



# WAIMAKARIRI DISTRICT COUNCIL

## SOLID WASTE

and

## WASTE HANDLING LICENSING BYLAW 2016

The SOLID WASTE and WASTE HANDLING LICENSING BYLAW 2016  
was adopted at a Council meeting held on



Chief Executive



Governance Manager



**WAIMAKARIRI**  
DISTRICT COUNCIL

WAIMAKARIRI DISTRICT COUNCIL

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To: *Kitty*



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# WAIMAKARIRI DISTRICT COUNCIL

## SOLID WASTE and WASTE HANDLING LICENSING BYLAW 2016

### PREAMBLE

Pursuant to sections 145 and 146 of the *Local Government Act 2002* and section 56 of the *Waste Minimisation Act 2008* the Waimakariri District Council makes this bylaw.

### 1. SHORT TITLE AND COMMENCEMENT

This bylaw is the Waimakariri District Council *Solid Waste and Waste Handling Licensing Bylaw 2016*. This bylaw comes into force on 6 September 2016.

### 2. PURPOSE

The purpose of **Part 1** of this bylaw is to prevent the contamination of recoverable resources and maximise the recovery of recyclable resources. It is also to ensure that waste is collected in a safe and efficient manner, and that waste does not cause a nuisance. It achieves these purposes by regulating:

- (a) Kerbside collection services for waste from individual properties;
- (b) Council waste collection points for use by communities without a kerbside collection service, or those that have waste which cannot be accommodated by the kerbside collection service;
- (c) The types of waste that may be disposed of;
- (d) The prevention of nuisance in relation to waste collection and litter and recycling bins provided by the Council in public places.

The purpose of **Part 2** of this Bylaw is to:

- (a) Regulate and monitor operators collecting, managing, storing and using waste within the District through a licensing process;
- (b) Protect, promote and maintain public health and safety;
- (c) Provide comprehensive data and information for planning and waste management and minimisation purposes.

**The following note is explanatory and is not part of the Bylaw:** *Compliance with this Bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, and rules of law, and in the case of **Part 2** may include the need to apply for a resource consent from the Council or from the Regional Council.*

**Part 2** of the bylaw does not (and cannot) cover any recycling activity. Some materials mentioned in this Bylaw can be recycled or reused and the Council encourages recycling and reuse of materials wherever possible.

### 3. INTERPRETATIONS

#### General

'COUNCIL' means the Waimakariri District Council.

'PERSON' includes any public body, board, society, or company, and any other body of persons, whether incorporated or not.

#### Part 1

'APPROVED CONTAINER' means any container provided by or on behalf of the Council, or bought from the Council or its agents, for the disposal of recyclable materials, organic matter or residual waste, and that is used in a kerbside collection service.

'COUNCIL WASTE COLLECTION POINTS' means facilities provided by the Council, including transfer stations, where communities without a kerbside collection service can dispose of recyclable materials, organic matter, other divertible materials and residual waste.

'DEPOSIT' means in relation to waste, to:

- (a) cast, place, throw or drop; and
- (b) to cause or permit waste or other material or thing to be cast, placed, thrown or dropped.

'KERBSIDE COLLECTION SERVICES' means Council's recyclable materials, organic matter and residual waste kerbside collections. Services offered may change as determined by future Council Long Term Plans, or a Special Consultative process.

'ORGANIC MATTER' means materials that are organic in origin and appropriate to be used as feedstock for composting as determined by the Council by resolution.

'PUBLIC PLACE' means an area that is open to or used by the public and is under the control of the Council.

'RECYCLABLE MATERIALS' means recyclable materials as determined by the Council by resolution.

'RESIDUAL WASTE' means any waste to be landfilled as determined by the Council by resolution.

'TERMS AND CONDITIONS' means the terms and conditions relating to the kerbside collection service and the Council waste collection points as determined by the Council by resolution. ( link at [WDC Kerbside Collection and Council Waste Collection Points Use Terms and Conditions](#) )

'WASTE' means any material or substance that is discarded or selected for disposal and includes:

- (a) recyclable materials, organic matter, divertible materials, and residual waste; and
- (b) abandoned material; and
- (c) litter.

*(The following note is explanatory and is not part of the Bylaw. The types of materials that are defined as organics, recyclable, divertibles and residual waste may change from time to time, as technologies or markets change. Should this occur Council may modify the definitions by resolution and update the Terms and Conditions accordingly. Other aspects of the Terms and Conditions may also be modified by Council resolution, should the circumstances require it).*

## **Part 2**

'ANNUAL LICENCE FEE' means the fee set out in Council's list of fees and charges that covers the administration and monitoring for licences granted under this or any former Bylaw

'ADDITIONAL MONITORING FEE' means the fee set out in Council's list of fees and charges that covers any additional monitoring carried out by the Council in relation to licences granted under this or any former Bylaw

'DISPOSAL' has the same meaning as in the *Waste Minimisation Act 2008*, and means the final (or more than short-term) deposit of waste into or onto land set apart for that purpose or the incineration of waste (being the deliberate burning of waste to destroy it, but not to recover energy from it)

'HANDLE' in relation to waste includes any collection, sorting, consolidation, storage or processing of waste, but excludes transporting of waste

'HANDLING REQUIREMENTS' means, in relation to each waste operation licence, the requirements for handling waste imposed by the Council pursuant to clause 8

'LANDFILL SITE' means land used for the disposal of waste

'LICENCE' means a licence issued to a licensee under this Bylaw or any former bylaws repealed by this Bylaw or any former Bylaw

'LICENCE APPLICATION FEE' means the fee that must accompany an application for a licence, as set out in Council's list of fees and charges

'LICENSEE' means the person to whom the Council has issued a licence

'REGIONAL COUNCIL' means the Canterbury Regional Council, also known as Environment Canterbury, CRC and ECan

'WASTE' has the same meaning as in the *Waste Minimisation Act 2008*:

- (a) means anything disposed of or discarded; and
- (b) includes a type of waste that is defined by its composition or source (for example, organic waste, electronic waste, or construction and demolition waste); and
- (c) to avoid doubt, includes any component or element of diverted material, if the component or element is disposed of or discarded

'WASTE OPERATION' means:

- (a) Land or buildings to which waste is delivered for consolidation or for compaction and consolidation before being taken away for disposal; or
- (b) Any other land or buildings at which more than 30 tonnes of waste per annum is delivered and/or stored and then sent for disposal within the Council's district, or sent for further processing and/or disposal other than to Kate Valley Regional Landfill

'WORKING DAY' means any day of the week other than:

- (a) A Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Labour Day; and
- (b) If Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and
- (c) A day in the period commencing with the 25th day of December in a year and ending with the 10th day of January in the following year

## **PART 1: WASTE MANAGEMENT**

### **4. KERBSIDE COLLECTION SERVICES**

Any person using a kerbside collection service must comply with the Terms and Conditions for that service as determined by the Council by resolution including, but not limited to, the following operational matters:

1. The geographic areas and provisions that apply to the different categories of kerbside collection services;
2. The correct separation of organic matter, recyclable materials and residual waste into approved containers;
3. The placement of approved containers for collection;
4. Collection times;
5. Retrieval of approved containers;
6. Restrictions on the weight of approved containers;
7. Additional rules as may be required for the efficient operation of the respective collection systems.

*(The following note is explanatory and is not part of the Bylaw, but is intended to explain its general effect: Where a kerbside collection service is provided by the Council to a property, persons residing at that property are entitled to use the service, unless it has been withdrawn or suspended under clause 5 of this Bylaw. The Bylaw does not require that any person must use a kerbside collection service, just because it is available).*

### **5. NON-COMPLIANCE WITH CONDITIONS FOR KERBSIDE COLLECTION SERVICE**

Any person who does not comply with the terms and conditions for the kerbside collection service that applies to them may be subject to the following action being taken against them:

1. The rejection (non-collection) of the contents of any approved container left out for kerbside collection, if the contents or placement of the container is noncompliant;
2. The withdrawal or suspension of the kerbside collection service being provided to that person;
3. Enforcement for breach of this bylaw, as provided for in the *Local Government Act 2002* and the *Waste Minimisation Act 2008*; or
4. Any other steps that may be taken by the Council in law.

## **6. COUNCIL WASTE COLLECTION POINTS**

Any person using a Council waste collection point must comply with the Terms and Conditions for the use of that Council waste collection point as determined by the Council by resolution including, but not limited to, the following operational matters:

1. The locations and access times of such collection points;
2. The correct usage of separate bins;
3. Additional rules as may be required for the efficient operation of such facilities.

## **7. NON-COMPLIANCE WITH CONDITIONS FOR COUNCIL WASTE COLLECTION POINTS**

Any person who does not comply with the terms and conditions for a Council waste collection point may be subject to the following action being taken against them:

1. A trespass notice being issued against that person to prevent them from using the collection point;
2. Enforcement for breach of this bylaw, as provided for in the *Local Government Act 2002* and the *Waste Minimisation Act 2008*; or
3. Any other steps that may be taken by the Council in law.

