



# Waste Management and Minimisation Bylaw (Collections) Control 2023

(as at 5 December 2023)

made by the Regulatory and Community Safety Committee of Auckland Council

in resolution RSCCC/2023/69

on 5 December 2023

Control made under [clause 19](#) of the Te Kaunihera o Tāmaki Makaurau Ture-ā-rohe Whakahaere me te Whakaiti Tuku Para 2019 | Auckland Council Waste Management and Minimisation Bylaw 2019.

## Summary

This summary is not part of the Control but explains its general effects.

**The purpose of this Control** is to manage the appropriate storage and deposit of waste for collection from public places (or 'kerbside collection') by authorised council or commercial service providers.

**The Control seeks to achieve this by specifying:**

- the different types of 'bins and bags' in which waste can be placed in (clause 7)
- how to sort waste into 'refuse', 'recycling', 'food scraps' and 'prohibited items' to reduce material that goes to landfill, protect people from injury and prevent damage to equipment (clause 8 and Appendices A to D)
- the times a 'waste bin or bag' can be placed on the 'kerbside' for collection (clause 9)
- where on the 'kerbside' a 'bin or bag' can be placed for collection (clause 10)
- restrictions on volume and weight of 'bins and bags' placed on the 'kerbside' (clauses 11 and 12)

**Other parts of this Control assist with its administration**, for example its name, the authorising power, when it comes into force, how it only relates to waste collected from the 'kerbside' and definition of certain words or phrases (clause 1 to 6).

**The Control is part of a wider regulatory framework**, including the [Waste Minimisation Act 2008](#), [Standard Materials for Kerbside Collections Notice 2023 \(Notice No.1\)](#), [Auckland Council Waste Management and Minimisation Bylaw 2019](#) and [Litter Act 1979](#). The Control does not duplicate other parts of this framework, including the collection of waste from private property which is regulated under the Bylaw by the licensing of waste collectors, waste management and resource recovery facilities.

**For more information about council kerbside collection services**, please read:

- our "[rubbish, recycling and food scraps bin information](#)" webpage to learn about what you can put in your bins and bags, request a bin, charges and payments
- our "[how to get rid of unwanted items](#)" webpage to learn about what items can be placed in the 'kerbside' collection and how to dispose of prohibited 'kerbside' collection items
- our "[rubbish and recycling collections days](#)" webpage to learn about council 'kerbside' collection services in your area including collection dates and times.

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## 1 Title

This Control is the Waste Management and Minimisation Bylaw (Collections) Control 2023.

## 2 Issuing authority

This Control is made under [clause 19](#) of the [Auckland Council Te Ture ā-Rohe Whakahaere me te Whakaiti Tuku Para 2019 | Waste Management and Minimization Bylaw 2019](#).

## 3 Commencement

This Control comes into force on 1 February 2024.

## 4 Application

This Control applies to disposed of or discarded material deposited in an **approved container** for collection under [clause 6\(1\)\(a\)](#) of the [Bylaw](#).

## 5 Purpose

The purpose of this Control is to manage the appropriate storage and deposit of disposed of or discarded material for collection from public places by an **authorised waste collector** (for example waste placed for kerbside collection to a council contractor or commercial service).

## 6 Interpretation

(1) In this control, unless the context otherwise requires:

**Authorised waste collector** means a waste collector who has approval from the council to collect waste under [clause 11](#) of the [Bylaw](#) (for example a council contractor or commercial service).

[Bylaw](#) means the Auckland Council Ture-ā-rohe Whakahaere me te Whakaiti Tuku Para 2019 | Waste Management and Minimisation Bylaw 2019.

**Council collection** means the collection of disposed of or discarded material from a public place by the council (for example a council contractor).

(2) Unless the context requires another meaning, a term or expression that is defined in the Bylaw and is used, but not defined in this Control, has the meaning given by the Bylaw.

(3) Related information does not form part of this Control and may be inserted, changed, or removed without any formality.

## 7 Types of approved containers for collection from a public place

An **approved container** for disposed of or discarded material for collection from a public place means –

- (a) any container; or
- (b) any instructions

provided or endorsed by an **authorised waste collector** for their collection.

### Related information about types of approved containers

The following examples applied on 1 February 2024 and may change. Please check with your collection service provider for the latest types of approved containers.

