

Selwyn District Council Waste Management and Minimisation Bylaw 2019

The Selwyn District Council makes the following bylaw pursuant to the Local Government Act 2002, the Waste Minimisation Act 2008, the Health Act 1956, and the Litter Act 1979.

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1. TITLE AND COMMENCEMENT

- 1.1 This bylaw is the Selwyn District Council Waste Management and Minimisation Bylaw 2019.
- 1.2 This bylaw comes into effect on 1 November 2019.

2. APPLICATION OF BYLAW

- 2.1 This bylaw applies to the Selwyn District.
- 2.2 Nothing in this bylaw shall limit the application of any other Act, rules or regulations made under any other Act. If there is inconsistency between any provision of this bylaw and the provisions of any other Act, rule or regulation, the more stringent provision applies.
- 2.3 No person may deposit, collect, transport, sort, store, process or dispose of waste other than in accordance with this bylaw.
- 2.4 To avoid doubt, compliance with this bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, District Plans or Policies, and rules of law.

3. PURPOSE

- 3.1 The purpose of this bylaw is to:
 - (a) protect, promote and maintain public health and safety, and the health and safety of Waste and Diverted Material Operators by regulating the collection and disposal of Waste and Diverted Material;
 - (b) support the implementation of the Council's Waste Management and Minimisation Plan as required under the Waste Minimisation Act 2008;
 - (c) promote effective, efficient and safe collection, transportation, management, storage, processing and disposal of Waste and Diverted Material;
 - (d) regulate and monitor Waste and Diverted Material Operators within the District through a licensing process; and
 - (e) promote waste minimisation through any other activity.

4. DEFINITIONS AND INTERPRETATION

4.1 For the purposes of this bylaw, unless the context otherwise requires, the following definitions apply:

Term-	means:
Act	Waste Minimisation Act 2008
Approved	Authorised in writing by the Council
Approved collection container	Any container (including bags) that has been approved by the Council for the collection of any type of waste under the Kerbside Collection Service, with approval based on the following criteria: the prevention of nuisance, the protection of the health and safety of waste collectors and the public, and the achievement of effective waste management and minimisation
Building work	As defined in the Building Act 2004
Permitted recyclable material	Defined in Schedules 2 and 3
Permitted organic material	Defined in Schedules 2 and 3
Permitted waste	Defined in Schedules 2 and 3
Bylaw	This Waste Management and Minimisation Bylaw
Cleanfill material	Waste that: <ul style="list-style-type: none">(a) Includes virgin material such as clay, soil and rock, and other inert materials such as concrete or brick that are free of:<ul style="list-style-type: none">(i). Combustible, putrescible, degradable or leachable components;(ii). Contaminants;(iii). Hazardous waste;(iv). Products or materials derived from hazardous waste treatment, hazardous waste stabilization or hazardous waste disposal practices;(v). Materials that may present a risk to human health or the environment; and(vi). Liquid waste;(b) Does not undergo any physical, chemical or biological transformation that, when deposited or with the effluxion of time, is likely to have adverse effects on the environment or human health; and(c) Has less than 2 per cent by volume by load of tree or organic matter
Cleanfill site	The land used for the disposal of cleanfill material
Commercial waste	Waste that results from a commercial enterprise and includes waste generated by the carrying on of any business, manufacture, process, trade, market, or other undertaking

Construction and demolition waste	Waste generated from any building construction or demolition works; and includes but is not limited to any concrete, plasterboard, wood, steel, brick, cardboard, metals, plastic or glass
Council	The Selwyn District Council, or any committee, Community Board, or officer delegated to exercise the authority of the Council
Diverted material	Anything that is no longer required for its original purpose and, but for commercial or other waste minimisation activities, would be disposed of or discarded to landfill
Drop-off point	An area provided by the Council for the purpose of depositing approved waste, approved diverted material or both in an approved collection container for collection
Eligible property	A property within the District that is on the collection route of any of the kerbside collection services, including drop-off points
Event	Any organised temporary activity of significant scale that is likely to create litter including but not limited to an organised gathering, open-air market, parade, protest, festival, film shoot, concert or celebration
Hazardous waste	Defined in Schedules 2 and 3
Kerbside collection service	Any collection service provided by or on behalf of the Council for the collection of any approved waste or approved diverted material from eligible properties within the District
Licence	A licence, consent, permit or approval to do something issued in accordance with this Bylaw and includes any conditions to which this licence is subject
Licensed contractor	A person or organisation who holds a current licence to collect, transport and deposit waste and / or diverted material
Litter	Any item or material discarded to the environment whether intentionally or unintentionally which wouldn't, or shouldn't, otherwise be there
Nuisance	Has the meaning given in section 29 of the Health Act 1956 and includes anything obnoxious, offensive or injurious to the community or any member of it
Occupier	Any person or company who occupies any land or building (including commercial premises) and, if the land or building is unoccupied, includes the owner or the owner's agent
Owner	The person or company whose name is on the certificate of title for the premises
Person	Includes a corporation sole, and also body of persons, whether corporate or unincorporated
Property	Land or buildings which are separately occupied

