

In accordance with clause 7.1 of the Wellington City Council Solid Waste Management and Minimisation Bylaw 2020, the Council resolves the following controls in relation to solid waste management, collection and disposal and the use of the Southern Landfill.

1. Introduction and Commencement

1.1. These are Council resolutions made pursuant to clause 7.1 of the Wellington City Council Solid Waste Management and Minimisation Bylaw 2020 (“the Bylaw”) and should be read and conjunction with it.

1.2. These resolutions come into force on 25 January 2021.

2. Controls

Waste Collection Services (applicable to any Council or privately provided collection service)

2.1. The permitted times for waste, recycling or other diverted material collection services, whether the service is provided by Council or private waste collectors, are as follows:

- a) For areas within the Central Area (as defined by the Wellington City District Plan) collection services are permitted 7 days of the week between the hours of 6.00pm and 7.00am.
- b) For areas outside of the Central Area, collection services are permitted from Monday to Saturday between the hours of 7.00am and 9.00pm, with the following exceptions:
 - I. On roads classified under the following categories (as defined by the Wellington City District Plan) collection services may commence from 6.00am:
 - State Highway
 - Arterial
 - Principal.
 - II. On any Principal or Arterial road, no collection services shall occur between the hours of 7.00am to 9.00am or 4.00pm to 6.00pm.
- c) The Council may approve a variation to collection times for reasons of health, safety or congestion. Requests must be made to the relevant Council Director. Prior to the Council Director’s consideration of the request, all affected parties must be notified by the Council and given the opportunity to have their views considered by the Council Director as part of the decision-making process. If a variation to collection times is approved by the Council Director, the collection service provider must notify all affected customers in writing of the times for when waste and diverted material must be put out.

- 2.2. Where the operation of a waste, recycling or other diverted material collection service can be carried out entirely on private property, the permitted times are as follows:
- a) For the Central Area, collection services are permitted on any day and at any time.
 - b) For areas outside of the Central Area, collection services are permitted on any day at any time except for between the hours of 10.00pm and 6.00am, unless the conditions of a current resource consent for the property or an activity on the property provide otherwise.
- 2.3. The emptying of Council provided pedestrian waste or litter receptacles located in public places may occur on any day and at any time.
- 2.4. The Council may declare some streets or parts of streets where it is not possible to safely undertake the collection of approved receptacles as being unsafe for waste, recycling or other diverted material collection services. Where an area is deemed by Council to be unsafe for undertaking a waste collection service, the Council may limit, condition, or prohibit the deposit of waste, recycling or other diverted material for collection within that area.
- 2.5. No Council waste or recycling collection services will be provided to any property or premises where the servicing operation would be required to be undertaken on a new private road or new private access way created after 25 January 2021. Council may grant an exemption from this restriction if:
- a) The owners and/or managers of all of the affected properties or premises located on the private road or access way can demonstrate to the satisfaction of Council that use for waste servicing purposes can meet Council's relevant traffic and health and safety requirements; and
 - b) The owners and/or managers of all of the affected properties or premises have been granted an exemption or waiver by the Council; or
 - c) An easement is created over the private road or access way providing the Council the legal authority to access private property for waste servicing purposes, subject to agreement that the Council, or any waste service-related operator acting on Council's behalf, will not be liable to any property owner or third party for any damages caused or perceived to have been caused for any direct or indirect damage to the road or access way.
- 2.6. Where 10 or more properties are located on any one private road or access way created after 25 January 2021, no Council provided waste or recycling collection services will be available from or on the adjoining or adjacent Council road reserve or berm for those properties, unless for the following standards are met:
- a) A dedicated Council approved shared waste servicing/collection area is provided to serve the needs of the properties or premises that are accessed by the private road or access way; and
 - b) The waste servicing/collection area can be safely accessed by a service vehicle from a public place; and

- c) The servicing collection area can meet the Council's relevant engineering, planning, traffic, and health and safety requirements.

Storage of Waste

- 2.7. Waste, recycling or other diverted material must not be stored in or on a public place unless specifically approved by the Wellington City Council.

Placement and Retrieval of Waste Receptacles

- 2.8. Waste, recycling or other diverted material may only be placed in or on a public place for collection pursuant to the Bylaw or the controls made under the Bylaw unless otherwise approved by the Wellington City Council.

- 2.9. Approved receptacles must be placed in an appropriate location in or on a public place for the collection of waste, recycling or other diverted material during the following permitted times:

- a) For areas within the Central Area, no receptacle is permitted to be placed for collection between 7.00am and 5.00pm.
- b) For all areas outside of the Central Area, receptacles may be placed for collection from 7.00pm on the day preceding collection and must be placed for collection before 6.00am on the day of collection or by the latest time as notified by the collection service provider.
- c) All receptacles and any uncollected waste, recycling or other diverted material must be removed from the public place by 7.00am on the day following collection day for areas within the Central Area, or by 12 noon on the day following collection day for areas outside of the Central Area.

- 2.10. Approved receptacles, and any uncollected waste, recycling or diverted material outside of an approved receptacle, intentionally or otherwise, remain the property and responsibility of the depositor and will be considered litter under the Litter Act 1979 if not removed from the public place and will be subject to enforcement action under that Act.

- 2.11. Any receptacle used for the disposal of waste, recycling or any other diverted material and placed in or on a public place for collection must be an approved receptacle and must have the name and contact details of the collection service provider clearly identified on the outside of the receptacle.