- Example 1: A person can dispose of refuse in an 80L, 120L or 240L bin provided by Auckland Council in the Manukau area for kerbside collection.
- Example 2: A person on Aotea / Great Barrier Island can dispose of paper and cardboard by flattening and securely bundling or bagging items for kerbside collection.
- Example 3: A person cannot dispose of a household goods (such as furniture) for kerbside collection. Council collection of household goods is only provided from private property through a booked inorganic collection service.

## 8 Types of material that may be deposited in approved containers

The types of disposed of or discarded material that may be deposited in an **approved container** for collection from a public place are listed in this table.

Types of material that may be deposited in approved containers	
Type of approved container	Types of material
Any approved container not specified below for council collection	Any material approved by the <b>authorised waste collector</b> , excluding prohibited material listed in Appendix A
Types of material that may be deposited in approved containers for council collection	
Refuse	Any material, excluding prohibited material listed in Appendix B
Recycling	Recycling material listed in Appendix C
Food scraps	Food organic material listed in Appendix D



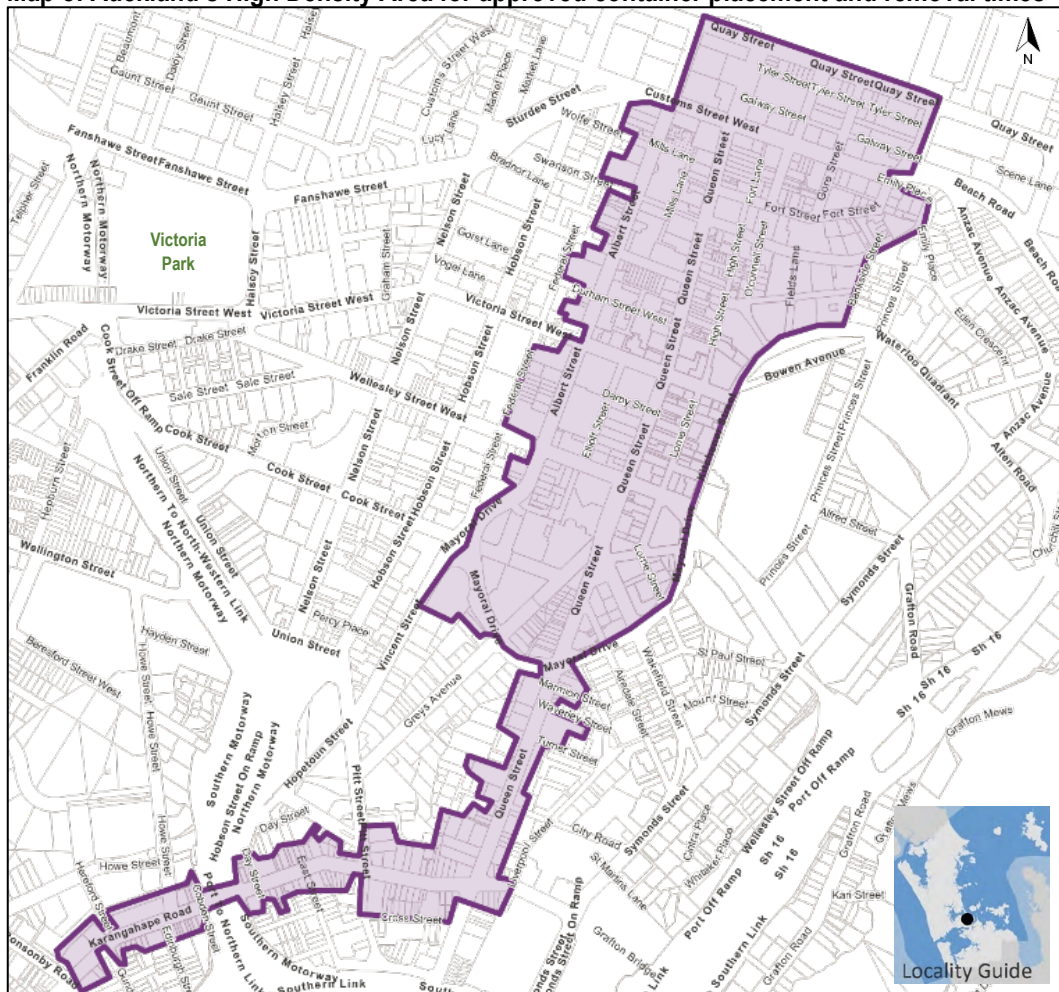
**9 Times approved containers may be placed on a public place for collection**

- (1) An **approved container** may be placed on a **public place** for collection (for example a kerbside bin to a council contractor or commercial service) during the times specified in this table.