## **8. REMOVAL OF WASTE FROM APPROVED CONTAINERS**

No person may remove or interfere with any waste from an Approved Container or a Council waste collection point except the person who deposited the materials, or the Council, or its agent.

## **9. DEPOSIT OF WASTE IN CONTAINERS**

No person may deposit any waste in an Approved Container provided to any other person, without that person's consent.

## **10. INTERFERENCE WITH APPROVED CONTAINERS**

No person, other than the owner/occupier who placed the Approved Container at the kerb, Council staff, or their agent, may remove that container from the kerb.

## **11. DEPOSIT OF REFUSE CONTAINERS FROM OUTSIDE COLLECTION AREAS**

No owner or occupier of a property that is located outside of the Council Kerbside Collection area, as determined by Council resolution and shown on the WDC Kerbside Collection map, may place an approved refuse container for collection within a Council kerbside collection area.



## **12. RESTRICTION ON DISPOSAL OF WASTES**

1. The Council may by resolution prohibit certain materials from being deposited in an approved container or at a Council waste collection point or in a recyclable materials bin or a litter bin provided by the Council in a public place.
2. If a resolution has been made under clause 12 (1) then no person may place or allow such materials to be deposited in any approved container or at a Council waste collection point or in a recyclable materials bin or a litter bin provided by the Council in a public place.

*(The following note is explanatory and is not part of the bylaw:*

- (a) *These provisions enable the Council in future to impose restrictions on the receipt of waste at licensed refuse stations if the Council is of the view that it can be demonstrated that practical and affordable options exist to divert specific waste streams away from landfilling to reuse or recycling options, thereby reducing the total tonnages to landfill. This would be in line with the vision, goal and targets in the Council's Waste Management Plan 2012.*
- (b) *Part 2 of this bylaw provides additional relevant provisions to regulate flows of waste and recyclables to licensed waste handling facilities in the district.)*

## **13. RECYCLABLE MATERIALS BINS AND LITTER BINS IN PUBLIC PLACES**

No person may:

- (a) deposit or allow to be deposited waste arising from that person's household or that person's business activities in any recyclable materials bin or litter bin provided by the Council in any public place.
- (b) place any non-recyclable materials in any recyclables bin provided by the Council in any public place.
- (c) remove any Waste from a recyclables bin or litter bin provided by the Council in any public place, unless authorised by Council to do so
- (d) remove, damage, deface or in any way interfere with any recyclable bin or litter bin being the property of the Council

## **14. MULTI-UNIT DWELLINGS AND COMMERCIAL PROPERTIES**

Building consent applications for multi-unit dwellings of four or more dwellings, and commercial properties lodged after 6 September 2016 must include a Waste Management Plan that identifies an adequate area for the storage of Approved Containers that will be accessible to occupiers and waste collectors.

## **15. ACCUMULATION OF WASTE ON PRIVATE LAND**

1. The Occupier or the Owner of any premises shall not permit or allow any accumulation of Waste in, on, or about that premises to be or become unsightly

and/or offensive so as to be a Nuisance and/or likely to be injurious to health and/or the environment.

## **PART 2: WASTE HANDLING LICENSING**

### **16. WASTE OPERATIONS REQUIRE LICENSING**

1. No person may allow any land owned or controlled by that person to be used for a waste operation unless:
  - (a) the Council has granted a licence to a person in relation to the use of that land for a waste operation; and
  - (b) the waste operation is undertaken in accordance with the terms and conditions of the licence.

### **17. LICENCE APPLICATIONS**

1. An application for a waste operation licence must be made to the Council on the form provided by the Council and be accompanied by a licence application fee.
2. In considering whether to grant or refuse an application for a licence the Council will take into consideration the following factors:
  - (a) Any relevant resource consents administered, or that will be required, by the Council and the Regional Council in terms of the *Resource Management Act 1991*;
  - (b) Previous use of the proposed land;
  - (c) Previous compliance history of the applicant;
  - (d) Any other factor which the Council considers to be relevant having regard to the purposes of this Bylaw.
3. A licence application will be processed, and a decision issued to the applicant, within 20 working days. If a licence application is refused, the Council will provide the applicant with written reasons for the Council's decision.

### **18. LICENCE TERMS AND CONDITIONS**

1. Every licence is subject to the following terms and conditions:

*Conditions applicable to all licences*

- (a) Licences are not transferable to any other person or any other land.
- (b) The licensee must pay an annual licence fee, in advance, on 1 July each year (which fee will be on a pro-rata basis where the licence is granted during the financial year).
- (c) The licensee must pay any additional monitoring fee required by the Council for any additional monitoring it carries out at the waste operation.

- (d) The licensee must keep and maintain records on the data specified in Schedule A (as included in this Bylaw) for 12 months after the date the records are provided to the Council by the licensee or any third party. The licensee must supply the records to the Council at such intervals, and in such form as the Council may from time to time specify, but is not required to supply any records to the Council where the Council has already received that information from a third party (for example, from the Kate Valley Regional Landfill).
- (e) The Council has the right to take all reasonable steps, including:
  - (i) inspecting the waste operation with or without notice; and
  - (ii) inspecting all relevant documentation held by the licensee (excluding invoices), for the purposes of auditing the licensee's performance and determining compliance with the terms and conditions of the licence; and
- (f) Such other terms and conditions as the Council considers appropriate, having regard to the purposes of this Bylaw.

*Conditions applicable to Waste operation licences*

- (h) The licensee must comply with any relevant handling requirements determined by the Council under clause 19.2.
- (i) The licensee must weigh all waste on a certified weighbridge for the purposes of the data specified in Schedule A

## **19. HANDLING REQUIREMENTS FOR WASTE OPERATIONS**

1. In determining the handling requirements for waste operations the Council may consider:
  - (a) The targets for waste minimisation contained in the Council's waste management and minimisation plan.
  - (b) The location of the proposed waste operation;
  - (c) The nature of the proposed waste operation;
  - (d) The quantity of waste to be handled by the proposed waste operation;
  - (e) The category or type of waste to be handled by the proposed waste operation;
  - (f) Industry best practice for waste handling operations in the nature of the proposed waste operation;
  - (g) Any practical considerations associated with the proposed waste operation;

- (h) Any issues relating to the proposed waste operation raised in the application for the licence; and,
  - (i) Any other matter which the Council considers relevant.
2. After having considered the matters listed in clause 19.1 and having consulted the applicant, the Council may from time to time impose such handling requirements on the waste operation as the Council considers appropriate having regard to the purposes of this Bylaw.

## **20. AMENDMENT OF SCHEDULE A**

The Council may in accordance with section 156 of the *Local Government Act 2002* amend Schedule A of the Bylaw. The amendment will take effect from a date determined by the Council, with one month notice, or such longer period as the Chief Executive decides, being given to the public of the effective date of the amendment.

## **21. SUSPENSION AND REVOCATION OF LICENCES**

1. Except as may be otherwise provided in any particular Act or Bylaw:
- (a) If a licensee under the *Solid Waste and Waste Handling Licensing Bylaw 2016*:
    - (i) acts in a manner contrary to that Bylaw; or
    - (ii) fails to comply with any of the terms or conditions of the licence; or
    - (iii) acts in a manner which, in the opinion of the Council, renders the licensee unfit to hold such licence; or
  - (b) If any premises licensed under the *Solid Waste and Waste Handling Licensing Bylaw 2016*:
    - (i) are no longer being used for the purpose stated in the licence; or
    - (ii) have fallen into a state of disrepair or are not being kept and maintained in the condition required by the licence; or
    - (iii) are in any other manner failing to meet the requirements of the Bylaw or applicable Terms and Conditions

then the Council may, by notice served upon the licensee, require that person to appear before the Council or a committee of the Council, at a time and place stated in the notice, to show cause why the licence should not be revoked or suspended. If the Council or committee considers the acts or failures of the licensee or the circumstances of the licensed premises, so warrant or if there is no appearance by the licensee then the Council or committee may revoke the licence or suspend the licence for as long as it may think fit.

2. If a licensee is convicted of an offence constituting a breach of the terms or conditions of the licence, or of an offence concerning his or her character as a licensee, then the Council or a committee of the Council may revoke the licence or suspend it for as long as it may think fit.
3. A person whose licence has been suspended under Clauses 19.1 or 19.2 and any premises in respect of which the licence has been suspended shall, during the period of such suspension, be deemed to be unlicensed.

#### **SCHEDULE A to PART 2 - INFORMATION**

A **waste operation licensee** must keep records of the following data for each consignment of waste handled by the licensee:

- a) Date of dispatch.
- b) Category or type of waste
- c) Origin of waste
- d) Destination of waste
- e) Weight of waste

## **PART 3: REVIEWS OF DECISIONS, AND PENALTIES**

### **22. REVIEW OF DECISIONS**

- (1) If any person is dissatisfied with any decision by an authorised officer made under this Bylaw, that person may, by notice delivered to the Chief Executive not later than 20 working days after the decision by the authorised officer is served upon that person, request the Chief Executive to review any such decision and such a decision will be final.
- (2) Nothing in this clause will affect any right of appeal or review available at law.

