



**Far North
District Council**

Te Kaunihera o Tai Tokerau Ki Te Raki



Solid Waste Bylaw 2016

Controls made under the Solid Waste Bylaw 2016 for approved containers for waste collected from a public place

Control 1 Containers

Explanatory note: Clauses 6, 14(2) and 19 of the Solid Waste Bylaw 2016 provide that Council may establish Controls containing detailed provisions by resolution. This Control contains detailed provisions in relation to approved containers that may be placed for collection from a public place.

Pursuant to section 56 of the Waste Minimisation Act 2008, sections 145 and 146 of the Local Government Act 2002, section 64 of the Health Act 1956 and section 12 of the Litter Act 1979.

DOCUMENT CONTROL

REVISION HISTORY

The following table outlines the revision history of this document:

REVISION	PUBLICATION DATE	COMMENTS
First draft	Feb 2015	Draft
Updated draft	April 2015	Revised draft
Updated draft (v3)	June 2015	For Council workshop
Revision 5	September 2015	Updated after Council workshop
Revision 6	June 2016	Updated after Waste Collector consultation

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1 TITLE

This control is entitled: *Controls made under the Solid Waste Bylaw 2016 for containers collected from a public place* and may be referred to as the *Containers for Kerbside Collection Control*.

2 COMMENCEMENT

This control comes into force on 1 August 2016.

3 APPLICATION

This control applies to the Far North District.

4 PURPOSE

This control regulates the placement and collection of waste in approved containers from a public place.

5 INTERPRETATION

(1) In this control, unless the context otherwise requires-

Bylaw means the Solid Waste Bylaw 2016.

Container means a container approved by Council for the collection of domestic or commercial waste from a public place.

Public place means

(a) a place that is-

(i) under the control of Council and/or

(ii) that is open to or being used by the public, whether or not there is a charge for admission and

(b) includes:

(i) a road, whether or not the road is under the control of Council, and

(ii) any part of the public place\

(2) Unless the context requires another meaning, a term or expression that is defined in the Act or the bylaw used, but not defined, in this control has the meaning given by the Act or bylaw.

(3) Explanatory notes are for information purposes only and do not form part of this control.

PART 1 – DOMESTIC AND COMMERCIAL WASTE

6 COMMERCIAL, URBAN AND RURAL WASTE COLLECTION AREAS

Council may from time to time specify commercial, urban and rural waste collection areas.

7 STANDARDS FOR CONTAINERS

- (1) The following weight requirements apply for the collection of domestic and commercial waste from a public place:

Type Capacity	Maximum weight
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Bins

1L – 80L bin	<20kg
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81L- 120L bin	<30kg
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121L – 140L bin	<35kg
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140L – 240L bin	<60kg
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241L – 360L bin	<90kg
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Bags

1L - 80L bag	<10 kg
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- (2) Any container used for the collection of any domestic or commercial waste must meet the relevant minimum standards required by the Council, contained in Attachments 1A to 1C.

8 PLACEMENT AND COLLECTION OF DOMESTIC WASTE IN RURAL AND URBAN WASTE COLLECTION AREAS

- (1) A container deposited for collection of domestic waste from a public place must be placed directly adjacent to the premises from which it emanates, as close to the kerbside as possible and without restricting the access to any premises or footpath or due to compliance with the Code of Practice for Temporary Traffic Management (COPTTM) requirements, at a Council approved collection point.
- (2) Except with the approval of Council, no container containing domestic waste may be placed for collection or collected from any part of a public place except as provided in subclause (1). Council may, from time-to-time, approved suitable collection points in any areas where there is no kerbside collection service available, as per Clause 11 of Bylaw.
- (3) Except with the approval of Council, any container containing domestic waste may only be placed on a public place in a rural or urban waste collection area for collection between 12 noon of the day before collection and 7am on the morning of the collection.
- (4) Except on arterial routes and streets approved by Council, the collection of any container containing domestic waste in a rural or urban collection area must take place between 7 am and 7 pm on any day, except Sunday. Council may on application approve the collection of any container containing domestic waste on any arterial route or street in a rural and urban collection area to commence from 6am on any day, except Sunday.
- (5) Regardless of whether the waste has been collected, the owner or occupant of the premises from which domestic waste has been set out for collection in a rural or urban collection area must remove the container from the public place by 7am of the day following the scheduled collection day.

