



**Far North  
District Council**

*Te Kaunihera o Tai Tokerau Ki Te Raki*



# **Solid Waste Bylaw 2016**

*Controls made under the Solid Waste Bylaw 2016 concerning the separation of waste collected from a public place and the disposal of waste at public waste disposal facilities*

## **Control 2 – Waste Separation**

*Explanatory note: Clauses 6, 14(2) and 20 of the Solid Waste Bylaw provide that Council may establish controls containing detailed provisions by resolution. This control contains detailed provisions in relation to the separation of waste in containers 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
Revision 3a	March 2015	Draft
Revision 4	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 concerning the separation of waste collected from a public place and the disposal of waste at public waste disposal facilities*, and may be referred to as the *Separation of Waste and Waste Disposal Controls*.

## 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 separation of waste collected from a public place.

## 5 INTERPRETATION

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

**Bylaw** means the Solid Waste Bylaw 2016.

**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.

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.

**Recycling container** means a container approved by Council for the collection of recyclable material from a public place.

**Refuse container** means a refuse bag or a stationary or mobile garbage bin approved by Council for the collection of refuse from a 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.

## 6 MAXIMUM PERMITTED AMOUNTS OF RECYCLABLE MATERIAL AND FOOD WASTE ALLOWED IN REFUSE CONTAINER

(1) The total proportion of recyclable material in a refuse container left for collection from a public place must not exceed twenty per cent by volume of waste in that container.

(2) The total proportion of food waste in a refuse container left for collection on a public place must not exceed twenty per cent by volume of waste in that container.

## **7 CLASSIFICATION AND DISPOSAL OF MATERIALS THAT ARE SUITABLE OR UNSUITABLE FOR RECYCLING**

- (1) Materials that are classified as being suitable for recycling on Council's web site should not be deposited in a refuse container left for collection from a public place.
- (2) Materials that are classified as being unsuitable for recycling will be any material that is not currently listed as suitable on Council's web site must not be deposited in a recycling container left for collection from a public place.
- (3) Materials that are suitable for recycling that have been separated out of the waste stream must not be recombined with waste and/or disposed of to landfill.

## **8 PROHIBITION ON GREEN WASTE IN CONTAINERS USED FOR REFUSE AND RECYCLABLE MATERIAL**

- (1) Subject to the exemption in sub-clauses 8(2) and 8(3), no green waste may be deposited in a refuse container left for collection from a public place.
- (2) Pest plants listed on the Northland Regional Council's web site may be deposited in a refuse container left for collection from a public place.
- (3) No green waste may be deposited in a recycling container left for collection from a public place unless the recycling container is specifically dedicated to the collection of green waste.

## **9 SEPARATION OF WASTE DEPOSITED AT A PUBLIC WASTE HANDLING FACILITY**

- (1) The total proportion of recyclable material deposited for disposal at a public waste handling facility may not exceed twenty per cent by volume of waste.
- (2) The total proportion of food waste deposited for disposal at a public waste handling facility may not exceed twenty per cent by volume of waste.
- (3) Subject to the exemption in sub-clause 9(4), no green waste may be placed in a waste container deposited for disposal at a public waste handling.
- (4) Pest plants listed on the Northland Regional Council web site may be placed in a waste deposited for disposal at a public waste handling facility.

## **10 DISPOSAL CONTROLS AT PUBLIC WASTE HANDLING FACILITIES**

- (1) The disposal of waste at any public waste handling facility listed in Attachment 2A shall be subject to such conditions as Council may by resolution publicly notified from time to time decide in respect of:
  - (a) The hours of opening and closing;
  - (b) The nature of the waste which may be disposed of therein;
  - (c) The nature of the waste to be directed to a recycling area;
  - (d) The charges in respect of any disposal;
  - (e) The position in any such place, in which waste may be placed; and
  - (f) Any other matter which Council may consider necessary or desirable to determine by any such resolution.

Council may amend or revoke a resolution made under Clause 10(1) at any time. Council will publicly notify any resolution made under Clause 10(1).
- (2) No refuse shall be deposited at any of the public waste handling facilities listed in Attachment 2A to this part of the Bylaw Control without paying the required fee as set by the Council or the Chief Executive or by way of an account with the site contractor.
- (3) Any person using a public waste handling facility shall abide by notices and the instructions of an authorised officer or operator of that facility for the placing or disposing of different classes of waste.
- (4) No person shall:

- (a) Deposit or dispose of any waste, recyclables or organic material at a public waste handling facility or any other waste that is not permitted to be disposed of at that facility;
- (b) Deposit or dispose of any particular type of waste, recyclables or organic material at any location within a public waste handling facility which has been marked off and designated for the depositing or disposal of a different type of waste;
- (c) Deposit or dispose of any trade refuse or prohibited wastes as listed in Attachment 2B at a public waste handling facility unless authorised to do so by the operator of that facility;
- (d) Enter a waste handling facility without authorisation from the operator of that facility;
- or,
- (e) Move or remove any article, waste or recyclables or organic material found in a public waste handling facility without the permission of the operator of that facility.
- (5) On any land or premises set aside by Council for the disposal of refuse, it shall be unlawful for any unauthorised person to enter, loiter or to disturb any deposit of refuse or to remove any article or materials of any kind.
- (6) No person shall light any fire upon or near any public waste handling facility without the express permission of the Chief Executive.

## Attachment 2A

### PUBLIC WASTE HANDLING FACILITIES

List of Public Waste Handling Facilities at which refuse can only be deposited in accordance with the provisions of Bylaw Control Clauses 9 and 10.

#### Council Refuse Transfer Stations

- Ahipara
- Awanui
- Houhora
- Herekino
- Kaikohe
- Kaitaia
- Kohukohu
- Opononi
- Panguru
- Russell
- Taipa
- Te Kao
- Whangae
- Whatuwhiwhi
- Whitehills

#### Council Landfill Facilities

- Ahipara
- Russell

## PROHIBITED WASTES

Wastes prohibited from being deposited at public waste handling facilities unless deposited into containers designated for the receipt of such wastes:

### A. SUBSTANCES HAZARDOUS TO THE ENVIRONMENT

1. Substances with one or more of the following intrinsic properties:
  - An explosive nature
  - Flammability
  - An oxidising mixture
  - Acute or immediate toxicity (including ecotoxicity)
  - Delayed or chronic toxicity (including carcinogenicity, mutagenicity, teratogenicity or ecotoxic effects)
  - Radioactivity
  - Corrosivity
  - Environmental persistence
  - Infectious or pathogenic.
2. Any substance emitting or breaking down to a substance with any of the above properties upon entering the environment.
3. Any substance or group of substances prescribed as hazardous by the Hazardous Substances Regulations (Minimum Degrees of Hazard) 2001.

### B. LIQUID WASTES

Bulk liquid waste of any kind or emulsions in liquid.

### C. ODOUROUS WASTE

Highly odorous wastes.

### D. OTHER WASTES

- glue
- oil
- caustic water
- lime
- resin
- bitumen waste
- electroplating wastes
- acids
- any scheduled poison (as defined by the Hazardous Substances Regulations (Minimum Degrees of Hazard) 2001)
- any dangerous goods (as defined by the Hazardous Substances Regulations (Minimum Degrees of Hazard) 2001)
- any other chemical (in liquid or powder form, whether of agricultural or industrial use, in sealed drums or otherwise)
- hazardous inorganic chemicals (including heavy metals and blue asbestos)
- septic tank sludge