



Solid Waste Bylaw 2019

Effective 1 September 2019



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| Title | Solid Waste Bylaw 2019 |
| Sponsor | Strategic Planning Group Manager Engineering Services |
| Approved by | The Hauraki District Council |
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| Property of the Hauraki District Council | |

1.0 Introduction

1.1 Purpose

The purpose of the Hauraki District Council Solid Waste Bylaw is to:

- support the promotion and delivery of effective and efficient waste management and minimisation in the Hauraki District as required by the Waste Minimisation Act 2008,
- implement the Council's waste management and minimisation plan,
- minimise nuisance created by accumulation, storage and spilling of waste,
- protect the health and safety of the public and the Council's waste contractor.

1.2 Title

This bylaw is the Hauraki District Council Solid Waste Bylaw 2019.

1.3 Enabling enactments

This bylaw is made in accordance with section 56 of the Waste Minimisation Act 2008, section 145 and 146 of the Local Government Act 2002, section 64 of the Health Act 1956, and section 12 of the Litter Act 1979.

1.4 Commencement

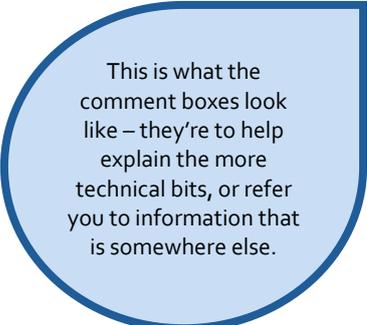
This bylaw comes into force on 1 September 2019.

1.5 Review

The review of this bylaw will be undertaken no later than 10 years after the last review.

1.6 Related information

There is related information in comment boxes in this bylaw. Related information does not form part of this bylaw and may be inserted, changed or removed without any formality.



This is what the comment boxes look like – they're to help explain the more technical bits, or refer you to information that is somewhere else.

2.0 Definitions

In this bylaw, definitions are as per section 5 of the Waste Minimisation Act 2008. In addition, the following definitions apply, unless the context requires otherwise:

| | |
|----------------------------|--|
| Act | means the Waste Minimisation Act 2008. |
| Approved container | means any container approved by the Council for the collection of any type of domestic waste by a waste contractor from a public place, with approval criteria based on the prevention of nuisance and the protection of the health and safety of waste contractors and the public. |
| Authorised officer | means any person delegated, appointed or authorised in writing by the Council to act on its behalf. |
| Council | means the Hauraki District Council or any person delegated or authorised to act on its behalf. |
| District | means the district of the Hauraki District Council. |
| Diverted material | has the meaning given by the Waste Minimisation Act 2008. |
| Domestic waste | is waste consisting of refuse, recyclable material or organic matter (food waste and/or green waste) originating from any household or from the cafeteria, lunchroom or canteen of any commercial enterprise. |
| Occupier | means the occupier of any property, and in any case where any premises is or are unoccupied shall be deemed to include the owner. |
| Public place | is a place under the control of the Hauraki District Council, and is open to, or being used by the public, whether or not there is an admission charge, and includes: <ul style="list-style-type: none"> (i) any road within the district, whether or not the road is under the control of the Council; and (ii) any part of a public place. Examples of a public place include a reserve (including road reserve), public square, cemetery, beach, wharf, footpath, Hauraki Rail Trail. |
| Premises | means any private land that is occupied or unoccupied and includes any dwelling, building, shop, yard, or part of the same. |
| Recyclables | means items which can be recycled to produce new materials. |
| Waste container | means a container used to hold domestic waste, and includes, where the context permits, approved containers. |
| Waste contractor | means a person or persons that the Council has authorised to collect waste on its behalf. |
| Waste disposal site | means any landfill, transfer station, recycling station, or other land or facility operated by or for the Council for the disposal or temporary storage of waste or any specified recyclable. |

| | |
|----------------------|---|
| Special waste | means any waste whether from a trade premise or any other source which is hazardous, toxic or by its nature requires special disposal because of environmental considerations or landfill operational requirements. |
| Trade waste | means any scrap, salvaged materials or waste material resulting from the carrying on of as a result of any business manufacture, process, trade, market, or other undertaking. |
| Waste | has the meaning given by the Waste Minimisation Act 2008. |

3.0 Council kerbside domestic waste collection

3.1

The occupier or the manager of a premises must ensure that the domestic waste from the premises is separated into waste types as determined by the Council, and deposited for collection in the correct approved container. No person may deposit in a container material that is not approved for that type of container.

Our current approved containers are:
60 litre container for clean glass, an 80 or 240 litre container for other recyclables, and yellow rubbish bags for non-recyclable waste.

3.2

- (a) Schedule 1 of this bylaw sets out the types of approved containers and weight limits for kerbside collection.
- (b) After consultation in accordance with the Local Government Act 2002, the Council may by resolution publicly notified amend Schedule 1 of this Bylaw.

