By-law made under the Local Government Act 1999

WASTE MANAGEMENT BY-LAW 2024

By-law No. 7 of 2024

To regulate and control the removal of general waste, recyclables and organics from premises, for the prevention and suppression of nuisances, and for regulating the management of property of the Council.

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Waste Management By-law 2024*.

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 *Local Government Act 1999*.

3. Definitions

In this by-law:

3.1 **general waste** means any kind of waste generated from premises, but excludes organics, liquids, metals, recyclables, building materials, stones, bricks, soil, lead, batteries and any hazardous or toxic waste;

3.2 **general waste container** means a container for the reception of general waste;

3.3 **organics** means any organic matter, free of any excess soil, consisting of lawn clippings, plants, vegetables, eggs, shells, noxious weeds, food, bones, leaves, prunings, animal waste or other materials as specified by the Council;

3.4 **organics container** means a container for the reception of organics;

3.5 **recyclables** means newspapers, magazines, paper, cardboard, plastic containers of a type specified by the Council, tins, cans, glass, milk and juice containers, solid plastic material and other materials as specified by the Council;

3.6 **recyclables container** means a container for the reception of recyclables.

Part 2 – Waste Collection

4. Containers

Every occupier of premises must keep on the premises a general waste container, recyclables container and organics container, as approved by the Council.

5. Management of Waste Collection Service

An occupier of premises must:

5.1 General Waste

5.1.1 ensure that the general waste container kept on the premises is approved by the Council; and

5.1.2 ensure that the general waste container contains only general waste;

5.2 Recyclables

5.2.1 ensure that the recyclables container kept on the premises is approved by the Council; and

5.2.2 ensure that the recyclables container contains only recyclables;

5.3 Organics

5.3.1 ensure that the organics container kept on the premises is approved by the Council; and

5.3.2 ensure that the organics container contains only 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 waterproof at all times;

5.5 Sealing of Container

cause the lid of each container to continuously and securely cover the container body, 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;

5.6.2 the container body is not watertight;

5.6.3 it is unable to be moved on its wheels efficiently;

5.6.4 the lid does not seal on the container when closed;

5.6.5 its efficiency or use is otherwise impaired;

5.7 **Collection Services**

5.7.1 facilitate the collection and removal of general waste, recyclables or organics from the premises on the day of or the night before (and not before these times) the scheduled collection day; and

5.7.2 ensure that, prior to the time appointed by the Council for the collection of a particular kind of general waste, recyclables or 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; and

5.7.2.2 as approved or directed by the Council or its contractor; and

5.7.2.3 not under the overhanging branches of street trees; and

5.7.2.4 clear of parked cars; and

5.7.2.5 so that each container is 1.5 metres apart;

5.7.3 remove the container from that position on the same day after the collection has taken place.

6. **Interference With Waste**

A person must not remove, disturb or interfere with any general waste, recyclables or organics that has been placed for disposal in a general waste container, recyclables container or organics container.

The foregoing by-law was duly made and passed at a meeting of the Council of the Port Pirie Regional Council held on the 24th day of JANUARY 2024 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 Peter Ackland
Chief Executive Officer

UNDER SECTION 249(4) OF THE LOCAL GOVERNMENT ACT 1999

CERTIFICATE OF VALIDITY

I, Paul St Leger Kelly, of 431 King William Street, Adelaide SA 5000, being a legal practitioner within the meaning of the *Legal Practitioners Act 1981*, declare that I have examined the following by-law which Port Pirie Regional Council intends to make, being the *Waste Management By-law 2024* and do certify that in my opinion:

(a) the said Council has the power to make the by-law by virtue of the following statutory provisions:

Local Government Act 1999, Section 246(1)(a), 246(2) and 246(3)(f); and

(b) the by-law is not in conflict with the *Local Government Act 1999*.

DATED the 10th January 2024.

Paul St Leger Kelly, Legal Practitioner