



te kaunihera ā-rohe o
matamata-piako
district council



Matamata-Piako District Council

Solid Waste Management and Minimisation Bylaw 2024

Approved by Council 14 February 2024

Department	Strategic Partnerships and Governance
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Policy Supersedes	Matamata-Piako District Council Solid Waste Management and Minimisation Bylaw 2017 – Revoked 1 July 2024
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Next Review Date	14 February 2034



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1. Title

- 1.1. The title of this bylaw is the “Matamata-Piako District Council Solid Waste Management and Minimisation Bylaw 2024”.

2. Commencement

- 2.1 This bylaw comes into force on 1 July 2024.

3. Purpose

- 3.1 The purpose of this bylaw is to support:
- (a) The promotion and delivery of effective and efficient waste management and minimisation in Matamata-Piako district as required under the Waste Minimisation Act 2008;
 - (b) The implementation of Matamata-Piako District Council's waste management and minimisation plans;
 - (c) The purpose of the Waste Minimisation Act 2008 and the goals in the New Zealand Waste Strategy;
 - (d) The regulation of the collection, transport, and processing of waste;
 - (e) The protection of the health and safety of waste collectors, waste operators and the public; and
 - (f) The management of litter and nuisance in public places.
- 3.2 This bylaw is made pursuant to the Waste Minimisation Act 2008, Local Government Act 2002, Heath Act 1956, and the Litter Act 1979.

4. Compliance with Bylaw

- 4.1 No person may deposit, collect, transport, sort, store, process or dispose of waste in the Matamata-Piako district other than in accordance with this bylaw.
- 4.2 To avoid doubt, compliance with this bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, and rules of law.

5. Interpretation

- 5.1 In this bylaw, unless the context requires otherwise, the following definitions apply:

Term	Means:
Act	Waste Minimisation Act 2008
Advertising material	Any material which includes advertising, as defined by the Advertising Standards Authority.
Approved	Authorised in writing by the Council.
Approved collection points	Council-approved places, facilities, or receptacles where approved containers may be left for collection, or waste may be deposited.
Approved container	Any receptacle, bin, bag, or other container that has been approved by the Council for the collection of any type of waste or diverted material, with approval intended to support the prevention of nuisance, the protection of the health and safety of waste collectors and the

Term	Means:
	public, and the achievement of effective waste management and minimisation.
Authorised Officer	A person appointed by Council for the purposes of ensuring compliance with the Bylaw, pursuant to section 76 of the Act, section 177 of the Local Government Act (2002), and section 5 of the Litter Act 1979.
Building work	As defined in the Building Act 2004
Bylaw	This Solid Waste Management and Minimisation Bylaw
Class 1-5 fills	As defined by government regulations
Cleanfill material	As defined by government regulations
Cleanfill site	A Class 5 fill as defined by government regulations
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 activity or operation of a similar nature.
Construction and demolition waste	Waste generated from any building work (including renovation and repair) and includes but is not limited to concrete, plasterboard, insulation, wood, metals, brick, cardboard, metals, plastic or glass; as well as any waste originating from site preparation such as dredging materials, tree stumps, asphalt and rubble.
Council	The Matamata-Piako District Council or any person delegated or authorised to act on its behalf
Cover material	Means material specified by the Council under clause 7.22(d) as suitable for use as cover material at a class 1-5 fill site.
Deposit	To cast, place, throw or drop any waste or diverted material
Dispose or disposal	As defined in the Act
Diverted material	As defined in the Act
Domestic waste	Waste consisting of refuse, recyclable material or organic matter (food waste and/or greenwaste) originating from any household or from the cafeteria, lunchroom or canteen of any commercial enterprise.
Donation collection point	Place where approved types of waste may be deposited for the purposes of raising funds from the waste items.

