

# **Waitaki District Solid Waste Bylaw 2010**

## **Contents**

Preliminary .....	3
Interpretation .....	3
Council Facilities .....	5
Litter Bins .....	6
Lakes Camping .....	6
Kerbside Collections.....	6
Other Issues.....	7
Fines and Prosecution.....	7
SCHEDULE A - SPECIAL WASTE DISPOSAL .....	8
SCHEDULE B – SPECIAL WASTE DEFINITION AND CLASSIFICATION .....	12

# 1. Preliminary

The Waitaki District Council, pursuant to the provisions of Sections 145 and 146 of the Local Government Act 2002 hereby makes this Bylaw.

## 1.1 Title

The Title of the Bylaw shall be the Waitaki District Solid Waste Bylaw 2010. The Short Title of the Waitaki District Solid Waste Bylaw 2010 shall be “the Solid Waste Bylaw”.

## 1.2 Commencement

This bylaw shall come into force on 15 December 2010.

# 2. Interpretation

For the purposes of this bylaw the following definitions shall apply:

**Approval** means approved in writing by the Council, either by resolution of the Council or from the Council Representative.

**Approved Receptacle** means a waste receptacle that has been approved by Council.

**Business Waste** means waste that is generated from business activities.

**Characteristic** means any of the physical or chemical characteristics of a waste referred to in the Solid Waste Bylaw.

**Cleanfill** is material that has no potential to produce harmful effects on the environment. Cleanfill is generally a natural material such as clay, soil, rock or such other materials as concrete, brick or demolition products that are free from combustible or organic materials and are therefore not subject to biological or chemical breakdown.

**Commercial Waste** means waste from a commercial source such as shops, offices and other businesses.

**Council** means the Waitaki District Council.

**Council Representative** means the Council's Chief Executive Officer or Assets Group Manager, or other officer duly authorised by the Council's Chief Executive Officer.

**Difficult Waste** means waste that can cause a nuisance or has properties that cause it to require extra care in disposal, and includes waste as more particularly described in Schedule B. Difficult waste may be disposed of at a sanitary landfill provided a permit has been issued by the Council.

**District** means the Waitaki District.

**Domestic Waste** means waste that is generated from normal household activities.

**Drop Off Recycling Point** means an unmanned facility where bins are provided for people to place their recyclable materials, which are then transported to a Resource Recovery Park.

**Facility** means a Transfer Station, Resource Recovery Park, Drop Off Recycling Point or Sanitary Landfill operated by, or in association with the Council.

**General Solid Waste** means domestic, institutional, agricultural, industrial or commercial waste excluding special waste, green waste, clean fill and recyclable materials.

**Greenwaste** means material that is organic or vegetable, and generally in a natural state (i.e. has not been other than physically modified). The material may include soil attached to plant roots. Greenwaste does not include:

- Material defined as special waste;
- Kitchen waste (other than raw vegetable peelings or trimmings); or
- Other green waste material notified by the Council from time to time as being unacceptable.

Green waste shall be free of hazardous substances.

**Hazardous Waste** means any waste or combinations of waste that pose a present or potential hazard to human health or living organisms, and includes waste as more particularly described in Schedule B.

**Industrial Waste** means waste from industrial sources such as manufacturing businesses and processing businesses.

**Kerbside Collection** means the collection by Council or private contractors of approved receptacles containing solid waste, recyclables, greenwaste or food waste that are put out on the kerbside.

**Litter** means any refuse, rubbish, animal remains, glass, metal, garbage, debris, dirt, filth, rubble, ballast, stones, earth, or waste matter, or any other thing of a like nature.

**Permissible Litter** means litter that is permitted to be deposited in street litter bins and includes small quantities of such items as food wrappers, bottles etc but not domestic waste or business waste.

**Person** includes a corporation sole and also a body of persons whether corporate or incorporate.

**Recyclable Material** means a material that can be processed in such a manner that the end product can be re-used for the original or an alternative purpose.

