



Statement of Proposal

Draft **Waste Management and Minimisation Bylaw and Administration Manual 2025**



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PALMERSTON
NORTH
CITY**





Introduction

The Council's principal document that guides how our City manages waste is the Waste Management and Minimisation Plan (WMMP), detailing the actions we will take over the next six years to minimise the amount of waste going to landfill. The Waste Management and Minimisation Bylaw and Administration Manual supports our Waste Management and Minimisation Plan. It does this by regulating how we provide waste and recycling collections, including our kerbside collections, drop-off points like the Ferguson Street Recycling Centre, and our public litter and recycling bins. It also includes rules for other waste collectors, and rules for minimising waste at events.

In this document, you can read about the changes we propose to make to our Bylaw and Administration Manual. These changes are intended to improve how we minimise the amount of waste going to landfill by strengthening some powers we have. You can also find out how you can have your say on our draft Bylaw and Administration Manual.

The Proposal

We propose to revise the current Waste Management and Minimisation Bylaw and Administration Manual. Most of the current Bylaw and Administration Manual is working well, but there are some improvements that can be made to support the Council's efforts to minimise the amount of waste going to landfill.

The main changes we propose are:

Changes to the provisions for licensing commercial waste collectors.

We propose to strengthen the existing licensing provisions, to support the new licensing system for commercial waste collectors (planned for 2026/27). The changes include conditions about the type and size of container that a commercial waste collector may use, and the days/times they may be licensed to operate. The current Bylaw already includes provisions enabling the Council to license waste collectors, but these provisions have not yet been implemented.

Including a new requirement for waste management and minimisation plans for construction and demolition waste.

The draft Bylaw includes a new provision that enables the Council to pass a resolution that would require building work that requires consent over a specified value to submit a site waste management and minimisation plan alongside their building consent application. The inclusion of this provision in the draft Bylaw does not – in itself – create the requirement to submit a site waste management and minimisation plan. Further work is required to determine several aspects of a new system such as this, including the appropriate threshold for the value of building work, the systems necessary to enable the consideration and monitoring of site waste management and minimisation plans, and the impacts on both the Council and the building sector. If this change is adopted, then the Council will be required to consult further on the details – including what would be the appropriate threshold for the value of the building work – before making such a resolution to require site waste management and minimisation plans.

Strengthening the requirements for events waste management

The draft Administration Manual includes stronger language around the requirements for waste minimisation by event managers. The draft Administration Manual requires event participants (for instance, food vendors) to use only recyclable or reusable packaging or serveware wherever possible, and not use non-recyclable materials. Additionally, the event organiser would be required to record the types and quantities of waste and recyclable material they collect, sort it, and dispose of it correctly.

Various wording improvements and updates

There are several smaller changes that improve the clarity of existing provisions without substantially altering their intent or purpose. They include:

- Updating the kerbside collection service area maps to reflect the most current collection areas.
- Amending the “Three Strikes” process map in the Administration Manual. This shows how the Council will deal with contaminated recycling bins. If a recycling bin is contaminated then it is issued with a “strike” notice. If a property receives three strike notices within three months, then the recycling collection is suspended for four weeks. If it happens again, the collection is suspended for a further eight weeks. We’re proposing to extend the period within which the strikes remain “active”, from three months to six months. This allows a recycling bin collection service to be further suspended for a property where a person continues to contaminate their recycling bin even after the suspension has been lifted. Coupled with improved education about recycling contamination, we expect this to improve the levels of contaminated recycling the Council has to manage.

- Allowing the Council to charge for a replacement recycling bin or glass crate. While the Council expects and budgets for a certain number of replacement bins and crates each year, some properties have an unusually high number of requests for replacement bins. This new provision enables the Council to charge for the replacement bin or crate.

The full text of the draft Bylaw and Administration Manual are included in this document. All changes to the current Bylaw and Administration Manual are shown as tracked changes (underlined or ~~struck-through~~ text, and in a different colour). Significant changes are also highlighted in **yellow**.

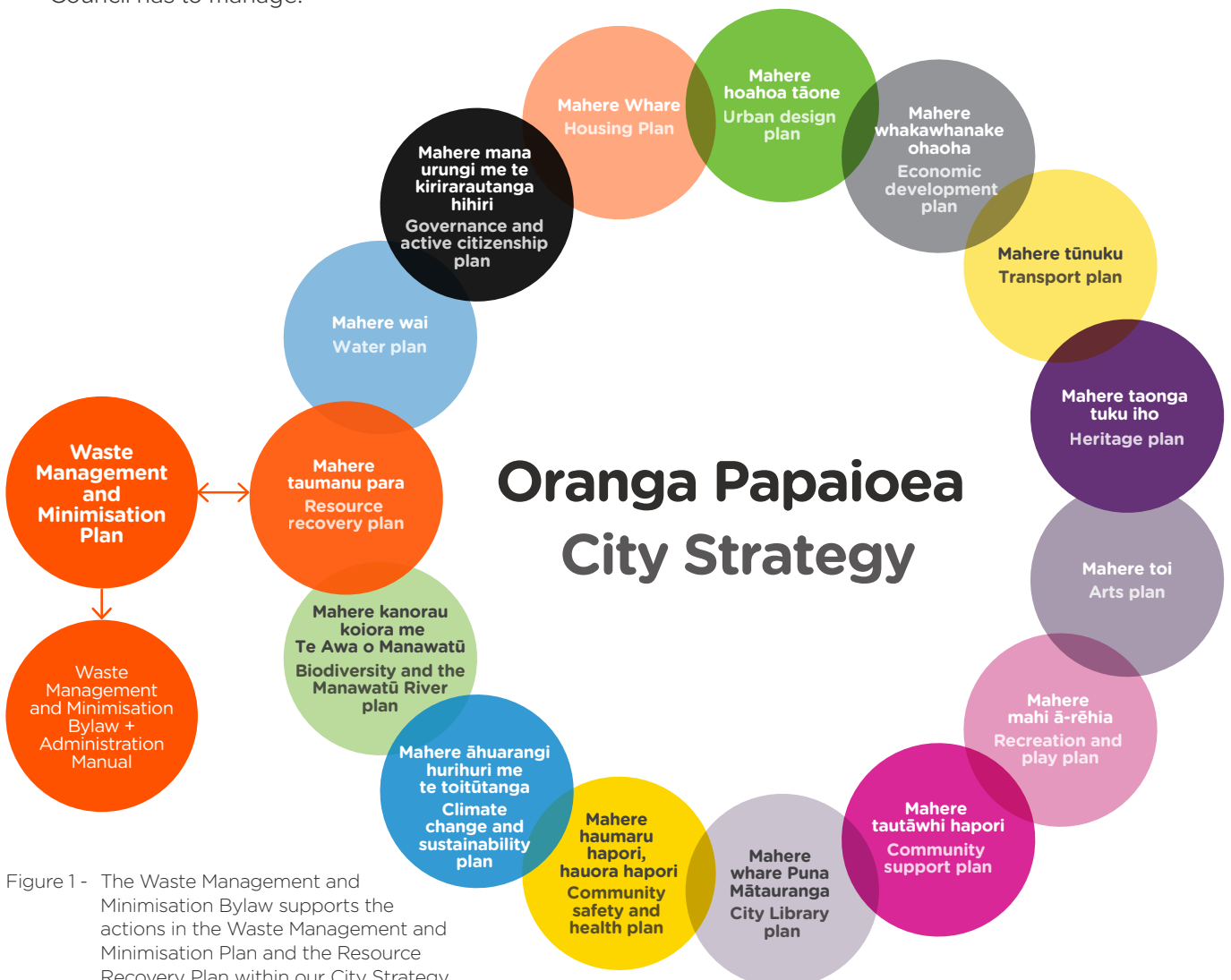


Figure 1 - The Waste Management and Minimisation Bylaw supports the actions in the Waste Management and Minimisation Plan and the Resource Recovery Plan within our City Strategy

Report on determinations made under s.155 of the Local Government Act 2002

We're required to include in this document a report on any relevant determinations made under section 155 of the Local Government Act 2002.

These determinations are part of the process where the Council considers what problems it is trying to solve, the options it has for addressing those problems, and whether a bylaw is the most appropriate way of addressing those problems.

The Council received a report on 11 August 2021 outlining the problems it was trying to address and an analysis of its options, including whether a bylaw was the most appropriate way of addressing the problems. The report recommended, and the Council determined by resolution, that a bylaw was the most appropriate way of addressing the problems of:

- maximising the diversion of waste to beneficial uses;
- regulating and managing the operation of kerbside waste and recycling collection activities; and
- minimising the potential for waste to create a nuisance in public places.

The Council has a range of tools which it uses, alongside the Waste Management and Minimisation Bylaw, to address these and related problems. For instance, we use education and promotion to provide knowledge and skills to the community, and to change behaviours to support waste minimisation efforts.

To read the report in full, please go to:

pncc.govt.nz/wastebylaw

Consultation Process

The submission period runs from **30 November 2024** until **Friday 24 January 2025**

We want to know what you think about the draft Bylaw and Administration Manual. This Statement of Proposal and the submission form can be found at:

- pncc.govt.nz/wastebylaw
- Customer Service Centre, Palmerston North City Council, The Square, Palmerston North;
- City Library, The Square, Palmerston North, and the libraries at Ashhurst, Awapuni, Roslyn, Linton and Te Pātikitiki/Highbury.

You can also appear before the Council and speak to your submission. Please indicate on your submission form if you want to do this. The Council will hold hearings for the draft Bylaw and Administration Manual in February 2025. Council will make the final decision about the draft Bylaw and Administration Manual in May 2025. Details of the hearings will be confirmed in the letter acknowledging your submission and will also be advertised in the Guardian newspaper.

To get your submission to us, either:

- Mail to:** Draft Waste Management and Minimisation Bylaw 2025 Submissions, Manager Governance, Palmerston North City Council, Private Bag 11034, Palmerston North 4442
- Deliver to:** Palmerston North City Council Customer Service Centre, 32 The Square, Palmerston North
- Email to:** submission@pncc.govt.nz
(write Draft Waste Management and Minimisation Bylaw 2025 Submissions)
- Phone:** 06 356 8199 and ask for your submission to be written down for you



PALMERSTON NORTH

WASTE MANAGEMENT AND MINIMISATION BYLAW

2025

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PALMERSTON NORTH WASTE MANAGEMENT AND MINIMISATION BYLAW 2025

PART ONE - INTRODUCTION

1. TITLE

- 1.1 The title of this Bylaw is the “Palmerston North City Council Waste Management and Minimisation Bylaw 2025”.

2. PURPOSE

- 2.1 This Bylaw is made ~~pursuant to sections 145 and 146 of the Local Government Act 2002,~~under section 56 of the Waste Minimisation Act 2008, sections 64 and 65 of the Health Act 1956, and section 12 of the Litter Act 1979. The purpose of this Bylaw is to:

- (a) Protect, promote and maintain public health and safety, by regulating the collection and disposal of Waste and Diverted Material;
- (b) Promote effective, efficient and safe collection, transportation, management, storage and disposal of Waste and Diverted Material;
- (c) Regulate and monitor Waste and Diverted Material Operators within the City through a licensing process, to support Council’s Waste Management and Minimisation Plan.

3. COMMENCEMENT

- 3.1 This Bylaw comes into effect on **1 July 2025**, except for Part Three which comes into force on **1 July 2027**.