### **23. OFFENCE AND PENALTY**

Any breach of this Bylaw:

- (a) is an offence punishable by a fine not exceeding \$20,000 as provided for in section 242(4) of the *Local Government Act 2002* and section 66 of the *Waste Minimisation Act 2008*,
- and/or
- (b) may lead to the Council suspending or revoking the licence in accordance with clause 19(1) of this bylaw

### **24. TRANSITION OF WASTE OPERATOR LICENCE**

Following the making of this Bylaw all Waste Operators that hold a Waste Licence under Part 2 of the *Waimakariri District Council Solid Waste Bylaw 2010* will remain licenced until 30 June 2017 and are subject to the conditions of the Waste Licence for this period.

### **25. REVOCATIONS**

This Bylaw amends the *Waimakariri District Council Solid Waste Bylaw 2010*. The initial resolution to make this Bylaw was passed by the Council at a meeting held on 5 July 2016 and was confirmed following consideration of submissions received during the special consultative procedure, by a resolution of the Council at a subsequent meeting of the Council held on 6 September 2016.

**WAIMAKARIRI DISTRICT COUNCIL**  
**KERBSIDE COLLECTION and COUNCIL WASTE COLLECTIONS POINTS USE**  
**TERMS AND CONDITIONS**

**Kerbside Collection Rules**

**General**

- 1) All occupied and un-occupied residential dwellings and commercial premises within the Council's Kerbside Collection Area, as defined on the Kerbside Collection map (Plan series 16-046), ([link to maps](#)) which Council has determined will receive a Council Kerbside Collection Service are entitled to use the Council collection service. (No-one is required to use the recyclables collection service just because it is available however charges will still apply).
- 2) Rates remitted properties (e.g. non-profit organisations), or permanent dwellings on non-rateable land (e.g. Ministry of education land), or sports organisations on reserve land, may apply to the Solid Waste Manager to opt-in to the kerbside service. A charge may be applicable (as per fees and charges, set annually).
- 3) Owners or occupiers of properties in close proximity to the boundary of the Council Kerbside Collection area may apply to the Council to receive the services. Applications shall be made to the Solid Waste Asset Manager. If approval is given the standard rateable charge will be applicable (as per fees and charges, set annually), and special conditions may apply as to placement of the approved container for collection.
- 4) The service comprises a kerbside collection service for recyclables, organics and residual waste (rubbish). The recyclables collection is a fortnightly wheelie bin (mobile recycling bin) based service funded through a targeted rate. The organics and rubbish wheelie bin based collections are only provided to those households that choose to use them, and for which they pay via an annual rate. The organics collection (food and garden waste) is a weekly wheelie bin service, with a range of bin sizes available. The rubbish collection is a fortnightly wheelie bin service, with a range of bin sizes available, or a fortnightly bag based service, for which customers buy official WDC bags at outlets such as supermarkets. The rubbish and recycling services are provided on alternate weeks.
- 5) Rates and fees for the different services, and the different bin sizes, are as per Council's fees and charges schedule, set annually.
- 6) Variations to the normal service as a result of public holidays will be as notified by Council.
- 7) Only the bins provided by Council's contractor and with Waimakariri District Council branding are to be used in the wheelie bin collection system. These bins are owned by Council's contractor and may not be utilised by a commercial collector.
- 8) A bin size swap fee applies (as per the fees and charges, set annually).
- 9) A bin replacement fee applies for stolen bins that are reported as missing more than 24 hours after the day on which the bin went missing and also for intentionally damaged bins (as per Council's fees and charges, set annually).



- 10) Only official Waimakariri District Council refuse bags are to be used in the refuse collection system. These may be purchased at Council offices and refuse stations, and at most supermarkets. The cost of the bags will be as per Council's fees and charges, set annually.
- 11) Bag tops must be securely tied and the weight of the bag and contents is not to exceed 15 kg.
- 12) Motels and similar businesses will pay by default one recycling targeted rate per property. Extra bins will be provided upon request, and the property rated accordingly.
- 13) Households, businesses and organisations (e.g. rest homes) for which the allocated number of recycling bins, based on their rates, is inadequate for their needs may opt to have additional bins. Each additional bin will be charged as per Council's fees and charges, set annually.
- 14) Organisations (e.g. rest homes) may choose to use the Council's refuse bin and organics collection services, and will be rated accordingly. However it is recognised that rating structures can differ depending on how such organisations have been set up internally. Organisational administrators should contact the Solid Waste Asset Manager to discuss ways of best providing services that meet the requirements of both parties.
- 15) Households, businesses and organisations may opt to have additional 240 litre bins. The additional bins will be charged as per Council's fees and charges, set annually.
- 16) Bins which are too heavy for the collection truck to lift, overfull and/or contain oversized material will not be emptied. If the bin lid is not shut flat the bin is considered to be overfull.

**Note:** *the maximum weight able to be lifted by the trucks' collection arm is 70kg.*

- 17) Every owner/occupier must separate and prepare all waste to comply with the permitted waste criteria for recycling and rubbish disposal (see the Permitted Waste section of these terms and conditions).

### **Permitted Waste**

- 18) Permitted waste in each approved container includes any of the following:
  - i. In bins for Recycling – Dry, empty and clean recyclable material which Council lists as acceptable, that is placed loose in the bin, is able to be mechanically recovered, and which is financially viable to recover. The list of acceptable recyclable materials will be held on the Council's website, will be updated as necessary and any changes to materials that can be accepted will be advertised in local media.
  - ii. No other materials whatsoever may be placed in the recyclables bin.
  - iii. In bins for Organics - Compostable food scraps and garden material which Council lists as acceptable, that is placed loose in the bin, and that is free of inorganic and unsanitary contamination. The list of acceptable compostable organic materials will be held on the Council's website, will be updated as necessary and any changes to materials that can be accepted will be advertised in local media.
  - iv. No other materials whatsoever may be placed in the organics bin.

- v. In containers for Residual Waste/Rubbish – All waste originating from domestic activities not suitable for Recycling or Composting through Council–provided services, and that is not Prohibited Waste.

**Note:** *Non-official bags and/or loose items placed beside or on top of any wheelie bins, will not be collected.*

- vi. Prohibited Waste that shall not be placed in approved containers for disposal includes:
- a) sharp objects or material, unless such waste is sufficiently contained to prevent it from puncturing the bag or injuring any person;
  - b) material capable by reason of its brittleness of shattering in the course of collection, unless such waste is properly and sufficiently contained so as to prevent it from puncturing the bag or injuring any person;
  - c) any explosives, hot ashes, flammable material, or other dangerous objects;
  - d) any liquid, whether in a container or otherwise, or any viscous fluid including used oil;
  - e) any radioactive wastes, but excluding domestic smoke detectors;
  - f) any lead-acid batteries (car/boat/truck batteries);
  - g) any lithium-ion (Li-ion) batteries;
  - h) any compressed gas cylinders whether empty or not;
  - i) any hazardous or toxic waste;
  - j) any Hazardous or Controlled Healthcare Waste as defined in NZS 4304:2002.

For information on how to dispose of hazardous, prohibited or special waste:

- visit the WDC website  
<https://www.waimakariri.govt.nz/services/rubbish,-recycling-and-organics/transfer-stations>, or;
- call the Council on 0800 965 468 and ask for the Solid Waste Officer

### **Placement of Approved Containers**

#### **19) Placement of Wheelie Bins for collection.**

- i) Bins are to be placed for collection in a manner which facilitates the safe and efficient collection by the waste collectors. Rules for placement are as follows:
  - a) On the kerb in front of the boundary of the serviced property with Council logo facing the road, or in the case of roads without formed kerbs, on the nominal edge of the road closest to where the collection vehicle passes.  
**NOTE:** *Bins must not be placed on the Road.*
  - b) Close to the driveway/footpath crossing for the serviceable property.
  - c) Where possible the space between bins should be at least 50 cm to accommodate wheelie bin lifter arms.
  - d) Bins should be placed at least 50 cm clear of fixed obstructions such as trees, lamp posts and sign posts to enable tipping of bins for collection.

- e) Where possible bins should be placed clear of movable obstructions such as parked cars and temporary road signage.

Or alternatively when placement above is not possible, bins are to be placed as directed by the Council to facilitate the contractor's operations. Instances where alternative arrangements may be directed include where service lanes exist, on one way streets and private lanes. (See clause 25 of these Terms and Conditions for the rules relating to private lanes and gated communities).

**20) Placement of refuse bags for collection.**

- i) Bags are to be placed for collection in a manner which facilitates the safe and efficient collection by the waste collectors. Rules for placement are as follows:
  - a) On the kerb in front of the boundary of the serviced property with Council logo facing the road, or in the case of roads without formed kerbs, on the nominal edge of the road closest to where the collection vehicle passes. NOTE: Bags must not be placed on the Road.
  - b) Close to the driveway/ footpath crossing for the serviceable property.
  - c) Bags should be placed clear of obstructions such as wheelie bins, street gardens (plantings), trees, and street furniture (lamp posts, sign posts, etc.) so that the bags are visible to the approaching collection driver.
  - d) Where possible bags should be placed clear of movable obstructions such as parked cars and temporary road signage.