**Resource Recovery Park** means a facility for the collection of recyclable materials or materials for re-use, which are sorted and sold for the purposes or waste minimization activities.

**Special Waste** means either difficult waste or hazardous waste.

**Sanitary Landfill** means a facility for the controlled disposal of solid waste and designated by the Council for that purpose.

**Transfer Station** means a facility for the collection of general solid waste, which is transferred to another facility for processing or disposal. Transfer Stations may also accept greenwaste and recyclable material which may be processed on site or transferred to another facility as appropriate.

**Waste Material** is defined as any cleanfill, domestic, general solid waste, greenwaste, hazardous waste, litter, special waste, or recyclable material.

### **3. Council Facilities**

Council may at its discretion provide a number of waste disposal or recycling facilities for the community as Council sees fit. These will be as part of the agreed levels of service as set by the Long Term Plan and Annual Plan processes. Such facilities may include Landfills, Transfer Stations, Resource Recovery Parks, Drop Off Recycling Points or local solutions for isolated communities. The hours of operations and charges for these facilities will be notified to the relevant sectors of the community and these details for Landfills, Transfer Stations and Resource Recovery Park will be notified on the Council website.

The acceptance criteria for Oamaru Landfill is included in Schedule B of this Bylaw.

#### **4. Litter Bins**

Council provides litter bins around the District for permissible litter.

**Offence 1: It is an offence to deposit any waste material, except for permissible litter, in bins provided for litter.**

**Offence 2: It is an offence to deposit any waste material beside litter bins even if the litter bin is full.**

#### **5. Lakes Camping**

Bins are provided at the Lakes Camping areas around the district for people who have paid to stay overnight at these locations. These bins are for waste generated by people while camping in these areas.

**Offence 3: It is an offence for people who do not hold a valid and current camping permit to dispose of waste in the bins at the Lakes Camping areas.**

**Offence 4: It is an offence to deposit waste that is not from normal camping activities in the bins at the Lakes Camping areas even if a current and valid camping permit is held.**

#### **6. Kerbside Collections**

Kerbside Waste Collections may be offered by Council or private contractors. Any refuse which is placed out for collection must be placed in a tidy manner.

**Offence 5: It is an offence for waste materials placed on the kerbside or roadside to create a nuisance to users of the road reserve. Such a nuisance includes but is not limited to obstruction, odour, leakage and litter.**

All waste placed on the kerbside or roadside remains the property and responsibility of the householder until the waste has been collected. Any waste collected from the kerbside or roadside becomes the property and responsibility of the company or person who collects the waste.

It is desirable for waste contractors to keep noise levels as low as practicable while carrying out their collections and be mindful that some residents sleep during daylight hours.

**Offence 6: It is an offence for waste collections to be undertaken from residential areas outside the following times:**

**7am – 7pm Monday to Friday**

**8am – 6pm Saturday**

It is the responsibility of the householder to ensure that any bin or receptacle is removed from the kerbside or roadside after collection of the waste.

**Offence 7: It is an offence for a householder or business to leave waste or a waste receptacle on the kerbside or roadside for a period exceeding 24 hours.**

## **7. Other Issues**

**Offence 8: It is an offence under this bylaw to deposit litter in any place other than a facility specifically provided for the purpose of accepting or managing litter. This includes depositing litter or waste material down public or private toilets.**

## **8. Fines and Prosecution**

Breach of this Bylaw may be prosecuted in the District Court. If a person or corporate body commits an offence under this Bylaw, Council may recover from the person or corporate body any costs involved in the remedying of that offence including contractor costs, administration and officer time. Littering may also breach the Litter Act 1979 and may be enforced by infringement offence notices or prosecution.