4. REPEAL

- 4.1 This Bylaw repeals the Palmerston North City Council Waste Management and Minimisation Bylaw 2016 when this Bylaw comes into effect.

5. DEFINITIONS

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

Administration Manual means the Waste Management and Minimisation Bylaw Administration Manual passed by resolution of the Council at the same time as making this Bylaw and as amended from time to time under this Bylaw.

Approved means authorised in writing by the Council.

Approved collection bag means a bag approved for use in the Council kerbside collection service for approved waste. The characteristics of an approved collection bag are contained in Part 2 of the Administration Manual.

Approved collection container means a collection container approved for use in the Council kerbside collection service for approved diverted materials. The characteristics of an approved collection container are contained in Part 2 of the Administration Manual.

Approved diverted material means a material or class of material that has been approved for recycling at a waste and diverted materials facility or in the Council kerbside collection service. The types of approved diverted materials are listed in Part 3 of the Administration Manual, including whether they are accepted for collection through the Council kerbside collection service or at a waste and diverted materials facility.

Approved waste means waste which has been approved for collection through the Council kerbside collection service. The types of approved waste are listed in Part 3 of the Administration Manual.

Authorised officer means a person appointed or authorised in writing by the Council to act on its behalf in relation to this Bylaw.

Bylaw means the Palmerston North Waste Management and Minimisation Bylaw [2025](#).

City	means the area within the boundary of Palmerston North City Council.
Collection day	means, the day allocated to the eligible property as shown on the Council kerbside collection service area maps in Part 3 of the Administration Manual.
Commercial waste	means any scrap, waste material or refuse resulting from the conduct of any business, manufacture, process, trade, market or other industrial operation or undertaking.
Commercial waste collector	means a person who collects, transports, and deposits for treatment or disposal any waste and/or diverted material.
Commercial waste collector licence holder	means a commercial waste collector who holds a current commercial waste collector licence issued under this Bylaw.
Controlled waste	means waste which has been approved for collection through the Council kerbside collection service provided it meets the controlled waste conditions listed in Part 3 of the Administration Manual. The types of controlled waste are listed in Part 3 of the Administration Manual.
Council	means the Palmerston North City Council.
Council kerbside collection service	means any collection service provided by, or under contract to, the Council for the collection of any approved or controlled waste or diverted material from eligible properties within the City.
Council kerbside collection service area	means the area highlighted on the Council kerbside collection service area maps in Part 3 of the Administration Manual.
Diverted material	means 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. This includes material able to be recycled.

Eligible property	means a property within the City that is on the collection route of any of the Council kerbside collection services as shown on the Council kerbside collection service area maps in Part 3 of the Administration Manual.
Green waste	means garden waste such as lawn clippings, weeds and tree prunings but does not include food or kitchen waste.
Hazardous waste	means waste containing substances defined in Section 2 of the Hazardous Substances and New Organisms Act 1996, which exceed the minimum degree of hazard specified by the Hazardous Substances (Classes 1 to 5 controls) Regulations 2001.
Household waste	means waste resulting from domestic housekeeping operations. It includes waste similar to domestic waste that the Council has agreed to take from retail premises, businesses and offices where the Council provides a kerbside collection service.
Licence	means a licence issued by the Council in accordance with this Bylaw.
Litter	means any refuse, rubbish, animal remains, building materials, glass, metal, garbage, debris, dirt, filth, rubble, ballast, stones, earth, or waste matter, or any other thing of a like nature, but does not include waste or diverted materials placed for collections through the Council kerbside collection service or for collection by a commercial waste collector.
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	means 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.

Offensive material	means: <ul style="list-style-type: none"> (a) any human or animal waste or human or animal remains; (b) any material that creates a foul odour; (c) any perishable waste such as vegetable or meat scraps; or (d) any prohibited waste.
Owner	is the person or company whose name is on the certificate of title for the premises.
Permit	means a permit issued by the Council in accordance with this Bylaw.
Person	includes a corporation sole, and also a body of persons, whether corporate or unincorporated.
Prohibited waste	means waste which has been prohibited for collection through the Council kerbside collection service. The types of prohibited waste are listed in Part 3 of the Administration Manual.
Property or Premises	means land or buildings which are separately occupied.
Public place	means an area that is open to or used by the public and that is under the control of the Palmerston North City Council, or one of its Council Controlled Organisations and includes a road (whether under the control of Council or otherwise).
Public litter bin	means a bin placed in a public place that is under the control of the Council into which litter (other than those items prohibited by clause 8 of the Bylaw) may be placed.
Public recycling bin	means a bin placed in a public place that is under the control of the Council into which glass, plastics, tins, cans, clean paper and cardboard may be placed.

Unsolicited mail

means any printed material which is not addressed to a named person and includes any circular, leaflet, brochure, or flyer.

For the avoidance of doubt 'named person' does not include 'the householder', 'the owner', 'the occupier', or similar phrases that do not use the intended recipient's given or family name.

Waste

means:

- (a) Anything disposed of or discarded;
- (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);
- (c) To avoid doubt, includes any component or element of diverted material if the component or element is disposed of or discarded; and
- (d) Litter.

Waste and diverted material facility

means 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, landfills and transfer stations.

Waste Management and Minimisation Plan

means the operative Waste Management and Minimisation Plan adopted by the Council under the Waste Minimisation Act 2008.

PART TWO – COUNCIL WASTE AND DIVERTED MATERIAL SERVICES

6. COUNCIL KERBSIDE COLLECTION

- 6.1 The Council may identify kerbside collection areas within which the Council will provide to eligible properties a kerbside collection for household waste and diverted materials. The Council's kerbside collection areas are shown in the Administration Manual.
- 6.2 The kerbside collection of household waste and diverted materials from eligible properties are subject to the terms and conditions for the Council's kerbside collection service as contained in the Administration Manual. These terms and conditions must be complied with, including terms and conditions relating to the use of the Council berm for this service.
- 6.3 No commercial waste will be collected by the Council unless the Council has given prior written agreement and subject to such conditions as Council sees fit, including, but not limited to, collection times, collection fees, waste type, and the form, manner or position in which the commercial waste shall be placed for collection.

7. COUNCIL WASTE AND DIVERTED MATERIAL FACILITIES

- 7.1 The Council may provide facilities where users may deposit waste or diverted materials.
- 7.2 The use of such waste or diverted material facilities is subject to the terms and conditions for that facility contained in the Administration Manual.

8. PUBLIC RECYCLING BINS AND PUBLIC LITTER BINS

- 8.1 The Council may provide public litter bins or public recycling bins for collecting litter or the diverted materials identified by signs placed on the public recycling bins.
- 8.2 No person may deposit in any public litter bin any offensive matter (excluding domestic animal waste), household waste, or hazardous waste.
- 8.3 No person may deposit in any public litter bin any material which may be placed in a public recycling bin, if a public recycling bin is located in the same area.
- 8.4 No person may deposit in any public recycling bin any litter or any other material other than glass, plastics, tins, cans, clean paper or cardboard. The

correct type of bin must be used for the type of material being deposited, as designated on that bin.

- 8.5 No person may deposit into the public litter or recycling bins any waste or diverted material that is generated from residential, commercial or industrial premises, or which would ordinarily be put out for collection by either the Council kerbside collection service or a similar non-Council collection service.
- 8.6 No person may deposit or attempt to deposit any material into any public litter or recycling bin if the bin is full or if depositing any material is likely to cause the bin to overflow.
- 8.7 No person may remove anything from a public litter or recycling bin unless authorised to do so by the Council or unless it represents an immediate threat to the health and safety of any person.
- 8.8 No person may interfere with, damage, or destroy any public litter or recycling bin.

PART THREE - LICENSING OF WASTE AND DIVERTED MATERIAL TRANSPORTERS AND COLLECTORS

9. LICENSING OF WASTE AND DIVERTED MATERIAL COLLECTORS

- 9.1 Any person involved in the removal, collection, or transportation of more than ten (10) tonnes of ~~approved~~ waste or diverted material in any one twelve (12) month period within the City must have a commercial waste collector licence issued by the Council.
- 9.2 ~~The application form for a commercial waste collector licence, and the information required on that form, will be in the Administration Manual. An application for a commercial waste collector licence must be made in accordance with clause 18 of this Bylaw.~~
- 9.3 A commercial waste collector licence may be granted subject to conditions, including, but not limited to, the conditions listed in the Administration Manual.
- 9.4 When exercising its discretion to grant a licence and determining the conditions to be imposed in respect of it, the Council may take into account the following non-exhaustive list of factors:
- (a) The quantity and type of waste or diverted material to be removed, collected, transported, treated or disposed;
 - (b) The methods employed for the removal, collection, transportation, storage, treatment or disposal of waste or diverted material, including the identity of the waste and diverted material facility at which it is proposed that treatment or disposal will occur;
 - (c) The frequency and location of the waste or diverted material collection, removal, and transportation services;
 - (d) The specifications of the vehicles, equipment, and containers to be used for the collection, removal, transportation, treatment, or disposal of waste or diverted material;
 - (e) 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;
 - (f) The terms and conditions under which such disposal of waste or 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.

9.5 A licensed collector must comply with all terms and conditions of the licence.

9.6 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 the Council reasonably considers is not suitable for a commercial waste collector.

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PART FOUR - WASTE CAUSING HAZARD OR NUISANCE

10. ACCUMULATED WASTE OR LITTER

- 10.1 No occupier of any land or building (or in the case of unoccupied land or buildings, the owner) may permit or allow any waste to accumulate or remain in or upon any building or land which is, in the opinion of an authorised officer, likely to be a nuisance, injurious to health, a fire risk, cause an offensive smell or is otherwise offensive, or be a source of litter or harbour vermin.
- 10.2 Where an occupier or owner is in breach of clause 10.1, an authorised officer may issue to the occupier or owner of the premises on which the waste or litter has accumulated a Notice of Removal. The notice must specify the manner and time by which the waste must be disposed of.
- 10.3 If the owners or occupiers of the property fail to comply with the notice, or where in the opinion of the authorised officer removal and disposal of the waste is urgent, then an authorised officer may remove the accumulated waste and recover the costs of the removal and disposal of the waste from the owners or occupiers.

11. BURIAL OF WASTE

- 11.1 No person shall bury any non-biodegradable waste of any kind without the appropriate consents from Manawatu-Wanganui Regional Council and Palmerston North City Council.
- 11.2 For the avoidance of doubt, a consent from Manawatu-Wanganui Regional Council may also be required before burying biodegradable waste.

12. INTERFERENCE WITH AND REMOVAL OF WASTE OR RECYCLABLES

- 12.1 The interference with or removal of waste or recyclables from any public place is prohibited by anyone other than either the Occupier or Owner of the property from which the waste or recyclables were generated, or a person authorised by that Owner or Occupier, or an Authorised Officer.

PART FIVE – CONSTRUCTION AND DEMOLITION WASTE

13. CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT AND MINIMISATION PLANS

13.1 The Council may, following consultation in accordance with subpart 1 of part 6 of the Local Government Act 2002, make a resolution requiring any person applying for a building consent for building work over a specified estimated value to submit a construction and demolition waste management and minimisation plan to the Council for approval before that building work may begin.

13.2 Upon making a resolution under clause 13.1, the Council will record in the Administration Manual:

(a) The specified estimated value that is identified in the resolution made under clause 13.1; and

(b) The minimum information that a construction and demolition waste management and minimisation plan must contain; and

(c) The requirements and responsibilities that the person submitting the construction and demolition waste management and minimisation plan for approval must meet while the building work is being carried out.