Term	Means:
Estimated value	As defined in the Building Act 2004
Event	Any organised temporary activity of significant scale and/or occurring over multiple days that is likely to create litter including an organised gathering, open-air market, parade, protest, festival, film shoot, concert or celebration.
Food scraps	Waste that is derived from any item of food and is organic in origin and includes fruit and vegetable scraps, meat, fish, bone, and shell discards, and any other similar food scraps.
Green waste	Compostable plant material excluding flax, palm, and cabbage trees.
Handling waste	Removing, collecting, transporting, storing, sorting, treating, processing or disposing of waste
Hazardous waste	<p>Waste that:</p> <ul style="list-style-type: none"> (a) contains hazardous substances at sufficient concentrations to exceed the minimum degrees of hazard specified by Hazardous Substances (Minimum Degrees of Hazard) Regulations 2000 under the Hazardous Substances and New Organism Act 1996; or (b) meets the definition for infectious substances included in the Land Transport Rule: Dangerous Goods 1999 and NZ Standard 5433: 1999 – Transport of Dangerous Goods on Land; or (c) meets the definition for radioactive material included in the Radiation Protection Act 1965 and Regulations 1982. <p>It does not include domestic waste, commercial-domestic waste, inorganic material, construction and demolition waste or commercial waste</p>
Home composting	The activity of creating decaying organic matter from domestic green waste and/or food waste into compost.
Inorganic material	<p>Waste consisting of household equipment, furniture, appliances and material of a similar type that due to its nature or size cannot be collected as domestic waste in an approved container, and that is specified by the council as suitable for:</p> <ul style="list-style-type: none"> (a) collection from a public place by the council;

Term	Means:
	(b) collection from any premises by the council; or (c) delivery to a resource recovery facility
Landfill	Class 1 – 4 landfill or industrial monofill as defined by government regulation.
Licence	A licence, consent, permit or approval to do something under this bylaw and includes any conditions to which the licence is subject.
Litter	As defined in the Litter Act (1979)
Litter container	A receptacle provided for the collection of litter.
Manager	A person who controls or manages any premises, activity, or event, regardless of whether that person has a proprietary interest in those premises or that activity or event.
Multi-unit development	A development consisting of 10 or more residential or residential and commercial units on any premises. It includes a unit title development and any development with controlled or restricted access.
Nuisance	A nuisance in terms of the Health Act 1956
Occupier	In relation to any property or premises, the inhabitant occupier of that property or premises and, in any case where a property or premise is unoccupied, includes the owner.
Organic matter	Food waste and/or green waste that is specified by the council under clause 7.22(a) as organic matter.
Owner	In relation to any property or premises, the person entitled to receive the rack rent of the property or premises, or who would be so entitled if the property or premises were let to a tenant at a rack rent; and where such a person is absent from New Zealand includes their attorney or agent.
Person	An individual, a corporation sole, a body corporate, and an unincorporated body
Premises	Any separately occupied land, building, or part of the same.
Prohibited waste	Waste containing- (a) any material capable of causing injury to any person or animal unless the material is sufficiently contained to prevent injury; (b) any material capable of causing damage to the approved container or likely to shatter in the course of

Term	Means:
	<p>collection material unless the material is sufficiently contained to prevent damage to the approved container or to prevent injury;</p> <p>(c) any material that may endanger any person, animal or vehicle which may come in to contact with it prior to, during or following collection, transportation or disposal;</p> <p>(d) any radioactive wastes, but excluding domestic smoke detectors;</p> <p>(e) any used oil and lead-acid batteries;</p> <p>(f) any hazardous waste;</p> <p>(g) medical waste;</p> <p>(h) any material prohibited by the council under clause 7.22</p>
Public place	<p>(a) A place that is-</p> <p>(i) under the control of the council or a council-controlled organisation and/or</p> <p>(ii) that is open to or being used by the public, whether or not there is a charge for admission and</p> <p>(b) includes:</p> <p>(i) a road, whether or not the road is under the control of the council and including the berm and footpath, and</p> <p>(ii) any part of the public place.</p>
Recovery	As defined in the Act
Recyclable material or recyclables	Waste specified by the council under clause 7.22 as suitable for recycling.
Recycling	As defined in the Act
Refuse	<p>Waste which:</p> <p>(a) subject to (b), is not organic matter, recyclable material, prohibited waste, construction and demolition waste or inorganic material;</p> <p>(b) may include organic matter and/or recyclable material that does not exceed the maximum allowable limits specified by the council under clause 7.22 of this bylaw.</p>
Reuse	As defined in the Act
Rural	Any areas zoned and/or defined in the Matamata-Piako District Plan as rural.
Specified intended life	As defined in the Building Act 2004
Treatment	As defined in the Act
Waste	As defined in the Act

