



By-law made under the Local Government Act 1999

WASTE MANAGEMENT BY-LAW 2018

By-Law No 6 of 2018

To regulate and control the removal of domestic, recyclable and green organic waste from premises, for the prevention and suppression of nuisances, and for regulating the management of Council property.

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Waste Management By-law 2018*.

2. Commencement

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the Act.

3. Interpretation

In this by-law:

- 3.1 **green organics** means any clean organic matter consisting of lawn clippings, plants, leaves, prunings or other materials for which permission has been given by the Council but no item larger than 15cm in diameter;
- 3.2 **green organics container** means a container provided or designated by the Council for the reception of green organics;
- 3.3 **household waste** means any kind of domestic and kitchen waste generated from residences, but excludes liquids, metals (other than food containers), building materials, stones, bricks, soil, lead acid batteries and any dangerous or toxic waste;
- 3.4 **household waste container** means a container provided or designated by the Council for the reception of household waste;
- 3.5 **recyclables** means newspapers, magazines, clean paper and cardboard, clean plastic containers of a type specified by the Council, clean tins and cans, clean glass and clean milk and juice containers and other materials for which permission has been given by the Council;
- 3.6 **recyclables container** means a container provided or designated by the Council for the reception of recyclables.

Part 2 – Management of Waste

4. Provide Containers

Every occupier of domestic premises shall keep on his or her premises those containers designated from time to time by resolution of the Council for the reception of green organics, household waste and recyclables unless exempted by the Council.

5. Management of Waste Collection Service

An occupier of premises must:

5.1 Household Waste

- 5.1.1 ensure that the household waste container conforms with the container provided by the Council or otherwise designated from time to time by resolution of the Council;
- 5.1.2 ensure that the household waste container has a hinged lid that, when closed, keeps the container rain and fly proof and is designed in such a way so as to allow it to be mechanically lifted from the position in which it was placed for emptying by apparatus on trucks employed in the collection of rubbish;
- 5.1.3 ensure that the household waste container contains only household waste;

5.2 Recyclables

- 5.2.1 ensure that the recyclables container conforms with the container provided by the Council or otherwise designated from time to time by resolution of the Council;
- 5.2.2 ensure that the recyclables container has a hinged lid that, when closed, keeps the container rain and fly proof and is designed in such a way so as to allow it to be mechanically lifted from the position in which it was placed for emptying by apparatus on trucks employed in the collection of rubbish;
- 5.2.3 ensure that the recyclables container contains only recyclables;

5.3 Green Organics

- 5.3.1 ensure that the green organics container conforms with the container provided by the Council or otherwise designated from time to time by resolution of the Council;
- 5.3.2 ensure that the green organics container has a hinged lid that, when closed, keeps the container rain and fly proof and is designed in such a way so as to allow it to be mechanically lifted from the position in which it was placed for emptying by apparatus on trucks employed in the collection of rubbish;
- 5.3.3 ensure that the green organics container contains only green organics;

5.4 Keep Container Clean

cause each container to be kept in a clean and sanitary condition, maintained in good order and repair, and kept watertight at all times;

5.5 Sealing of Container

cause each container to be continuously and securely covered or sealed except when waste is being deposited in or removed from the container;

5.6 Damage

ensure that each container is maintained so that it is not damaged or worn to the extent that:

- 5.6.1 it is not robust or watertight;
- 5.6.2 it is unable to be moved on its wheels (if any) efficiently;
- 5.6.3 the lid does not seal on the container when closed;
- 5.6.4 any vertical partition becomes damaged to the extent that it does not properly keep separate the kinds of waste/recyclables in the compartments or becomes loose; or
- 5.6.5 its efficiency or use is otherwise impaired;

5.7 Collection Services

- 5.7.1 facilitate the collection and removal of household waste, recyclables or green organics from the premises on the day of or the night before (and not before these times) the scheduled collection day;
- 5.7.2 ensure that, prior to the time appointed by the Council (but not outside the times provided in subparagraph 5.7.1) for the collection of a particular kind of household waste, recyclables or green organics from the premises, the container containing that kind of waste is placed out for collection in a position:
 - 5.7.2.1 on the street in front of and on the same side as the premises, abutting the edge of (but not on) the carriageway and positioned so that the side of the container on which the hinges of the lid are situated faces the premises; or
 - 5.7.2.2 as otherwise approved by the Council; and
 - 5.7.2.3 not under the overhanging branches of street trees; and
 - 5.7.2.4 remove the container from that position on the same day after the collection has taken place.

Part 3 – Enforcement

6. Interference With Garbage

No person shall remove, disturb or interfere with any waste/recyclables (including bottles, newspapers, cans, containers or packaging) that has been placed:

- 6.1 for disposal in or near a household wastes container, a recyclables container or a green organics container; or
- 6.2 on a public street or road for collection by the Council, its agents or contractors, except with the permission of the Council or the authority of the owner.

Part 4 - Miscellaneous

7. Revocation

Council's *By-law No 6 – Waste Management*, published in the *Gazette* on 4 August 2011, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the City of Burnside held on 28th day of August 2018 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.



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Mr Paul Deb
Chief Executive Officer