



Masterton and South Wairarapa District Council Solid Waste Bylaw 2012



Commencement

The Masterton and South Wairarapa District Council Solid Waste Bylaw came into force throughout the Masterton and South Wairarapa districts on the 1st September 2013.

Adoption

Council	Bylaws	Adoption Date
Masterton District Council	Consolidated Bylaws 2012: Parts One to Eighteen	14 August 2013
South Wairarapa District Council	Consolidated Bylaws 2012: Parts One to Six, Parts 8 and 9, Parts Eleven to Sixteen	31 July 2013
Masterton District Council and South Wairarapa District Council	Removed from the Consolidated Bylaw 2012. Reformatted and continued as the standalone Masterton and South Wairarapa District Council Solid Waste Bylaw	26 June 2019

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Referenced Documents

Reference is made in this document to the following New Zealand legislation:

- Local Government Act 2002
- Litter Act 1979

Foreword

This Bylaw draws on New Zealand Standards 9201 series Solid Waste Bylaw. The NZS 9201 series are Model General Bylaws covering various matters under local authority jurisdiction. Local authorities are empowered under the Local Government Act 2002 to make bylaws.

Reference should be made to the Waste Minimisation Act 2008 and the Councils of the Wellington Region Waste Management and Minimisation Plan 2017-2023.

Reference should be made to the Wairarapa Consolidated Bylaw 2018: Part 1 Introductory for any definitions not included in this bylaw.

1. Title

- 1.1. A bylaw of the Masterton and South Wairarapa District Councils by way of Special Order pursuant to the provisions of the Local Government Act 2002 (LGA) and all other legislation, powers and authorities enabling it in that behalf to make a bylaw to be known as the Masterton and South Wairarapa District Council Solid Waste Bylaw 2012.

2. Scope

- 2.1. The purpose of this bylaw is to ensure refuse is collected and disposed of in the interests of public health in an efficient and cost-effective manner and at the same time ensuring that any obstruction of streets is kept to a minimum.
- 2.2. General issues relating to recycling, ownership of the waste stream, refuse storage, litter and waste management are also covered by the bylaw.
- 2.3. The Solid Waste Bylaw is made pursuant to section 146 of the LGA.

3. Definitions

Official Container: Any mobile bin, plastic bag or multi-wall paper bag or other container from time to time approved by the Council and collected by or on behalf of Council.

Recyclables: Paper, aluminium cans, tins, bottles, glass jars, small ferrous items and plastic containers (plastic types 1 to 7) and other items that are specifically identified e.g. paper, cardboard and some textiles. Plastic types 1–7 refers to the plastic resin identification code identified on the bottom of most plastic goods.

Refuse Container: In relation to household refuse 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 Wastes: Any wastes whether from a trade premises 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: Any scrap or waste material resulting from the carrying on of any business, manufacture, process, trade, market, or other undertaking.

4. Refuse Collection

- 4.1. The Council may from time to time by resolution, publicly notified, 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 such other matters as the Council considers relevant and such policy shall be enforceable as part of this bylaw. Upon the making or amendment of such policy the Council shall in full give public notice of the policy so made or amended.

5. Containers to be Kept Clean and in Repair

- 5.1. Every occupier shall keep their refuse container as clean as practicable and shall maintain the same in good repair to the satisfaction of an authorised officer.

6. Containers to be Placed Conveniently for Emptying or Removal

- 6.1. Every occupier shall, on the day and not later than 7.30am or the time specified by public advertisement from time to time for removal of refuse, cause the refuse container or refuse containers to be closed to prevent spillage and placed for collection in such situation as may be required by an authorised officer appointed on that behalf.
- 6.2. Every refuse container put out for collection by or on behalf of the Council shall be an official container.

7. Deposit of Certain Materials in Containers Prohibited

- 7.1. No person shall deposit or cause or permit or suffer to be deposited in any refuse container:
- a) explosive or highly flammable material, hot ashes, infectious material;
 - b) liquids, acid, printer's ink, paint, or any other viscous fluid;
 - c) broken bottles, glass, glass articles, broken crockery, china or other such sharp articles or materials unless such sharp articles or materials are wrapped so as to prevent injury to persons engaged on collection or disposal work; or
 - d) any matter, thing or refuse of any kind whatsoever, other than household refuse.
- 7.2. Provided that if rigid wall containers are used, item 7.1(c) shall not apply.

8. Accumulation and Storage of Household Refuse

- 8.1. Every owner or occupier of any premises shall ensure that no accumulation or collection of refuse, except as is herein provided, is permitted or suffered to remain or be in, on, or about such premises or any portion thereof.
- 8.2. Refuse shall not be packed tightly in rigid walled refuse containers, but shall 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.

9. Removal of Trade Refuse

- 9.1. 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.

10. Disposal of Refuse

- 10.1. The disposal of refuse on any land or transfer station facilities set aside by Council for the disposal of refuse shall be subject to such conditions as Council may from time to time by resolution impose in respect of the hours of opening and closing, the nature of the refuse which may be disposed of therein, the charges in respect of any such disposal, the position in any such place, in which refuse may be placed, and any other matter which Council may consider necessary or desirable to determine by any such resolution.

11. Deposit of Litter on Public Place or on Private Land

- 11.1. No person shall deposit any litter or, having deposited any litter, leave it in or on a public place, or in or on private land without the consent of its occupier.

12. Recycling

- 12.1. The Council may arrange for the collection of specified recyclable material from specified or agreed locations notified by public notice.
- 12.2. The Council may supply to occupiers specially marked containers for the recyclable materials to be placed in.
- 12.3. When a Council provided container has been placed on any road for collection by the Council, no person shall interfere with or remove the container or the contents, except in the course of collecting the same on behalf of the Council.
- 12.4. No person shall place or leave any non-recyclable materials in any recycling container or at any recycling station.
- 12.5. If recyclables should be placed in an official Council container or suitable equivalent.

13. Restrictions on Refuse Collection Operations

- 13.1. No person shall engage in the collection of trade or household refuse or recyclables awaiting collection from a public place without the prior written consent of Council and subject to such conditions as the Council may from time to time impose.

14. Ownership of Waste Stream

- 14.1. Except with the prior permission of Council or an authorised officer, no person, other than the occupier of the property from which the waste has come, shall on any public place interfere with or remove any waste which is awaiting collection by an authorised collector.

15. Special Waste

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