Term	Means:
Waste collector	A person who collects or transports waste as their primary business and includes commercial and non-commercial collectors and transporters of waste (for example, community groups and not-for-profit organisations); but does not include individuals who collect and transport waste for personal reasons (for example, a person taking household garden waste to a landfill).
Waste management facility	A facility which primarily provides waste treatment and disposal services or waste remediation and materials recovery services, in relation to solid waste.
Waste management facility operator	A person who owns or manages a waste management facility.
Waste management and minimisation plan	As defined in the Act
Waste operator	A person who is a waste collector or operates a waste management facility.
Waste remediation and materials recovery services	The remediation and clean-up of contaminated buildings and mine sites, mine reclamation activities, removal of hazardous material and abatement of asbestos, lead paint and other toxic material. This also includes recovery, sorting, and/or storage services in relation to waste.
Waste treatment and disposal services	The treatment or disposal of waste (including hazardous waste), including the operation of landfills, combustors, incinerators, compost dumps and other treatment facilities (except sewage treatment facilities), and waste transfer stations.

6. Controls

- 6.1 Any control specified by the council to support the implementation of this bylaw:
- (a) must, after consultation pursuant to the Local Government Act 2002, be made by a resolution that is publicly notified; and
 - (b) may:
 - i. prohibit, restrict, or control any matter or thing generally, for any specific category or case, or in a particular case;
 - ii. apply to all waste or to any specified category of waste;
 - iii. apply to Matamata-Piako or to a specified part of Matamata-Piako; and/or
 - iv. apply at all times or at any specified time or period of time

7. Collection, Transportation, Processing, and Disposal of Waste

GENERAL RESPONSIBILITIES

- 7.1 The occupier and the manager of a premises must ensure that waste from the premises is separated into waste types as determined by Council, and deposited for collection in the correct approved container. No person may deposit in a container material that is not approved for that type of container.
- 7.2 The occupier and the manager of any premises must ensure that:
- (a) reasonable steps are taken to prevent the waste escaping from any waste container;
 - (b) waste from the premises has no more than a minimal adverse effect on neighbouring occupiers;
 - (c) any waste container is regularly emptied when it is full; and
 - (d) the contents of any waste container, excluding containers for green waste, are protected from rain or ingress or egress of flies and animals;
- 7.3 The occupier and the manager of any premises who is in control of an approved container must ensure that:
- (a) All containers are kept in a safe location, hygienic, in good repair, and without any modifications or alterations to their appearance;
 - (b) if required, waste is deposited in the container in a manner that allows the whole of the contents to fall out easily and cleanly when the container is emptied;
 - (c) the container is placed for collection in an upright position off the carriageway, in front of the premises from which the waste originated and as close to the kerbside as possible (unless the container is placed at a council collection point or an authorised office has approved placement of approved containers in a location other than directly outside the premises);
 - (d) reasonable steps are taken to prevent the container disrupting or obstructing pedestrian and vehicular traffic and to preserve access to the premises; and
 - (e) the container is placed for the collection of waste and retrieved in accordance with any applicable control specified by Council under this bylaw.
- 7.4 No person may:
- (a) Deposit waste in a container that is damaged or otherwise likely to cause injury to the waste operator;
 - (b) Deposit waste in a container that is not approved or is in a condition that allows spillage of waste or is not of sufficient size to contain the waste;
 - (c) put waste into an approved container provided to any other person, without that other person's consent;
 - (d) remove waste from, or interfere with any waste deposited in, an approved container, except the council, a licensed waste collector or the person who deposited the waste;

- (e) remove a container provided by the council from the premises to which it has been allocated, except with the prior written approval of the council.
- 7.5 The occupier and the manager of any premises is responsible for any waste generated on the premises until it has been collected, including any waste that is not collected due to non-compliance with any part of this Bylaw.
- 7.6 Any waste that has not been collected for any reason shall be removed from the roadside by the occupier and returned to their premises by noon on the day following normal collection, or within such other time period as is specified by a control made under this Bylaw.
- 7.7 Where the conditions of clauses 7.1 through 7.4 have been breached, waste operators are not obliged to collect the waste.
- 7.8 No waste shall be transported through, over or upon any road or public place unless it is sufficiently and adequately secured to prevent any waste from falling or otherwise escaping.