13.3 For the avoidance of doubt, no person is required by this clause to submit a construction and demolition waste management and minimisation plan until the Council has made a resolution under clause 13.1.

PART FIVE – UNSOLICITED MAIL

13-14. UNSOLICITED MAIL RESTRICTED

13-14.1 No person may deposit, cause, permit or authorise the deposit of any unsolicited mail:

- (a) in any letterbox which 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;
- (b) on any vehicle parked in a public place;
- (c) in a letterbox that is already full of mail and/or advertising materials.

14-15. EXCEPTIONS TO UNSOLICITED MAIL RESTRICTIONS

14-15.1 Clause 13-14 shall not apply to any:

- (a) material from any government department or agency, crown entity, local authority, material from a network utility relating to the maintenance, repair, servicing or administration of that network utility, political party or political candidate, charity, or community newsletter;
- (b) newspaper or community newspaper, unless the letterbox is clearly marked "no community newspapers" or with words of similar effect.

PART SIX – EVENTS

15.16. EVENTS WASTE MANAGEMENT AND MINIMISATION

15.16.1 All events held on Council land or with Council funding must comply with the terms and conditions for Events Waste Management and Minimisation contained in the Administration Manual.

15.216.2 The Council may require an event organiser to prepare an Events Waste Management and Minimisation Plan for the event and submit it to the Council for approval and adhere to that approved Events Waste Management and Minimisation Plan.

15.316.3 If the Council requires an event organiser to prepare an Events Waste Management and Minimisation Plan, then the Council will:

- (a) Give the event organiser as much notice as possible but at least 20 working days' notice prior to the event being held of the need to prepare an Events Waste Management and Minimisation Plan; and
- (b) Provide assistance and advice to the event organiser to develop the Events Waste Management and Minimisation Plan.

15.416.4 The Council reserves the right to monitor and assess any event for compliance with the requirements of this section, and the effectiveness of any waste minimisation plan at minimising the amount of waste generated at the event. The outcomes of that assessment may be considered when determining whether the event organiser is given permission to use Council land for that event, or whether Council funding is granted for that event, in the future.

PART SEVEN - ADMINISTRATION

16-17. ADMINISTRATION MANUAL AND DELEGATIONS

16-417.1 The Council has passed a resolution at the same time as making this Bylaw adopting the Administration Manual. The Administration Manual may from time to time be amended by resolution of the Council and all matters over which the Administration Manual defines, regulates, control or prohibits related to this Bylaw, are matters that this Bylaw leaves to be addressed by resolution of the Council under section 151(2) of the Local Government Act 2002.

16-217.2 Before amending the Administration Manual the Council will consult in accordance with the decision-making requirements of section 82 of the Local Government Act 2002.

16-317.3 The following people are authorised delegates under this Bylaw:

- (a) The Council by resolution;
- (b) The Chief Executive of the Council;
- (c) The person holding the office identified in Council's Delegations Manual as responsible for the administration of this Bylaw;
- (d) Any other person authorised to exercise a power under this Bylaw, pursuant to the Council's Delegations Manual or resolution of the Council.

16-417.4 Authorised delegated persons may exercise any power, function or duty under this Bylaw, or carry out any act in order to achieve its effective administration, on behalf of the Council other than those expressly required to be by Council resolution including the following without limitation:

- (a) Specify ~~forms and~~ procedures for the effective administration of the bylaw;
- (b) Make any decision or determination required in this Bylaw in order to administer it;
- (c) Make decisions regarding whether or not a permit or licence should be granted, and the terms and conditions of that permit or licence including standard conditions and variations;
- (d) Make decisions regarding suspension, withdrawal or removal of a permit or licence.

16-517.5 All ~~forms~~, specifications, conditions or methods for this Bylaw must be in writing and kept in the Administration Manual for this Bylaw called

the Waste Management and Minimisation Bylaw Administration Manual, and shall be available to the public.

~~16.6~~17.6 Every exercise of a power of delegation under this clause must be publicly reported to Council at least annually, if not exercised by Council by resolution, provided that failure to report does not invalidate the exercise of the delegate's power.

17.18. PERMITS AND LICENCES

~~17.1~~18.1 Where an activity under this Bylaw requires a permit or licence from the Council, the person seeking a permit or licence must:

- a) Complete the required application form;
- b) Pay the applicable fees s or charges;
- c) Comply with any requirements set as conditions of that permit or licence.

~~17.2~~18.2 A permit or licence may include, in addition to conditions incorporated by this Bylaw, conditions that the Council considers are necessary to manage the effects of the activity, achieve the objectives of this Bylaw and minimise the risk of nuisance.

~~17.3~~18.3 For the avoidance of doubt and only in exceptional circumstances, the Council may grant a permit for an activity that would otherwise contravene this Bylaw.

~~17.4~~18.4 A permit or licence is personal to the applicant and is not transferable.

~~17.5~~18.5 An authorised officer may revoke or suspend any permit or licence issued under this Bylaw at any time, or suspend for such periods of time, on such terms and conditions as the authorised office may consider appropriate in the circumstances to protect public health and safety or to minimise nuisance.

18.19. FEES

~~18.1~~19.1 The Council may charge a fee for receiving and processing an application for a licence or permit, and for issuing that licence or permit.

~~18.2~~19.2 The Council may set fees payable for the use of services provided through this Bylaw (including the use of Council waste and diverted material services).

~~18.3~~19.3 The Council must prescribe a fee for any permit or licence issued under this Bylaw in accordance with section 150 of the Local Government Act 2002.

PART EIGHT - ENFORCEMENT

19-20. NON-COMPLIANCE WITH TERMS AND CONDITIONS FOR COLLECTION OF WASTE AND DIVERTED MATERIAL

19.120.1 Where an owner or occupier of an eligible property does not comply with clause 6 of the Bylaw then the Council may, in its discretion, choose not to collect the bag or choose not to empty material from the collection container. The Administration Manual contains the current policies of the Council that will inform the exercise of the Council's discretion.

19.220.2 The Council may choose to suspend a kerbside collection service to any premises as a result of a serious, repeated, or ongoing breach of clause 6 of the Bylaw. The service to the premises may be suspended until the owner or occupier of that premises satisfies the Council on reasonable grounds that the Bylaw will be complied with. The Administration Manual contains the current policies of the Council that will inform the exercise of the Council's discretion. The targeted rate charged by the Council for any kerbside collection service will continue to be payable for that premises while the service is suspended.

19.320.3 Notwithstanding anything in clause 20.1 or 20.2, the Council reserves the right to immediately refuse collection of any approved collection container where it contains, or where the Council has reasonable grounds to believe that it contains, any offensive material.

20-21. NON-COMPLIANCE WITH TERMS AND CONDITIONS FOR COUNCIL WASTE AND DIVERTED MATERIAL FACILITIES

20.121.1 Where a person does not comply with clause 7 of the Bylaw the Council may:

- (a) Refuse to accept any or all of the items intended to be deposited at that facility;
- (b) Issue a trespass notice against that person to prevent them from using the facility;
- (c) Suspend that person's use of any service provided by the Council at any or every waste collection service or facility.

21-22. NON-COMPLIANCE WITH CONDITIONS OF A LICENCE

21.122.1 Where a licence holder does not comply with the terms and conditions of the licence, the Council may take one or more of the following steps:

- (a) Issue a written warning to the licence holder, which may be considered 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:
 - (i) amendment of the licence; or
 - (ii) suspension of the licence; or
 - (iii) withdrawal of the licence.
- (c) Have recourse to any performance bond or security where the Council has incurred any cost as a result of the breach of the licence condition, including where the 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:
 - (i) an increase of the amount of the performance bond or security;
 - (ii) a change to the nature of the security that has been provided.

22.23. BYLAW BREACHES

22.123.1 Notwithstanding clauses 19 to 21 (inclusive) of the Bylaw, a person who fails to comply with the Bylaw commits an offence under section 239 of the Local Government Act 2002 and is liable to a fine as specified in section 242 of the Local Government Act 2002.

22.223.2 A person who commits a breach of this Bylaw that is an offence under the Litter Act 1979, the Waste Minimisation Act 2008, or the Health Act 1956 is liable to a penalty under that Act.

22.323.3 The Council may issue infringement notices, in such forms and for such amounts as are authorised in any regulations made under section 259 of the Local Government Act 2002, the Litter Act 1979, the Waste Minimisation Act 2008, and the Health Act 1956.



PALMERSTON NORTH CITY

WASTE MANAGEMENT AND MINIMISATION BYLAW

2025

Administration Manual

PART 1 – INTRODUCTION

The purpose of this Administration Manual is to provide information complementary to the Waste Management and Minimisation Bylaw by bringing together those aspects which may otherwise be included in the Bylaw, but which are of a technical or administrative nature, or operational matters that are likely to be amended before the Bylaw is reviewed. This approach has been adopted to simplify the administration of the bylaw, allow for administrative and technical processes to be kept up to date, and assist in interpretation of the bylaw.

The Administration Manual is made under the bylaw and governs the implementation and operation of the bylaw. The Administration Manual is a public document and is available on the Council's website alongside the bylaws. A hard copy can be provided on request.

This Administration Manual will be updated from time to time, as necessary, to ensure that it is kept up to date and reflects current practice. Amendments to this document will be made by a resolution of Council.

PART 2 – STANDARD CONDITIONS FOR COUNCIL KERBSIDE COLLECTION AND WASTE AND DIVERTED MATERIALS FACILITIES

The following conditions apply to the Council kerbside collection service.

Conditions for Waste Collection (“rubbish bag collection”)

1. Only an approved collection bag may be used for waste. An approved collection bag is one that has the Council logo displayed on it, and is available to purchase from Council offices, or retail outlets within Palmerston North. The maximum acceptable weight for a single collection bag is 10 kilograms.
2. The approved collection bag must be placed for collection on the berm or verge outside the property no later than 7.30am on collection day, must be visible from the road, and must not impede pedestrian or vehicular traffic. Where there is no berm or verge the approved collection bag must be placed immediately outside the property boundary facing the road, provided that doing so will not pose a hazard to vehicular or pedestrian traffic. The property occupier remains responsible for any waste that may escape (for example, due to interference from animals) from the collection bag before it is collected.
3. There are three categories of waste: approved, controlled and prohibited waste, defined in part three of the Administration Manual. No prohibited items may be placed in an approved collection bag.
4. The Council may refuse to collect an approved collection bag if the above conditions are not met. In the event of non-collection of an approved collection bag, the occupier of the property must remove the collection bag from the berm or verge.

Conditions for Diverted Material Collection (“wheelie bin and glass crate”)

General

1. Only an approved collection container may be used for diverted materials. An approved collection container is one that has the Council logo, or both the Council logo and a Council-registered identifier on it.
2. Only approved diverted materials may be placed in the collection container. A table of approved diverted materials which may be placed

in the approved collection container is included in Part 3 of the Administration Manual.

3. An approved collection container must not be filled or loaded such that the lid (if applicable) cannot be closed, or that the contents extend over the top edge of the container, or so that the contents cannot flow freely from the container.
4. Once it has been placed on the berm or verge for collection, no person may deposit into, or remove anything from, an approved collection container other than the occupier of the property or an authorised officer.
5. The property occupier remains responsible for any materials that may escape from the approved collection container before it is collected.
6. The maximum acceptable weights for approved collection containers are as follows:
 - a. Glass (45 litre black plastic crate): 18 kilograms
 - b. Other diverted materials (black wheelie bin with orange lid): 100 kilograms for 240 litre wheelie bin; 40 kilograms for 80 litre wheelie bin.

