

Terms and conditions for kerbside collections and community collection points

The Chief Executive makes these terms and conditions under clauses 5 and 8 of the Christchurch City Council Waste Management and Minimisation Bylaw **2023 (“the Bylaw”)**.

These terms and conditions use the defined terms in clause 3 of the Bylaw.

Kerbside Collection

1. Types of kerbside collection services

All eligible properties that pay the appropriate waste minimisation targeted rate are entitled to use the associated Council funded collection service.

Explanatory note:

*In certain cases, the bylaw allows eligible residential properties to **opt-out** of the kerbside collection service if the Council approves a residential waste management plan, and the plan includes an appropriate alternate service providing for the collection (and diversion from landfill) of recyclable materials and organic waste.*

The Council offers the following types of services:

- 1.1 A **standard** service. This is a mobile waste bin based service and comprises a weekly collection of organics (food and garden waste), a fortnightly collection of recycling and a fortnightly collection of rubbish. For each property the rubbish will be collected on the week after the recycling collection.

Explanatory note: *The current standard service containers consist of three 'wheelie' bins, an 80 litre bin with a green lid for organics, a 240 litre bin with a yellow lid for recycling and a 140 litre bin with a red lid for rubbish. Customers may also request larger bins e.g. a larger 240 litre green bin for organics or the small set of bins for one or two person households where space is constrained. The small set consists of 80 litre bins for organics, recycling and rubbish. Further information is available on the Council website.*

- 1.2 A **shared** service. In lieu of individual sets of bins, residential multi occupancy properties may be supplied with a shared service. This may utilise shared containers (including larger 660L bins for recycling and rubbish and 240L bins for organics) to reduce total container numbers and the service will have the same schedule as a standard service. Collection for **Shared** service may occur on the private property, with bins to be stored in an area accessible to the collections contractor.

Explanatory note: *Residential properties of 10 units or more may be required to have a waste management plan in terms of Clause 10 of the bylaw.*

- 1.3 A **part** service. This refers to a reduced service, such as a service where containers are provided for recycling and/or refuse only. Services may be a combination of kerbside and drop-off or drop-off only, dependant on collection vehicle accessibility. Properties receiving a **part** service will be charged a reduced Waste Minimisation Targeted Rate (Part-Charge).

Explanatory note: *The current rural collection for parts of Banks Peninsula is an example of a part service.*

- 1.4 A **user pays** service. This is a service where the user pays in advance for specific waste collections, through the pre- purchase of Council approved containers (e.g., collection bags)

Explanatory note: *Council currently offers a user pays service for recycling and refuse to a defined area in the central city.*

- 1.5 An **assisted on-property** service where the circumstances of the occupier(s) of the property are such that, due to medical reasons, it is not reasonable to expect them to place wheelie bins at the kerbside. Provision of the assisted service will be provided at the Council's discretion and may be limited to the collection of rubbish only. See clause 9 of these terms and conditions.

Explanatory note: Currently the assisted on property service provided for occupants with a disability, impairment and/or frailty is a rubbish only service.

- 1.6 An **opt-in** service for non-rateable properties such as schools, sports clubs and churches.

Explanatory note: The Council also offers a recycling education programme for Ministry of Education schools.

2. Use of approved containers

- 2.1 With the exceptions provided for in clauses 2.2 and 2.3, only approved containers with Christchurch City Council branding are to be used in the kerbside collection service. The approved containers are owned by Council's contractor and may not be utilised by a commercial collector or for any other purpose.

- 2.2 Where the use of an approved container (e.g., wheelie bin or bag) is not feasible, the Council's contractors may nominate other containers to be used and these terms and conditions will apply (with any necessary modification).

Explanatory note: Only containers approved by the Council or its contractors will be collected; bags and loose items placed beside, or on top of approved containers will not be collected.