9. PLACEMENT AND COLLECTION OF DOMESTIC AND COMMERCIAL WASTE IN COMMERCIAL CENTRE

- (1) A container deposited for collection of domestic or commercial waste from a public place must be placed directly adjacent to the premises from which it emanates, as close to the kerbside as possible and without restricting the access to any premises or footpath or due to COPTTM requirements, at a Council approved collection point.
- (2) Except with the approval of Council, no container containing domestic or commercial waste may be placed for collection or collected from any part of a public place except as provided in subclause (1).

Domestic waste

- (3) Any container containing domestic waste may only be placed on a public place for collection in a commercial waste collection area between 12 noon on the day before collection and 7am on the morning of the collection.
- (4) The collection of any container containing domestic waste in a commercial waste collection area must take place between 7am and 7pm on any day, except Sunday.

Commercial waste normally collected by day

- (5) Any container containing commercial waste that is normally collected by day that Council deems as a nuisance must be placed for collection on a public place in a commercial waste collection area up to one hour before the start of the collection and must be removed within one hour after collection.
- (6) Regardless of whether the waste has been collected, the owner or occupant of the premises from which domestic or commercial waste has been set out for collection must remove the container from the public place as soon as reasonably possible after the scheduled collection time.
- (7) Council may on application approve the extension of the hours for the placement and collection of any container containing domestic or commercial waste on a specific route or street in a commercial waste collection area or high density commercial collection area.

PART 2 – RESPONSIBILITIES OF WASTE COLLECTORS

10. RESPONSIBILITIES OF WASTE COLLECTORS FOR COMMERCIAL AND DOMESTIC WASTE COLLECTION

- (1) Every waste collector must provide its customers on an ongoing basis with current information on collection deadlines, as well as providing adequate signage information at every collection point approved under 8(2) above, relating to times of collections and times that waste may be placed at the collection point. Waste collectors shall ensure that their customers are adequately notified of the location of all collection points.
- (2) The waste collector is responsible for removing any spillage that results from the deposit or collection of waste on a public place including at a collection point approved under 8(2) above, before, during or after collection.
- (3) The waste collector is responsible for the removal of any illegal dumping at a collection point approved under 8(2) above within 4 days of it being dumped. The waste collector may claim waste disposal costs from Council for the disposal of the illegal dumping based on landfill disposal costs. The collector may investigate and pass on information regarding identity of the illegally dumped rubbish to Council, who may issue an infringement notice to the person identified.
- (4) The waste collector is responsible for the collection of waste deposited on a public place in any container provided by the collector regardless of the day or time of deposit. The waste must be removed within 4 days of it being placed. The collector

may pass on information regarding the identity of the person who dumped the rubbish to Council who may issue an infringement notice to the person identified. This includes the deposit on days that the waste collector does not provide a collection service, or on days affected by public holidays, or due to the early or late deposit of waste by the customers for collection.

- (5) The waste collector must not initially collect waste or recycling that is not compliant with Control 1 clause 7(1), Control 2 clauses 6(1) and 6(2), Control 2 clauses 8(1) and 8(3). The waste collector must attach a sticker to the bag or container explaining why the bag or container has not been collected and asking the owner to remove the container. If the bag or container is not removed by the owner within 2 days, the waste collector must collect it within a further 2 days. The contractor may pass on information regarding identity of the person who dumped the rubbish to Council, who may issue an infringement notice to the person identified.
- (6) Regardless of subclauses (2), (3), (4) and (5) of this clause, if any waste or container causes a nuisance or affects public health and safety, Council may collect the waste or remove the container as soon as practically possible.
- (7) Council may recover the costs incurred under subclause (6) above from the waste collector for the removal of waste or any container that belongs to or is provided by that waste collector.