Public place	<p>An area that is open to or used by the public which is under the control of the Council and includes:</p> <ul style="list-style-type: none"> (a) roads, streets, carparks, footpaths, cycleways, accessways, reserve or public reserve (as defined in the Reserves Act 1977), parks and recreation grounds; and (b) State Highways within the District with a posted speed limit of less than or equal to 70 km per hour for which there is current delegation in place from the New Zealand Transport Authority to the Council
Waste	<p>Has the meaning given in the Waste Minimisation Act 2008 and includes:</p> <ul style="list-style-type: none"> (a) any thing 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 and diverted material facility	<p>Any land and associated improvements used for the handling, storage, processing and/or disposal of waste, diverted material or both by, or on behalf of, the Council and includes, but is not limited to, resource recovery parks, landfill, temporary or permanent satellite drop-off facility and drop-off points</p>

- 4.2 Unless the context requires another meaning, a term or expression that is defined in the Act and used, but not defined, in this bylaw has the meaning given by the Act.
- 4.3 Defined terms expressed in the plural have the same substantive meaning as those expressed in singular form.
- 4.4 Explanatory notes have been included for information purposes only. They do not form part of this bylaw, and may be made, amended, or revoked without formal process.

5. OVERVIEW

- 5.1 This bylaw provides rules that apply to the Council's Waste and Diverted Material services, and certain other activities, which without regulation have the potential to threaten public health and safety, the environment and / or create a nuisance.
- 5.2 All users of the Council's Approved Waste and Approved Diverted Material Services and Facilities shall pay all fees and charges as specified by the Council.
- 5.3 Fees and charges for the Council's Waste and Diverted Material Services and Facilities may be amended by the Council following the procedures in the Local Government Act 2002 for setting fees and charges.
- 5.4 Current fees and charges will be posted on the Selwyn District Council Website (<http://www.selwyn.govt.nz>) and may be obtained at the Council's office and service centres.
- 5.5 Information about the Council's Waste and Diverted Material services is posted on the Selwyn District Council Website (<http://www.selwyn.govt.nz>) and may be obtained at the Council's office and service centres. This information includes the operative Waste Management and Minimisation Plan, the Solid Waste Activity Management Plan and the operative Long Term Plan.
- 5.6 This bylaw includes the following Schedules:
 - (a) Schedule 1 – Approved Collection Containers. This records the current collection containers that are approved for use by a participant in a Council Kerbside Collection Service. The Council may, from time to time, alter the categories and type of Approved Collection Containers.

- (b) Schedule 2 – Classification of Kerbside Waste and Diverted Material. This records classifications of Waste and Diverted Material including Approved Waste and Approved Diverted Material and Prohibited Waste in the Council Kerbside Collection Service. The Council may, from time to time, alter the classification of Waste and Diverted Material as recorded in Schedule 2.
- (c) Schedule 3 – Classification of Materials at a Waste and Diverted Material Facility. This records classifications of Waste and Diverted Material including Waste and Diverted Material that is approved or prohibited to be dropped off at a Council Waste and Diverted Material Facility. The Council may, from time to time, alter the classification of Waste and Diverted Material as recorded in Schedule 3.
- (d) Schedule 4 – Collection Times for Waste and Diverted Material. This sets out the times that Approved Collection Containers must be placed out for kerbside collection.
- (e) Schedule 5 – Waste and Diverted Material Requiring a Licensed Collector. This sets out which materials require the Collector to be licensed.
- (f) Schedule 6 – Form of Application for a Licence. This sets out the form of the application for a Licence to become a Licensed Collector. The Council may vary this from time to time. The current application form will be posted on the Council's website.

6. KERBSIDE COLLECTION

Approved Waste

- 6.1 Only Approved Waste being Permitted Waste and Potentially Nuisance or Injurious Waste as defined in Schedule 2 shall be put out for collection by a Kerbside Collection Service for Waste.

Approved Diverted Material

- 6.2 Only Approved Diverted Material as defined in Schedule 2 shall be put out for collection by a Kerbside Collection Service for Diverted Material.