Ownership

7. Approved collection containers for approved diverted materials are allocated to eligible properties and shall remain at the eligible properties at all times for use in the Council kerbside collection service. Additional approved collection containers may be supplied on request to the Council, subject to the payment of an additional annual fee, as set out in the Council's Schedule of Fees and Charges.
8. Approved collection containers are supplied by the Council direct to the property occupier. Where the occupier of the property is not the owner of the property, the owner must not withhold from the occupier the approved collection containers supplied by the Council.
9. The approved collection containers remain the property of the Council and must not be intentionally damaged, altered, or disposed of or used for any purpose other than the Council kerbside collection service. The owner of the property will be liable for any damaged or stolen approved collection containers allocated to the property. The Council reserves the right to recover from the owner of the property the cost of replacing or repairing any missing or damaged approved collection containers. the cost of any replacement or repairs necessary to reinstate the approved collection containers to their operable state.
10. The Council reserves the right to use measures, whether electronic or otherwise, to identify and locate approved collection containers.

11. The Council reserves the right to recover or repossess any approved collection container where that container is not used at the eligible property to which it has been allocated.

Placement

12. The approved collection container must be:
 - a. placed for collection on the berm or verge outside the property no later than 7.30am on collection day; and
 - b. must be visible from the road, and
 - c. must not impede any pedestrian or vehicular traffic.
13. Where there is no berm or verge the approved collection container must be placed immediately outside the property boundary facing the road, provided that doing so will not pose a hazard to vehicular or pedestrian traffic.
14. The Council may require the approved collection container to be placed in an alternative location specified by the Council, where it is not safe or not practical to place the approved collection container in accordance with sections 12 or 13 above.
15. Collection containers should not be placed closer than 0.5m to another collection container or other permanent structure, or fixed or secured to any other container or structure.
16. No items should be placed on top of an approved collection container.

Timing

17. The approved collection container must be removed from the berm or verge before 7.30pm on collection day, and must be stored on the property to which it is ~~assigned~~allocated.

Nuisance

18. Where an approved collection container is causing an offensive odour, or is attracting vermin, the occupier is responsible for cleaning the container to remove the nuisance.

Refusal to collect

19. The Council may refuse to collect an approved collection container if the above conditions are not met. In the event of non-collection of an approved collection container the occupier of the property must remove

the collection container from the berm or verge and store the container on the property to which it is assigned.

20. The Council reserves the right to determine the level of compliance with these terms and conditions that justifies non-collection of an approved collection container. In determining the level of compliance with these terms and conditions, the Council will have regard to the following factors:
 - a. The volume of non-approved materials in the approved collection container (for instance, a negligible amount of non-approved materials may not warrant non-collection).
 - b. The type of non-approved materials in the approved collection container (for instance, non-approved materials which can be readily identified and easily removed may not warrant non-collection).
 - c. The condition of non-approved materials in the approved collection container (for instance non-approved materials which are generally clean or inoffensive may not warrant non-collection).

Conditions for use of Waste and Diverted Material Facilities (“transfer stations and recycling centres”)

1. All users of waste and diverted material facilities must comply with all instructions or directions provided by the site operator or site staff.
2. All users of waste and diverted materials facilities must comply with all health and safety signage.
3. All users of waste and diverted materials facilities must pay the appropriate fee (where applicable) before unloading and depositing items.
4. All items must be deposited into the appropriate container or area or as advised by staff and/or signs posted at each facility.

PART 3 – CLASSIFICATION OF WASTE AND DIVERTED MATERIAL

This Part is specific to Council's kerbside collection services and waste and diverted materials facilities.

Approved, controlled and prohibited waste

Approved waste

Any waste which is not controlled waste or prohibited waste is considered approved waste.

Controlled waste

The following items are considered controlled waste, provided they are 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 instance, wrapped in paper):

- Broken glass, broken china, broken plastic, razor blade, knife, or any other material capable of causing injury;
- Any sharp object or material capable of puncturing the collection bag or material capable of being rendered so during collection;
- Any perishable waste, such as vegetable and meat scraps.

Prohibited waste

The following items are classified as prohibited waste:

- Any explosive, flammable, infectious, radioactive, corrosive or toxic material, oxidant, 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;
- Liquids;
- Hot ashes or other hot material;
- Compressed-gas cylinders;
- Asbestos-containing materials. (If you think that the material you are handling may contain asbestos please contact the Ministry of Business, Innovation and Employment. More information can be found on their website at <http://www.dol.govt.nz>);
- Hazardous waste.

Approved diverted materials (“Recycling”)

The following table shows the approved diverted materials accepted at each of the waste and diverted materials facilities and in the Council kerbside collection service. A tick indicates that the material is accepted in the Council kerbside collection service or at the waste and diverted materials facilities (subject to any noted conditions). A cross indicates that the material is not accepted in the Council kerbside collection service or at the waste and diverted materials facilities. Materials in bold may incur a charge for disposing those items.

Materials	Council Kerbside Collection	Awapuni Resource Recovery Park	Ferguson Street Recycling Centre	Ashhurst Transfer Station
Glass bottles and jars that once contained food or beverage	√ ¹	√	√	√
Plastic bottles, trays and containers with Resin Identification Code (recycling symbol) numbered 1,2 and 5	√ ²	√	√	√
Steel tins and aluminium cans	√ ²	√	√	√
Clean paper and cardboard	√ ³	√	√	√
E-waste	X	X	√	X
Green waste	X	√ ⁴	X	√ ⁴
Compact Fluorescent Light Bulbs	X	X	√	X
Batteries	X	X	√	X
Liquid paperboard	X	X	√	X
Plant pots	X	X	√	X
Tyres	X	√	X	X
Polystyrene	X	X	√	X

Notes:

1. Glass crate only. Washed with the lids off. ~~(the lids can go in the wheelie bin.~~ Maximum size of glass containers is 4 litres.
2. Wheelie bin only. Washed with lids off. Maximum size of plastic containers is 4 litres.
3. Wheelie bin only. Includes office paper, magazines, newspaper, egg cartons, cereal boxes, and envelopes.
4. Approved green waste excludes the following types of organic material: Sawdust, soil, stones and gravel, flax and bamboo, animal waste, ash, leather items, clothing, shoes or fabric, nappies, any organic material contaminated with chemicals known to compromise the quality of compost.

Prohibited diverted materials

Materials not listed as approved diverted materials are prohibited diverted materials. The following list indicates materials that are not able to be recycled at waste and diverted materials facilities and Council's kerbside collection service:

- Plastic wrap (e.g. Glad Wrap);
- Shopping and bread bags and other single-use plastic bags;
- Soft plastic bags and wrappers;
- Plastic containers identified with recycling symbol numbered 3, 4, 6 and 7;
- Aluminium foil;
- Drinking glasses;
- Organic waste (excluding green waste);
- Needles (some pharmacies may provide a safe bin for needles and other sharp medical instruments);
- Pesticides, oil or hazardous chemicals;
- Ceramics, crockery, porcelain and ovenware including Pyrex products;
- Mirrors, window glass or broken glass;
- Light bulbs (the Ferguson Street Recycling Centre accepts compact fluorescent bulbs);
- Bubble wrap;
- Hot and cold ashes;
- ~~Polystyrene (includes polystyrene meat and food trays);~~
- Tissues, serviettes, paper towels, toilet paper, wipes or similar items;
- Materials contaminated with food or human waste e.g. tissues and paper towels;
- Paint or paint containers;
- Batteries (the Ferguson Street Recycling Centre accepts batteries);
- Perspex;
- Construction and demolition waste;
- Electric cables, string, and rope;
- Gas bottles;
- Any liquid.
- All three-dimensional items smaller than 50mm at their widest point
- All two-dimensional items small than 100mm by 140mm
- Lids, caps and tops (excluding tethered lids)

- Aerosols
- Hazardous substance containers

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The following maps show the coverage of the Council’s kerbside collection service.

Each map identifies the areas to which the stated collection day applies. Those properties within the highlighted area are eligible for the Council kerbside collection service on the day stated on that map.

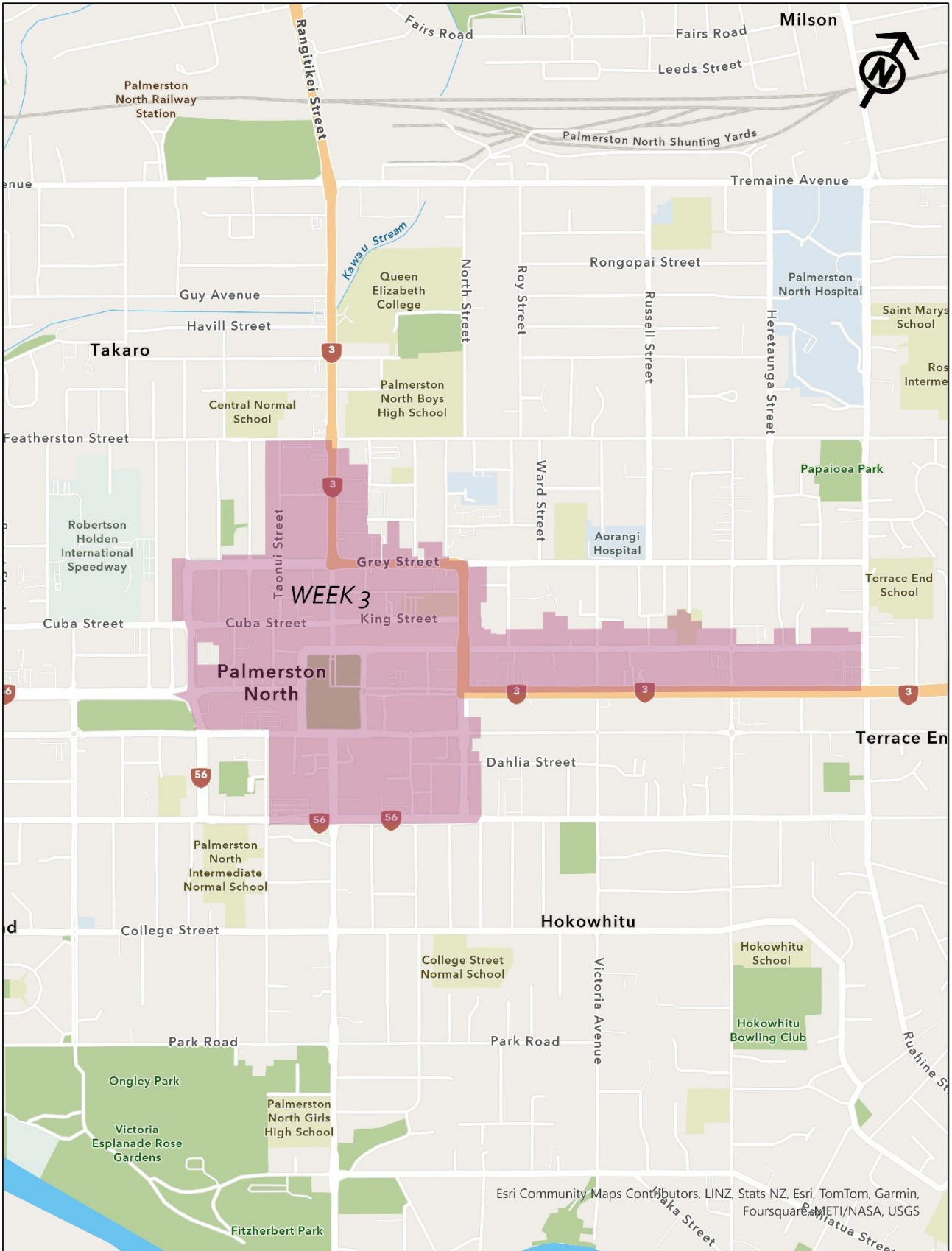
Council operates an alternating collection service for recycling. Each year Council publishes a “Week 1” and “Week 2” calendar that identifies for each week of that year whether the kerbside service is collecting either the “wheelie bin” or the “glass crate”. Where the maps in this section indicate an area as “Week 1” or “Week 2”, this identifies which week applies to that area.