- 2.3 Approved containers (e.g. wheelie bins or skip bins) will not be collected if they are non-compliant. Non-compliant containers include containers that are:

- (a) too heavy (e.g. standard wheelie bins weighing more than 70 kilos),
- (b) overloaded and/or contain oversize material (e.g. overloaded bin with lid not shut flat),
- (c) contain materials which are not approved for the service (e.g. rubbish in the recycling container) or prohibited waste, or
- (d) presented outside an incorrect address or in another location which is not approved.

Explanatory note: Council maintains a record of serial numbers and electronic (RFID) tags of bins allocated to properties rated for the kerbside collection service. These bins are allocated for the sole use of that rateable property and should not be presented elsewhere or relocated.

3. Permitted waste

- 3.1 Only permitted waste can be deposited in the approved containers.

- 3.2 The following materials are permitted waste for recycling containers (provided they are loose (not bagged), with tops off and free of contaminants such as food waste):

- paper,
- cardboard (flattened),
- glass bottles and jars,
- aluminium cans and household aerosol canisters,
- plastic bottles and rigid containers (up to 3 Litres) with resin codes 1, 2 and 5 only,
- steel cans.

- 3.3 The following compostable kitchen and garden material is accepted as organic waste for organics containers (provided that it is free of inorganic and unsanitary contamination):

- fruit and vegetables including peelings, scraps and spoiled food,

- meat, fish and dairy products, including raw and cooked meat products, bones and shells,
- other food products including, bread, pastries and flours,
- hair and pet fur,
- paper towels, paper napkins/serviettes, shredded paper, food contaminated paper and cardboard,
- green waste (excluding flax and other fibrous leaves), prunings, cuttings, branches no wider with than 75mm in diameter and that are able to be contained within the bin with the lid shut flat,
- lawn clippings, weeds and leaves.

3.4 The following material is accepted as residual waste **rubbish (residual waste) containers** (provided that it does not include any prohibited waste):

- waste originating from domestic activities that is not suitable for either the recycling or organic collection.

***Explanatory notes:** The Chief Executive may make changes to the listed permitted materials by amending these terms and conditions For the most up-to –date and complete information on materials acceptable for collection e.g. in the recycling or organics bins, please check the Council website.*

4. Prohibited waste

4.1 The following materials are prohibited waste and may not be deposited in any approved container:

- sharp objects or material capable of shattering or puncturing the container or injuring any person (excluding glass bottles or jars suitable for recycling),
- any explosives, gas bottles, hot ashes, flammable material, or any other matter, thing or waste of any kind whatsoever that may endanger any person, animal or vehicle prior to, during and after collection or during and after disposal,
- asbestos or other hazardous materials which may cause injury or harm to waste collectors and disposal site operators,
- any item of excessive size including tyres,
- any liquid, whether in a container or otherwise, or any viscous fluid including used oil,
- any radioactive wastes (except for domestic smoke detectors),
- any batteries (e.g. household, tool, EV-scooter/bike/vehicle),
- any electrical equipment containing hazardous substances (including electrical equipment containing HFCs/Gases),
- any medical waste unless the Council has given its express approval for the waste to be deposited in the rubbish container.

***Explanatory notes:** Prohibited waste is not permitted in the Council's kerbside collection. For information on how to dispose of hazardous, prohibited and special waste contact either the Council Call Centre on 03 941 8999 or view the council's website.*

5. Placement of approved containers (wheelie bins) for collection

5.1 Wheelie bins are to be placed for collection in a manner which facilitates the safe and efficient collection by the waste collectors, and in accordance with the following:

- (a) on the kerb in front of the boundary of the serviced property with Council logo facing the road, or in the case of roads without formed kerbs, on the nominal edge of the road closest to where the collection vehicle passes as directed by the Council,
- (b) close to but not obstructing the driveway/ footpath crossing for the serviceable property,
- (c) bins should be placed at least 500mm clear of fixed obstructions such as trees, lamp posts and sign posts to enable mechanical lifting of bins by collection vehicle,
- (d) where possible bins should be placed clear of movable obstructions such as parked cars and temporary road signage,
- (e) mobile bins are only to be presented in a manner that does not impede pedestrian or vehicular movement and
- (f) bins should be placed 500mm between presented bins for purposes of reading the electronic tag.