Approved Collection Containers

- 6.3 Only Approved Collection Containers shall be used for Approved Waste in a Kerbside Collection Service for Waste. Approved Collection Containers are set out in Schedule 1.
- 6.4 Only an Approved Collection Container for the specified type of Approved Diverted Material shall be put out for use in a Kerbside Collection Service for that type of Diverted Material.
- 6.5 Approved Collection Containers allocated to Eligible Properties shall remain the property of the Council (or contractor) and shall remain at the Eligible Properties for use in the Kerbside Collection Service.
- 6.6 Subject to clause 6.7 where an Approved Collection Container is lost or damaged through negligence, misuse, abuse or alterations by the Owner or Occupier of the Eligible Property, the Owner may be liable for the cost of replacement or repair.
- 6.7 In tenanted properties, it is the responsibility of every Owner of an Eligible Property to provide an Approved Collection Container for Recyclable Material to any Occupier of that property.

Use of Approved Collection Containers

- 6.8 An Approved Collection Container shall be placed at the kerbside or drop-off point for collection no earlier than the day before the collection day and no later than the time specified in Schedule 4.

- 6.9 An Approved Collection Container shall be removed from the kerbside or drop-off point within 24 hours of being collected by the Kerbside Collection Service or where the container has been labelled with a non-compliance notice in accordance with clause 6.21.
- 6.10 An Approved Collection Container shall not be filled so as to be overweight. The maximum authorised weights of Approved Collection Containers are specified in Schedule 1.
- 6.11 An Approved Collection Container shall be placed at the kerbside or drop-off point in such a manner so as to prevent spillage or windblown litter, with container lid fully closed or bag tied securely.
- 6.12 An Approved Collection Container shall be filled in a manner (i.e. loosely, not packed) that enables its contents to readily fall out of the container via gravity when being emptied by the Kerbside Collection Service vehicles.
- 6.13 An Approved Collection Container shall be placed at the kerbside or drop-off point in such a manner as to avoid any undue restriction of vehicle traffic or pedestrian flow.
- 6.14 An Approved Collection Container shall be placed at the kerbside or drop-off point no closer than 0.5m from an adjacent Approved Collection Container or other obstructions such as mailboxes, trees or lamp posts.
- 6.15 All Approved Collection Containers shall be cleaned regularly and as necessary by the Owner or Occupier of the Eligible Property so as to avoid a Nuisance.
- 6.16 No person, other than the Owner or Occupier of an Eligible Property, the Council or the Licensed Collector shall, without the Owner or Occupier's consent, interfere with, deposit or remove any material from the Owner or Occupier's Approved Collection Container, once it has been placed at the kerbside or drop-off point for collection.
- 6.17 No person, other than the Owner or Occupier of an Eligible Property, the Council or the Licensed Collector, shall uplift, collect, remove or relocate the Owner or Occupier's Approved Collection Container that has been put out for collection, unless it poses an immediate health and safety risk.
- 6.18 No person shall place at the kerbside or drop-off point for collection an Approved Collection Container at an address different to that allocated.
- 6.19 No person shall present any collection container more than once for collection on a single collection day.

Private Rights of Way and Service Lanes

- 6.20 The extension of the collection service down private rights of way (lanes) may be approved by the Council in accordance with the criteria set out below:
 - (a) The relevant lane must service a minimum of five residential dwellings or units.
 - (b) A majority of 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.
 - (c) Applications must satisfy the Council that enough of the required landowners have consented to this service, or that the Applicant has the authority to act on behalf of the required landowners.
 - (d) The collection contractor's vehicle is able to safely negotiate the lane, and turnaround within the lane. This is to be determined at the discretion of the Council in consultation with the Contractor.
 - (e) The Landowners of the 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.
 - (f) Applications will be administered by the Council's Solid Waste Team.
 - (g) 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.

Non-Compliance

- 6.21 Where an Owner or Occupier of an Eligible Property, or any other person fails to comply with Section 6 of this Bylaw, they may be subject to the following action:
- (a) provisions applied under Section 12: Offences;
 - (b) the rejection (non-collection) of the contents of any Approved Collection Container;
 - (c) the withdrawal or suspension of the Kerbside Collection Service being provided to that Eligible Property;
 - (d) enforcement for breach of this Bylaw, as provided for in the Local Government Act 2002 and the Waste Minimisation Act 2008; or
 - (e) any other steps that may be taken by the council in law.
- 6.22 In instances where the placement or contents of an Approved Collection Container is known to be non-compliant the Authorised Licensed Collector will issue a notice attached to the Approved Collection Container, providing guidance on the correct use of that particular Approved Collection Container.
- 6.23 Where an Owner or Occupier of an Eligible Property has been notified of non-compliant use of an Approved Collection Container, in accordance with Clause 6.21 of this bylaw, the Owner or Occupier of that Eligible Property is responsible for rectifying non-compliance before the Approved Collection Container is placed onto the kerbside or at the drop-off point for the next designated collection day.
- 6.24 Where an Owner or Occupier of an Eligible Property has been notified of non-compliant use of an Approved Collection Container, in accordance with Clause 6.21 of this Bylaw, the Owner or Occupier shall not be entitled to a return of the Collection Vehicle before the next designated collection day.