Waste Separation

- 2.12. No more than 10% green waste shall be deposited into any Council provided waste receptacle.

- 2.13. No waste, other than clean accepted recyclable materials, shall be deposited in any approved receptacle provided for recycling purposes.

2.14. No waste, other than accepted materials, shall be deposited at any resource recovery station or recycling centre.

Note: A list of accepted recyclable materials and materials accepted at resource recovery stations and recycling centres will be made available to service users by the applicable service provider.

Restrictions on Materials

2.15. No person shall deposit or cause or allow any of the following materials to be deposited in any approved receptacle placed for collection:

- a) Explosives, hot ashes, highly inflammable material or infectious material;
- b) Liquids, acids, printer's ink, paint, or any other viscous fluid;
- c) Any trade waste, offal or dead animals;
- d) Any commercial or industrial waste except as allowed under clause 9.2 of the Bylaw;
- e) Any pesticides, herbicides, fungicides or other toxic compounds or any containers that have been used to hold such materials;
- f) All batteries; or
- g) Any other prohibited waste as identified under the definition of "prohibited waste" in clause 6 of the Bylaw.

Note: Household substances which are excluded from kerbside waste collection services under clause 2.15 (above) may be taken to the Hazardous Waste Storage Facility located at the Southern Landfill.

Collection Services for Multi-Unit Developments

2.16. Pursuant to clause 12.6 of the Bylaw, any new multi-unit development (comprising 10 or more residential units) shall be responsible for the appropriate deposit and disposal of all waste, recycling and other diverted material generated from the premises. This clause will become effective two years following the date on which the Wellington City Council Solid Waste Management and Minimisation Bylaw 2020 takes effect.

Note: For clarity, except as may be provided for by Council under clause 2.17 (below), no Council provided waste, recycling or other diverted material collection service will be available to any new multi-unit development of 10 or more residential units from two years following the commencement date of the Bylaw.

Construction and Demolition Waste Management and Minimisation Plans

2.17. In accordance with clause 14.1 of the Bylaw, the Council will require any person who is applying for building consent for building work with an estimated value of \$2 million or higher to submit a construction and demolition waste management and minimisation plan to the Council for approval prior to the commencement of the building work.

Southern Landfill

2.18. The Council may refuse to accept for disposal to the Southern Landfill the types of waste material described in clause 2.15 (above).

2.19. Prior to entering the Southern Landfill, landfill users are required to separate green waste from general waste in accordance with landfill use and entry requirements.

2.20. Prior to entering the Southern Landfill, in accordance with landfill use and entry requirements landfill users are required to separate:

- Hazardous substances
- All batteries
- Recyclable paper (as notified by the Council)
- Cardboard
- Glass bottles and jars
- Aluminium cans
- Compostable garden waste (as notified by the Council)
- Steel cans
- Tyres
- Electronic waste
- Materials as shall from time to time be notified by the Council.

2.21. In addition to the restrictions described in clauses 2.19 and 2.20 (above), the Council may also refuse to accept for disposal to the Southern Landfill any:

- a) Cleanfill.
- b) Items or material it considers, at its sole discretion, can reasonably be expected to be diverted from the waste stream.

2.22. For any vehicle entering the Southern Landfill, it will be a condition of entry that the owner and operator of the vehicle may be subject to a random audit of the contents of their waste and/or waste containers whether carried in a vehicle, trailer, or by some other means. Such inspections, sampling, testing or monitoring of waste, to be undertaken by landfill staff, may be for the purpose of:

- a) Determining whether or not people are complying with the controls and any specified conditions of use of the landfill, with regard to the types of waste or diverted material they are carrying in for disposal or deposit; or
- b) Monitoring the content of the waste stream for waste audit purposes.

2.23. Detection of any material that does not comply with the controls and/or any specified conditions made or set by Council for use of the Southern Landfill may result in:

- a) Refusal to accept that waste or load for disposal.
- b) A notice being issued against that person by the Council to prevent them from using the landfill.

c) Any other steps that may be taken by the Council in law.

2.24. No person shall remove or disturb any deposit of waste or diverted material, or remove any article or material of any kind from the Southern Landfill, unless authorised to do so by the Council.

2.25. No person shall light any fire on the Southern Landfill or on land designated for the purposes of the landfill without the express permission of the Council.

2.26. Any Council officer authorised under the Bylaw is hereby empowered to:

- a) Ensure that anyone entering the Southern Landfill complies with the conditions of entry and any other conditions to ensure compliance with health and safety requirements, operational requirements and the laws governing the use of the landfill.
- b) Inspect waste and waste containers as provided for in clauses 2.22 and 2.23 (above).
- c) Prevent a particular person or organisation from entering the landfill for previous failure to comply with this part or any direction given under it, failure to pay landfill or waste collector/operator licensing fees, or failure to comply with operational requirements, the laws governing the use of the landfill, or health and safety requirements in relation to waste management.

Event Waste Management and Minimisation

2.27. Any disposable service wear products used during any significant indoor or outdoor event (as defined by this bylaw) held on Wellington City Council owned land must comply with the Regional Event Packaging Guidelines.

Note: Wellington City Council reserves the right to decline the approval of an Event Waste Minimisation Plan if food waste diversion cannot be provided.