

**CORPORATION OF THE CITY OF ADELAIDE**

*By-law made under the Local Government Act 1999*

**WASTE MANAGEMENT BY-LAW 2024****By-law No. 5 of 2024**

*To regulate and control the removal of domestic and commercial waste from premises.*

**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 Act.

**3. Definitions**

In this by-law:

- 3.1 **Commercial and Industrial Waste (General)** has the same meaning as in the Environment Protection Authority Waste Guidelines;
- 3.2 **Commercial Cardboard** means non-contaminated cardboard generated by commercial premises but excludes Recyclables, contaminants such as wax boxes, milk cartons, boxes soiled by food, paints or oils, plastic or polystyrene;
- 3.3 **Bin** includes without limitation any Domestic Waste Bin, Green Organics Bin or Recyclables Bin provided by the Council or some other Bin provided for the purposes of a private or commercial waste collection;
- 3.4 **Domestic Waste** means any kind of domestic waste including putrescibles generated from residences, but excludes liquids, metals (other than food containers), building materials, stones, bricks, soil, lead acid batteries, any dangerous or toxic waste, Commercial and industrial Waste (General), Listed Waste, Hazardous Waste or Radioactive Waste;
- 3.5 **Domestic Waste Bin** means a Bin provided or designated by the Council for the reception of Domestic Waste (maximum weight 60 kg);
- 3.6 **Footpath Area** means:

- 3.6.1 that part of the Road between the boundary of the Road and the edge of the carriageway of the Road on the same side as that boundary; or
- 3.6.2 a footway, laneway or other place made or constructed for the use of pedestrians and not for the use of Vehicles;
- 3.7 **Green Organics** means any clean organic matter consisting of lawn clippings, plants, vegetables, leaves, prunings, horse manure or other materials for which permission has been given by the Council but excludes any item larger than 15 cm in diameter, Domestic Waste, Commercial and Industrial Waste (General), Listed Waste, Hazardous Waste or Radioactive Waste;
- 3.8 **Green Organics Bin** means a Bin provided or designated by the Council for the reception of Green Organics (maximum weight 70 kg);
- 3.9 **Hard Waste** means solid waste arising from domestic premises which is not suitable for collection using a kerbside bin system and includes any internal and external household items, but excludes any Domestic Waste, Commercial and Industrial Waste (General), Listed Waste, Hazardous Waste, Radioactive Waste or waste that is not deemed suitable for collection by the Council;
- 3.10 **Hazardous Waste** has the same meaning as in the Environment Protection Authority Waste Guidelines;
- 3.11 **Listed Waste** has the same meaning as in the Environment Protection Authority Waste Guidelines;
- 3.12 **Private Thoroughfare** means a private street, road, lane, footway, alley, court or thoroughfare that the public is allowed to use and have access to;
- 3.13 **Radioactive Waste** has the same meaning as in the Environment Protection Authority Waste Guidelines;
- 3.14 **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;
- 3.15 **Recyclables Bin** means a Bin provided or designated by the Council for the reception of Recyclables;
- 3.16 **Road** has the same meaning as in the *Local Government Act 1999*.

## Part 2 – Management of Waste System

### 4. Provision of Bins

- 4.1 Every occupier of premises must keep Bins designated by the Council on the premises, other than for the purpose of facilitating the relevant kerbside collection service.
- 4.2 Bins must be kept clean.
- 4.3 Bins which are placed on a Footpath Area or a Road must be kept closed at all times.

- 4.4 Bins placed on a Footpath Area or a Road must be labelled with the address of the premises or business name to which they relate.

## 5. Management of Kerbside Collection Services

### 5.1 Domestic Waste

An occupier of premises must ensure that the Domestic Waste Bin only contains Domestic Waste.

### 5.2 Recyclables

An occupier of premises must ensure that the Recyclables Bin only contains Recyclables.