7. COUNCIL WASTE AND DIVERTED MATERIAL FACILITIES

- 7.1 Any users of the Council Waste and Diverted Material Facilities shall comply with this bylaw and any other conditions that the Council may determine, as displayed on signs at the facilities or as directed by staff on site.
- 7.2 Council may, by resolution, publicly notified, set, in relation to any Council Waste and Diverted Material Facility:
- (a) the hours of opening and closing;
 - (b) the nature of the waste which may be disposed of including material that may be prohibited;
 - (c) the charges to be paid for the disposal; and
 - (d) the position in any such facility, in which waste or diverted material may be placed.
- 7.3 No person using a Waste and Diverted Material Facility shall:
- (a) deposit or dispose of any Waste or Diverted Material at the facility which is not approved by the operator to be deposited or disposed at that facility;
 - (b) deposit or dispose of any type or class of Waste or Diverted Material at any location within the facility which has been marked off and designated for the depositing or disposal of a different type or class of Waste and/or Diverted Material; and
 - (c) deposit or dispose of any Waste or Diverted Material at the facility that does not comply with the acceptance criteria of that facility unless authorised to do so by the Council or operator of that facility.

7.4 No person shall:

- (a) enter any Council Waste and Diverted Material Facility except on business associated with the facility;
- (b) enter a Council Waste and Diverted Material Facility outside of normal operating hours without authorisation from the Council or operator of that facility;
- (c) move or remove any Waste or Diverted Material or any other article or item found at a Waste and Diverted Material Facility without the express permission of the Council or operator of that facility, unless it is obtained from a recycle or reuse shop; or
- (d) exchange, gift or trade any material on site outside of authorised activities.

7.5 Any waste or diverted material that is deposited at a Council Waste and Diverted Material Facility will become property of Council once any fee for the disposal is paid (if relevant) or the waste is accepted by the Council.

Non Compliance

7.6 Any person who does not comply with Section 7 of this bylaw, with reference to Council Waste and Diverted Material Facilities or any direction given by staff on site at a Council Waste and Diverted Material Facility may be:

- (a) subject to provisions applied under Section 12: Offences;
- (b) denied entry to the facility;
- (c) refused permission to deposit their waste;
- (d) required to leave the facility; and
- (e) issued a trespass notice for that facility and other Council land.

8. PUBLIC RECYCLING BINS AND PUBLIC LITTER BINS

8.1 Only Approved Waste or Approved Diverted Material shall be placed into a public litter bin or public recycling bin.

8.2 Public recycling bins or public litter bins shall not be used by any Person for the disposal of any Waste or Diverted Material that is generated from residential, commercial or industrial premises which would ordinarily be put out for collection by either a Kerbside Collection Service or a non-Council (private) collection service except where explicitly provided for in writing by Council.

8.3 In respect to any public recycling bin or public litter bin no person shall:

- (a) put or attempt to put any material into it if it is full;
- (b) remove anything from it unless authorised to do so by the Council or unless it represents an immediate threat to the health and safety of any person; or
- (c) interfere with, damage or destroy any public recycling bin or public litter bin.

8.4 Where Litter generated by, or attributable to, any premises is likely to be carried into any Public Place, for example from a fast food outlet, or restaurant providing take away food or the like, the Council may direct the Occupier of the premises to:

- (a) Take reasonable steps, to the satisfaction of the Council, on those premises, to prevent Litter being carried, or escaping on to the Public Place;

- (b) Take reasonable steps immediately adjacent to the premises to prevent Litter from the premises escaping onto the Public Place which may include (without limitation):
- i. Removing excess Waste or Litter and Diverted Material from public litter bins or public recycling bins, or receptacles provided by the Occupier of the premise, so as to avoid such Litter, Waste or Diverted Material escaping onto the Public Place;
 - ii. Removing any excess Waste, Litter or Diverted Material which has already escaped onto the Public Place, from around the public litter bins or public recycling bins or receptacles.