Some areas are eligible for a kerbside waste collection only. These areas are shown in grey on the following maps.

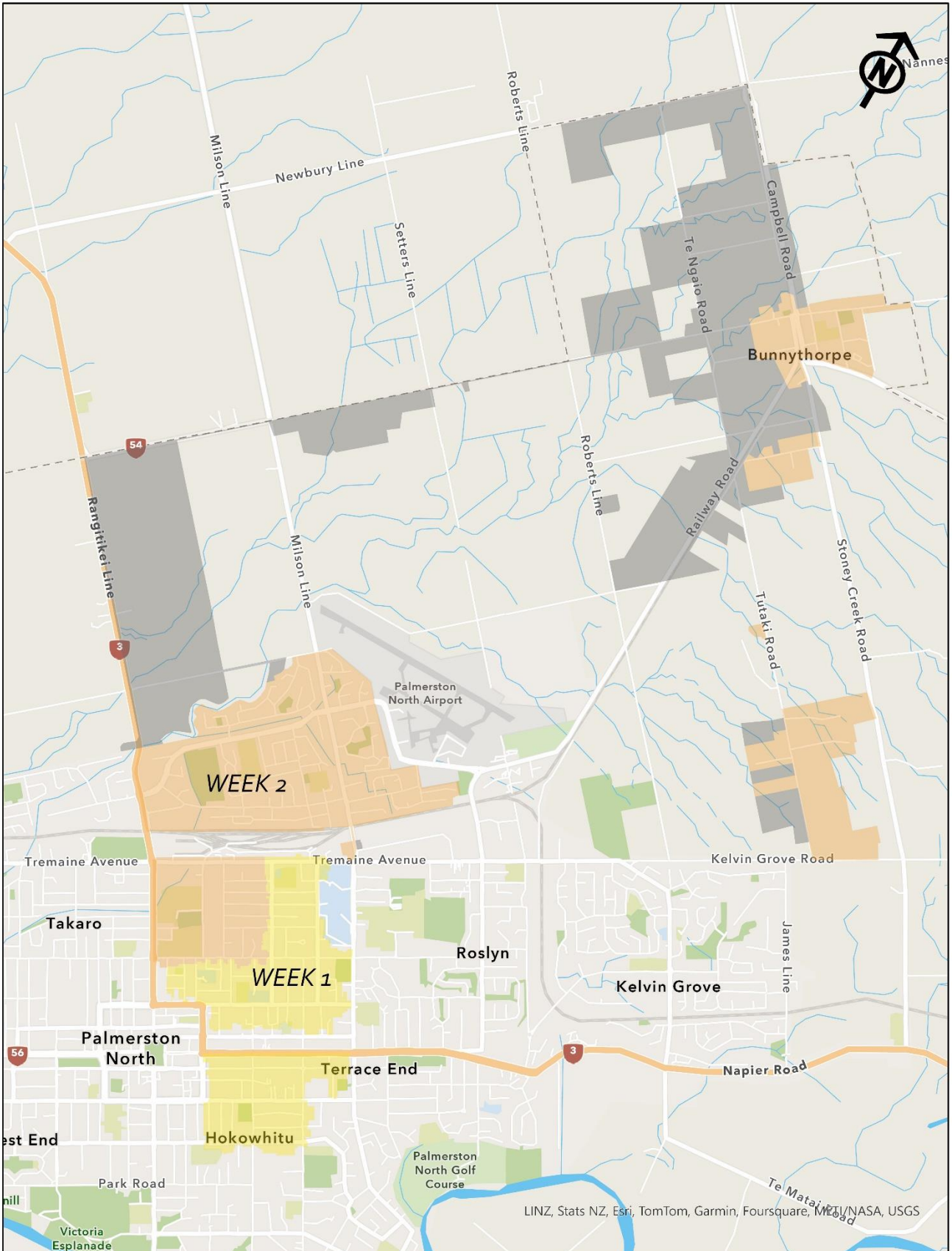
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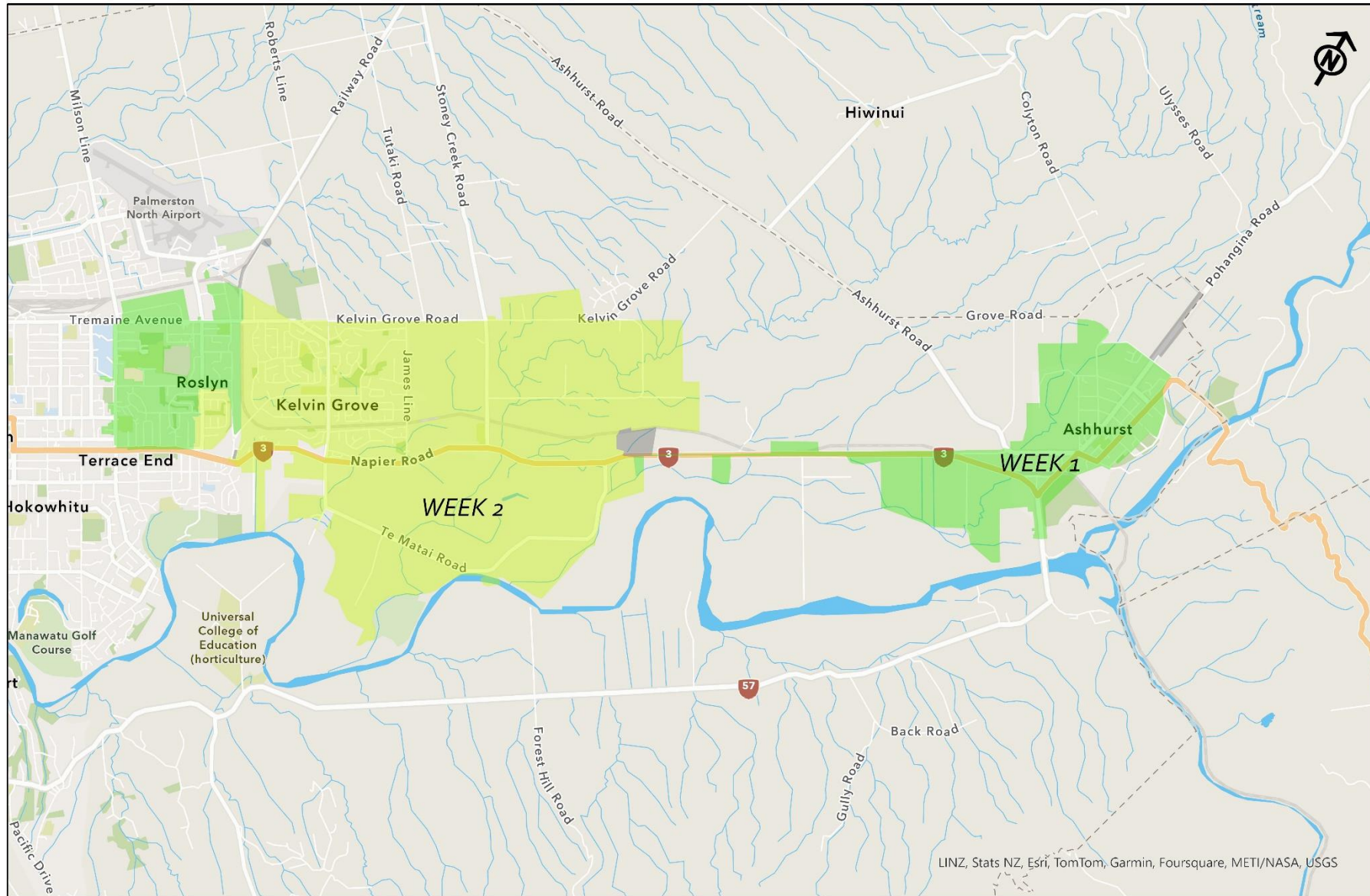
Council Kerbside Collection Service Area Monday



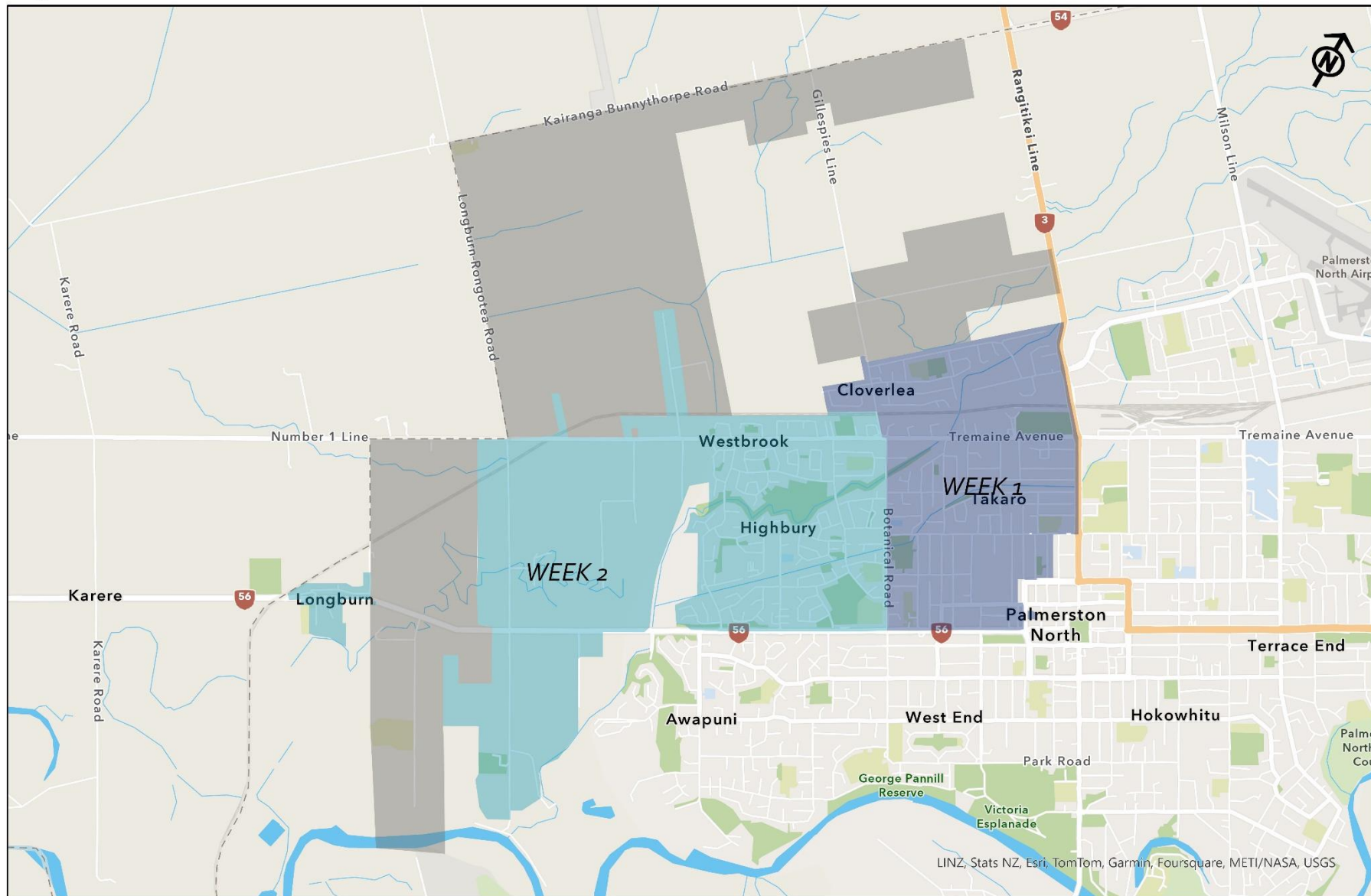
Esri Community Maps Contributors, LINZ, Stats NZ, Esri, TomTom, Garmin, Foursquare, METI/NASA, USGS



