

Appendix B: proposed 2026 Control

Auckland Council
Te Kaunihera o Tāmaki Makaurau

Waste Minimisation and Management Bylaw (Collections on Kerbside and Premises) Control 2026

(as at DD Month 2026)

made by Auckland Council

on DD Month 2026

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1 Title

This Control is the Auckland Council Waste Minimisation and Management Bylaw (Collections on Kerbside and Premises) Control 2026.

2 Issuing authority

This Control is made under clause 12 of the Te Kaunihera o Tāmaki Makaurau Te Ture ā-Rohe mō te Whakaheke me te Whakahaere Para 2026 | Auckland Council Waste Minimisation and Management Bylaw 2026.

3 Commencement

This Control comes into force on date the **Bylaw** commences.

4 Application

This Control applies to the disposal or discarding of waste to a waste collector and the use of public waste bins under clauses 8, 9 and 10 of the **Bylaw**.

5 Purpose

The purpose of this Control is to help minimise and manage the disposal or discarding of waste to a waste collector from public places and premises and to public waste bins (for example the collection of waste placed for kerbside collection by a council contractor or commercial waste collector).

6 Interpretation

(1) In this Control, unless the context otherwise requires –

Approved container means a receptacle to hold waste that is specified as suitable by the waste collector authorised to collect that waste.

Related information about approved containers
Please check with your collection service provider for the latest types of approved containers. Containers approved for collection by Auckland Council can be viewed on council's website.

Bylaw means the Auckland Council Te Ture ā-Rohe mō te Whakaheke me te Whakahaere Para 2026 | Waste Minimisation and Management Bylaw 2026.

Council collection means the collection of waste 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**.

Related information about terms used in this Control
The following are some important definitions from the Bylaw to make the Control easier to understand.
Council-controlled public place means –
(a) a place that is owned, managed, maintained or controlled by **council** or a substantive council-controlled organisation (as defined in section 4(1) of the Local Government (Auckland Council) Act 2009) that, at any material time, is open to or is being used by the public, whether free or on payment of a charge; and
(b) to avoid doubt –
  (i) includes any park, reserve, recreational ground, sports field, public garden, public square, cemetery, beach, foreshore, dune, wharf, breakwater, boat ramp, pontoon, road, footpath, access way, grass verge, berm, and any part of those spaces; and
  (ii) excludes any place under the control of the Tūpuna Maunga o Tāmaki Makaurau Authority.
Public place means –
(a) a place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place; and
(b) to avoid doubt, includes any hovercraft, ship or ferry or other vessel, train, or vehicle carrying or available to carry passengers for reward and any **council-controlled public place**.
Public waste bin means a container for **waste** provided by **council** in a **public place** and includes containers for different types of waste (for example recyclable items or rubbish).
Waste means –
(a) any thing disposed of or discarded; and
(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); and
(c) to avoid doubt, includes any component or element of diverted material, if the component or element is disposed of or discarded.
Waste collector means –
(a) any person who collects or transports **waste**;
(b) includes commercial and non-commercial collection or transportation (for example, a business, community group and not-for-profit organisation); and
(c) excludes collection or transportation –
  (i) for personal reasons (for example a person taking their household garden waste to a transfer station); or
  (ii) as an incidental function of their primary activity (for example a landscape gardener taking a customer's garden waste to a composting facility).

(3) Related information (in grey shaded text boxes titled "Related information" or *italic text*) and links to webpages are for information purposes only and may be inserted, changed or removed without any formality.

7 Types of waste that may be collected and how the waste must be deposited

This Table prescribes –

(a) the types of waste that may be deposited for a particular type of collection;

(b) what type of **approved container** must be used to hold the waste; and

(c) the circumstances when an **approved container** is not required to be used and instructions for how the waste must instead be deposited.

Type of collection	Type of waste	Type of approved container or instructions for deposit
Council collection from a public place or premises (private property)	• Any waste, excluding all items listed in Appendices A, B, C and D as prohibited, recyclable or food scraps. • However, in areas where council does not provide a food scrap collection, the items listed in Appendix D can be included.	• Council provided rubbish container.
	• Any waste listed in Appendix C as recyclable.	• Council provided recycling container. • However, where directed by council in specified locations, paper and cardboard may be flattened and securely bundled.
	• Any waste listed in Appendix D as food scraps.	• Council provided food scraps container.
Waste collector collection from a public place	• Any waste approved by the waste collector, excluding prohibited waste listed in Appendix A.	• Any container approved by the waste collector.
Waste collector collection from premises (private property)	• Any waste approved by the waste collector.	• Any container approved by the waste collector.

Related information about deposit of paper and cardboard

Council currently allows people on Aotea / Great Barrier Island and in the CBD (see map of High Density Area in clause 8 of this Control) to dispose of paper and cardboard by flattening and securely bundling or bagging items for kerbside collection. All other people must use a council provided recycling container.