Approved container placement and removal times on public places		
Time of scheduled collection*	Placement (set-out) time	Retrieval (removal) time (Whether or not material is collected)
<b>High Density Area shown in the map below this table</b>		
Early morning (4am-6am)	No earlier than 12am of the morning of <b>scheduled collection*</b>	By 9am of the day of <b>scheduled collection*</b>
Evening (6pm-9pm)	No earlier than 5pm of the day of <b>scheduled collection*</b>	By 9am of the day following the <b>scheduled collection*</b>
<b>All other areas</b>		
Daytime (5am – 7pm)	No earlier than 5pm of the day before <b>scheduled collection*</b>	By 9am of the day following <b>scheduled collection*</b>
Night-time (7pm-5am)	No earlier than 5pm on the night of <b>scheduled collection*</b>	By 9am of the morning following <b>scheduled collection*</b>

\* **Scheduled collection** means the day and time specified by the authorised waste collector for the collection of the approved container.

**Map of Auckland’s High Density Area for approved container placement and removal times**



- (2) For the avoidance of doubt, an approved container must not otherwise be placed, remain, or be stored on a public place.
- (3) However, an approved container does not need to be retrieved if –
- (a) authorised by the relevant waste collector for a special collection (for example because a container was not emptied during a scheduled collection);
  - (b) a council-approved centralised receptable or consolidation point allows for material to be deposited at other times; or
  - (c) approved by the council.

#### 10 Location of approved containers placed on a public place for collection

An **approved container** placed on a public place for collection (for example a kerbside bin to a council contractor or commercial service) –

- (a) must be placed as close as practicable to the roadway edge (for example the kerbside and not on the roadway) near the premises in a manner that –
  - (i) does not restrict access to any premises
  - (ii) does not obstruct any footpath, bus stop, cycle path or shared path; and
  - (ii) does not obstruct pedestrian and / or vehicular line of sight of any corner, bend, intersection, vehicle crossing, pedestrian crossing or private entrance; or
- (b) if required by council, must be placed in an alternative location specified by council (for example a centralised receptable or consolidation point or to address a health and safety issue at the location).

#### 11 Restrictions on the capacity of approved containers placed for collection

**Approved containers** on a public place for collection (for example a kerbside bin to a council contractor or commercial service) –

- (a) with a capacity of 660 litres (0.66m<sup>3</sup>) or more, must be braked or otherwise secured when placed on a public place in a manner that does not create a hazard; and
- (b) must not exceed a capacity of 1100 litres (1.1m<sup>3</sup>), unless approved by the Auckland Transport in relation to the Auckland Transport system or council in relation to any other council-controlled public place.

**Related information approval for ‘oversize bins’ on the Auckland transport system**

- Approval for a [‘Corridor Access Request’](#) or [‘Encroachment’](#) can be sought from Auckland Transport to place any container over 1100 litres (1.1m<sup>3</sup>) in the road corridor.

## 12 Weight limits of approved containers and materials placed for collection

The total weight of material deposited in an **approved container** for collection (for example from a kerbside by a council contractor or commercial service) –

- (a) must not exceed the maximum weight specified by the manufacturer of the container;
- (b) must not exceed any lower maximum weight specified by the **authorised waste collector** of the container; and
- (c) for **council collections**, must not exceed the maximum weight specified in this table.

Maximum weight of material in approved container for council collection		
Type of approved container	Capacity of approved container	Maximum weight of material in approved container (including weight of container)
Bins	1l-23l bin	< or equal to 10kg
	24l-80l bin	<32kg
	81l-120l bin	<48kg
	121l-140l bin	<56kg
	141l-240l bin	<96kg
	241l – 360l bin	<144kg
	361-660l bin	<267kg
	661-1100l bin	<440kg
Bags	1l-80l bag	<10kg

## Appendix A: Prohibited waste

It is prohibited to deposit any material listed in this table in an **approved container** for collection from a public place, unless approved by the council (for example for a special collection).