**SCHEDULE A - SPECIAL WASTE DISPOSAL**  
**Application and Permit Forms**

**Waitaki District Council**  
**Application to Dispose of Special Waste at a Sanitary Landfill**  
**Permit No.....**

Name of Generator: _____
Business Address: _____
Phone No. Business Hours _____ After hours: _____

Name of Waste Hauler: _____
Business address: _____
Phone No. Business Hours _____ After hours: _____

<b>Waste Characteristics</b>
Description of waste: _____
Source of Waste: _____
Quantity of waste (m3 or kg): _____
Packing/Containment Method: _____

<b>Declaration</b>		
I declare that the above waste is accurately described.		
Name: _____	Signature: _____	
Date: _____	Application Fee	\$ _____

**Disclaimer**

The acceptance of this application by the Waitaki District Council in no way obliges the Council to accept the waste described herein. Any costs associated with the processing of this application shall be payable by the applicant. A deposit may be required over and above the application fee. This deposit is partially refundable if the costs incurred by Council are less than the deposit amount. Refund of the deposit will be entirely at Council's discretion.

If the Council grants approval for the disposal, the applicant would be required to present the special waste at the site as described in the conditions of the approval and pay all costs associated with the assessment of the waste and meeting the conditions of approval, including any pre-treatment and on-site work required.

**Waitaki District Council**  
**Permit to Dispose Specified Special Waste at Oamaru Sanitary Landfill**  
**Permit No.....**

This permit is issued to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

For the disposal of  
Description: \_\_\_\_\_

Quantity: \_\_\_\_\_

Waste Code Category A B C D E \_\_\_\_\_

Characteristics Code \_\_\_\_\_

Waste Type Code \_\_\_\_\_

Waste Containing Codes \_\_\_\_\_

Special Conditions for disposal? Yes/No  
Conditions \_\_\_\_\_

The waste shall be delivered to the landfill securely contained and in accordance with any special requirements.

**Conditions of Permit**

1. Only the specified special wastes of the specified quantity may be disposed with this permit.
2. The specified waste shall be delivered to the landfill between the hours of \_\_\_\_\_ (time) on \_\_\_\_\_ (date).
3. The landfill operator shall refuse to accept waste where:
  - It does not conform to description, quantity or code
  - It is not delivered when specified on this permit
  - It is not delivered in a condition specified by any special requirements
  - It is not suitably contained
4. Disposal Record

Date \_\_\_\_\_

Co-ordinates: \_\_\_\_\_

- Area
- Base of tipping face
  - Over tipping face
  - Special waste area
  - Other

Area RL \_\_\_\_\_

Depth \_\_\_\_\_

Waitaki District Council

Permit No. \_\_\_\_\_

**Waitaki District Council**  
**Permit to Dispose Specified Special Waste at Palmerston Sanitary Landfill**  
**Permit No.....**

This permit is issued to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

For the disposal of  
Description: \_\_\_\_\_

Quantity: \_\_\_\_\_

Waste Code Category A B C D E \_\_\_\_\_

Characteristics Code \_\_\_\_\_

Waste Type Code \_\_\_\_\_

Waste Containing Codes \_\_\_\_\_

Special Conditions for disposal? Yes/No  
Conditions \_\_\_\_\_

The waste shall be delivered to the landfill securely contained and in accordance with any special requirements.

**Conditions of Permit**

1. Only the specified special wastes of the specified quantity may be disposed with this permit.
2. The specified waste shall be delivered to the landfill between the hours of \_\_\_\_\_(time) on \_\_\_\_\_(date).
3. The landfill operator shall refuse to accept waste where:
  - It does not conform to description, quantity or code
  - It is not delivered when specified on this permit
  - It is not delivered in a condition specified by any special requirements
  - It is not suitably contained
4. Disposal Record

Date \_\_\_\_\_

Co-ordinates: \_\_\_\_\_

- Area
- Base of tipping face
  - Over tipping face
  - Special waste area
  - Other

Area RL \_\_\_\_\_

Depth \_\_\_\_\_

## **SCHEDULE B – SPECIAL WASTE DEFINITION AND CLASSIFICATION**

(Note: Numbering and terminology used are generally consistent with the OECD classification, and refer in the first instance to untreated waste).