LICENSING WASTE COLLECTION AND WASTE MANAGEMENT FACILITY OPERATORS

- 7.9 Any:
 - (a) waste collector who collects and/or transports more than 30 tonnes of waste in any one twelve month period from land in Matamata-Piako District; and
 - (b) waste management facility operator with a facility in the district of Matamata-Piako that handles more than 30 tonnes of waste in any one twelve month period;
 must have a waste operator licence issued by the Council, and may not collect waste or operate the waste management facility (as the case may be) without such a licence.
- 7.10 An application for a waste operator licence must be made on the application form which is available from Council, and must be accompanied by any application fee and the information required by the council to process the application.
- 7.11 The holder of an existing licence may apply to Council for a renewal of that licence.
- 7.12 A licence is personal to the holder and is not transferable.
- 7.13 A licence may be granted or refused at the discretion of Council, and if granted may be on such terms and conditions as Council thinks fit.
- 7.14 When considering a licence application, the Council may take into account the following non-exhaustive list of factors:
 - (a) The extent to which the licenced activities will promote public health and safety, and support achievement of the Council's waste management and minimisation plan, including goals and initiatives within that plan;
 - (b) The quantity and type of waste to be handled;
 - (c) The methods employed for the handling of the waste including the identity of the waste management facility at which it is proposed that recycling, recovery, sorting, storage, treatment, or disposal will occur;
 - (d) The frequency and location of the waste collection, removal and transportation services;
 - (e) The specifications of the vehicles (e.g. size/weight of vehicle and signage provisions), equipment, and containers to be used for the handling of waste;
 - (f) 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; and
 - (g) The terms and conditions under which any disposal of waste 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.

- 7.15 A licenced waste operator must comply with all terms and conditions of the licence. These may include, but are not limited to, the following matters:
- (a) Term – a licence may be granted for a term of up to five years;
 - (b) Licence fee – the licensee must pay an annual licence fee in an amount determined by Council from time to time;
 - (c) Bond – Council may, from time to time and on a case by case basis, require a licence holder to post a bank-guaranteed bond;
 - (d) Compliance with standards – the licence holder must comply with any standards or policies Council has set for waste handling such as:
 - i. Provision of waste collection services within reasonable times specified by Council;
 - ii. Provision of waste collection services at a minimum frequency as specified by Council;
 - iii. Ensuring that any approved containers provided clearly provide the name and contact details of the waste operator;
 - iv. The collection of any litter within a specified distance of an approved container awaiting collection and any litter spillage from the licence holder's vehicle during the collection, transportation, or disposal process;
 - (e) Provision of information – the licence holder must provide data relating to waste they have handled to Council during the term of their licence, in the form and at the times determined by the Council from time to time such as the quantities of various waste categories that have been handled by the waste operator during a period of time (e.g. a three month period, including the source and destination of each waste type and method of processing (recycling, recovery, treatment, disposal etc.)) Council will take all reasonable steps to keep commercially sensitive information confidential, for example by aggregating such information for reporting purposes.
- 7.16 Council may suspend or revoke a licence if the licence holder fails to comply with this bylaw, any of the terms or obligations of the licence, any relevant controls made under this bylaw, or acts in a manner which Council considers, on reasonable grounds and in light of the purpose of this bylaw, is not suitable for the holder of a waste operator licence.

GENERAL CONTROLS ON THE COLLECTION, TRANSPORTATION AND DISPOSAL OF WASTE

Collections from a public place

- 7.17 Waste may not be placed on a public place for collection unless it is a type of waste specified and approved by Council as able to be placed on or in a public place for collection, and is placed in an approved container for collection by a waste operator.
- 7.18 Prohibited waste, diverted waste, construction and demolition waste or commercial waste may not be placed on a public place for collection unless authorised by Council under this Bylaw.
- 7.19 Any waste operator who collects or transports waste from a public place must:
- (a) make available to the occupier or manager of a premises one or more approved containers to enable separate collection of each of the waste types required to be separately collected from the premises;
 - (b) clearly identify its name and contact details on all receptacles;
 - (c) not collect for disposal any domestic waste which has not been separated into refuse and recyclable material, and other waste types as may be subsequently specified by Council. However, this does not apply where the amount of

recyclable material and/or organic matter mixed with the refuse, or the amount of the recyclable material mixed with the organic matter or vice versa, does not exceed the maximum allowable limits specified by the council under clause 7.22(b);

- (d) not dispose to a class 1 – 5 fill any waste type that is capable of being reused or recycled.

