



KAWERAU DISTRICT COUNCIL
General Bylaw 2009: Part 11 – Solid Waste

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Explanatory Statement

The General Bylaw 2009: Part 11 – Solid Waste is part of a series that makes up the Kawerau District Council General Bylaw 2009.

General bylaws, by their nature, address a diverse range of matters. The Kawerau District's previous general bylaw contained all those matters in a single document of 12 chapters and almost 100 pages. To improve functionality, Council has made each chapter as a discrete part that stands on its own. Taken together, the parts comprise the General Bylaw 2009.

This part of the Bylaw provides measures to ensure efficient and cost effective refuse collection and disposal that is in the interests of public health and which minimises any obstruction of streets.

The General Bylaw 2009 is made pursuant to Part 8 of the Local Government Act 2002.

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Kawerau District Council
General Bylaw 2009: Part 11 – Solid Waste

1 Title

This part of the Kawerau District Council General Bylaw 2009 shall be known as the Kawerau District Council General Bylaw 2009: Part 11 – Solid Waste.

2 Commencement

This part of the Bylaw shall come into force on the 29th day of June 2010.

3 Repeal

As from the day this part of the Bylaw comes into force, the Kawerau District Council Trade Waste Bylaw 2000 and any amendments in force in the Kawerau District shall be repealed.

4 Application of Bylaw

This part of the Bylaw shall apply to the Kawerau District.

5 Scope

The purpose of this part of the Bylaw is to ensure refuse is collected and disposed of in the interests of public health and in an efficient and cost effective manner, while at the same time ensuring that any obstruction of streets is kept to a minimum.

General issues relating to recycling, ownership of the waste stream, refuse storage and waste management are also covered by this part of the Bylaw.

Nothing in this part of the Bylaw shall derogate from any of the provisions of any relevant legislation or regulations, or of any consents granted under such legislation or regulations.

6 Definitions

The definitions in the Kawerau District Council General Bylaw 2009: Part 1 – Introductory, shall apply to this part of the Bylaw. For the purposes of this part, the following definitions shall also apply:

OFFICIAL CONTAINER means any bin, wheelie bin, plastic bag, multiwall paper bag or other container from time to time approved by the Council and collected by, or on behalf of Council.

RECYCLABLES means paper, cardboard, aluminium cans, tins, bottles, plastic containers coded '1' or '2' and other items that are specifically identified.

REFUSE means cold ashes, sweepings, dust, bones, waste food, food containers, plastic containers not coded '1' or '2', and any other refuse arising or resulting from domestic dwellings and household operations, including recyclables.

REFUSE CONTAINER means any household refuse or recycling container approved by the Council from time to time and all references to refuse containers in this part of the Bylaw shall, where the context permits, include official containers.

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 REFUSE means any scrap or waste material resulting from the carrying on of any business, manufacture, process, trade or other undertaking.

7 Refuse collection

The Council may, from time to time, make and amend a set of policy statements governing the collection of all types of refuse and/or recyclables by, or for the Council, including the weights and contents of containers which will be collected, the placing of containers for such collection and any other matters as the Council considers relevant. The policy statements will be enforceable as part of this Bylaw and will be publicly notified when made or amended.

8 Containers to be kept clean and in good repair

Every occupier shall keep his/her refuse container as clean as practicable and shall maintain the same in good repair.

9 Containers to be placed conveniently for emptying or removal

Every occupier shall place his/her refuse container conveniently for emptying or removal on the day and not later than the time publicly notified from time to time, and ensure it is properly closed to prevent spillage.

10 Deposit of certain materials in containers prohibited

10.1 No person shall deposit, or cause or permit to be deposited in any refuse container:

- (a) Explosives, hot ashes, or other flammable material.
- (b) Liquids, printer's ink, paint, or any other viscous fluid.
- (c) Any substance defined as hazardous in the Hazardous Substances and New Organisms Act 1996 and Regulations.
- (d) Any matter, thing or refuse of any kind, other than household refuse.

10.2 Where the official refuse container is not a wheelie bin, no person shall deposit any broken bottles or glass, broken crockery or china, or other such sharp article or material unless it is wrapped so as to prevent injury to persons engaged in collection or disposal work.

11 Accumulation and storage of household refuse

- 11.1 Every owner or occupier of any dwelling shall ensure that no refuse shall accumulate, except as provided by this part of the Bylaw, on or about all, or any part of such premises.
- 11.2 Refuse placed into a bin prior to collection shall be stored in such a manner that the whole of the contents of the bin fall out easily and cleanly when the container is up-ended.

12 Removal of trade refuse

Where Council has reached an agreement to remove trade refuse, such refuse will be removed or disposed of by Council, only when the refuse is contained within an official container.

13 Disposal of refuse

The disposal of any refuse on land or premises set aside by Council will be subject to the conditions that Council may, from time to time, impose in respect of opening hours, the nature of the refuse which may be disposed of there, disposal charges, where refuse may be placed, and any other matter which Council may determine.

14 Recycling

- 14.1 Council may arrange for the collection of specified recyclable material as specified by public notice. Council may supply to occupiers a container(s) for the recyclable material to be placed in.
- 14.2 No person shall place or leave any non-recyclable material in any recycling container or at any recycling station. Non-recyclable materials include any broken glass, broken china or crockery, or other sharp articles or materials that could cause injury to persons engaged in collection or disposal work.

15 Ownership of waste and restrictions on collection operations

Except with the prior consent of Council, no person, other than the occupier of the property from which waste or recyclable material has come, will interfere with, or remove such material which is awaiting collection from any public place by an authorised collector.

16 Special waste

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

Revocations

The Kawerau District Council General Bylaw 2009: Part 11 – Solid Waste was duly made by a resolution passed at a meeting of the Kawerau District Council held on 29 June 2010 following a special consultative procedure.

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

.....
Mayor

.....
Chief Executive Officer

.....
Date