Or alternatively when placement above is not possible, bags are to be placed as directed by the Council to facilitate the contractor's operations. Instances where alternative arrangements may be directed include where service lanes exist, on one way streets and private lanes. (See clause 25 of these Terms and Conditions for the rules relating to private lanes and gated communities).

**21) Time for placement and removal of bins.**

- i) Bins are to be placed for collection in accordance with clause 17 of these terms and conditions prior to the collection starting in that area.
- ii) In a Standard Collection Area, where collections commence at 7:00 am and are completed by 6:00 pm, to ensure collection bins are to be placed at kerbside on the day of collection before 7.00 am but no earlier than 6:00 pm on the day before collection.
- iii) In an Early Collection Area, to ensure collection bins are to be placed at kerbside on the day of collection before 6:30 am but no earlier than 6:00 pm on the day before collection.
- iv) Bins, whether emptied or not, must be removed from the kerbside by 8:00 pm on the day of collection unless otherwise directed by Council.
- v) The Council may direct that other times will apply to the placement or removal of bins. This may be for the purposes of facilitating collection operations in areas where an out-of-hours collection is preferred for reasons of public safety and convenience. Instances where alternative times may be applied by the Council include on streets where parking

during the day is an issue, and streets that have high traffic counts during the day, e.g. commercial areas.

- 22)** Time for placement of refuse bags for collection.
- i) In a Standard Collection Area, where collections commence at 7:00 am and are completed by 6:00 pm, to ensure collection bags are to be placed at kerbside on the day of collection before 7:00 am on the day of collection but no earlier than 6:00 pm on the day before collection.
  - ii) In an Early Collection Area, to ensure collection bags are to be placed at kerbside on the day of collection before 6:30 am but no earlier than 6:00 pm on the day before collection.
  - iii) Bags, not collected, are to be removed from the footpath/street by 8.00 pm on the day of collection, unless otherwise directed by Council.
  - iv) The Council may direct that other times will apply to the placement or removal of bags. This may be for the purposes of facilitating collection operations in areas where an out-of-hours collection is preferred for reasons of public safety and convenience. Instances where alternative times may be applied by the Council include on streets where parking during the day is an issue, and streets that have high traffic counts during the day, e.g. commercial areas.

### **Wheelie Bins – Responsibilities of owners/occupiers owners**

- 23)** Protection and Use of Bins.
- i) Every owner or occupier must:
    - a) Reasonably protect the wheelie bins allocated to their property from damage and theft.
    - b) Maintain wheelie bins in a sanitary manner so as not to cause offence or nuisance.
    - c) Promptly notify the Council of any loss of or damage to the wheelie bin.
    - d) Ensure that wheelie bins allocated to a property remain at the property the bins are allocated to.

**Note:** Council's collection contractor maintains a record of serial numbers of bins allocated to properties rated for the kerbside collection service. A bin outside a different property from the property to which it is allocated may be removed from that property by Council or Council's contractor.

- e) Must pay any fees and charges (set annually) to have any bin allocated to that property redelivered to the allocated address (unless the bin was reported stolen or other arrangements were made for the bins).
  - f) Make the wheelie bins allocated to the property available to Council, its contractors or agents, for audit and inspection purposes. If repair is required make the bin available at the kerbside on the next collection day for that bin.
  - g) Make payment to replace a wheelie bin if:
    - through negligence, damage, and/or destruction of the bin has occurred;
- or**

- the bin has gone missing after collection from being left out at the kerbside or it has been stolen from private property, and in either case the theft has not been reported to council within 24 hours.

**or**

- any other instance where a court orders compensation to the contractor for damage or loss attributed to the occupiers of that property.

**Note:** *The contractor will refund any payment on recovery of a bin if found in usable condition, less administration expenses, namely cleaning, relabelling & redelivery.*

**24)** These terms and conditions will be enforced as follows:

- i) When the contents of the bins emptied into the truck do not comply with the permitted waste criteria for that bin, a notice will be attached to the bin. The notice will provide guidance on the correct use of the bin and will include a statement that the warning has been logged against the address listed on the bin.
- ii) If non-compliant placement, or non-compliant contents of the bin, occurs at the same property again within a three month period, the bin may not be emptied and a notice will be attached to the bin. The notice will provide information as to the reason for the notice being issued, guidance on the correct use of the bin and will include a statement that the warning has been logged against the address listed on the bin.
- iii) In the event of a third non-compliance occurrence within a twelve month period of the first recorded occurrence, the bin will not be collected, and a notice will be attached to the bin. The contractor will inform the Council who will write to the occupiers/owners of the address listed for the bin, setting out the actions that Council will follow if non-compliant use of the wheelie bin continues. The letter will include information to assist the property occupier in the correct use of the wheelie bins.
- iv) If non-compliant material is noted after this notification has occurred, Council will remove the service entitlement to that property in accordance with the *Solid Waste and Waste Handling Licensing Bylaw 2016*, and instruct the contractor to remove the bin.
- v) Reinstatement of the service entitlement will be at the discretion of the Council in consultation with the Council's Contractor and will require:
  - a fee to be paid to Council (as per fees and charges set annually);
  - a statement completed by the owner outlining the steps the owner must take to prevent the issue reoccurring.
- vi) Enforcement of the terms and conditions may also be through the options provided for in the *Solid Waste Handling Licensing Bylaw 2016*.

**Note:** *the three strike process outlined above relates to contamination only. Bins presented at an address different to that allocated to may be uplifted immediately.*

**25)** Private Lanes, and Gated Communities

**a) Private Lanes**

The extension of the collection services down private rights of way (lanes) may be approved by the Council in accordance with the criteria set out below:

- (i) The relevant lane must service a minimum of five residential dwellings or units.

- (ii) A majority of the landowners whose properties are serviced by the lane must request the service before an application for extension of the collection service can be considered by Council.
- (iii) Applications must satisfy the Council that either all of the required landowners have consented to the service, or that the Applicant has the authority to act on behalf of all the required landowners.

**Note:** *The legal arrangements underlying private lanes can vary, so the purpose of this clause is not necessarily to require that ALL landowners must consent but is to ensure that all the consents legally required to be obtained are obtained.*

- (iv) The collection contractor's small vehicles used for collecting from "difficult access streets" (as defined in the collection contract) must be able to safely negotiate the lane, and turn around within the lane. This is to be determined at the discretion of the Council in consultation with the Contractor.
- (v) The property owners of affected lanes must acknowledge in writing that in providing the requested Council services, neither the Council nor any of the Council's contractors will be liable for wear and tear that may occur as a consequence of providing the requested Council services.
- (vi) Applications will be administered by the Council's Utilities and Roading unit.
- (vii) Any approved service may be withdrawn at the discretion of the Council if safe access along the lane by the collection vehicle is consistently impeded e.g. by parked vehicles.

**b) Gated Communities and Multi Unit Properties:**

Organisations responsible for the administration of multiple unit or gated developments (e.g. the Body Corporate or any owners' committee) may apply for collection services to be extended to within their properties on behalf of the owners provided that such organisation satisfies the Council that it has the authority to act on behalf of all the required owners.

The extension of collection services to within such properties will be provided subject to the same conditions as for private rights of way (lanes) as follows:

- (i) Driver-activated access, by means of a remote control and card key or access code as back-ups being provided to the Council and/or the Council's contractor. Where access cannot be gained by the contractor due to a failure in the access system, collection will only occur outside the secured perimeter of the facility. Where access codes are used, the Council/contractor will be notified of any changes in such codes.
- (ii) The Council may, at its discretion, discontinue the provision of collection services within such properties at any time.
- (iii) Neither the Council, nor the Council's contractor, will be liable for wear and tear that may occur as a consequence of providing the requested Council services or missing collections due to inability to access.
- (iv) That should the criteria not be met or a gated community choose not to apply for collection services within the community, that community must provide a collection point for Council recycling, organics and rubbish containers

outside the security perimeter which is safe and accessible to the Council's contractor.

**26) Provision of Recycling Containers for Tenants/Occupiers.**

It is the responsibility of the landlord to ensure that tenants are provided with the Council recycling wheelie bin(s) allocated to the property, and manage the transition of tenants so that incoming tenants are supplied with a bin. The same responsibilities apply should the landlord chose to utilise the Council refuse and/or organics collections services.