3.3

No person is to deposit or allow to be deposited in any approved container:

- (a) Explosive, highly flammable or infectious material, or hot ashes;
- (b) Liquids, acids, printer ink, paint, or any other thick fluid;
- (c) Broken glass, glass articles, broken crockery, china or other such sharp articles or materials unless the sharp articles or materials are wrapped to prevent injury to the waste contractor.

Our website has more information on what can and can't go in our approved containers. See '[What items can be recycled](#)' on our website.

3-4

An approved container for collection is to be placed near the edge of the public road in front of the property. The position should be readily accessible for collection and must not obstruct vehicle or foot traffic.

We could reduce our total waste going to landfills if we [reduced our food waste](#), kept worm farms or composted food scraps. Check out the great work [Waikato EnviroSchools](#) are doing for some ideas.

3-5

Every occupier or manager must ensure that the approved container put out for collection is securely fastened or closed to prevent spillage, and no domestic waste is sitting higher than the rim of the approved container.

3-6

Domestic waste must not be packed tightly in rigid walled approved containers, but must be stored in such a manner that the whole of the contents of the container fall out easily and cleanly when the container is upended.

3-7

Every occupier or manager is to keep their approved container as clean as practicable and is to maintain the same in good repair to the satisfaction of the Council.

3-8

The occupier and the manager of any premises is responsible for any domestic waste generated on the premises until it has been collected.

If an animal gets into your rubbish bag while it is waiting to be collected it is your responsibility to pick up any rubbish, not the waste contractor's.

3-9

A person must not:

- (a) put domestic waste into an approved container provided to any other person, without that other person's consent;
- (b) remove domestic waste from, or interfere with any waste deposited in, an approved container, except the council, a waste contractor or the person who deposited the waste;
- (c) remove an approved container from the premises to which it has been allocated, except with the prior written approval of the Council.

4.0 Accumulation and storage of domestic waste or trade waste on any property

4.1

No person is to leave or place domestic waste or trade waste from one property outside another property unless the location has been approved by the Council.

4.2

No person is to leave or place any domestic waste or trade waste for collection in any public place unless it is in a suitable container or containers which are secured to prevent spillage and are placed in a position that does not obstruct or present a hazard to pedestrian or vehicular traffic or the flow of storm water.

4.3

No person is to:

- (a) allow any accumulation of domestic waste, trade waste or diverted material on any premises they own, occupy or manage to become offensive, a nuisance or likely to be injurious to health;
- (b) use any domestic waste or trade waste container in a manner that creates a nuisance, is offensive or is likely to be injurious to health.

The Litter Act also allows Council to require a person clean up litter on private property if it 'grossly defaces or defiles' the area.

4.4

Where in the opinion of the Council an accumulation of any waste exists on any premises which is offensive, a nuisance, or likely to be injurious to health, the Council may by notice in writing require its removal and disposal.

4.5

No person is to dispose of domestic waste or trade waste by burying it or burning it in such a manner as to cause a nuisance or breach any Act.

4.6

No person is to dispose of domestic waste or trade waste on any property, unless the property is a waste disposal site.

Breaches of outdoor burning rules can result in enforcement action being taken by the Waikato Regional Council. Search '[Outdoor burning](#)' on Waikato Regional Council website for more guidance.

4-7

No person shall place any special waste in a public place.

5.0 Waste disposal sites

5.1

All persons entering any waste disposal site must observe and comply with all signs or any instructions given by the Council with regard to waste disposal site operational and safety matters or the depositing of waste or recyclables.

5.2

Any person driving a vehicle in a waste disposal site must obey all signs or notices concerning traffic movement and parking displayed in that waste disposal site.

5.3

No person is to drive a vehicle at a greater speed than indicated on any road within the waste disposal site. In the absence of speed limit signs, no person is to drive a vehicle at a speed greater than 10 kilometres an hour in any waste disposal site.



The Council has transfer stations (waste disposal sites) at Grey Street, Paeroa and Dean Crescent, Waihi. Check our [website](#) for operating hours.

5.4

No person is to enter any waste disposal site other than for the purposes of depositing waste and/or recyclables and during such hours as the waste disposal site is open except with the approval of the Council.

5.5

The Council may refuse any waste at a disposal site for which charges payable have not been paid or which in its opinion:

- (a) May cause undue hazard to the health and safety of persons; or
- (b) May damage the environment; or
- (c) Cannot be adequately treated or handled by the normal methods used on that site.

5.6

Acceptance of special waste at a waste disposal site is at the discretion of the Council. All special waste is to be declared to the site operator.

5.7

No person is to deposit or allow to be deposited at any waste disposal site:

- (a) Explosive, highly flammable or infectious material, or hot ashes;
- (b) Liquids, acids, printer ink, paint, or any other thick fluid;
- (c) Broken glass, glass articles, broken crockery, china or other such sharp articles or materials unless the sharp articles or materials are wrapped to prevent injury to the waste contractor;
- (d) Asbestos.