8 Times when waste may be placed on a public place for collection

(1) This Table prescribes the times waste and any associated **approved container** in clause 7 of this Control –

(a) may be placed on a public place for collection (for example in a recycling bin for kerbside collection by a council contractor or commercial service); and

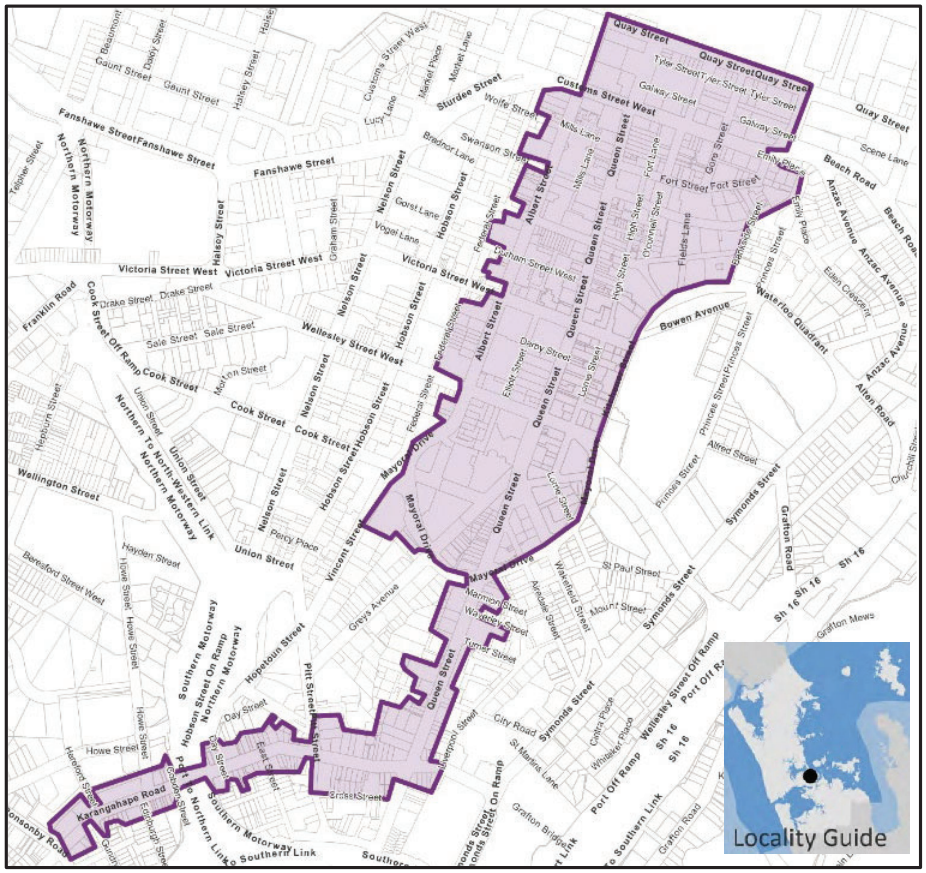
(b) must be removed.

Waste and associated approved container placement and retrieval times on public places		
Time of scheduled collection*	**Placement (set-out) time**	**Retrieval (removal) time** (Whether or not waste is collected)
High Density Area shown in the map below this Table		
Morning	No earlier than 12am of the morning of **scheduled collection***	By 9am of the day of **scheduled collection***
Evening	No earlier than 5pm of the day of **scheduled collection***	By 9am of the day following the **scheduled collection***

Time of scheduled collection*	Placement (set-out) time	Retrieval (removal) time (Whether or not waste is collected)
All other areas		
Daytime (5am – 7pm)	No earlier than 5pm of the day before **scheduled collection***	By 9am of the day following **scheduled collection***
Night-time (7pm-5am)	No earlier than 5pm on the night of **scheduled collection***	By 9am of the morning following **scheduled collection***

* **Scheduled collection** means the day and time specified by the waste collector to remove the waste from the public place.

Map of Auckland's High-Density Area for approved container placement and removal times



(2) However, the waste and any associated **approved container** does not need to be retrieved if –

(a) authorised by the relevant waste collector (for example because a container was not emptied during a scheduled collection);

(b) a council-approved centralised receptacle or consolidation point allows for waste to be placed or retrieved at other times; or

(c) approved by the council.

9 Location where waste may be placed on a public place for collection

(1) Waste and any associated **approved container** in clause 7 of this Control for collection from a public place (for example a recycling bin for collection by a council contractor or commercial waste collector), must –

(a) be placed as close as practicable to the roadway edge (for example the kerbside and not on the roadway) near the premises at which the waste was stored;

(b) not restrict access to any premises;

(c) not obstruct any footpath, bus stop, cycle path, shared path, or any part of the roadway; and

(d) not obstruct pedestrian and / or vehicular line of sight of any corner, bend, intersection, vehicle crossing, pedestrian crossing or private entrance.