<b>Prohibited material (All authorised waste collectors, including council collection)</b>	
(a)	Any material that may endanger any person, animal or vehicle prior to, during or following collection, transportation, storage, sorting or disposal, including: <ul style="list-style-type: none"> <li>(i) any material capable of causing injury, infection or harm to any person or animal;</li> <li>(ii) any material capable of causing damage to the approved container or collection vehicle;</li> <li>(iii) any material likely to shatter and cause injury during collection;</li> <li>(iv) any radioactive waste with the exception of smoke detectors;</li> <li>(v) any lead-acid or lithium batteries;</li> <li>(vi) any broken glass, floor-sweepings and pet litter, unless these materials are sufficiently contained (for example securely wrapped to avoid the risk of material dispersing into the air and coming into contact with the eyes of the waste collector or others during collection);</li> <li>(vii) any medical waste that is not sufficiently contained to prevent injury or infection;</li> <li>(viii) any asbestos and asbestos containing materials;</li> <li>(ix) any hot ashes; and</li> <li>(x) any mercury-containing light bulbs, light globes, CFLs, fluoro or fluorescent tubes.</li> </ul>
(b)	Any hazardous waste, meaning any substance that: <ul style="list-style-type: none"> <li>(i) 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 <a href="#">Hazardous Substances and New Organisms Act 1996</a>;</li> <li>(ii) meets the definition for infectious substances included in the Land Transport Rule: <a href="#">Dangerous Goods 2005</a> and <a href="#">NZ Standard 5433: 2020</a> – Transport of Dangerous Goods on Land; or</li> <li>(iii) meets the definition for radioactive material included in the <a href="#">Radiation Protection Act 1965</a> and <a href="#">Regulations 1982</a>.</li> </ul>
(c)	Any liquid or viscous fluid; including (but not limited to), used oil and paints.
(d)	Any medicine (whether expired or not).
<b>Prohibited material (Council collections only, in addition to the previous rows)</b>	
(e)	Building waste such as lengths of timber, posts, concrete, bricks, and windows that may damage compacting equipment.
(f)	Gas containers whether full or empty, including LPG containers but excluding empty aerosol containers.



## Appendix B: Types of material prohibited from council collection as refuse

It is prohibited to deposit any material listed in this table in an **approved container** for refuse for **council collection** from a public place.

Material prohibited from council approved refuse containers			
(a)	Any material listed in Appendix A as prohibited;		
(b)	Any material listed in Appendix D as ngā rukena kai (food scraps) – <ul style="list-style-type: none"> <li>(i) unless in an area for which a council food scraps collection, service is not provided; or</li> <li>(ii) unless from a premises approved by the council as an exemption due to access constraints or service requirements;</li> </ul>		
(c)	Any organic materials, including garden waste – <ul style="list-style-type: none"> <li>(i) except for progressive containment pest plants for landowner containment described in any Auckland Council regional pest management plan;</li> <li>(ii) except for sustained Control pest plants described in any Auckland Council regional pest management plan;</li> <li>(iii) except for the following plants that are not readily home compostable or collected by private green or garden waste collectors –               <table style="width: 100%; border: none;"> <tbody> <tr> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> <li>• Flax species</li> <li>• Palm species fronds</li> <li>• Cabbage tree</li> <li>• Pampas</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> <li>• Toi toi (cutty grass)</li> <li>• Yucca species</li> <li>• Bamboo species</li> <li>• Dracena Species.</li> </ul> </td> </tr> </tbody> </table> </li> </ul>	<ul style="list-style-type: none"> <li>• Flax species</li> <li>• Palm species fronds</li> <li>• Cabbage tree</li> <li>• Pampas</li> </ul>	<ul style="list-style-type: none"> <li>• Toi toi (cutty grass)</li> <li>• Yucca species</li> <li>• Bamboo species</li> <li>• Dracena Species.</li> </ul>
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### Related Information about pest plants

Auckland Council aims to eradicate certain pest plants that are not yet widespread. For those plants, **please do not remove them yourself**. Instead, [contact us](#) and we will remove those species at no cost. To find out whether a species is on the list for eradication or progressive containment, please read our "[Pest Search](#)" webpage.

The Auckland Council [Mahere ā-Rohe Whakahaere Kaupapa Koirora Orotā mō Tāmaki Makaurau | Auckland Regional Pest Management Plan 2020 – 2030](#) contains a list of progressive containment pest plants for landowner containment in section 7.1.8 and a list of sustained control pest plants can be viewed in section 7.7.10.

## Appendix C: Types of material that may be deposited in approved recycling containers for council collection

The types of material in this table may be deposited in an **approved container** for recycling for **council collection** from a public place.