### 5.3 Green Organics

An occupier of premises must ensure that the Green Organics Bin only contains Green Organics.

### 5.4 Damage

- 5.4.1 An occupier of premises must ensure that each Bin is maintained so that it is not damaged or worn to the extent that:

5.4.1.1 it is not robust or watertight;

5.4.1.2 it is unable to be moved on its wheels (if any) efficiently;

5.4.1.3 the lid does not seal on the Bin when closed; or

5.4.1.4 its efficiency or use is otherwise impaired.

- 5.4.2 If a Bin provided by the Council presented for collection is, in the opinion of the Council or the operator of the relevant kerbside collection service, damaged or worn so as to make removal of the contents impracticable, the kerbside collection service will not be provided unless and until the damage or wear is rectified.

### 5.5 Collection Services

- 5.5.1 An occupier of premises must facilitate the collection and removal of household waste, commercial waste, Recyclables and Green Organics from their premises by placing the relevant Bin in accordance with subparagraph 5.5.2 of this by-law on the day of or the night before (and not before these times) the scheduled collection day.

- 5.5.2 An occupier of premises must ensure that the Bin containing the relevant kind of material is placed out for collection:

5.5.2.1 on the Footpath Area 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 Bin on which the hinges of the lid are situated faces the premises; or

- 5.5.2.2 in another position as approved or directed by the Council; and
- 5.5.2.3 not under the overhanging branches of street trees; and
- 5.5.2.4 not so as to impede the passage of pedestrian or other traffic.
- 5.5.3 An occupier of:
  - 5.5.3.1 commercial premises must remove the Bin from the Footpath Area and Road:
    - (a) within one hour of the collection, if the collection has occurred during business hours; or
    - (b) by 9:00am on the day of collection, if the collection has occurred outside of business hours;
  - 5.5.3.2 premises other than commercial premises must remove the Bin from the Footpath Area and Road on the same day that the collection has taken place.
- 5.5.4 An occupier of premises must facilitate the collection and removal of Hard Waste from their premises by placing the Hard Waste out for collection:
  - 5.5.4.1 on the day of or the night before (and not before these times) the scheduled collection day;
  - 5.5.4.2 on the Footpath Area in front of and on the same side as the premises, abutting the edge of (but not on) the carriageway, or in another position as approved or permitted by the Council; and
  - 5.5.4.3 not so as to impede the passage of pedestrian traffic.

**5.6 Commercial Cardboard**

Where the Council makes available a Commercial Cardboard kerbside collection service an occupier of commercial premises:

- 5.6.1 must ensure that any Commercial Cardboard presented for collection is flattened, bundled and stacked;
- 5.6.2 who presents Commercial Cardboard for collection must ensure that:
  - 5.6.2.1 any Commercial Cardboard which is bundled is tied with string or nylon and not with wire, cable or similar materials; or
  - 5.6.2.2 any Commercial Cardboard which is not bundled is placed in another cardboard box; and

5.6.2.3 is placed on the Footpath Area or the Road at the collection point designated by the Council no earlier than 3:00pm and no later than 6:00pm on the collection day; and

5.6.3 must ensure that any Commercial Cardboard presented for collection is not placed on a Footpath Area or the Road so as to impede the passage of pedestrian or other traffic.

### **Part 3 – Enforcement**

#### **6. Interference with Waste Bins**

A person must not remove, disburse or interfere with any waste that has been placed on a Footpath Area or a Road.

#### **7. Private Thoroughfare**

The owner or occupier of a Private Thoroughfare shall keep the thoroughfare clean and free of refuse, rubbish and waste material.

### **Part 4 - Miscellaneous**

#### **8. Revocation**

Council's *By-law No. 5 – Waste Management*, published in the *Gazette* on 23 August 2018, 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 Council of the Corporation of the City of Adelaide held on the \_\_\_\_\_ day of \_\_\_\_\_ 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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Michael Sedgman  
Chief Executive Officer