**27) Assisted kerbside collection service**

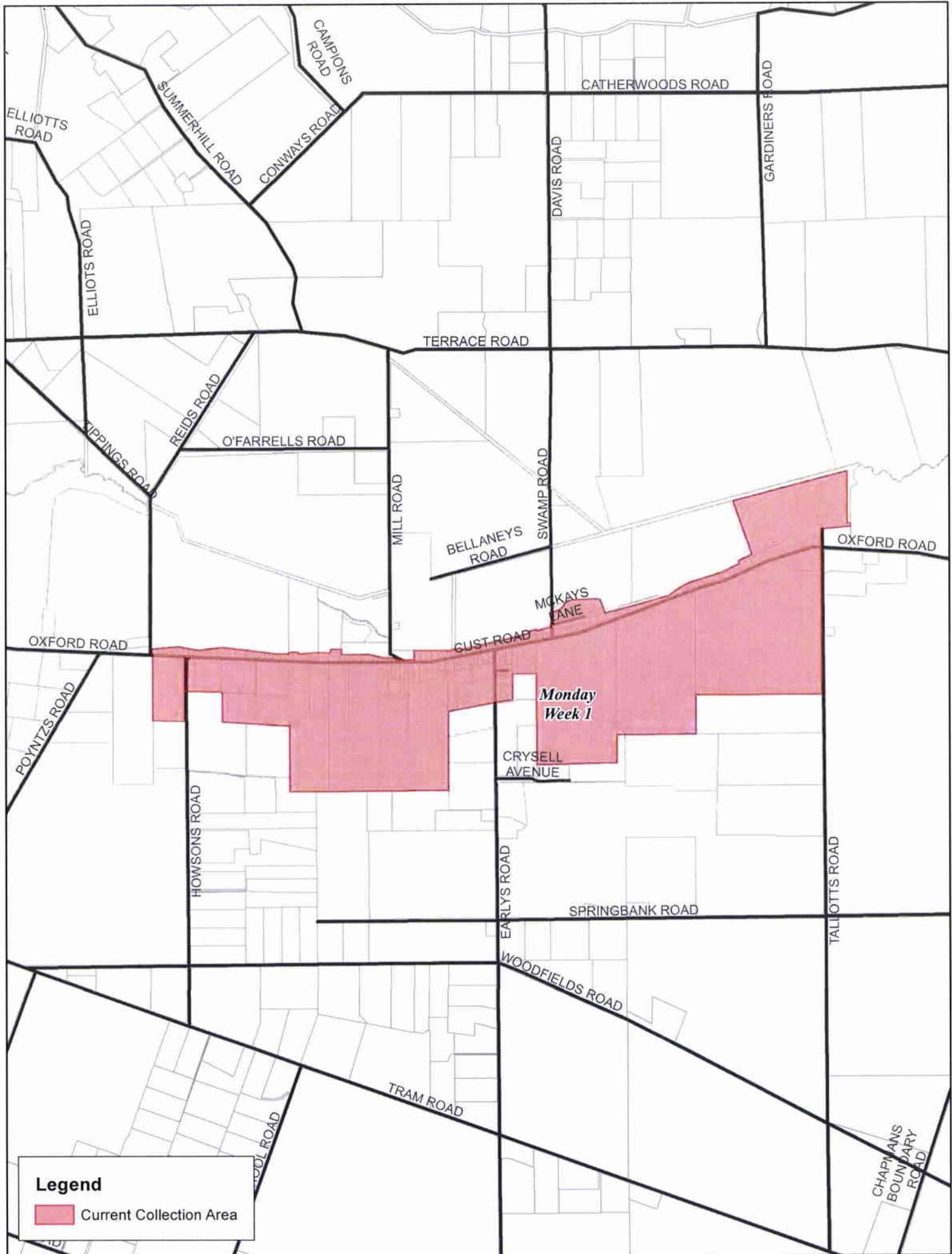
An uplifting service from within the property for the collection services that the occupier has chosen to use, may be provided by Council to households unable to take the bag or bins to the kerbside due to disability, impairment and frailty.

Applications for assistance may be approved by Council in accordance with the criteria set out below where:

- Disability, impairment or frailty which prevents the applicant from using the service, in the particular circumstances of the applicant's property, and;
- Household or community support is not available.

Properties provided with this service will be required to place the bag, and/or bins in a fixed location readily accessible from the street and to provide unencumbered access to the property to the contractor for the purpose of uplifting the bag, or wheeling out and returning any bins.

Approval of eligibility for the service will be administered by the Solid Waste Asset Team, Utilities and Roading Department.



**Legend**

 Current Collection Area



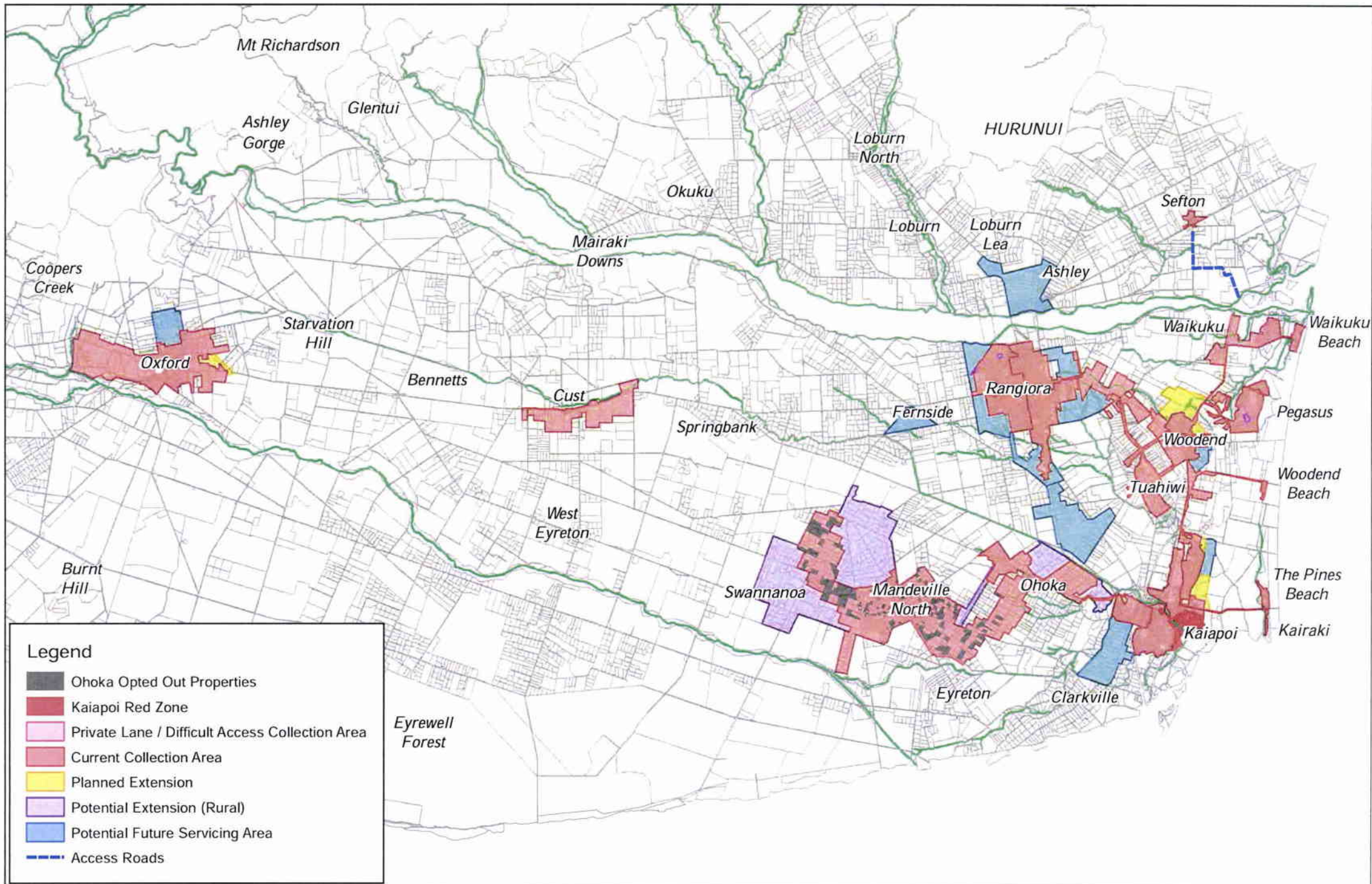
**Cust**  
**Kerbside Collection Area**  
 Rating Policy Map 40

Job  
 16-046  
 Version  
 A

SCALE (A4)  
 1:30,000  
 DATE  
 16/08/2016







**Legend**

- Ohoka Opted Out Properties
- Kaiapoi Red Zone
- Private Lane / Difficult Access Collection Area
- Current Collection Area
- Planned Extension
- Potential Extension (Rural)
- Potential Future Servicing Area
- Access Roads

