petroleum oil
2. Lead acid batteries
3. Newspaper and recyclable paper as notified by Council
4. Cardboard
5. Glass bottles and jars
6. Aluminium cans
7. Rigid plastic containers as notified by Council
8. Compostable garden and food waste as notified by Council
9. Steel cans
10. Ferrous and non ferrous metals as notified by Council
11. E scrap
12. Clean packaging polystyrene
13. Clean shrinkwrap
14. Other clean flexible plastics
15. Tyres
16. Materials as shall from time to time be notified by Council.

# CHAPTER 14: Waste Minimisation

## SECOND SCHEDULE BYLAW POLICY

Banned materials

### Subject

Clause 1425.2 - Prohibited waste

The following items shall not be disposed of into an approved container destined for a Council waste management facility:

1. Unless any such waste is properly and sufficiently contained so as to prevent injury, damage or loss, any broken glass, broken china, broken plastic, hacksaw blade, razor blade, skewer, knife or any other object or material capable by reason of its shape or sharpness of causing injury;
2. Unless such waste is properly and sufficiently wrapped or contained so as to prevent injury, damage or loss, any sharp object or material capable of puncturing the approved container or capable by reason of its brittleness of shattering in the course of collection;
3. Any explosive, hot ashes, flammable material, infectious material, or any other matter, thing or waste of any kind whatsoever that may endanger any person, animal or vehicle which may come in to contact with the material at any time prior to, during or following collection and disposal;
4. Any liquid or viscous fluid;
5. Any radioactive wastes, but excluding domestic smoke detectors;  
  
[Advice Note: Domestic smoke detectors may be disposed of as household waste.]
6. Any waste oil, lead-acid batteries, refrigerators and / or freezers that have not been de-gassed;
7. Any hazardous substance;
8. Any solid waste that is not compostable material that is placed into an approved container or contractor container designated for compostable material;
9. Any non-approved biodegradable container that is placed into an approved container or contractor container designated for compostable material;  
  
Any solid waste that is not recyclable material that is placed into an approved container or contractor container designated for recyclable material;
10. Compressed gas cylinders.
11. Materials as shall from time to time be notified by Council.

# CHAPTER 14: Waste Minimisation

## THIRD SCHEDULE BYLAW POLICY

Acceptance criteria for solid waste in approved containers for kerbside collection

Maximum weight of each bin: 80 kg

### Compostable materials in green lidded bin:

- All food waste
- All garden waste **EXCEPT** flax, bamboo and Cabbage Tree leaves
- All dirty paper and cardboard
- All food-soiled paper
- All paper tissues and handtowels
- All animal droppings – loose, in paper or in Council approved bags
- All shredded paper.

### Recyclable materials in yellow lidded bin:

- All clean paper and cardboard
- All clean glass bottles and jars
- All clean aluminium cans and foil
- All clean steel and tin cans
- All clean rigid plastic containers.

### Waste to landfill materials in red lidded bin:

- All flexible plastics
- Window glass, mirrors, windscreens, plate glass and non compact lightbulbs
- All treated timber
- Sanitary and medical items
- Nappies
- Polystyrene meat trays
- Other items not suitable for reuse, recycling or composting.

### All transfer stations in the district accept most or all of the following:

- Batteries
- Clothing
- E Scrap
- Fluorecent lights
- Paint
- Re-usable items
- Scrap metal
- Standard household recyclables as above
- Waste oil
- Whiteware.

**This schedule may be changed from time to time as notified by Council.**