Council Kerbside Collection Service Area
Tuesday

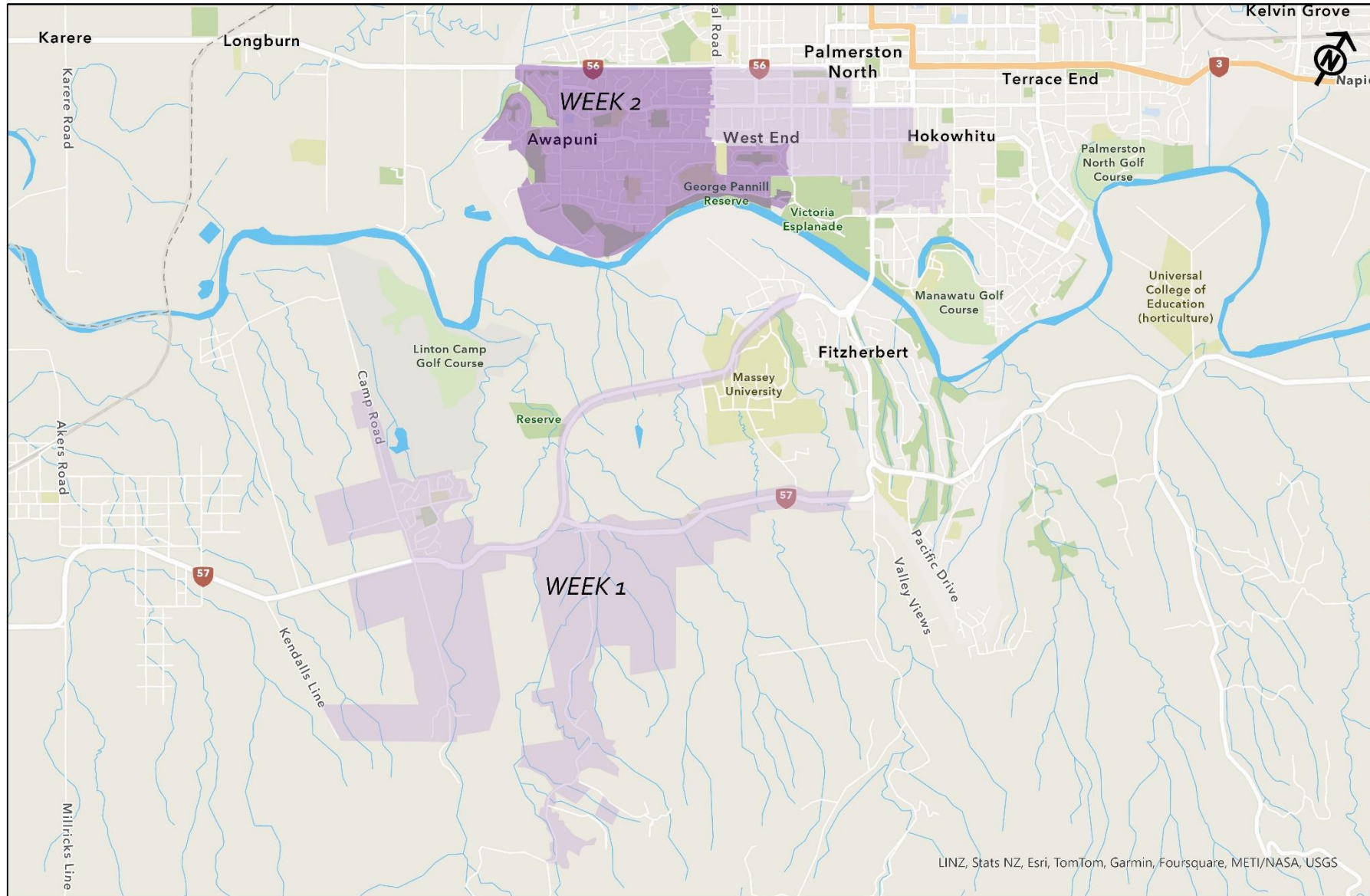


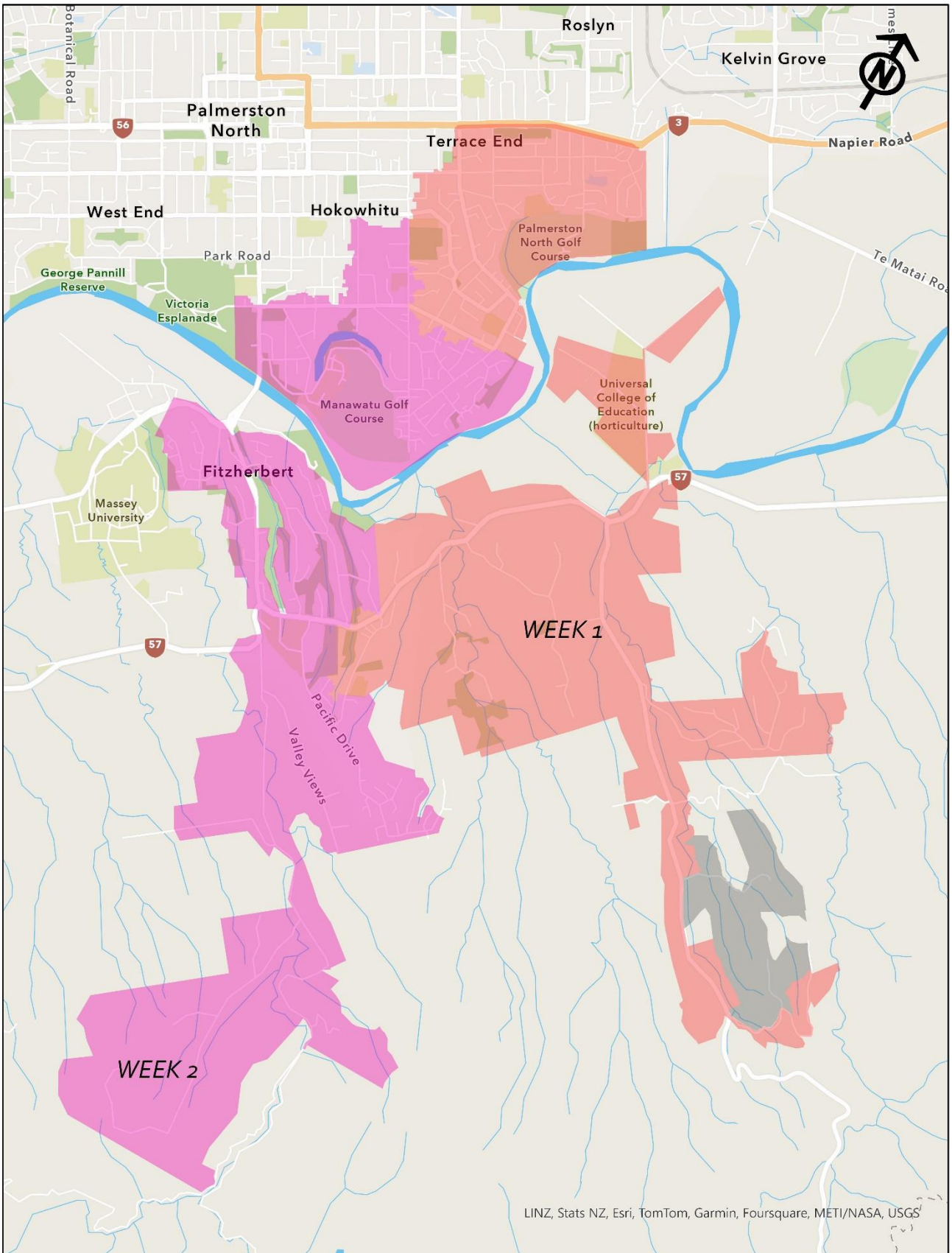
Council Kerbside Collection Service Area
Wednesday