STANDARDS FOR APPROVED CONTAINERS: DOMESTIC WASTE BINS FOR COLLECTION FROM PUBLIC PLACES

Mobile garbage bins (the “bin”) used for the collection of domestic waste from a public place must meet the following requirements:

1. The bin will have the waste collector’s name (and logo, if any) printed on the bin in such a manner that the responsible waste collector may easily be identified from a collection vehicle on a roadway when the bin is deposited on a public place for collection. The waste collector may identify the premises on the bin to which the bin has been allocated.
2. Every waste collector must place a durable educational sticker on the inside of the bin lid at time of issue informing the customer of the material that may be collected as refuse, recyclable material or food waste (relevant to whatever the purpose of the specific bin may be) as well as the standard collection times provided by the waste collector.
3. Bins must meet the latest edition of BS EN 840-6:2012 *Mobile waste containers. Safety and health requirements* or its replacement.
4. Bins must also either:
 - a) meet the latest editions of either of the following standards or their replacements:
 - BS EN 840-1:2012 *Mobile waste and recycling containers* (2 wheels up to 400litres);
 - AS 4123: 2008 (Multiple parts): *Mobile Waste Containers* (Addresses dimensions and design, performance requirements, testing methods, colours, markings and recycled content of a mobile waste container);
 - AS 4123.1:2008 Containers with two wheels and a capacity up to 400 L for lifting devices - Dimensions and design
 - AS 4123.2:2008 Containers with four wheels with a capacity from 500 L to 1200 L with flat lid(s), for trunnion and/or lifting devices - Dimensions and design
 - AS 4123.3:2008 Containers with four wheels with a capacity from 770 L to 1300 L with dome lid(s), for trunnion and/or lifting devices - Dimensions and design
 - AS 4123.4:2008 Containers with four wheels with a capacity from 750 L to 1700 L with flat lid(s), for wide trunnion or BG and/or wide comb lifting devices - Dimensions and design
 - AS 4123.5:2008 Performance requirements and test methods
 - AS 4123.6:2008 Health, safety and environment
 - or,
 - b) be approved in writing by Council.
5. Council shall approve the bins under 4(b) if,
 - a) the bins are demonstrated to be ‘fit-for-purpose’, i.e. operationally efficient, durable and are able to securely contain the waste until collection, and it can be ensured that the contents are not trapped when the bin is emptied; and
 - b) the bins do not create a risk of injury to any person (including employees of the waste collector) or damage to the public place or anything in the public place.
6. Every bin supplied to a customer will be free from defects that might affect its performance. Bins which have been damaged or which are incomplete or faulty and that are no longer fit for purpose may not be placed in a public place for the collection of waste.

STANDARDS FOR APPROVED CONTAINERS: DOMESTIC WASTE BAGS FOR COLLECTION FROM PUBLIC PLACES

Bags used for the collection of domestic waste from a public place must meet the following requirements:

1. The bag will have the waste collector's name (and logo, if any) printed on the bag in such a manner that the waste collector responsible may easily be identified from a collection vehicle on a roadway when the bag is deposited on a public place for collection.
2. From December 2016, every waste collector must print on the bag the standard collection times provided by the waste collector. The waste collector must provide public notice to customers regarding collection days and places.
3. Bags must either;
 - (a) meet the latest edition of either of the following standard or their replacements:
 - BS EN 13592: 2003 *Specification for disposable plastics refuse sacks made from polyethylene* or its replacement, or
 - NZS 7603:1979 *Specification for refuse bags for local authority collection (low density polyethylene)*, or
 - (b) be approved by Council.
4. Council shall approve the bag under 3(b) if,
 - (a) the bag is demonstrated to be 'fit-for-purpose' i.e. operationally efficient, durable and able to securely contain the waste until collection; and
 - (b) the bag does not create an unreasonable risk of injury to any person (including employees of the waste collector) or damage to the public place or anything in the public place.
5. Bags must be of a standard that does not allow liquid contents to leak in the public place.
6. Every bag supplied to a customer will be free from defects that might affect its performance. Bags which have been damaged or which are incomplete or faulty and that are no longer fit for purpose may not be placed on a public place for the collection of waste.