Types of material that may be deposited in recycling containers for council collection	
(a)	Materials accepted and not excluded in legislation for household collection as dry recycling;
(b)	For the avoidance of doubt, the materials in (a) apply to both household and non-household collections (for example, collection of an approved recycling bin used by a household, business or industry).

Related information about types of material approved for council collection as recycling.	
•	Central government has standardised the materials accepted in council-managed kerbside recycling collections in the <a href="#">Standard Materials for Kerbside Collections Notice 2023 (Notice No.1)</a> .
•	In the Standard, dry recycling <u>accepted materials</u> are: <ul style="list-style-type: none"> <li>✓ glass bottles and jars</li> <li>✓ paper and cardboard</li> <li>✓ plastic bottles, trays and containers of resin identification codes 1, 2, and 5</li> <li>✓ aluminium and steel tins and cans.</li> </ul>
•	In the Standard, dry recycling <u>excluded materials</u> are: <ul style="list-style-type: none"> <li>× all three dimensional items smaller than 50mm at their widest point</li> <li>× all two dimensional items smaller than 100mm by 140mm</li> <li>× all glass, plastic, steel and aluminium containers larger than four litres</li> <li>× lids, caps, and tops (excluding tethered lids); aerosols</li> <li>× liquid paperboard</li> <li>× aluminium foil and trays</li> <li>× plastics with resin identification codes 3, 4, 6, or 7</li> <li>× soft plastics</li> <li>× plant pots</li> <li>× paint containers</li> <li>× hazardous substance containers.</li> </ul>

## Appendix D: Types of material that may be deposited in approved ngā rukenga kai (food scraps) containers for council collection

The types of material in this table may be deposited in an **approved container** for ngā rukenga kai (food scraps) for **council collection** from a public place.

Types of material that may be deposited in rukenga kai / food scrap containers for council collection	
(a)	Materials accepted and not excluded in legislation for household collection as food organics.
(b)	Any type of certified home-compostable bin liners, newspapers, paper towels or paper bags used as a liner.
(c)	Indoor cut flowers.
(d)	Seashells.
(e)	For the avoidance of doubt, the materials in (a) to (d), apply to both household and non-household collections (for example, collection of an approved food scrap bin used by a household, business or industry).

Related information about types of material approved for council collection as recycling	
•	Central government has standardised the materials accepted in council-managed kerbside food scrap collections in the <a href="#">Standard Materials for Kerbside Collections Notice 2023 (Notice No.1)</a> .
•	In the Standard, food organics <u>accepted materials</u> are: <ul style="list-style-type: none"> <li>✓ food scraps including food and any parts of food such as those discarded during food preparation. Includes both edible and inedible parts of food.</li> </ul>
•	In the Standard, food organics and garden organics (FOGO) <u>excluded materials</u> are: <ul style="list-style-type: none"> <li>× paper and cardboard</li> <li>× compostable packaging</li> <li>× tea bags</li> <li>× sawdust from treated timber</li> <li>× animal waste</li> <li>× ash.</li> </ul>

Related information, Control history		
Date	Description	Authority
19 Sep 2013	Made Controls under the Solid Waste Bylaw 2012 ( <a href="#">RDO/2013/164</a> ) for – <ul style="list-style-type: none"> <li>approved containers for waste collected from a public place (the Containers for Kerbside Collection Control)</li> <li>the separation and collection from kerbside of domestic waste (the Separation of Domestic Waste Control).</li> </ul>	Regional Development and Operations Committee
1 Nov 2013	Commencement of Controls made on 19 Sep 2013.	
5 Dec 2023	Decision to make Waste Management and Minimisation Bylaw (Collections) Control 2023 and revoke (in whole or part) Controls made under the Solid Waste Bylaw 2012 ( <a href="#">RSCCC/2023/69</a> ).	Regulatory and Community Safety Committee
1 Feb 2024	<ul style="list-style-type: none"> <li>Commencement of Waste Management and Minimisation Bylaw (Collections) Control 2023.</li> <li>Revokes rules in the Containers for Kerbside Collection Control that apply to people using a kerbside collection service. For the avoidance of doubt, rules that apply to waste collectors are retained.</li> <li>Revokes the Separation of Domestic Waste Control.</li> </ul> <a href="#">(RSCCC/2023/69)</a> .	

Find out more: phone 09 301 0101