5.8

Loads greater than 2 cubic metres require prior approval from the Council for disposal at the Waihi Waste Transfer Station.

5.9

No person is to remove any deposited waste, article or materials from any waste disposal site unless authorised by the Council to remove articles or materials for recycling or reuse.

5.10

Except when secured to or confined completely within a vehicle, no person is to take any animal on to any waste disposal site or allow any stock to wander or graze thereon without the permission of the Council.

5.11

An authorised officer may require any person who is contravening the provisions of this Bylaw to leave any waste disposal site, with or without any waste brought by that person for disposal.

6.0 Waste collection vehicle

6.1

No person while in charge of or operating any waste collection vehicle is to:

- (a) Allow the vehicle to stand or park, in any public place for any period of time other than is necessary for the collection of waste from any premises;
- (b) Permit or allow the vehicle to be in an unclean or offensive condition;
- (c) Neglect or omit to immediately collect waste spilled from a waste collection vehicle on any road or other place and redeposit it in the collection vehicle.



A waste collection vehicle may belong to our waste contractor or another waste collector operating in the District.

6.2

No waste is to be transported by vehicle through, over or upon any road or public place unless such waste is adequately covered to prevent the waste from falling or otherwise escaping on to any road or other public place.

7.0 Fees and charges

7.1

The Council may prescribe fees for the disposal of solid waste. All fees are set out in the Council's schedule of fees and charges.

7.2

Recyclables will be accepted at waste disposal sites without charge.

7.3

Stripped car bodies will be accepted at waste disposal sites without charge. Stripped car bodies mean car bodies from which the fuel, oil, battery and tyres have been removed.

7.4

If an approved container has become unfit for purpose a fee may be charged for a replacement container.

8.0 Enforcement

Where a person does not comply with clause 3.0 of this bylaw (Council kerbside domestic waste collection) the waste contractor may:

- (a) reject (i.e. not collect) the contents of any approved container left out by that person for collection from a public place, if the contents or placement of the container is non-compliant;
- (b) in extreme situations withdraw or suspend the collection service provided by the waste contractor to that person.

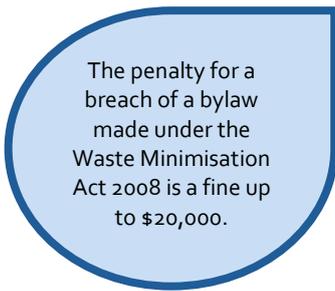


Keep Hauraki beautiful!
We can fine up to \$400
for littering in a public
place. For more
information, see the
Litter Infringement Policy
on our website.

9.0 Offences and penalties

9.1

A person who fails to comply with this bylaw commits a breach of this bylaw and is liable to a penalty under the Waste Minimisation Act 2008, the Local Government Act 2002 or the Health Act 1956.



The penalty for a
breach of a bylaw
made under the
Waste Minimisation
Act 2008 is a fine up
to \$20,000.

9.2

A person who commits a breach of this bylaw that is an offence under the Litter Act 1979 is liable to a penalty under that Act.

10.0 Exceptions

- a) A person is not in breach of this bylaw if that person proves that the act or omission was in compliance with the directions of an authorised officer.
- b) A product stewardship scheme accredited under the Act may be exempted from the requirements of this bylaw.

Solid Waste Bylaw validation

This bylaw was adopted at a meeting of the Hauraki District Council on 14 August 2019, following public consultation.

The Common Seal of the Hauraki District Council was affixed in the presence of:

_____ Mr. John Tregidga, Mayor

_____ Mr. Langley Cavers, Chief Executive

Schedule 1 – policy statement for kerbside collection

Domestic Waste Collection

- Every person is to separate out into separate approved containers:

| Approved container | 60 litre bin | 80 litre or 240 litre wheelie bin | 60 litre prepaid rubbish bag |
|-----------------------|--|--|---|
| Contents | Empty glass bottles and jars (clear, amber, blue and green). | Clean plastic (1-7), clean tins/cans, paper and cardboard. | All other domestic waste, as permitted by this bylaw. |
| Maximum weight | 10 kilograms | 10 kilograms | 10 kilograms |
| Maximum volume | 60 litres | 80 litres or 240 litres | 60 litres |

- All residential waste and recycling must be placed for collection not later than 7.30am on the collection day, and all waste and recycling in the town centre zone (as defined in the district plan) shall be placed for collection not later than 9.00am on the collection day.



For more information:

- **W** www.hauraki-dc.govt.nz
- **E** info@hauraki-dc.govt.nz
- **P** 07 862 8609 or 0800 734 834 (from within District)

Visit us at one of our offices:

- Paeroa: 1 William Street
- Ngatea: 84 Orchard West Road
- Waihi: 40 Rosemont Road