Council Kerbside Collection Service Area Thursday



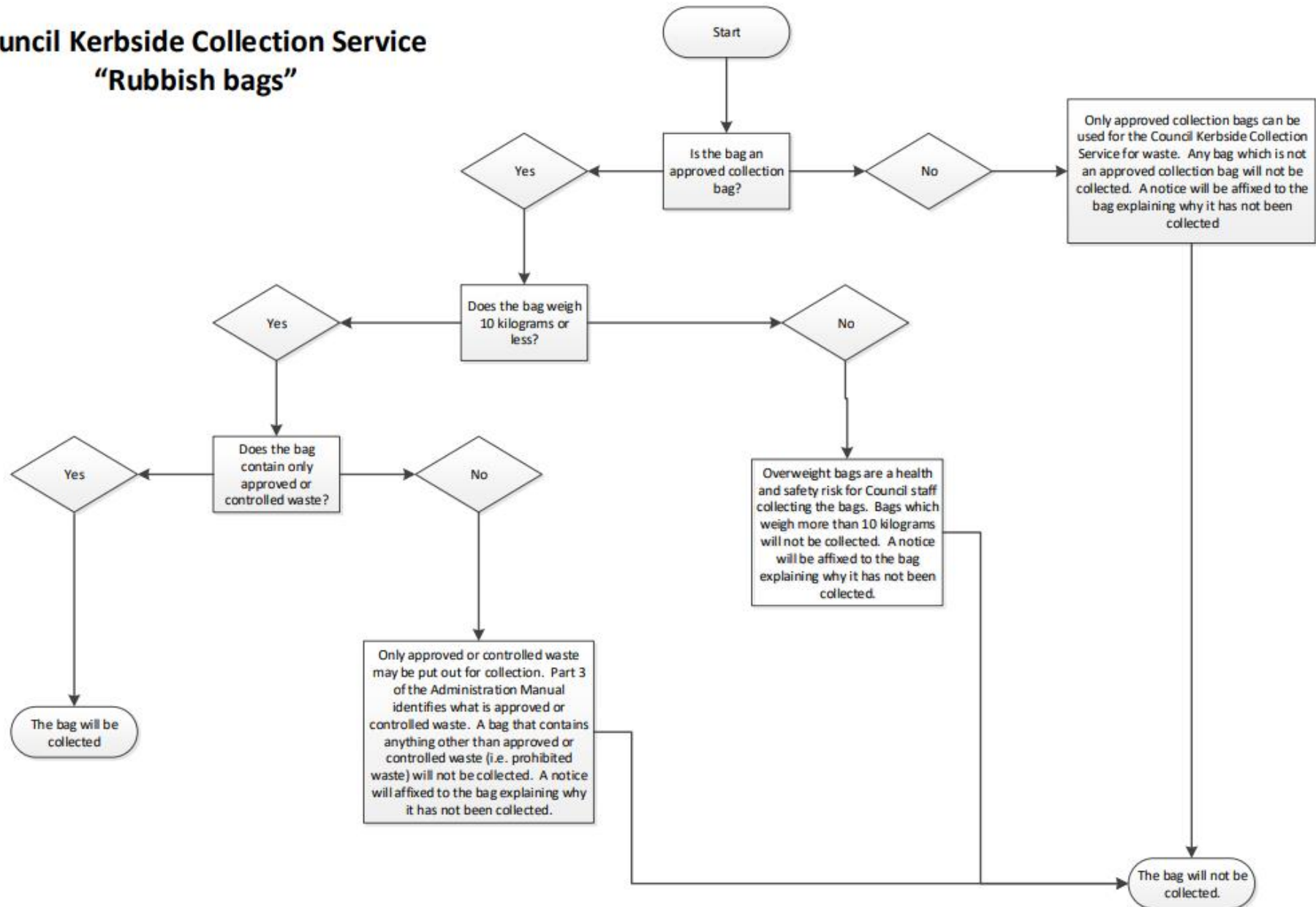


PART 4 – POLICY FLOWCHART FOR COUNCIL KERBSIDE COLLECTION SERVICE ENFORCEMENT

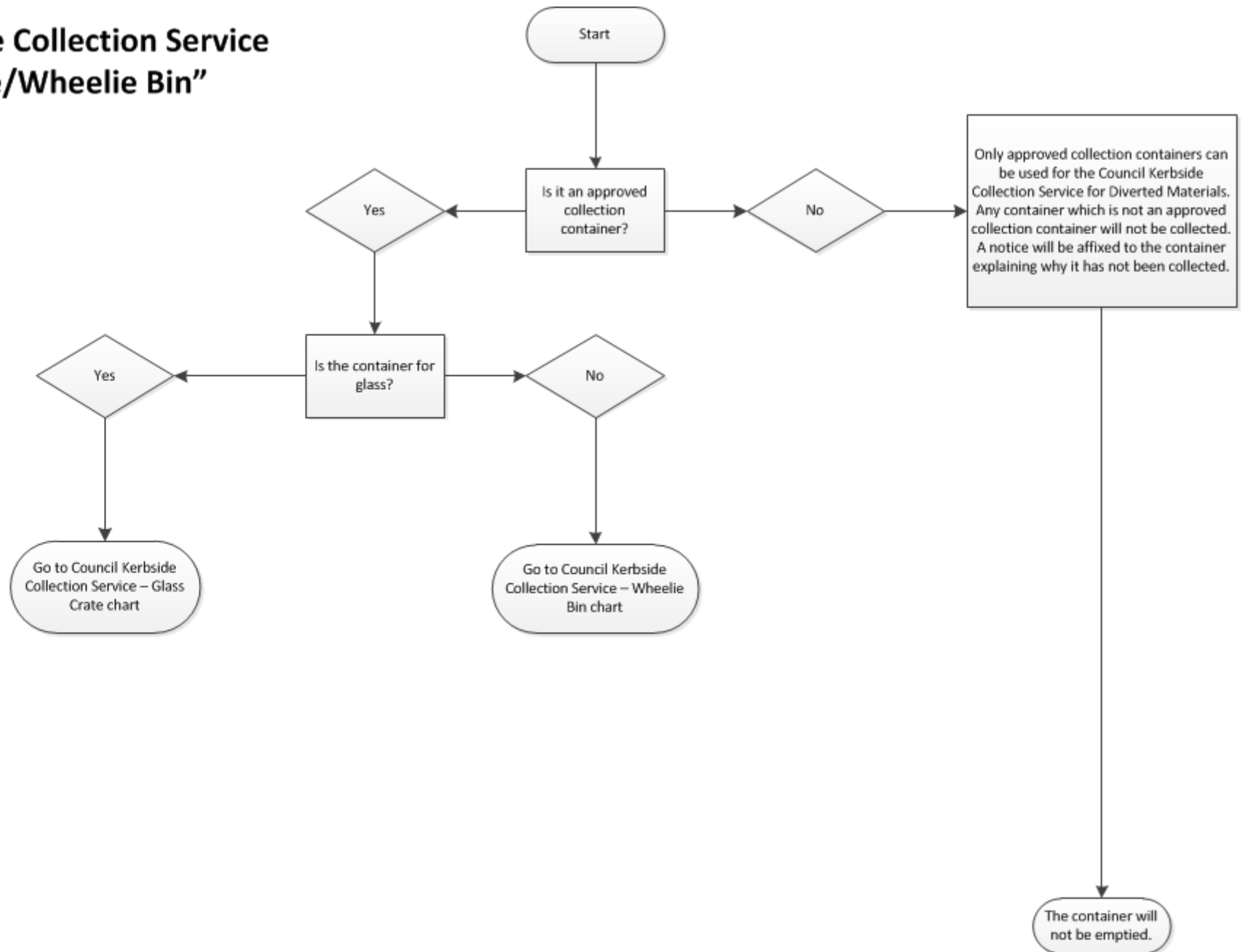
The following flowcharts describe how Council staff will determine compliance with the terms and conditions for the Council kerbside collection service, and what action should be taken in the event of non-compliance.

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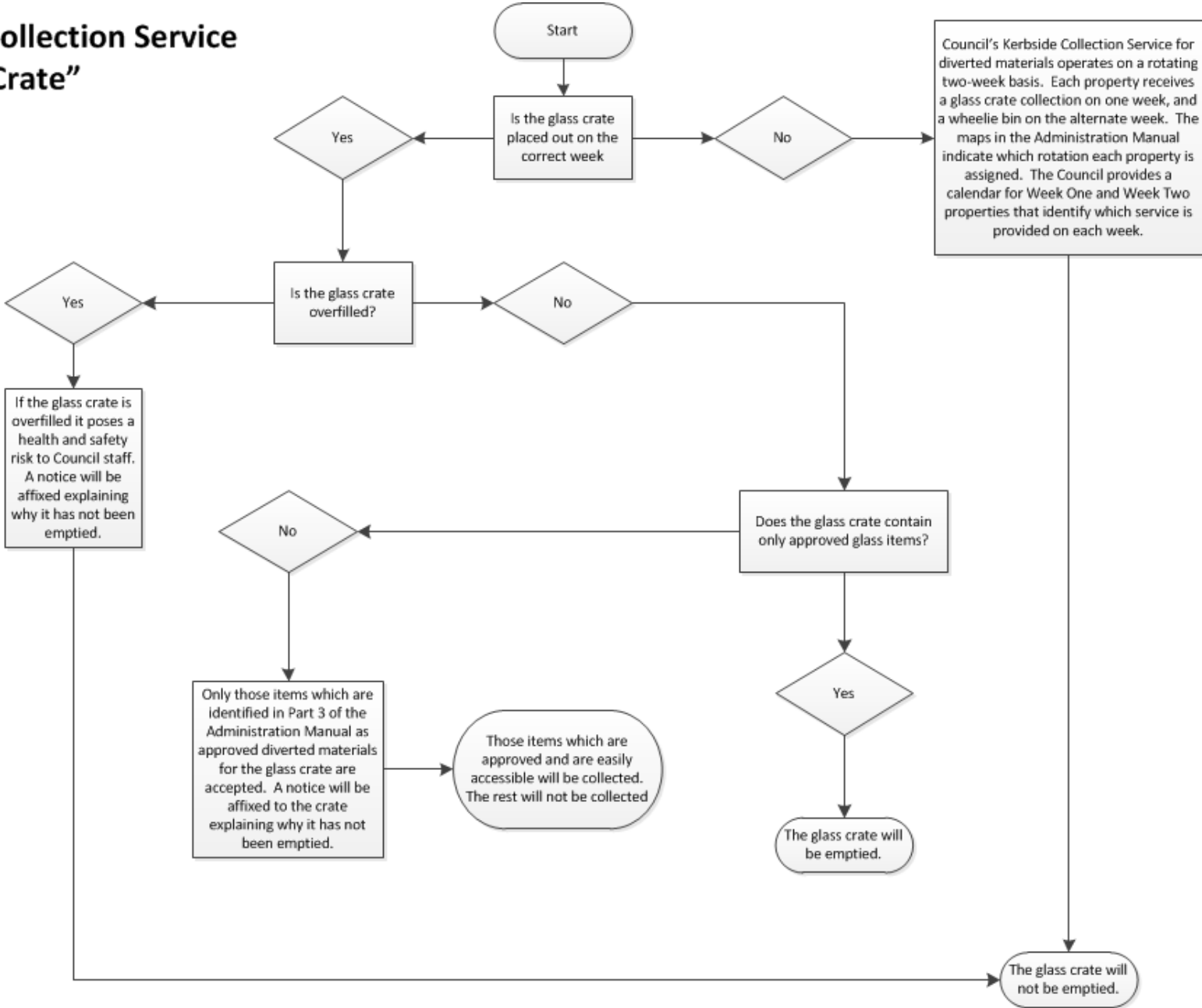
Council Kerbside Collection Service "Rubbish bags"



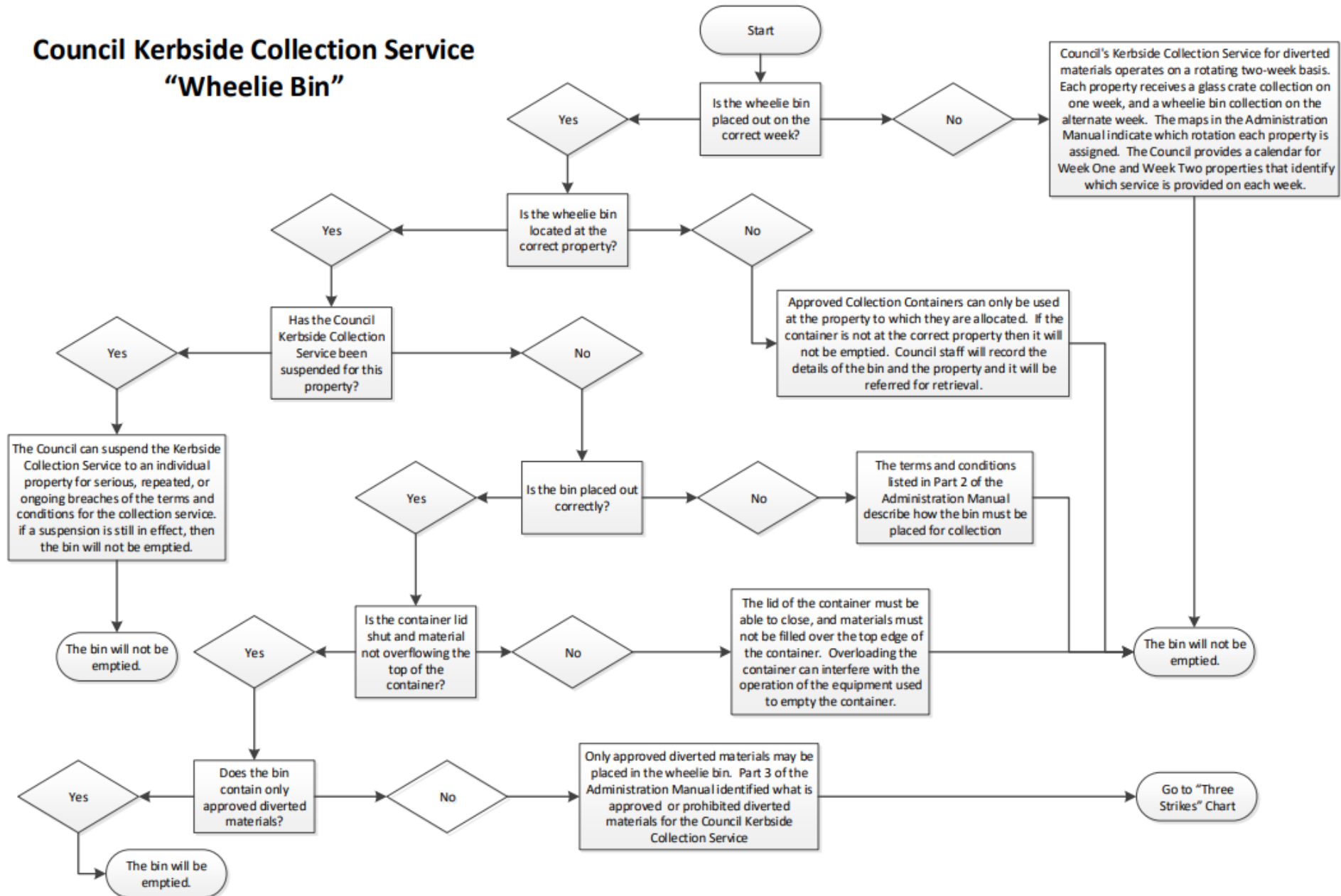
Council Kerbside Collection Service "Glass Crate/Wheelie Bin"