### **B1. Waste Categories**

#### B1.1. Hazardous waste

##### **Category A**

Category A waste is prohibited at a Council facility.

##### **Category B**

Category B waste is prohibited at a Council facility.

##### **Category C**

Category C waste may, at Council's sole discretion, be accepted at a sanitary landfill only.

#### B.1.2 Non-Hazardous waste

##### **Category D Difficult**

Category D waste may, at Council's sole discretion, be accepted at a sanitary landfill only.

##### **Category E Normal waste**

Normal waste is either General Solid waste or Green waste.

##### **Category F Clean fill**

### **B.2 Waste Classification Schedules**

### B.2.1. Category A Waste

Waste with the following characteristics, of the following types or containing the following substances shall constitute Category A hazardous waste:

#### B.2.1.1 *Waste with the following characteristics*

**a) H1 Explosives**

An explosive substance or waste is a solid or liquid substance or waste (or mixture of substances and wastes) that is, in itself, capable of chemical reaction of producing gas at such a temperature and pressure, and at such a speed, as to cause damage to the surroundings.

**b) H3 Flammable Liquids**

The word 'flammable' has the same meaning as 'inflammable'. Flammable liquids are liquids or mixtures of liquids containing solids in solution or suspension (for example paints, varnishes, lacquers etc but not including substances or waste otherwise classified on account of their dangerous characteristics) which give off a flammable vapor at temperatures of not more than 61 degrees C.

**c) H4.1 Flammable Solids**

Solids or waste solids, other than those classed as explosives, which under conditions encountered in transport are readily combustible, or may cause or contribute to fire through friction.

**d) H4.2 Substances or Waste Liable to Spontaneous Combustion**

Substances or waste that are liable to spontaneous heating under normal conditions encountered in transport, or to heating up on contact with air and then being liable to catch fire.

**e) H4.3 Substances or Waste Which, in Contact with Water, Emit Flammable Gases**

Substances or waste which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities.

**f) H5.1 Oxidising Substances**

Substances or waste which, in themselves are not necessarily combustible, but may generally by yielding oxygen, cause or contribute to the combustion of other materials.

**g) H5.2 Organic Peroxides**

Organic substances or waste which contain the bivalent O=O structure are thermally unstable substances which may undergo exothermic self-accelerating decomposition.

**h) H6.2 Infectious Substances**

Substances or waste containing viable microorganisms or their toxins, which are, know or suspected to cause disease in animals or humans.

**i) H7 Radioactive Material**

Substances that spontaneously emits radiation greater than background level. Includes alpha, beta, gamma, x-rays, neutrons, high energy electrons, protons, other atomic particles

**j) H8 Corrosives**

Substances or waste which, by chemical action, will cause sever damage when in contact with living tissue or in the case of leakage, will materially damage, or even destroy, other goods or the means of transport. They may also cause other hazards.

**k) H10 Liberation of Toxic Gases in Contact with Air or Water**

Substances or waste which, by interaction with air or water, are liable to give off toxic gases in dangerous quantities.

**l) H13 Capable of Yielding Another Material**

Substances that are capable, by any means, after disposal of yielding another material, e.g. leachate **which possesses any of the characteristics listed above.**

*B.2.1.2 Waste of the following types*

- a) Y1 Clinical waste from medical care in hospitals, medical centres and clinics.
- b) Y4 Waste from the production, formulation and use of biocides and phytopharamaeuticals.
- c) Y6 Waste from the production, formulation and use of organic solvents.
- d) Y10 Waste substances and articles containing or contaminated with polychlorinated biphenyls (PCBs) and/or polychlorinated terphenyls (PCTs) polybrominated biphenyls (PBBs).
- e) Y11 Waste tarry residues arising from refining, distillation and any pyrolytic treatment.
- f) Y14 Waste chemical substances arising from research and development or teaching activities which are not identified and/or are new and whose effects on man and/or the environment are not known.
- g) Y15 Waste of an explosive nature.