Non-Compliance

8.5 Provisions may be applied under Section 12 of this bylaw.

9. RESOURCE OR BUILDING CONSENTS

9.1 The Council may at its discretion require individuals or organisations lodging building consents for commercial, industrial or retail developments, to submit and adhere to an approved waste management plan for managing waste streams onsite during construction. The Waste Management Plan requirements may include the provision of information about:

- (a) Methods to separate construction waste and recyclable materials onsite.
- (b) Intended destinations for the different waste streams.
- (c) Methods to record the quantities of each waste stream removed from site.
- (d) Communication methods to ensure the principal and sub-contractor staff are informed of the content in 9.1(a).

Reports on quantities of each waste stream removed from site shall be provided to Council upon request, and at project completion.

9.2 The Council may at its discretion require individuals or organisations lodging resource or building consents for commercial, industrial or retail developments, to submit and adhere to an approved waste management plan for managing waste onsite once the building(s) are operational. This will be notified by Council to the applicant during the building consent process. The Waste Management Plan requirements may include providing information about:

- (e) Expected type(s) of activity onsite.
- (f) Types and estimated weekly volumes (m³) of major waste streams.
- (g) Methods to separate and store different waste and recoverable materials (bin types).
- (h) The area (m²) and the location within the site set aside for bin storage - demonstrating sufficient space for separation of different waste streams.
- (i) Access for collection vehicles of a size suited to the volumes expected to be generated.
- (j) Methods to reduce litter, vermin, odour, vandalism and fire risk.
- (k) Provision and management of public waste and recycling litter bins if appropriate to the type, size and scale of development.

Non-Compliance

9.3 Provisions may be applied under Section 12 of this bylaw.

10. EVENTS

- 10.1 Organisers of events sponsored, funded or partially funded by the Council or taking place on Council owned, administered or controlled land or roads shall consider the waste implications of the event.
- 10.2 The Council may require an event organiser to prepare a Waste Management and Minimisation Plan for that event. The level of detail required in a plan to reflect the size and complexity of the event. The Event Waste Management and Minimisation Plan may be required to include all of part of the following:
- (a) an estimate of the types and amounts of waste expected to be generated by the event;
 - (b) how waste generated by the event is to be minimised;
 - (c) the steps that will be taken to maximise the collection and use of reusable, recyclable or compostable material;
 - (d) the equipment that will be provided for the storage, collection and transportation of waste and diverted material;
 - (e) the person or organisation responsible for the collection and disposal of waste and the methods to be used;
 - (f) the timing and frequency of collection and disposal of waste, during or after the event;
 - (g) how litter will be managed at the event; and
 - (h) waste breakdown information following the conclusion of the event.

Non-compliance

- 10.3 Event organisers who do not comply with this bylaw with reference to Section 10, may be subject to the following action being taken against them:
- (a) provisions applied under Section 12: Offences;
 - (b) revocation of permit / permission for the event organiser to host an event on Council owned land;
 - (c) revocation part of or all Council funding for the event.

11. LICENSING OF WASTE AND DIVERTED MATERIAL COLLECTORS

Overview

- 11.1 Any person involved in the removal, collection or transportation of more than thirty (30) tonnes of Approved Waste or Diverted Material listed in Schedule 3 in any one twelve (12) month period within the District shall hold a Licence to do so issued by the Council.

Applications for Licences

- 11.2 Every application for a Licence must:
- (a) be made in the prescribed form as set out in Schedule 6 and as updated by the Council from time to time; and
 - (b) describe the activities in respect of which the Licence is sought; and
 - (c) be accompanied by the application and processing fee; and

(d) include such further supporting information as the Council may require for processing of the application.

- 11.3 A Licence may be granted at the discretion of the Council, upon and subject to such terms and conditions as the Council considers appropriate taking into account, but not being limited to, the matters listed in section .

Granting a Licence

- 11.4 When exercising its discretion to grant a Licence and considering the conditions to be imposed under it, the Council may take into account such matters as have bearing on the decision to grant a Licence to that applicant including but not limited to the following:
- (a) The extent to which the licenced activities will promote public health and safety and assist the Council achieve the objectives of the Council's operative Waste Management and Minimisation Plan;
 - (b) The quantity and type of Waste or Diverted Material to be removed, collected, transported, treated or disposed;
 - (c) The methods employed for the removal, collection, transportation, storage, treatment or disposal of Waste and Diverted Material including the identity of the Waste and Diverted Material Facility at which it is proposed that treatment or disposal will occur;
 - (d) The areas of the district in which the license holder intends to operate, and the predominant type of premise they intend to collect from (e.g. household, business);
 - (e) The number and type of vehicles, equipment and containers to be used for the collection, removal, transportation or disposal of Waste or Diverted Material;
 - (f) The destination(s) for the material collected;
 - (g) The applicant's experience, reputation and track record in the Waste and Diverted Material industry, including any known past operational issues which may affect the applicant's performance, and any breaches of previous licence conditions;
 - (h) The applicant's financial position; and
 - (i) The terms and conditions under which disposal of Waste and Diverted Material is permitted and the existence of or need for any statutory approvals, authorisations or consents required to be held or complied with in respect of such disposal.