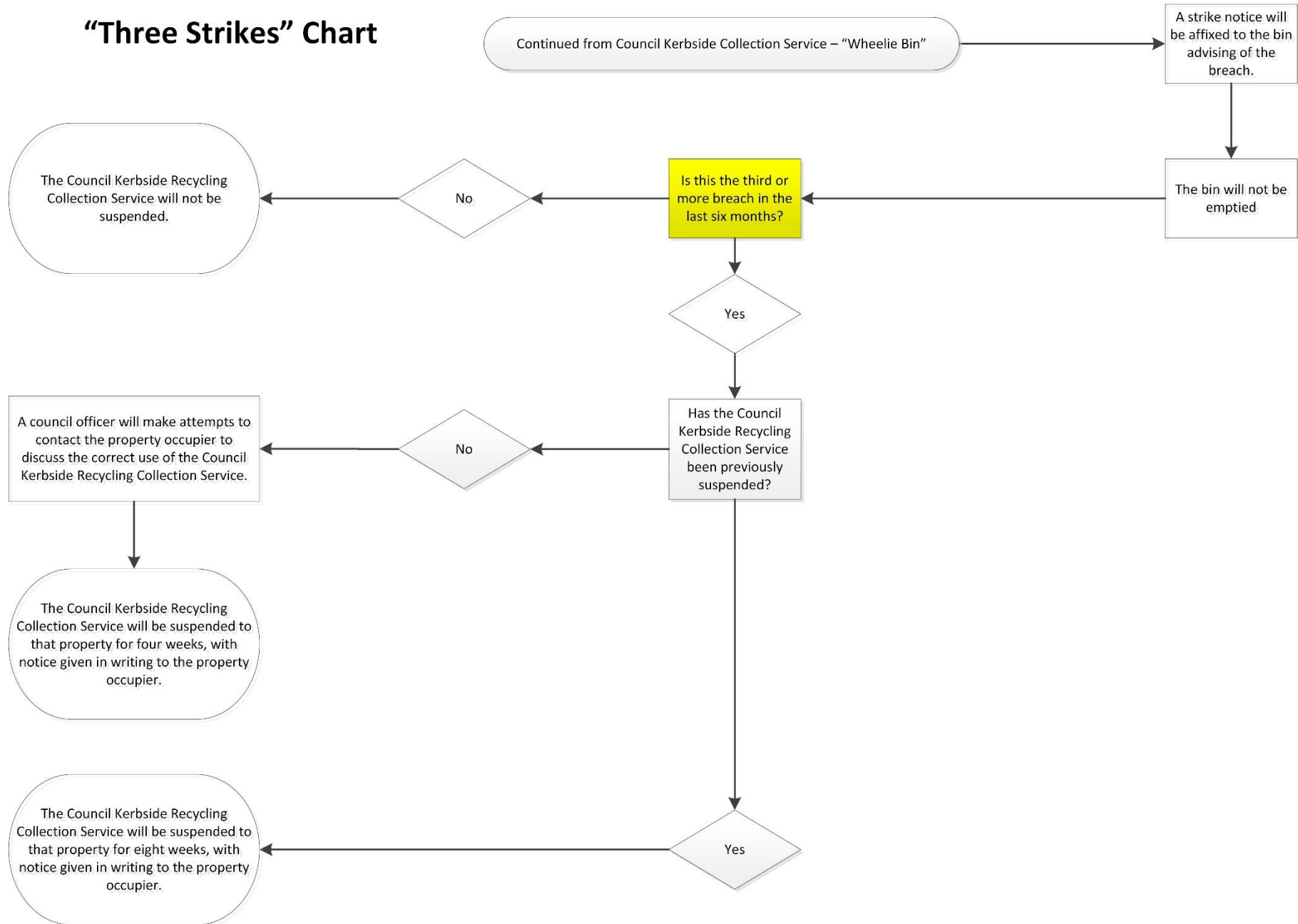
Council Kerbside Collection Service "Glass Crate"



Council Kerbside Collection Service "Wheelie Bin"



“Three Strikes” Chart



PART 5 – COMMERCIAL WASTE COLLECTOR LICENCE – TERMS AND CONDITIONS

A commercial waste collector licence is subject to the following conditions:

Scope of licence

1. The licence commences on the date it has been signed by the Licensee and the Council. The duration of the licence will be stipulated in the Licence.
2. Only waste or diverted materials of the type identified on the licence may be collected by the licence holder.

Reporting and auditing

~~3. The licence holder must keep accurate records and data relating to the waste and diverted materials they have collected, and provide this information to the Council in the form specified by the Council and at the times determined by the Council.~~

~~3. The licence holder must provide to the Council a monthly report on its waste and diverted material collection activities for the month prior no later than the 20th day of the month following the period reported on.~~

4. The records and data relating to waste and diverted materials collected by the licence holder include: information in the report must include the following details:

a. The quantities of waste (broken down by waste type as determined by the Council)

b. The source collection type of the waste (as determined by the Council)

c. The waste management facilities where the waste is processed at or disposed of;

d. Any weighbridge receipts;

e. Any gate records for waste tonnage

~~a. The amount (by weight in tonnes) of waste and diverted materials collected by the licence holder; and~~

~~b. A breakdown of the waste and diverted materials by type of material; and~~

~~c. Where the waste and diverted materials were deposited.~~

5. The Council reserves the right to audit the reports provided by the licence holder. For audit purposes, the licence holder will be required to grant Council or its designated contractor access to information reasonably necessary to validate the reports provided in accordance with the terms and conditions of the licence.

Confidentiality

6. The Council will take all reasonable steps to keep commercially sensitive information confidential, for example by aggregating and/or anonymising such information for reporting purposes.

7. Commercially sensitive material received from the commercial waste collector licence holder that the licence holder wishes to keep confidential must be stamped “commercially sensitive” by the licence holder and will be received by the Council on that basis under the Local Government and Official Information and Meetings Act 1987 and held subject to that Act.

Bond

8. The licensee may be required to lodge a bond with the Council, as security against costs that may be incurred by the Council in the event of non-compliance with the licence.

Liability and indemnity

9. The Council is not responsible or liable in any way whatsoever in respect of the actions of the licensee or the compliance or otherwise of the licensee with the terms of this licence.

Compliance with standards

10. The licensee must comply with any standards set by the Council as detailed in the licence, including (but not limited to):

- a. Requirements for approved collection containers (such type of container, weight, size and capacity, and the types of material that are appropriate for collection in that container); and
- b. Requirements relating to permitted days on or times in which the waste or diverted materials can be collected.

9.11. The licensee must comply with applicable laws, bylaws, regulations and Council's standards and policies, including the Council's Waste Management and Minimisation Plan.

10.12. The Council may require that the licensee has a Traffic Management Plan in place.

11.13. If a licensee does not comply with the licence, the Council may:

- a. Issue a written warning to the licensee, which may be considered 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
 - i. amendment of the licence; or
 - ii. suspension of the licence; or
 - iii. termination of the licence;
- c. Have recourse to any bond where the Council has incurred any cost as a result of the breach of the licence condition, including where the Council has itself performed or arranged for the performance of any licensed activity on the default of the licensee;
- d. Review the amount and nature of the bond, which may result in:
 - i. an increase of the amount of the bond;
 - ii. a change to the nature of the bond that has been provided;
- e. Enforce any offence that may have been committed under the Litter Act 1979;

- f. Enforce any breach of the Bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

Termination of licence

~~12.14.~~ The licensee may terminate the licence by giving two months' notice in writing, or at a shorter notice by agreement with the Council.

~~13.15.~~ The Council may terminate the licence:

- a. With one months' notice in writing, where the terms and conditions of the licence have not been met by the licensee;
- b. Immediately, without written notice, where the terms and conditions of the licence have not been met by the licensee and the beach of the terms and conditions poses a risk to the health and safety of any person or damage to Council property, or where the licensee breaches the Bylaw.

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PART 6 – TERMS AND CONDITIONS FOR EVENTS WASTE MANAGEMENT AND MINIMISATION

The following terms and conditions apply to any event held on Council land or with Council funding:

1. The event organiser must take all reasonable steps to minimise the amount of waste generated at the event. This includes:
 - a. Encouraging event participants (e.g. food vendors) to minimise the amount of packaging or serveware used or given out.
 - a.b. Requiring event participants to use only recyclable or reusable materials for packaging or serveware wherever possible. Non-recyclable materials and single-use serveware such as foil or foil-lined packaging, polystyrene or Styrofoam containers or cups, wax-lined paper cups or tetra packs should not be used at events and the event organiser should communicate this to the event participants.
2. The event organiser must take all reasonable steps to encourage recycling opportunities for materials used at the event. This includes:
 - a. Using 100% compostable packaging, single-use beverage cups and utensils. Compostable materials are paper or cardboard (not plastic-lined), corn-starch/potato-bases/sugar-cane based packaging, bamboo, PLA (“plant plastic”). Where the use of compostable materials is not practicable, food packaging should be made from recyclable or reusable materials.
 - b. Promoting to event attendees opportunities to recycle packaging.
3. The event organiser ~~is responsible for ensuring~~ must ensure both waste and recycling bins (with the types of material that can be accepted in each type of bin) are available and distributed widely around the event location.
4. The event organiser is responsible for ensuring that:
 - a. All waste and recyclable material collected at the event is sorted and
 - b. The type and quantities of waste and recyclable materials is recorded; and
 - c. All materials are disposed of correctly.



Te Kaunihera o Papaioea
Palmerston North City Council

pncc.govt.nz / info@pncc.govt.nz / 06 356 8199