*B.2.1.3 Waste Containing the following:*

- a) Y19 Metal carbonyls
- b) Y33 Inorganic cyanides
- c) Y34 Acidic solutions or acids in solid form
- d) Y35 Basic solutions or bases in solid form
- e) Y38 Organic cyanides
- f) Y39 Phenols, phenol compounds including chlorophenols
- g) Y40 Ethers
- h) Y41 Halogenated organic solvents
- i) Y42 Organic solvents excluding halogenated solvents
- j) Y43 Any congener of polychlorinated dibenzo-furan
- k) Y44 Any congener of polychlorinated dibenzo-p-dioxin
- l) Y45 Organohalogen compounds other than substances referred to in this appendix (e.g. Y39, Y41, Y42, Y43, Y44)
- m) Y48 Radioactive substances

**B.2.2. Category B waste**

Such waste is only acceptable in hazardous waste containment facilities. Such a facility does not exist in the Waitaki District.

This waste includes all classes of hazardous waste not listed as category A or Category C waste.

**B.2.3 Category C Waste – Controlled**

*B.2.3.1. Waste having the following characteristics*

- a) H6.1 Poisonous Substances  
Substances or waste, liable either to cause death or serious injury or to harm human health if swallowed or inhaled or by skin contact.
- b) H11 Toxic (Delayed or Chronic)  
Substances or waste which, if they are inhaled or ingested or if they penetrate the skin, may involve delayed or chronic effects, including carcinogenicity.
- c) H12 Ecotoxic  
Substances or waste which if released, present or may present immediate or delayed adverse impacts to the environment by means of bioaccumulation and/or toxic effects upon biotic systems.

*B.2.3.2 waste of the Following Types*

- a) Y2 Waste from the production and preparation of pharmaceutical products.

- b) Y3 Waste pharmaceuticals, drugs and medicines.
- c) Y5 Waste from the manufacture, formulation and use of work preserving chemicals.
- d) Y7 Waste from heat treatment and tempering operations containing cyanides.
- e) Y8 Waste mineral oils unfit for their originally intended use.
- f) Y9 Waste oils/waste, hydrocarbons/water mixtures, emulsions.
- g) Y12 Waste from production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish.
- h) Y13 Waste from production, formulation and use of resins, latex, plasticisers, glues/adhesives.
- i) Y16 Waste from production, formulation and use of photographic chemicals and processing materials.
- j) Y17 Waste resulting from surface treatment of metals and plastics.
- k) Y18 Residues arising from industrial waste disposal operations.
- l) Y46 Waste collected from households.
- m) Y47 Residues arising from the incineration of household waste.

#### B.2.3.3 *Waste Containing the Following*

- a) Y20 Beryllium, beryllium compounds
- b) Y21 Hexavalent chromium compounds
- c) Y22 Copper compounds
- d) Y23 Zinc compounds
- e) Y24 Arsenic, arsenic compounds
- f) Y25 Selenium, selenium compounds
- g) Y26 Cadmium, cadmium compounds
- h) Y27 Antimony, antimony compounds
- i) Y28 Tellurium, tellurium compounds
- j) Y29 Mercury, mercury compounds
- k) Y30 Thallium, thallium compounds
- l) Y31 Lead, lead compounds
- m) Y32 Inorganic fluorine compounds excluding calcium fluoride
- n) Y36 Asbestos (dust and fibers)
- o) Y37 Organic phosphorous compounds

#### B.2.4 *Category D Waste – Difficult*

Difficult wastes includes:

- Fish, animal or other putrescible waste
- Sludge
- Dust
- Foam

- Documents requiring disposal under special conditions
- Timber processing waste
- Tree stumps or branches over 150mm diameter
- Hot ashes
- Liquids
- And other waste which the Council may prescribe as difficult waste

Except that fish, animal or other putrescible waste, dust or foam in a quantity that is generated in a typical household in a period of two weeks or less shall be categorised as normal waste.