Licence Conditions

- 11.5 The Council may impose such terms and conditions on a Licence as it determines.
- 11.6 A licensed collector shall comply with all terms and conditions of the Licence.
- 11.7 The Council may suspend or revoke a Licence if the Licence holder fails to comply with this Bylaw, any of the terms and obligations of the Licence or acts in a manner which, in the opinion of the Council, renders the Licence holder unfit to hold such a Licence.
- 11.8 The licensed collector shall provide annual reporting to Council of the types, quantities (tonnages) and destinations of material types.
- 11.9 Containers shall display business (trading name) and contact number.

Non-compliance

11.10 Any license holder who does not comply with this bylaw with reference to Section 12, may be subject to the following action being taken against them:

- (a) provisions applied under Section 12: Offences;
- (b) suspension or withdrawal of license to collect in the district.

12. OFFENCES

- 12.1 Any person who breaches any provision of this Bylaw commits an offence (and is therefore subject to provisions) under s239 of the Local Government Act 2002, s15 of the Litter Act 1979 and s66 of the Waste Minimisation Act 2008.
- 12.2 A person found guilty of an offence by summary conviction under s239 of the Local Government Act, s15 of the Litter Act 1979 or s66 of the Waste Minimisation Act 2008 is liable to a fine of up to \$20,000.

13. SELWYN DISTRICT COUNCIL GENERAL BYLAW 2009

- 13.1 The provisions of the Selwyn District Council General Bylaw 2009 and any bylaw passed in amendment or substitution are implied into and form part of this Bylaw.
- 13.2 In the event of inconsistency or conflict between the provisions of this Bylaw and any other bylaw of Selwyn District Council, the provisions of this Bylaw shall prevail.

The **COMMON SEAL** of the
SELWYN DISTRICT COUNCIL
was hereunto affixed, in accordance
with the Resolution made by the
Council on 10 April 2024
in the presence of:

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)
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)



A handwritten signature in blue ink, appearing to be "UP", written over a horizontal line.

Mayor

A handwritten signature in black ink, appearing to be "D. McLean", written over a horizontal line.

Chief Executive

SCHEDULE 1 – APPROVED COLLECTION CONTAINERS – KERBSIDE COLLECTIONS

This schedule defines all approved collection containers for Council kerbside collection services and maximum acceptable weights. Approved Collection Containers have been provided by the Council's Collection Contractor and carry the Selwyn District Council logo.

Approved Collection Containers for Waste

Pre-purchased 60 litre bag	12kg
80 litre wheelie bin with a red or dark green lid	30kg
240 litre wheelie bin with a red or dark green lid	60kg

Approved Collection Containers for Recycling

240 litre wheelie bin with a yellow lid	60kg
60 litre black crate (off-route properties only)	15kg

Approved Collection Containers for Organic Material

240 litre wheelie bin with a lime green lid	60kg
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SCHEDULE 2 – CLASSIFICATION OF KERBSIDE WASTE AND DIVERTED MATERIAL

This schedule defines what waste and diverted material is approved or permitted in the Council Kerbside Collection Service.

These items are subject to change, please refer to the Council website for the most up-to-date information.

Permitted Waste	Any waste not suitable for the recycling or organic collection that is not defined as controlled waste or prohibited waste.
Potentially Nuisance Waste	<p>Potentially Nuisance Waste is approved waste for the Council Kerbside Collection provided it is contained so as to prevent injury, damage or loss, secured to avoid puncturing the collection bag, or contained to prevent nuisance including a smell nuisance (for example, wrapped in paper), such as:</p> <ul style="list-style-type: none"> (a) Broken glass, broken china, broken plastic, razor blades, knives, or any other material capable because of its shape or form of causing injury. (b) Any sharp object or material capable of puncturing the collection bag or material capable of being rendered so during collection. (c) Any putrescible waste, such as vegetable and meat kitchen scraps. (d) Any other material that may be determined as controlled by the Council.
Prohibited Materials	<p>The following items are classified as prohibited waste and are not accepted in any Council Kerbside Collection Service:</p> <ul style="list-style-type: none"> (a) Any explosive material, flammable material, infectious material, radioactive material, corrosive material, oxidant, toxic material, or any other matter of any kind whatsoever that may endanger any person, animal or vehicle which may come into contact with the material at any time prior to, during or after disposal. (b) Liquids or containers containing liquids. (c) Hot ashes or other hot material. (d) Compressed-gas cylinders. (e) Asbestos containing materials. (f) Hazardous waste which means containing substances defined in Section 2 of the Hazardous Substances and New Organisms Act 1996. (g) Tyres.
Permitted Recyclables	<ul style="list-style-type: none"> (a) Rigid plastic containers identified with recycling symbols 1, 2 and 5 (empty, washed and no lids). (b) Steels tins and aluminium cans (washed). (c) Glass bottles and jars (washed and no lids). (d) Clean paper and cardboard (for example office paper, magazines, newspaper, egg cartons, cereal boxes and envelopes).
Prohibited Recyclables	<p>Prohibited recyclables are any other items not listed under permitted recyclables, including but not limited to:</p> <ul style="list-style-type: none"> (a) Soft plastic (such as lunch wrap, bread bags or supermarket shopping bags).