5.2 Alternatively when it is not possible to comply with clause 5.1, wheelie bins are to be placed as directed by the Council to facilitate the waste collection operations. Instances where alternative arrangements may be directed include on service lanes, on one way streets, on streets with cycle lanes, in private lanes and in gated communities.

5.3 Wheelie bins must be placed and removed in accordance with the following timeframes:

- (a) bins are to be placed for collection prior to the collection starting in the area. Bins should be at the kerbside no earlier than 5:00 pm on the day before collection and (to ensure collection) no later than 6.00 am on the day of collection, and
- (b) unless a collection service has been missed, all bins must be removed from the kerbside by 11:00 pm on the scheduled day of collection.

Explanatory note: *Where a collection is missed or otherwise does not take place on the scheduled day, the collection will take place on the next collection day or as directed by Council.*

- (c) In some locations, the Council may direct that the placement or removal of bins occurs outside the standard times (above) for reasons of public safety and convenience.

Explanatory notes: *The standard collection day is from 6:00 am to 6.00 pm but in some situations the Council may set non- standard collection times and will notify occupiers of the appropriate times for placement and removal of bins for these services.*

Examples of locations where non-standard collection hours may apply include some industrial areas (where the collection service may start at 5.30am), the Banks Peninsula area in the months of December and January (when the collection day is from 6.00am to 7.30 pm) and on some streets where parking during the day is an issue, or which have high day-time traffic volumes.

6. Protection and use of approved containers (wheelie bins)

6.1 Every owner or occupier must:

- (a) take reasonable steps to protect the approved containers (e.g. wheelie bins) allocated to their property from damage and theft,
- (b) separate and prepare all waste so as to comply with the permitted waste criteria for organics, recycling and (residual waste) rubbish,

- (c) maintain approved containers (wheelie bins) in a sanitary manner so as not to cause offence or nuisance,
- (d) notify the Council of any loss of or damage to the wheelie bin within 48 hours of collection day,
- (e) ensure that approved containers (wheelie bins) allocated to a property remain at the allocated property,
- (f) pay any fees and charges (set annually) to have a replacement bin delivered to the allocated address,
- (g) make the approved containers (wheelie bins) allocated to the property available to Council, its contractors or agents, for audit and inspection purposes. If a repair is required, to make the bin available at the kerbside on the next collection day for that bin or as directed by the Council, and
- (h) make payment to replace an approved container (wheelie bin) in any of the following circumstances:
 - i. the bin has been removed because of non-compliance,
 - ii. the bin has been damaged or destroyed,
 - iii. the owner or occupier has failed to report the loss or theft of a bin from kerbside to Council within 48 hours of collection day, or of a bin being stolen from private property,
 - iv. the bin has gone missing after collection having been left at the kerbside after 11pm on their correct collection day, or
 - v. any other instance where a court orders compensation to the contractor for damage or loss attributed to the occupiers of that property

Explanatory note: *The Council provides a 24/7 service for reporting missing bins and maintains a record of the serial numbers of the bins allocated to properties for the kerbside collection. When a lost or stolen bin is recovered in a usable condition, the Council's contractor will refund any payment minus expenses for cleaning, relabelling and redelivery.*

7. Enforcement

7.1 The following three step notification process will be followed before an approved container(e.g. wheelie bin) is removed because of the incorrect use of that container, and the kerbside collection service is withdrawn from a property (refer clause 7(1) of the Bylaw):

- (a) The Council or its contractor may issue notices of non-compliance with regard to the incorrect use of approved containers. A notice will generally be attached to the container and will contain guidance on the correct use of the container and advice that the non-compliance has been logged against the registered address for the container. A notice will be issued when:
 - i. The placement of the container does not comply with clause 6 of these terms and conditions, or
 - ii. The contents of the container do not comply with the permitted waste criteria for that container e.g. rubbish has been deposited in the recycling container. Where non-compliant content is identified before collection, the container will not be emptied.