# Kerbside Collection Areas

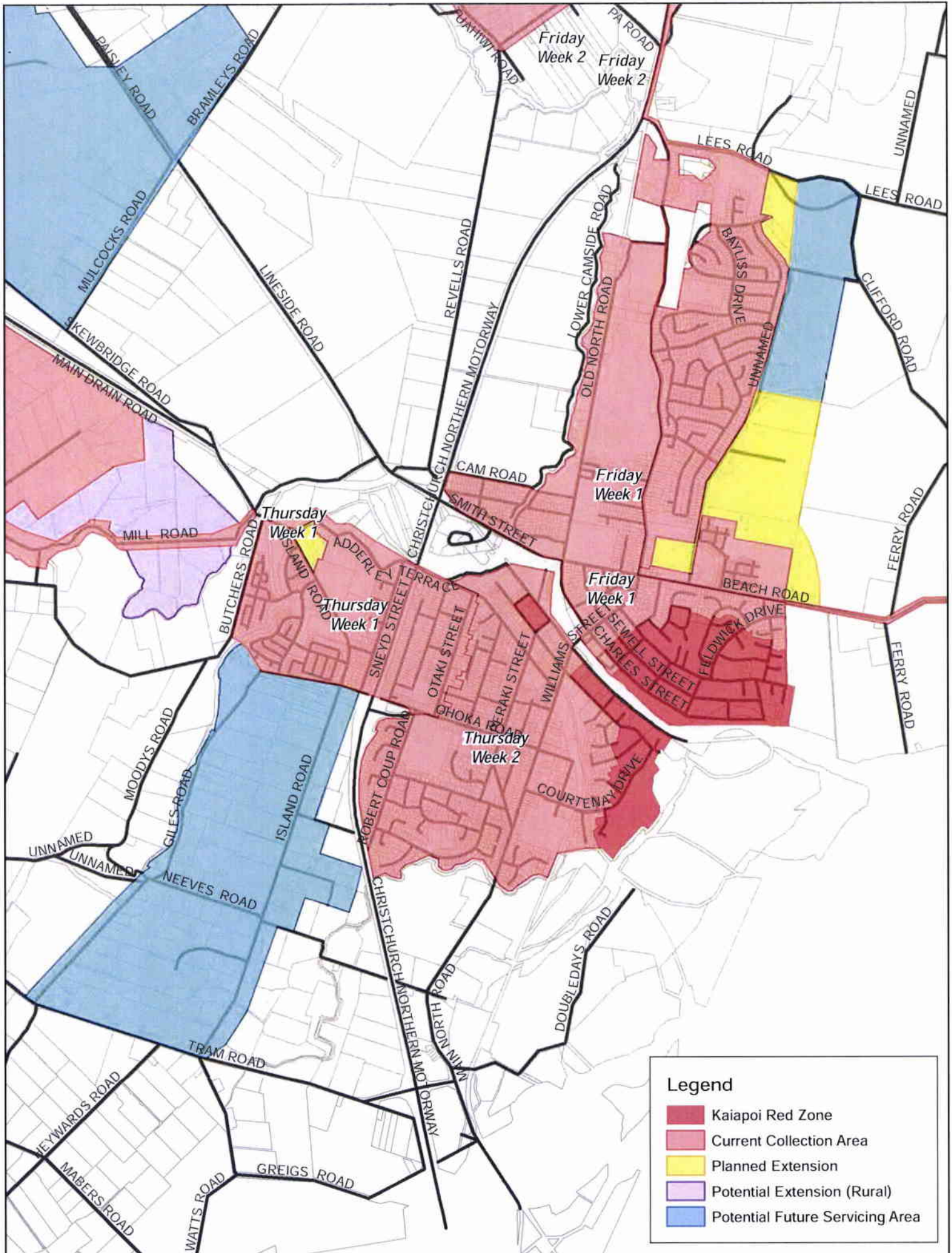
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job 16-046	SCALE (A4) 1:180,000
version A	DATE 16/08/2016







**Legend**

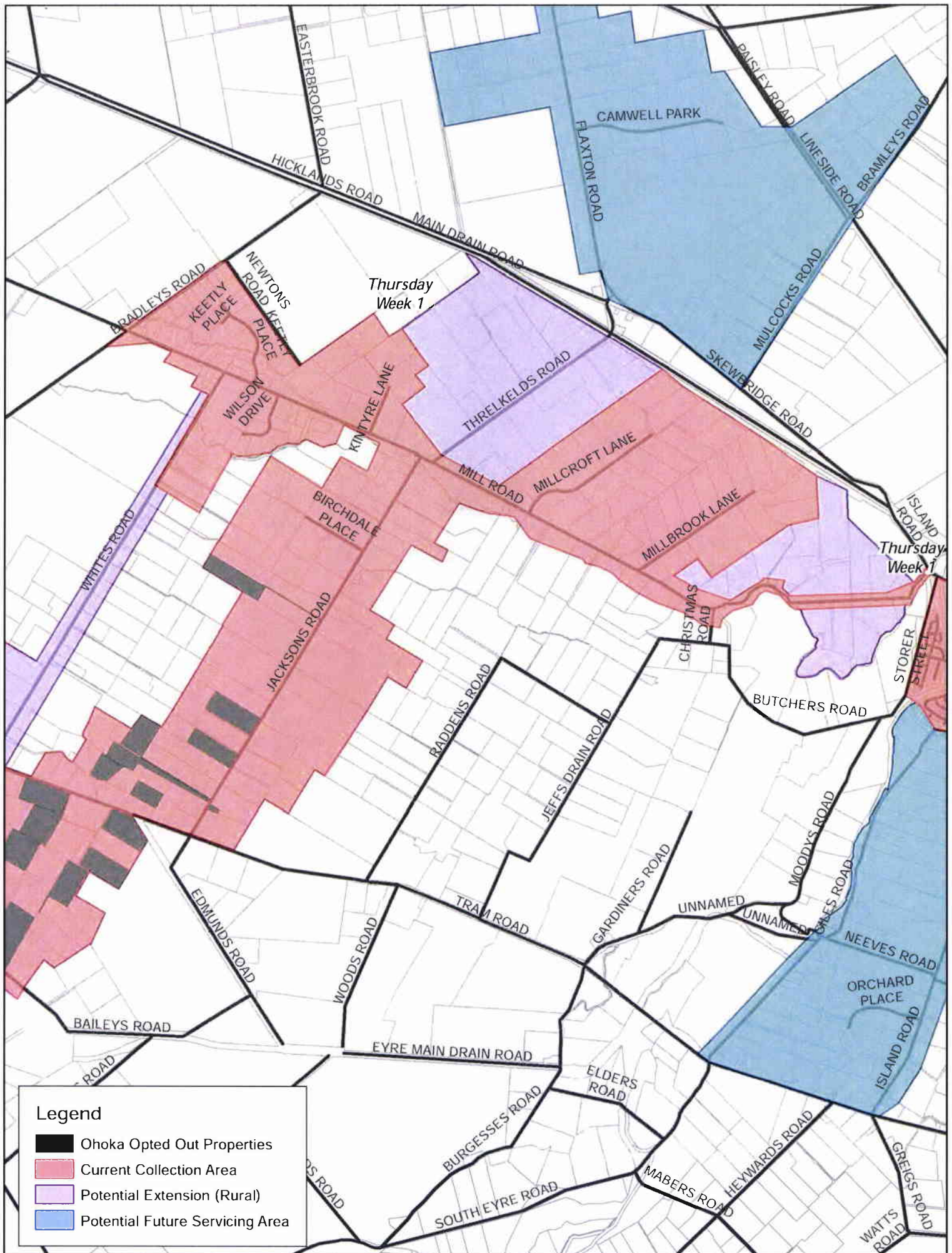
- Kaiapoi Red Zone
- Current Collection Area
- Planned Extension
- Potential Extension (Rural)
- Potential Future Servicing Area