	<ul style="list-style-type: none"> (b) Plastics labelled 3, 4, 5 and 7, or unnumbered plastics. (c) Pesticides, oil or hazardous chemicals. (d) Ceramics, crockery, porcelain and oven ware. (e) Pots and pans. (f) Aerosols (g) Mirrors, window glass or drinking glasses. (h) Light bulbs. (i) Bubble wrap. (j) Hot ashes. (k) Polystyrene. (l) Materials contaminated with food. (m) Clothing, fabric or shoes. (n) Nappies.
Permitted Organic Material	<ul style="list-style-type: none"> (a) Putrescible waste such as food scraps, unless it causes a nuisance. (b) Garden waste such as lawn clippings, hedge trimmings, weeds etc. (c) Newspaper, cardboard or brown paper bags may only be used to line the bin.
Prohibited Organic Material	<p>Prohibited organic material is any other item not listed under permitted organic material, including but not limited to:</p> <ul style="list-style-type: none"> (a) Sawdust. (b) Soil, stones and gravel. (c) Flax and bamboo. (d) Cabbage tree leaves. (e) Branches over 10cm in diameter. (f) Animal waste. (g) Ash. (h) Leather items. (i) Clothing, fabric or shoes. (j) Nappies. (k) Plastic bags. (l) Any item marked as “compostable”, “biodegradable” or “degradable” including but not limited to plastic bags, packaging, cutlery, plates and takeaway cups. (m) Any organic material contaminated with chemicals known to compromise the quality of compost (example clopyralid). (n) Paper and cardboard (except where the item is being used to line the bin). (o) Napkins and paper towels. (p) Teabags.

SCHEDULE 3 – CLASSIFICATION OF MATERIALS AT A WASTE AND DIVERTED MATERIAL FACILITY

This schedule defines what waste and diverted material is approved or permitted to be dropped off at the Council Waste and Diverted Material Facility (Pines Resource Recovery Park)

These items are subject to change, please refer to the Council website for the most up-to-date information.

Permitted Materials for Waste Disposal	Any waste not listed in the permitted materials for recycling, organic or hazardous disposal that is not defined as a prohibited material.
Permitted Materials for Recycling	<ul style="list-style-type: none"> (a) Rigid plastic containers identified with recycling symbols 1, 2 and 5 (washed and no lids). (b) Steels tins and aluminium cans (washed). (c) Empty aerosol cans. (d) Whiteware and scrap metal. (e) Polystyrene. (f) Clothing. (g) Glass bottles and jars (washed and no lids). (h) Clean paper and cardboard (for example office paper, magazines, newspaper, egg cartons, cereal boxes and envelopes). (i) E-Waste (for example computers, monitors, CRT and flat screen TVs, cables, stereos and mobile phones). (j) Child car seats. (k) Tyres. (l) Reusable items (once approved by staff on site). (m) Plasterboard (clean, new offcuts only). (n) Any other items as specified by signage on site.
Permitted Organic Material	<ul style="list-style-type: none"> (a) Putrescible waste such as food scraps, unless it causes a nuisance. (b) Garden waste such as lawn clippings, hedge trimmings, weeds etc. (c) Food soiled cardboard (such as pizza boxes). (d) Napkins and paper towels.
Prohibited Organic Material	<p>Prohibited organic material is any other item not listed under permitted organic material, including but not limited to:</p> <ul style="list-style-type: none"> (a) Sawdust. (b) Soil. (c) Stones and gravel. (d) Flax and bamboo. (e) Cabbage tree leaves. (f) Branches over 10cm in diameter. (g) Animal waste. (h) Ash. (i) Leather items.