(2) However, if required by council, the waste and any associated **approved container** must be placed in an alternative location specified by council (for example a centralised receptable or consolidation point to address a health and safety issue at the location).

10 Capacity restrictions for approved containers placed on a public place for collection

Approved containers placed on a public place for collection (for example a rubbish bin for collection by a council contractor or commercial service) –

(a) must, if the **approved container** has a capacity of 660 litres (0.66m^3) or more, 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 (1.1 m^3), unless approved by council.

Related information approval for 'oversize bins' on the Auckland transport system

Approval for a 'Corridor Access Request' or 'Encroachment' can be sought from council to place any container over 1100 litres (1.1m3) in the road corridor.

11 Weight limits of waste in approved containers and placed for collection

The combined weight of an **approved container** and the waste it holds for collection from a public place or premises (for example by a council contractor or commercial service) –

(a) must not exceed the maximum weight specified by the manufacturer of the **approved container**;

(b) must not exceed any lower maximum weight specified by the waste collector of the **approved container**; and

(c) for council collections, must not exceed the maximum weight specified in this Table.

Maximum weight of waste in approved container for council collection		
Type of approved container	**Capacity of approved container**	**Maximum weight of waste in approved container (including weight of container)**
Bins	23l bin	<14kg
	80l bin	<32kg
	120l bin	<48kg
	140l bin	<56kg
	240l bin	<96kg
	360l bin	<144kg
	660l bin	<267kg
	1100l bin	<440kg
Bags	45 or 60l bag	<10kg

12 Special collections

(1) Council may approve the collection of waste that does not require a person to comply with clauses 7 to 12 inclusive of this Control (for example an inorganic collection).

(2) Any waste disposed of or discarded as part of a special collection must be placed in accordance with any conditions specified by council, including, but not limited to –

(a) the types of waste that may be placed for collection;

(b) times any waste may be placed for collection;

(c) where any waste may be placed for collection, including on premises or in a public place; and

(d) how any waste must be placed (for example whether the waste must be placed in an **approved container** or instructions for the placement of waste when an **approved container** is not required to be used).

13 Use of approved containers

A person must not remove an **approved container** provided by **council** or a **waste collector** from the **premises** it was provided to without the providers prior approval (for example taking the recycling bin provided for the property when moving to a new home).

14 Types of waste to be disposed of or discarded into public waste bins

This Table prescribes how a person must dispose of or discard waste in public waste bins.

Type of public waste bin	Type of waste
A bin marked for rubbish or with no markings (for example a standalone bin on a public footpath).	• Any waste, excluding all items listed in Appendices A and B as prohibited.
A bin marked for recyclable waste.	• Any waste indicated as accepted in the bin excluding all items listed in Appendices A and B as prohibited.

Appendix A: Types of prohibited waste

This Table lists types of waste that are prohibited from being disposed of or discarded in clause 7 and 14 of this Control

Prohibited types of waste
(a) any waste that may endanger any person, animal or vehicle prior to, during or following collection, transportation, storage, sorting or disposal, including: (i) any waste capable of causing injury, infection or harm to any person or animal; (ii) any waste capable of causing damage to the **approved container** or collection vehicle; (iii) any waste likely to shatter and cause injury during collection; (iv) any radioactive waste with the exception of smoke detectors; (v) any lead-acid or lithium batteries; (vi) any broken glass, floor-sweepings and pet litter, unless this waste is sufficiently contained (for example securely wrapped to avoid the risk of dispersal into the air and coming into contact with the eyes of the waste collector or others during collection); (vii) any medical waste that is not sufficiently contained to prevent injury or infection; (viii) any asbestos and asbestos containing waste; (ix) any hot ashes; and (x) any mercury-containing light bulbs, light globes, CFLs, fluoro or fluorescent tubes (b) any hazardous waste, meaning any substance that: (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 Hazardous Substances and New Organisms Act 1996; (ii) meets the definition for infectious substances included in the Land Transport Rule: Dangerous Goods 2005 and NZ Standard 5433: 2020 – Transport of Dangerous Goods on Land; or (iii) meets the definition for radioactive included in the Radiation Protection Act 1965 and Regulations 1982
(c) any liquid or viscous fluid; including (but not limited to), used oil and paints
(d) any medicine (whether expired or not).

Appendix B: Additional types of prohibited waste

Table 1 lists types of waste that are prohibited from being disposed of or discarded in clause 7 and 14 of this Control in addition to those listed in Appendix A.