7.20 Council may specify controls for the following matters in relation to the collection or transportation of waste from a public place:

- (a) the area to which the control applies;
- (b) the type, size, colour, and construction of approved containers that may be used for the storage and collection of waste;
- (c) the types of waste that may be collected in various types of approved container;
- (d) the categories of wastes that may be deposited at or collected from a public place;
- (e) the conditions applicable to any collection service from a public place - including the placement and retrieval of approved containers for collection, collection days and times, and restrictions on the number and weight of approved containers;
- (f) requirements to ensure the correct separation of categories of wastes into approved containers;
- (g) the locations, access times and conditions of use of Council waste collection points;
- (h) any other operational matter required for the safe and efficient operation of a collection service from a public place.

7.21 Any person providing or using a waste collection service in or from a public place must comply with all controls made under this bylaw by Council relating to that collection.

GENERAL CONTROLS

7.22 Council may specify controls for the following matters in relation to the collection, transportation or disposal of waste from any property:

- (a) types of domestic waste that may be treated for all purposes (including deposit, collection, transportation, and disposal) as recyclable, organic, or refuse;
- (b) maximum allowable limits of a specified waste type that may be collected or transported from a public place in an approved container for refuse and that subsequently may be disposed of;
- (c) maximum allowable limits of a waste type that may be placed in an container approved for another waste type;
- (d) types of waste that may be handled at any class 1 – 5 fill and material that may be used as cover material at any such site;
- (e) materials that may be used as natural or other hardfill material at a clean fill site;
- (f) types of waste that are prohibited.

COUNCIL COLLECTION POINTS

7.23 No person may deposit waste at a Council collection point other than in accordance with any applicable control.

7.24 Council may specify:

- (a) any place or receptacle in a public place as a Council collection point for the collection of domestic waste; and
- (b) controls relating to the deposit of waste at the Council collection point including the use of specified containers.

MULTI-UNIT DEVELOPMENTS

- 7.25 The owner and manager of a multi-unit development must make provision for the management of all waste generated within the property.
- 7.26 Subject to clause 7.27, the owner and manager of a multi-unit development must obtain approval from Council for a development waste management and minimisation plan.
- 7.27 A development waste management and minimisation plan must include but is not limited to:
- (a) identification of an adequate area on the premises for the storage of containers that is readily accessible to the occupiers of units and to a licensed waste operator to enable separate collection and transportation of refuse, recyclable material and/or organic matter;
 - (b) the methods to be used to minimise noise and odour and to keep the area hygienic, free from vermin or other infestations and protected from theft and vandalism;
 - (c) identification of the means and route of access and egress to the waste storage area;
 - (d) an estimate of the volumes of refuse, recyclable material and organic matter that will be generated;
 - (e) the steps which will be taken to further the objective of waste minimisation.
- 7.28 Any person who owns, occupies or manages a multi-unit development must comply with the approved development waste management and minimisation plan for that development.
- 7.29 Council may, on application, grant a written exemption from compliance with all or any the requirements of this clause if:
- (a) in the opinion of Council, the costs of full compliance would be disproportionate to any resulting waste management and minimisation benefits; or
 - (b) the manager or owner demonstrates to the satisfaction of Council that refuse, recyclable material and organic waste are separately and regularly collected.
- 7.30 Council may specify controls for the following matters in relation to the collection or transportation of waste from multi-unit developments:
- (a) the categories of recyclable material, organic matter and refuse that may be deposited at or collected from a multi-unit development;
 - (b) the times, locations and conditions applicable to any collection service from a multi-unit development, including the placement and retrieval of containers for collection, collection times and restrictions on the number and weight of approved containers;
 - (c) requirements to ensure the correct separation of refuse, organic matter and recyclable materials into containers;
 - (d) any other operational matter required for the safe and efficient operation of a collection service from a multi-unit development.
- 7.31 Any person who manages a multi-unit development or owns or occupies a unit in a multi-unit development must comply with any controls for the deposit, collection, transportation and management of waste in the multi-unit development made by the council.

EVENTS

- 7.32 Any organiser of a significant event must obtain prior approval from Council to an event waste management and minimisation plan for the event.
- 7.33 The council may require an event waste management and minimisation plan to set out:
- (a) an estimate of the types and amounts of waste to be generated by the event;
 - (b) how waste generated by the event is to be minimised;
 - (c) the steps to maximise the collection and use of recyclables and reusable material;
 - (d) the equipment to be provided for the storage, collection and transportation of waste and diverted material;
 - (e) the person responsible for the collection and disposal of waste and the methods to be used;
 - (f) the requirement to provide a waste analysis following the conclusion of the event; and
 - (g) any other matters relating to event waste management and minimisation that may be specified by Council.
- 7.34 The organiser of an event must comply with the approved event waste management and minimisation plan.
- 7.35 On completion of the event, the organiser must provide Council with a report on the implementation of the event waste management and minimisation plan, including a waste analysis which sets out the predicted and actual types and amounts of waste generated by the event, and which waste management facility was used to recover, recycle, treat or dispose of this waste.