STANDARDS FOR CONTAINERS: FOR THE COLLECTION FROM PUBLIC PLACES OF WASTE OTHER THAN DOMESTIC WASTE

Bins used for the collection from a public place of waste other than domestic waste must meet the following requirements:

1. The bin will have the waste collector's name (and logo, if any) printed on the bin in such a manner that the responsible waste collector may easily be identified from a collection vehicle on a roadway when the bin is deposited on a public place for collection. The waste collector may identify the premises on the bin to which the bin has been allocated.
2. Mobile garbage bins must either;
 - (a) meet the latest edition of each of the applicable following standards or their replacements:
 - BS EN 840-1:2012 *Mobile waste and recycling container* (2 wheels up to 400 litres)
 - BS EN 840-2:2012 *Mobile waste and recycling containers* (4 wheels up to 1300 litres)
 - BS EN 840-3:2012 *Mobile waste and recycling containers* (4 wheels up to 1300 litres)
 - BS EN 840-4:2012 *Mobile waste and recycling containers* (4 wheels up to 1700 litres)
 - BS EN 840-5: 2012 *Test Methods*
 - BS EN 840-6:2012 *Mobile waste containers. Safety and health requirements*;
 - AS 4123: 2008: *Mobile Waste Containers* (Addresses dimensions and design, performance requirements, testing methods, colours, markings and recycled content of a mobile waste container);
 - or,
 - (b) be approved by Council.
3. Council shall approve the mobile garbage bins under 2(b) if,
 - (a) the bins are demonstrated to be 'fit-for-purpose'. i.e. operationally efficient, durable and are able to securely contain the waste until collection, and able to ensure that the contents are not trapped when the bin is emptied; and
 - (b) the bins do not create a risk of injury to any person (including employees of the waste collector) or damage to the public place or anything on the public place.
4. Stationary bins must either;
 - (a) meet the latest edition of each of the applicable following standards or their replacements:
 - BS EN 13071-1:2008 *Stationary waste containers up to 5000 litres, top lifted and bottom emptied. General requirements*
 - BS EN 13071-2:2008 *Stationary waste containers up to 5000 litres, top lifted and bottom emptied. Additional requirements for underground or partly underground systems*
 - BS EN 12574-3:2006 *Stationary waste containers. Safety and health requirements*
 - BS EN 12574-2:2006 *Stationary waste containers. Performance requirements and test methods*
 - BS EN 13071-3:2011 *Stationary waste containers up to 5000 litres, top lifted and bottom emptied. Recommended lifting connections*

- BS EN 13071-1:2008 Stationary waste containers up to 5000 litres, top lifted and bottom emptied. General requirements
- BS EN 13071-2:2008 Stationary waste containers up to 5000 litres, top lifted and bottom emptied. Additional requirements for underground or partly underground systems
- BS EN 12574-1:2006 Stationary waste containers. Containers with a capacity up to 10000 litres with flat or dome lid(s), for trunnion, double trunnion or pocket lifting device.

or,

(b) be approved by Council.

5. Council shall approve the stationary bins under 4(b) if,
 - (a) the bins are demonstrated to be 'fit-for-purpose', i.e. operationally efficient, durable and are able to securely contain the waste until collection, and able to ensure that the contents are not trapped when the bin is emptied; and
 - (b) the bins do not create a risk of injury to any person (including employees of the waste collector) or damage to the public place or anything on the public place.
6. Every bin supplied to a customer will be free from defects that might affect its performance. Bins which have been damaged or which are incomplete or faulty and that are no longer fit for purpose may not be placed in a public place for the collection of waste or diverted material.