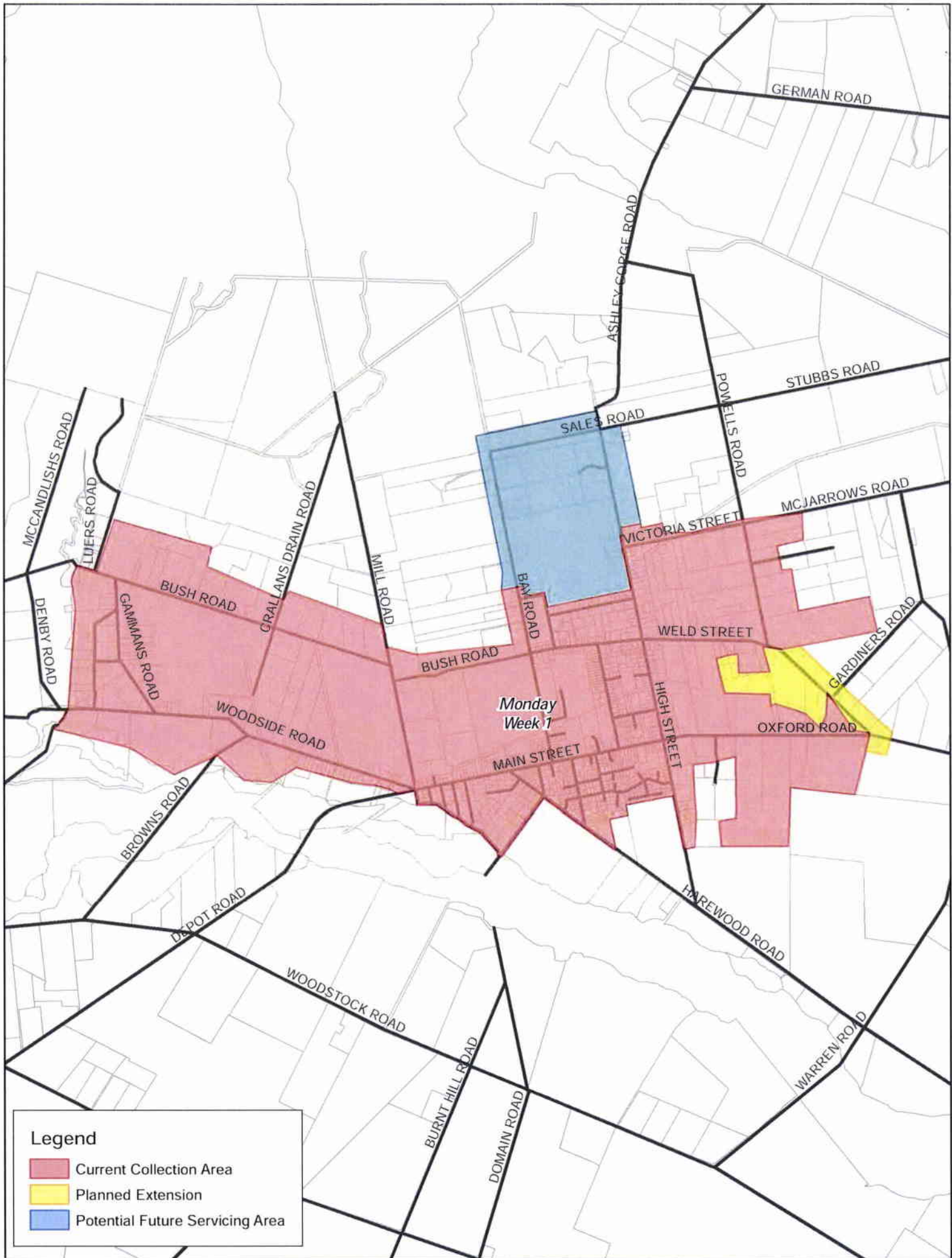


**Legend**

-  Ohoka Opted Out Properties
-  Current Collection Area
-  Potential Extension (Rural)
-  Potential Future Servicing Area



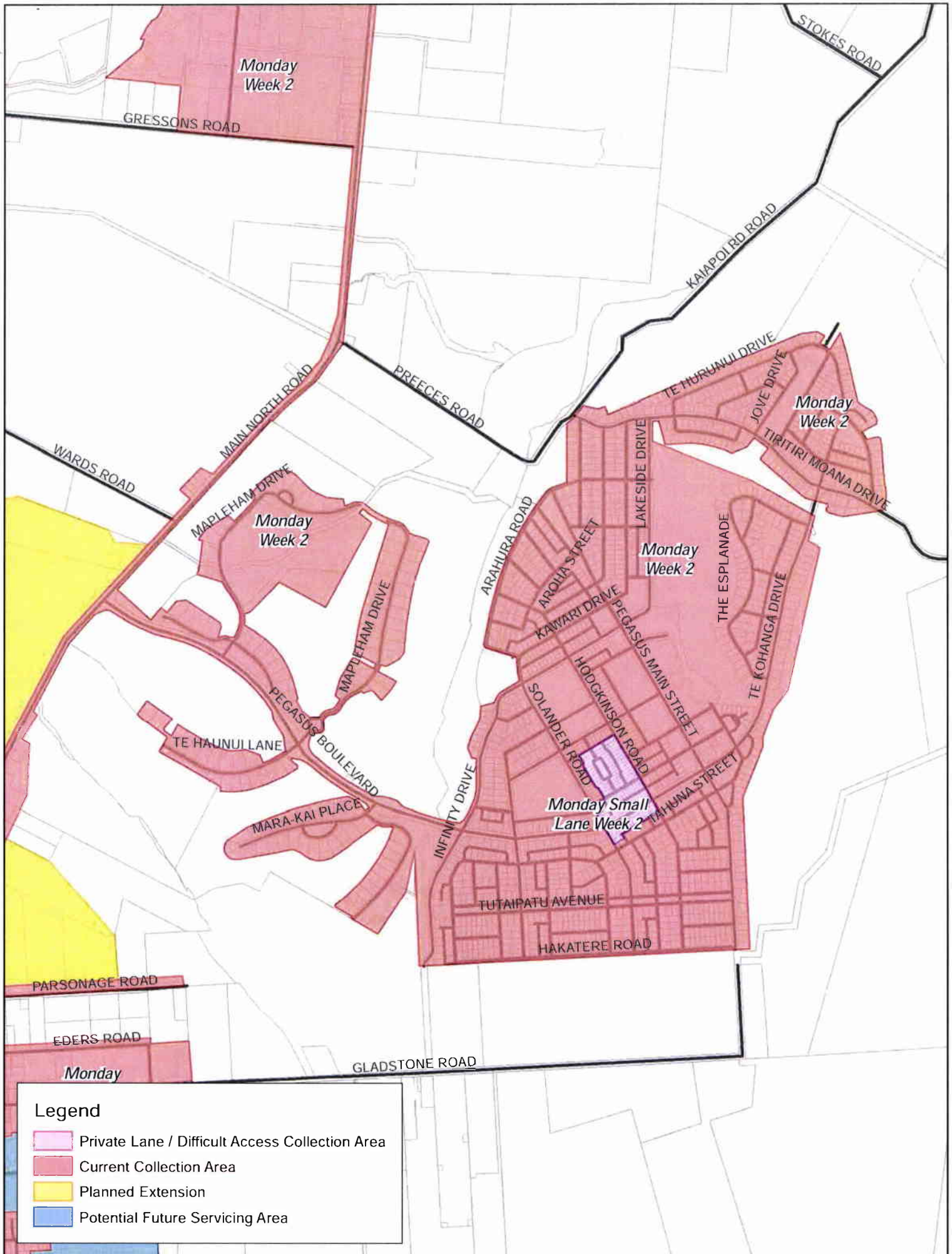




**Legend**

- Current Collection Area
- Planned Extension
- Potential Future Servicing Area





**Legend**

- Private Lane / Difficult Access Collection Area
- Current Collection Area
- Planned Extension
- Potential Future Servicing Area