	<ul style="list-style-type: none"> (j) Clothing or fabric. (k) Nappies. (l) Any plastic bags (including those labelled as “degradable” or “compostable”). (m) Any organic material contaminated with chemicals known to compromise the quality of compost (example clopyralid).
Permitted Materials for Hazardous Waste Processing	<p>The following items are accepted for safe disposal in household quantities:</p> <ul style="list-style-type: none"> (a) Liquefied Petroleum Gas (LPG) cylinders. (b) Expired or empty fire extinguishers. (c) Household cleaning agents. (d) Insecticides, herbicides and pesticides. (e) Batteries. (f) Fluorescent lighting tubes. (g) Engine oil. (h) Paint and solvents. (i) Lab chemicals.
Prohibited Materials	<p>The following materials are prohibited to be disposed of at any area of the Pines Resource Recovery Park:</p> <ul style="list-style-type: none"> (a) Refrigerants. (b) Explosive material (such as fireworks, ammunition and emergency flares). (c) Radioactive Material. (d) Asbestos. <p>Please contact an approved hazardous waste service provider for information on disposing of these materials.</p>

SCHEDULE 4 – COLLECTION TIMES FOR WASTE AND DIVERTED MATERIAL

Approved Collection Containers must be put out for collection on the applicable collection day no later than the following times:

Eligible Properties on State Highway 1:	6.30am
All other Eligible Properties:	6.30am

SCHEDULE 5 – WASTE AND DIVERTED MATERIAL REQUIRING A LICENSED COLLECTOR

In accordance with Section 12 of this Bylaw, a collector is required to hold a Licence for the collection of Waste or the following Diverted Material:

- (a) Waste.
- (b) Glass.
- (c) Plastic.
- (d) Steel.
- (e) Aluminium.
- (f) Paper.
- (g) Cardboard.
- (h) Organic Material.
- (i) Tyres.
- (j) Oil.
- (k) Sewerage and biosolids.

SCHEDULE 6 – FORM OF APPLICATION FOR A LICENCE

Application for Licence for Waste and Diverted Material Collectors

Pursuant to Selwyn District Council Waste Management and Minimisation Bylaw 2019

1. Applicant Details

Company name:	<input type="text"/>		
Name of any previously owned companies for similar services:	<input type="text"/>		
How many years have you been operating in this industry?	<input type="text"/>		
Postal address:	<input type="text"/>		
Contact name:	<input type="text"/>	Position:	<input type="text"/>
Contact phone:	<input type="text"/>	Mobile:	<input type="text"/>
Email:	<input type="text"/>		

2. What materials are you intending to collect?

(please tick all that apply)

- | | |
|--|--|
| <input type="radio"/> General waste | <input type="radio"/> Paper / cardboard |
| <input type="radio"/> Glass | <input type="radio"/> Organic waste |
| <input type="radio"/> Plastics | <input type="radio"/> Oil |
| <input type="radio"/> Scrap metal | <input type="radio"/> Biosolids / sewerage waste |
| <input type="radio"/> Tyres | |
| <input type="radio"/> Other (please specify) | <input type="text"/> |

3. Where do you primarily intend to collect from?

(please tick all that apply)

- | | |
|----------------------------------|----------------------------------|
| <input type="radio"/> Households | <input type="radio"/> Businesses |
|----------------------------------|----------------------------------|

4. Which area of the district do you intend to collect from?

- ☐ District wide
- ☐ Specific townships only (please list them)

5. What frequency do you intend to provide the collection service?

- ☐ Weekdays only (Mon – Fri) ☐ All week (Mon – Sun)
- ☐ Other (please specify)

6. Which type of collection container do you intend to use?

(please tick all that apply)

- ☐ Drums ☐ Wheelie bins (MGBs)
- ☐ 4 wheeled wheelie bins ☐ Frontload bins
- ☐ Gantry skips ☐ Hookload skips
- ☐ Crane skips
- ☐ Other (please specify)

7. Please list which facilities you intend to transport collected material to (i.e where are you taking rubbish?):

(please list the facility to which you expect to predominantly transport collected material)

Facility 1

Name:

Address:

Material
type(s)
(e.g. waste or
cardboard):

Facility 2

Name:

Address:

Material
type(s):

Facility 3

Name:

Address:

Material
type(s):**Facility 4**

Name:

Address:

Material
type(s):**8. Declaration**

I confirm that the information contained in this application is true and correct to the best of my knowledge and that I have read and understood the Licence Conditions and Offences clauses 11 and 12 of the Selwyn District Council Waste Management and Minimisation Bylaw 2019.

Signature of applicant

Date

9. Fee for five years (non-refundable)

Licence Application Fee

\$125.00