- (b) Following the first incident of non-compliance in terms of the permitted waste criteria for that container, the Council or its contractors may monitor the container for contamination. Should a further non-compliance be identified, a second notice of non-compliance will be issued and attached to the relevant container. The Council will also write to the registered property address associated with the non-compliant container to:
 - i. Advise the owners (occupiers) of the property of the non-compliance.
 - ii. Provide advice as to the correct use of containers, and
 - iii. warn that further incidents of contamination may lead to the loss of the service.
- (c) Following a further (third) non-compliance, the container may be removed at any time and the Council will remove the service entitlement for the container from the property.
- (d) Reinstatement of the service entitlement will be at the discretion of the Council and will require:
 - i. A fee to be paid to the Council, and
 - ii. The owner or occupier to make a statement, to the satisfaction of the Council that they understand and will comply with the terms and conditions for the waste collection service.

Explanatory note: Containers presented without a corresponding service allocation or at an address different from that allocated, may not be emptied and may be uplifted immediately.

8. Private lanes and gated communities

- 8.1 The extension of the collection service down private lanes (rights of way) may be approved by the Council in accordance with the criteria set out below:
- (a) the relevant lane must service a minimum of five residential dwellings or units.
 - (b) a majority (51%) of the landowners whose properties are serviced by the lane must request the service before an application for extension of the collection service can be considered by Council.
 - (c) applications must satisfy the Council that either all of the required landowners have consented to the service, or that the applicant has the authority to act on behalf of all the required landowners.
 - (d) the small vehicles used for collecting from “difficult access streets” (as defined in the collection contract) must be able to safely negotiate the lane, and turnaround within the lane. This is to be determined at the discretion of the Council in consultation with the contractor.
 - (e) the landowners of affected lanes must acknowledge in writing that in providing the requested Council services, neither the Council nor Council contractor will be liable for wear and tear to a private right of way (lane) including any turnaround area that may occur as a consequence of providing the requested Council services.
 - (f) any approved service may be withdrawn at the discretion of the Council if safe access along the lane by the collection vehicle is consistently impeded e.g., by parked vehicles.

Explanatory Note: *The legal arrangements underlying private lanes can vary, so the purpose of this clause is not necessarily to require that all landowners must consent but to ensure that all the consents legally required to be obtained are obtained.*

- 8.2 The following terms and conditions apply in respect of gated communities and multi-unit residential developments
- (a) organisations responsible for the administration of multi-unit residential developments or gated developments (e.g. the Body Corporate or any owners' committee) may apply for collection services to be extended to within their private properties on behalf of the owners provided that such organisation satisfies the Council that it has the authority to act on behalf of all the required owners,
 - (b) the extension of collection services to within gated communities will be provided subject to the same conditions as for private rights of way (lanes) subject to:
 - i. driver-activated access, by means of a remote control and card key or access code as back-ups being provided to the Council and/or the Council's contractor.
 - ii. where access cannot be gained by the contractor due to a failure in the access system, collection will only occur outside the secured perimeter of the facility.
 - iii. where access codes are used, the Council/contractor will be notified of any changes in such codes,
 - (c) the Council may, at its discretion, discontinue the provision of collection services within such properties at any time,
 - (d) neither the Council, nor the Council's contractor, will be liable for wear and tear to a private right of way (lane) including any turnaround area that may occur as a consequence of providing the requested Council services or for any missed collections due to a lack of adequate access, and
 - (e) the community shall provide a collection point for approved containers outside the security perimeter in a safe and accessible location for the Council's contractor where:
 - i. the community chooses not to apply for collection to take place within the property, or
 - ii. if access into the community property does not meet the required standard.