CONSTRUCTION SITE WASTE MANAGEMENT AND MINIMISATION PLANS

- 7.36 Any person applying for a building consent for all building work with an estimated value of \$500,000 or higher must also submit a construction site waste management and minimisation plan to Council for approval.
- 7.37 A construction site waste management and minimisation plan must set out:
- (a) The name of the client, principal contractor, and person who prepared the site waste management and minimisation plan;
 - (b) The location of the site;
 - (c) The estimated total cost of the building work;
 - (d) A description of each type of waste expected to be produced;
 - (e) An estimate of the quantity of each type of waste; and
 - (f) The proposed method of waste management for each type of waste (e.g. recovery, recycling, disposal).
- 7.38 While the building work is being carried out, the principal contractor will:
- (a) Review the plan as necessary;
 - (b) Record quantities and types of waste produced; and
 - (c) Record the types and quantities of waste that have been:
 - i. Reused (on or off site)
 - ii. Recycled (on or off site)
 - iii. Sent to other forms of recovery (on or off site)
 - iv. Sent to landfill
 - v. Otherwise disposed of.

- 7.39 Within three months of completion of the building work the principal contractor must add to the plan:
- (a) Confirmation that the plan has been monitored and updated;
 - (b) A comparison of estimated quantities of each type of waste generated against the actual quantities of each waste type;
 - (c) An explanation of any deviation from the plan;
 - (d) An estimate of any cost savings that have been achieved by completing and implementing the plan.
- 7.40 The principal contractor must ensure that a copy of the plan is kept on site, and that every contractor knows where it can be found. It must be available to any contractor carrying out any work described in the plan.

INORGANIC MATERIAL

- 7.41 Council may specify controls for the following matters in relation to the collection of inorganic material from a public place:
- (a) the weight, size and nature of inorganic materials that may be deposited for collection by the council;
 - (b) the categories of inorganic waste that may be deposited for collection by the council;
 - (c) the times, locations and conditions applicable to the collection by the council of inorganic material from a public place;
 - (d) the methods by which the inorganic material may be collected; and
 - (e) any other operational matters required for the safe and efficient collection by the council of inorganic material from a public place.
- 7.42 Any person who deposits inorganic material for collection on, or collects or transport inorganic material from, a public place must comply with the controls made by the council.

NUISANCE AND LITTER

- 7.43 No person may:
- (a) allow any accumulation of waste or diverted material on any premises they own, occupy or manage to become offensive, a nuisance or likely to be injurious to health; or
 - (b) use an approved container in a manner that creates a nuisance, is offensive or is likely to be injurious to health.
- 7.44 Except as provided for under this bylaw, no person may:
- (a) burn or allow to be burnt on any property they own, occupy or manage any waste except organic matter in rural areas;
 - (b) bury or allow to be buried on any property they own, occupy or manage any waste except:
 - i. organic waste, including dead farm animals in rural areas;
 - ii. dead companion animals and nuisance pests; or
 - iii. for the purposes of home composting.
 - (c) dispose of any waste on any premises except at –
 - i. a class 1-5 fill, or
 - ii. any premises they own, occupy or manage, for the purposes of home composting.

- 7.45 No person may:
- (a) deposit any waste arising from that person's household or that person's business activities in any litter receptacle provided by Council in any public place;
 - (b) remove any waste from any litter receptacle provided by Council in any public place, where this results in any waste being deposited outside the receptacle, unless authorised by Council to do so;
 - (c) deposit or attempt to deposit any litter in any receptacle provided by Council in any public place if:
 - i. the receptacle is full; or
 - ii. the litter is likely to escape.
 - (d) fix or attach any flag, banner, bunting, balloon, sign, poster, leaflet or similar thing to any litter receptacle provided by Council in any public place; or
 - (e) damage any litter receptacle provided by Council in any public place.
- 7.46 The owner, occupier or manager of any premises on which any flag, banner, bunting, balloon, sign, poster, leaflet or similar device is displayed that is likely to become litter, must take all steps to the satisfaction of Council to prevent it becoming litter and to clean it up in the event that it does become litter.