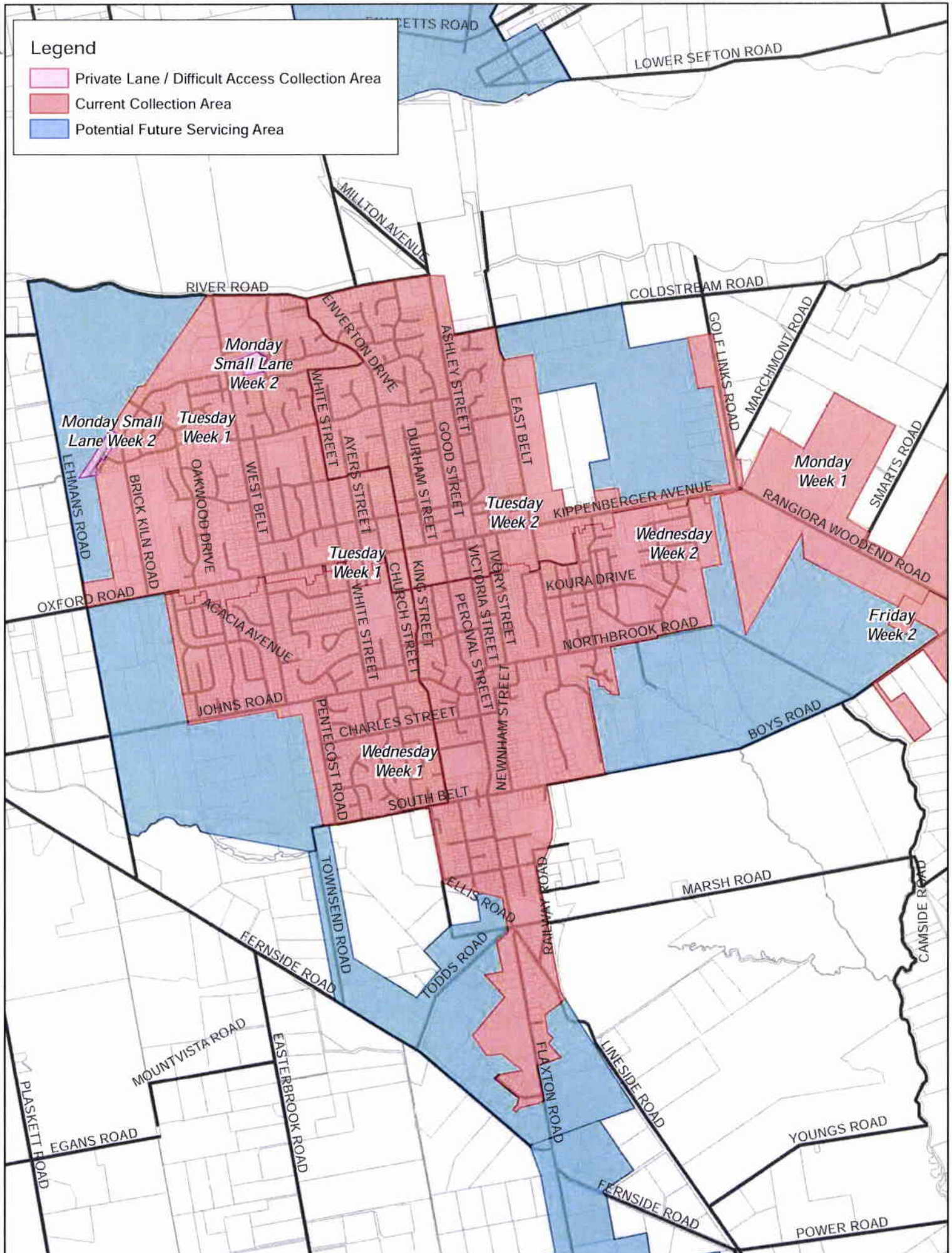
**Legend**

Current Collection Area

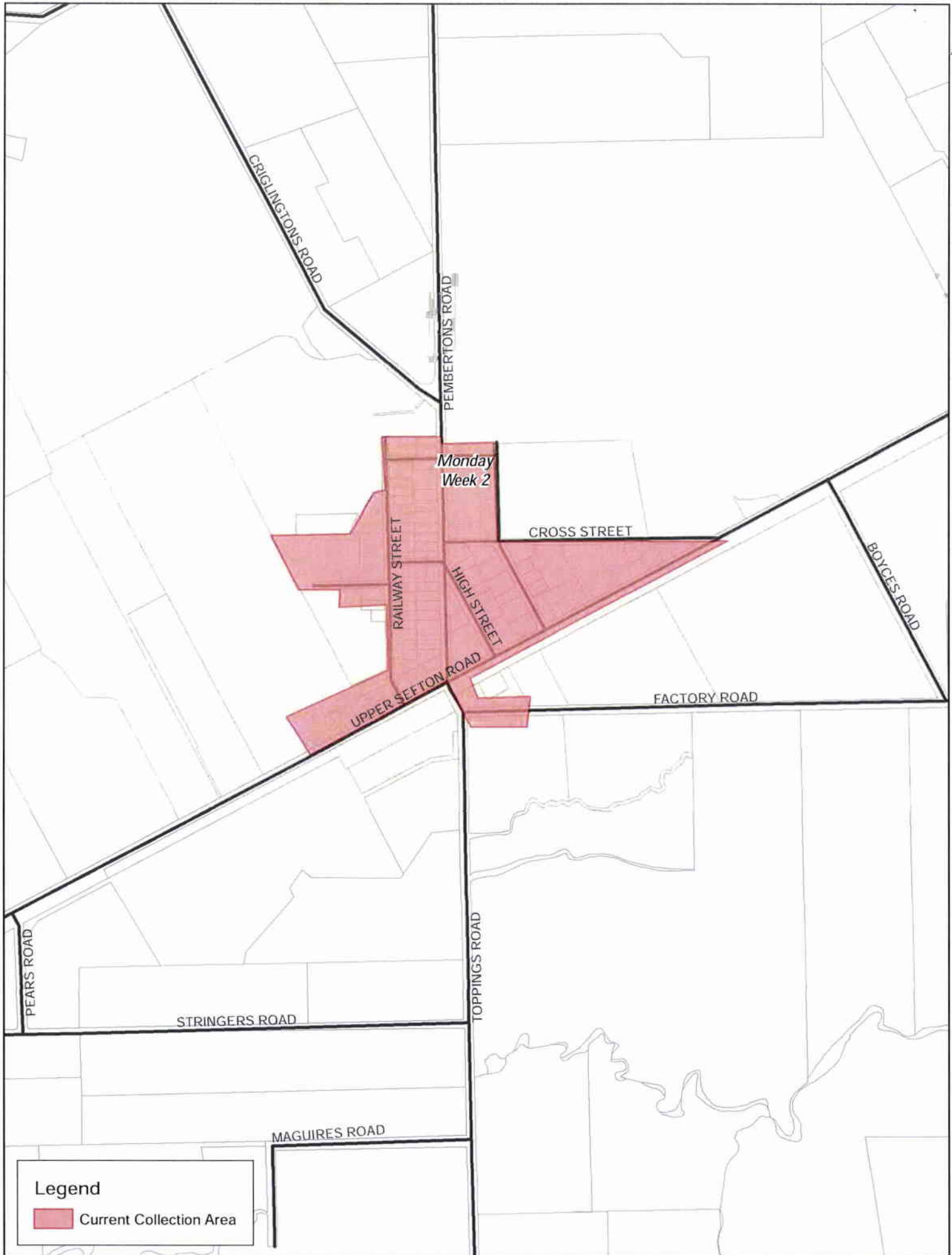


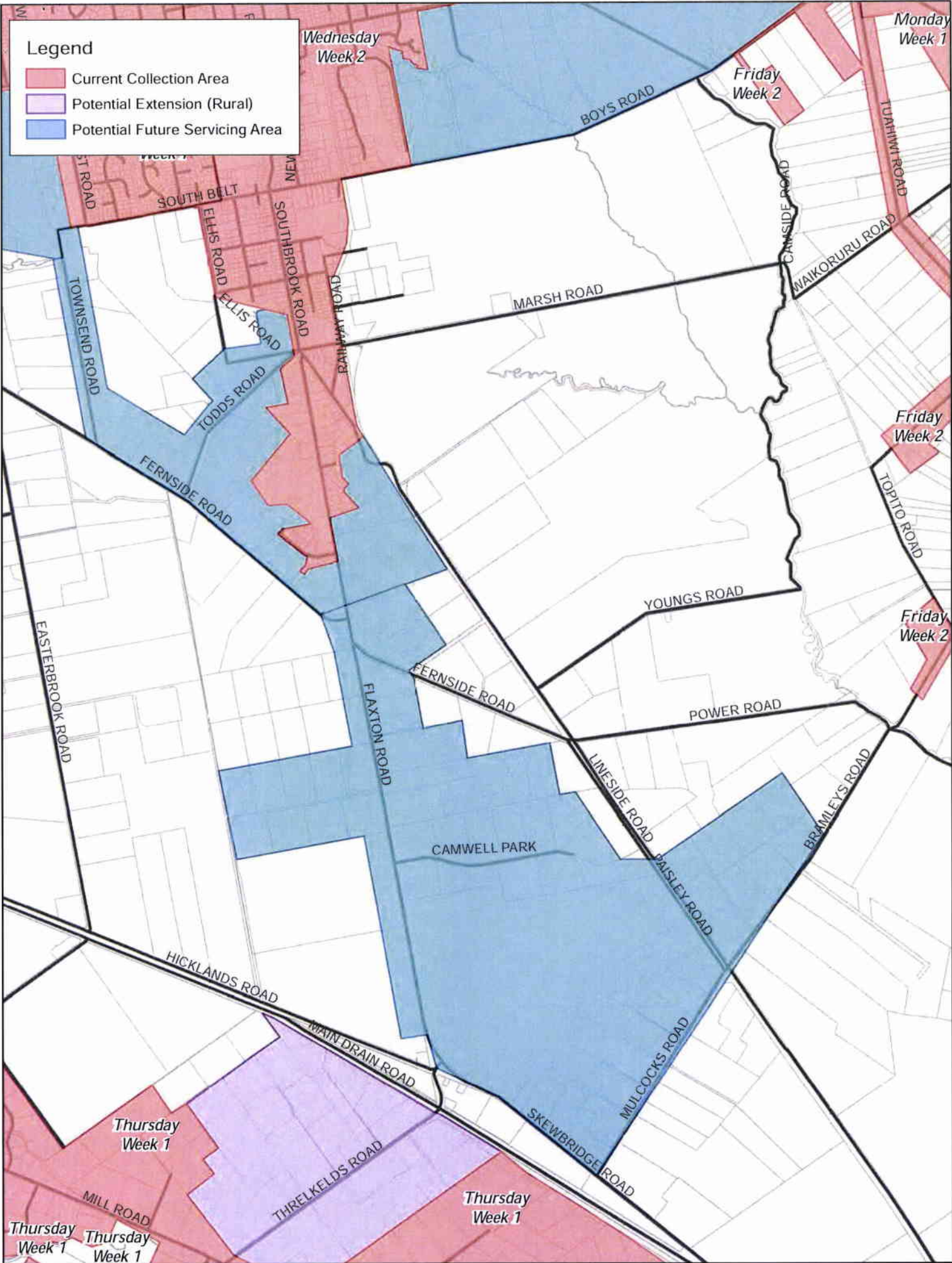
**Legend**

- Private Lane / Difficult Access Collection Area
- Current Collection Area
- Potential Future Servicing Area











**Legend**

- Ohoka Opted Out Properties
- Current Collection Area
- Potential Extension (Rural)