9. Assisted on-property service

- 9.1 The Council may provide a wheel-out wheel-back service for residual waste (red bin) only, for people where they are unable to take the bin to the kerbside due to disability, impairment and frailty. Applications for assistance may be approved by Council where the following criteria are met:
- (a) the applicant is prevented from using the kerbside service because of disability, impairment or frailty and /or the particular circumstances of the applicant's property, and
 - (b) household or community support is not available.
- 9.2 Properties provided with this service will be required to keep the allocated container in a fixed location readily accessible from the street and to provide unencumbered access to the property to the contractor for the purpose of collecting and returning the bin.

10. Inner city collection

- 10.1 The Inner City collection area as defined on the Inner City Map (see Council website) will have a rubbish and recycling service with a defined area on a map.
- 10.2 The approved containers for the inner city collection area are official Council bags only. The colour, labelling and price of the bags will be as notified by the Council.
- 10.3 No more than 12 kilograms of permitted materials only are to be deposited in either a recycling or rubbish bag.
- 10.4 Bags are to be placed for collection on the footpath:
 - (a) in a manner and time which minimises the disruption and nuisance to other users of the footpath, and
 - (b) between 5:00pm and 7:00pm on the day of collection or such other times as notified by Council.
- 10.5 Bags which are not collected in the evening are to be removed from the footpath/street by 8:00 am on the following day.
- 10.6 The following materials are permitted waste for recycling bags (provided they have tops off and free of contaminants such as food waste):
 - (a) paper,
 - (b) cardboard (flattened),
 - (c) glass bottles and jars,
 - (d) aluminium cans and household aerosol canisters,
 - (e) plastic bottles and rigid containers (up to 3 Litres) with resin codes 1, 2 and 5 only,
 - (f) steel cans.
- 10.7 Waste originating from domestic activities that is not suitable for recycling is permitted waste for rubbish bags.
- 10.8 Unwrapped sharp objects, hot ashes, liquids or dangerous objects may not be placed in the rubbish bags or recycling bags.
- 10.9 No prohibited waste can be deposited in either the recycling or rubbish bags.

***Explanatory Notes:** The Council provides a waste collection service for properties within the inner city collection area which are not rated for a waste minimisation charge. The appropriate containers are pre-paid bags. Collection days and times will be as notified by Council. Note: cardboard may not be placed on the street for collection by private commercial operators.*

11. Community Collection Points (CCP)

- 11.1 Community collection points are intended for residents of properties that are not on a kerbside collection route.
- 11.2 Locations of Community Collection Points (CCP) and the services at each location will be determined and notified by Council from time to time.
- 11.3 Owners (occupiers) of properties outside the designated collection boundary are not entitled to use the CCP.
- 11.4 Facilities will be provided at each location for the disposal of recycling and rubbish (residual waste) except where the Council determines that a CCP is restricted to accepting only recycling or only rubbish.

Explanatory notes: *If the Council decides to change the criteria for acceptable waste that may be deposited at a CCP, it will publicise the changes on the Council's website and through a public notice in a news-paper circulating in the locality. Other methods of publicising changes may include notices at Council facilities and social media advertising and letter box 'drops'.*

- 11.5 All permitted waste that meets criteria for recycling for the kerbside collection service is accepted in the CCP recycling containers.
- 11.6 All permitted waste that meets the criteria for rubbish for the kerbside collection is accepted in the CCP rubbish (residual waste) containers.
- 11.7 The following materials are prohibited waste and may not be deposited at a CCP:
 - (a) Waste generated by businesses in the course of their business activities,
 - (b) Waste that meets the criteria for prohibited waste,
 - (c) Waste generated from properties outside the designated collection boundary.
 - (d) Construction and demolition waste, and
 - (e) Large household items which would not fit in a standard kerbside wheelie bin.

Explanatory notes: *Community waste collection points are provided in locations on **Banks Peninsula** to provide those residential properties which are not on a kerbside collection route with disposal points for domestic recycling and rubbish. The skips provided at the CCP are intended for household material only. Details of the locations of the community collection points, their hours of operation and categories of waste accepted can be found on the Council's website.*