DONATION COLLECTION POINTS

- 7.47 Anyone intending to establish a donation collection point must notify Council in advance and must operate the donation collection point in compliance with any requirements Council specifies including but not limited to: location, vehicle access, type of waste which may be deposited, use of approved containers, removal of deposited waste from the collection point, clean up of any litter or illegal dumping, and clean up or removal of any graffiti.

UNADDRESSED MAIL AND ADVERTISING MATERIAL

- 7.48 No person may deposit, cause, permit or authorise the deposit of any unaddressed mail or advertising material in any letterbox that is clearly marked 'no circulars', 'no junk mail', 'addressed mail only' or with words of similar effect, or around or near any such letterbox or associated vehicle accessway, or on any vehicle parked in a public place.

8. General Offences and Penalties

- 8.1 A person who fails to comply with this bylaw commits a breach of this bylaw and is liable to a penalty under the Waste Minimisation Act 2008, the Local Government Act 2002 and/or the Health Act 1956.
- 8.2 A person who commits a breach of this bylaw that is also an offence under the Litter Act 1979 is liable to a penalty under that Act.

9. Other Enforcement Powers

LICENCED WASTE OPERATORS

- 9.1 Where a licence holder does not comply with the terms and conditions of a waste operator licence, Council may take one or more of the following steps:
- (a) Issue a written warning to the licence holder, which may be treated as evidence of a prior breach of a licence condition during any subsequent review of the licence;
 - (b) Review the licence, which may result in:

- v. amendment of the licence; or
 - vi. suspension of the licence; or
 - vii. withdrawal of the licence.
- (c) Have recourse to any bond where Council has incurred any cost as a result of the breach of the licence condition, including where Council has itself performed or arranged for the performance of any licensed activity on the default of the licence holder;
 - (d) Review the amount and nature of the performance bond or security, which may result in:
 - a. an increase of the amount of the performance bond or security;
 - b. a change to the nature of the security that has been provided.
 - (e) Enforce any offence that may have been committed under the Litter Act 1979; and
 - (f) Enforce any breach of this bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

9.2 Where a person does not comply with any of clauses 7.1 to 7.4 the waste collector may:

- (a) Reject (i.e. not collect) the contents of any approved container left out by that person for collection from a public place, if the contents or placement of the container is non-compliant;
- (b) Remove the contents of any approved container left out for collection from a public place, where the contents or placement of the container is non-compliant, subject to payment of the costs of removal, administrative costs and an additional penalty equivalent to the amount payable for the collection of the largest available size of approved container of refuse from that premises;
- (c) Withdraw or suspend the collection service provided by the waste collector to that person.

9.3 Where a person does not comply with a control made by Council under clauses 7.17 to 7.24 Council may:

- (a) Suspend that person's use of any service provided by Council at any or every waste collection service;
- (b) Enforce any offence that may have been committed under the Litter Act 1979;
- (c) Enforce any breach of this bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

9.4 Where a person does not comply with any of clauses 7.17 to 7.21 Council may:

- (a) Enforce any offence that may have been committed under the Litter Act 1979;
- (b) Enforce breach of this bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

SITE WASTE MANAGEMENT AND MINIMISATION PLANS

9.5 Where a person does not comply with any of clauses 7.32 to 7.40, Council may take one or more of the following steps:

- (a) Enforce any offence that may have been committed under the Litter Act 1979; and
- (b) Enforce any breach of this bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

INORGANIC MATERIAL

9.6 Where a person does not comply with a control made by the council under clauses 7.41 and 7.42, Council (or a licensed waste operator where applicable) may:

- (a) Reject (i.e. not collect) the inorganic material, if the inorganic material or placement is non-compliant;
- (b) Remove the inorganic material, where the inorganic material or placement is non-compliant, subject to payment of the costs of removal, administrative costs and an additional penalty specified by the council;
- (c) Enforce any offence that may have been committed under the Litter Act 1979; and/or
- (d) Enforce any breach of this bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

10. Exceptions and Saving Provisions

- 10.1 A person is not in breach of this bylaw if that person proves that the act or omission was in compliance with the directions of an authorised Council officer.
- 10.2 A product stewardship scheme accredited under the Act may be exempted from the requirements of this bylaw.

11. Revocation

- 11.1 This bylaw repeals the Matamata-Piako Council Solid Waste Management and Minimisation Bylaw 2017.