Table 1: Prohibited types of waste	
(a)	building waste such as lengths of timber, posts, concrete, bricks, and windows that may damage compacting equipment;
(b)	gas containers whether full or empty, including LPG containers but excluding empty aerosol containers;
(c)	pest plants which Auckland Council provides a free removal service for;
(d)	pest plant species which must be reported to the Ministry of Primary Industries (MPI);
(e)	garden organics, excluding plants listed in Table 2.

Table 2: Garden organics excluded from the list of prohibited waste in Table 1(e)	
(a)	any pest plants described in any Auckland Council Regional Pest Management Plan that are not included in (c) and (d) of Table 1;
(b)	The following specific plants:
	(i) flax species;
	(ii) palm species fronds;
	(iii) cabbage tree;
	(iv) pampas;
	(v) toi toi (cutty grass);
	(vi) yucca species;
	(vii) bamboo species;
	(viii) dracena Species.

Related Information about garden organics, pest plants and free removal services for certain pest plants

Some garden organics are very difficult to compost at home and often excluded from commercial waste collection services. Plants listed in Table 2 can be deposited in rubbish bins for council collection.

Garden organics are defined in the Standard Materials for Kerbside Collections Notice 2023 (Notice No.1) as 'Vegetative materials discarded from gardening activities'.

Council and the Ministry for Primary Industries aim to eradicate or contain certain pest plants and will therefore manage their control and disposal from your property.

To see the list of species this applies to, visit Pest Search and search for the plant species you are wishing to dispose of and look for the 'Control' heading in the information provided. For example:

- for a Cape Tulip, report it to the Ministry for Primary Industries to get advice on the next steps
- for a Balloon vine, report it to Auckland Council who will arrange to remove the plant for you.

Appendix C: Types of recyclable waste

This Table lists types of waste that may be disposed of or discarded for recycling in clause 7 and 14 of this Control.

Types of recycling waste	
(a)	wastes accepted and not excluded in legislation for household collection as dry recycling;
(b)	for the avoidance of doubt, the waste in (a) applies 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 Standard Materials for Kerbside Collections Notice 2023 (Notice No.1).

In the Standard, dry recycling accepted materials are:

- ✓ glass bottles and jars
- ✓ paper and cardboard
- ✓ plastic bottles, trays and containers of resin identification codes 1, 2, and 5
- ✓ aluminium and steel tins and cans.

In the Standard, dry recycling excluded materials are:

- ✗ all three-dimensional items smaller than 50mm at their widest point
- ✗ all two-dimensional items smaller than 100mm by 140mm
- ✗ all glass, plastic, steel and aluminium containers larger than four litres
- ✗ lids, caps, and tops (excluding tethered lids); aerosols
- ✗ liquid paperboard
- ✗ aluminium foil and trays
- ✗ plastics with resin identification codes 3, 4, 6, or 7
- ✗ soft plastics
- ✗ plant pots
- ✗ paint containers
- ✗ hazardous substance containers

Appendix D: Types of food scrap waste

This Table lists types of waste that may be disposed of or discarded as food scraps in clause 7 of this Control.

Types of food scrap waste	
(a)	waste 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 waste 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 Standard Materials for Kerbside Collections Notice 2023 (Notice No.1).

In the Standard, food organics accepted materials are:

✓ food scraps including food and any parts of food such as those discarded during food preparation. Includes both edible and inedible parts of food.

In the Standard, food organics and garden organics (FOGO) excluded materials are:

✗ paper and cardboard

✗ compostable packaging

✗ tea bags

✗ sawdust from treated timber

✗ animal waste

✗ ash.

In the Standard, Territorial Authorities have discretion to specify whether they accept the following food organic discretionary materials:

- compostable plastic bin liners or compostable fibre (paper, cardboard or other types of biomass) bin liners;
- seashells; and
- small amounts of garden organics.

Related information, Control history		
Date	**Description**	**Authority**
19 Sep 2013	Made 'Containers for Kerbside Collection Control' and 'Separation of Domestic Waste Control' (2013 Controls).	Regional Development and Operations Committee (RDO/2013/164)
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 (2023 Control) and revoke (in whole or part) the 2012 Controls.	Regulatory and Community Safety Committee (RSCCC/2023/69)
1 Feb 2024	• Commencement of 2023 Control • Partial revocation of Containers for Kerbside Collection Control – revoke parts that apply to people using a kerbside collection service. Rules that apply to waste collectors retained. • Revocation of the Separation of Domestic Waste Control.	
DD MM 2026	Decision to make Waste Minimisation and Management Bylaw (Collections on Kerbside and Premises) Control 2026 and to revoke current Controls.	Governing Body (GB/2026/##)
DD MM 2026	Commencement of 2026 Control and revocation of 2023 Control and remainder of Separation of Domestic Waste Control.	

Find out more: **phone 09 301 0101**
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