

Te marohi kia whakapai ake i ngā ture ā-rohe me ngā whakahaere e pā ana ki te para

Proposal to improve waste-related bylaws and controls

Statement of Proposal to replace the Waste Management and Minimisation Bylaw 2019 and Collections Control 2023, amend the Public Trading, Events and Filming Bylaw 2022 and Public Safety and Nuisance Bylaw 2013 and revoke the Containers for Kerbside Collection Control 2013.

Public consultation from 20 January to 22 February 2026

December 2025, Version 1.0

aucklandcouncil.govt.nz

1 What this is about

Helping to minimise and manage waste in Auckland

Waste is everyone's business. We all have an impact on the amount of waste we generate, and on where that waste ends up. Every year, Auckland sends around 1.5 million tonnes of waste to landfills - enough to fill Eden Park every week. This growing volume of waste continues to challenge Auckland's goal of achieving Zero Waste by 2040.

What Auckland Council does

Council makes waste rules about waste storage, kerbside and private property collection services, use of public waste bins, licencing of waste collectors and collection of waste data from waste collectors and waste facilities. These rules help to minimise public nuisance, health and safety risks and waste to landfill caused by improper storage and disposal of waste in Auckland.

The existing rules are in the Waste Management and Minimisation Bylaw 2019 (**2019 Bylaw**), the Waste Management and Minimisation Bylaw (Collections) Control 2023 (**2023 Control**) and the Containers for Kerbside Collection Control 2013 (**2013 Control**).

These rules are part of a wider legislative and strategic framework about waste minimisation and management activities, services and issues. For example:

- the Waste Management and Minimisation Act 2008 promotes waste reduction, levies waste to landfill and sets a framework for product stewardship
- Auckland's Waste Minimisation and Management Plan 2024 sets actions to achieve zero-waste such as improving council collection services, partnerships and education
- the Litter Act 1979 provides for infringement fines for illegal dumping and littering
- the Auckland Unitary Plan regulates waste burning, composting, burial and landfills.

Improving our approach

We recently checked how the Bylaw and Controls are working and identified improvements.

The proposal is to replace the 2019 Bylaw and 2023 Control and revoke the 2013 Control, by:

- replacing the 2019 Bylaw and 2023 Control with new Waste Minimisation and Management Bylaw 2026 and 'Collections on Kerbside and Premises' Control 2026 that focus on waste storage and disposal, waste collection and transport, and waste facilities
- revoking the 2013 Separation of Domestic Waste Control and instead relying on waste collector approval conditions
- amending the Public Trading, Events and Filming Bylaw 2022 to include rules about donation collection bins and waste minimisation and management plans for events
- amending the Public Safety and Nuisance Bylaw 2013 to include rules about abandoned shopping trolleys and unaddressed mail on vehicles.

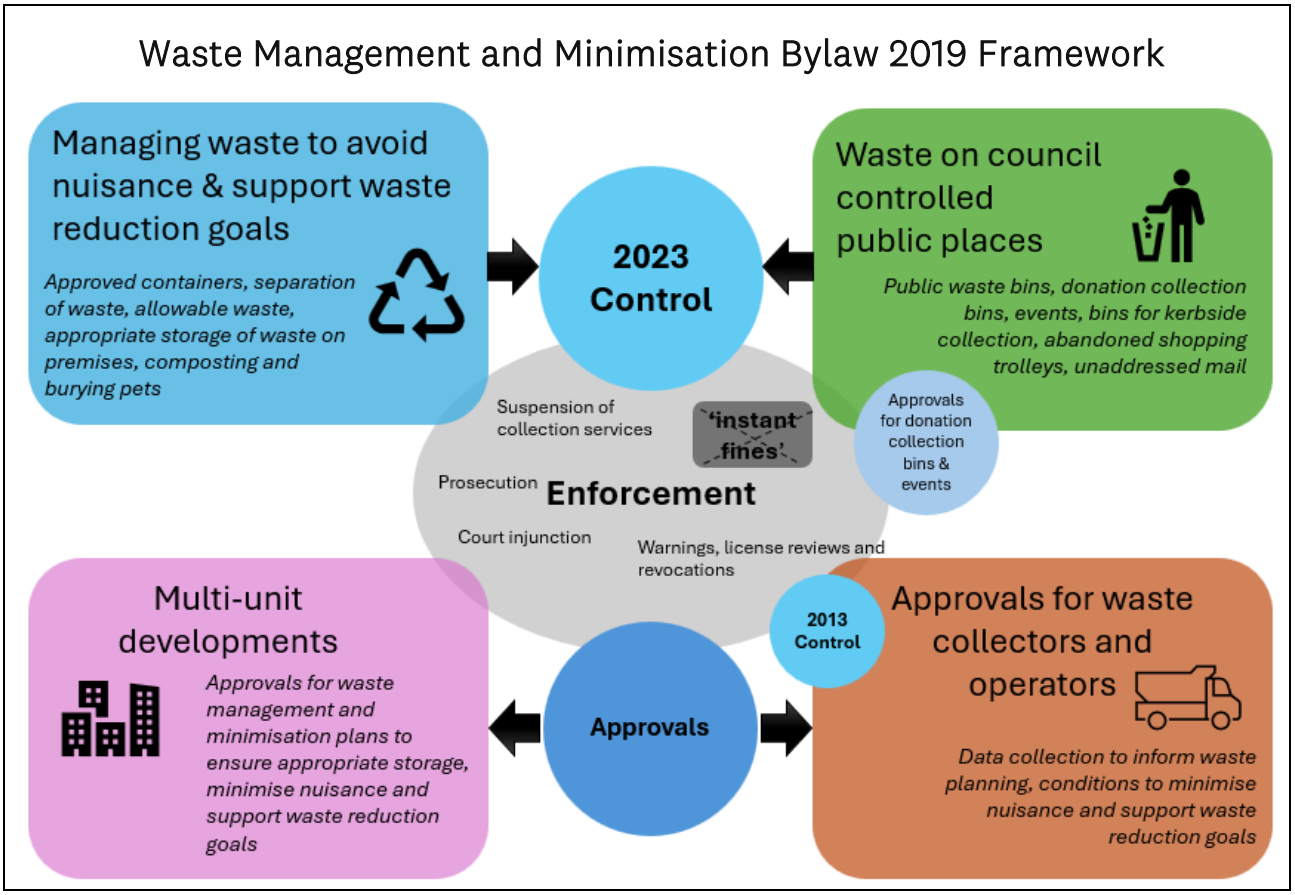
We want to know what you think

From **20 January to 22 February 2026**, we want you to tell us what you think about the proposal to improve our waste-related bylaws and controls.

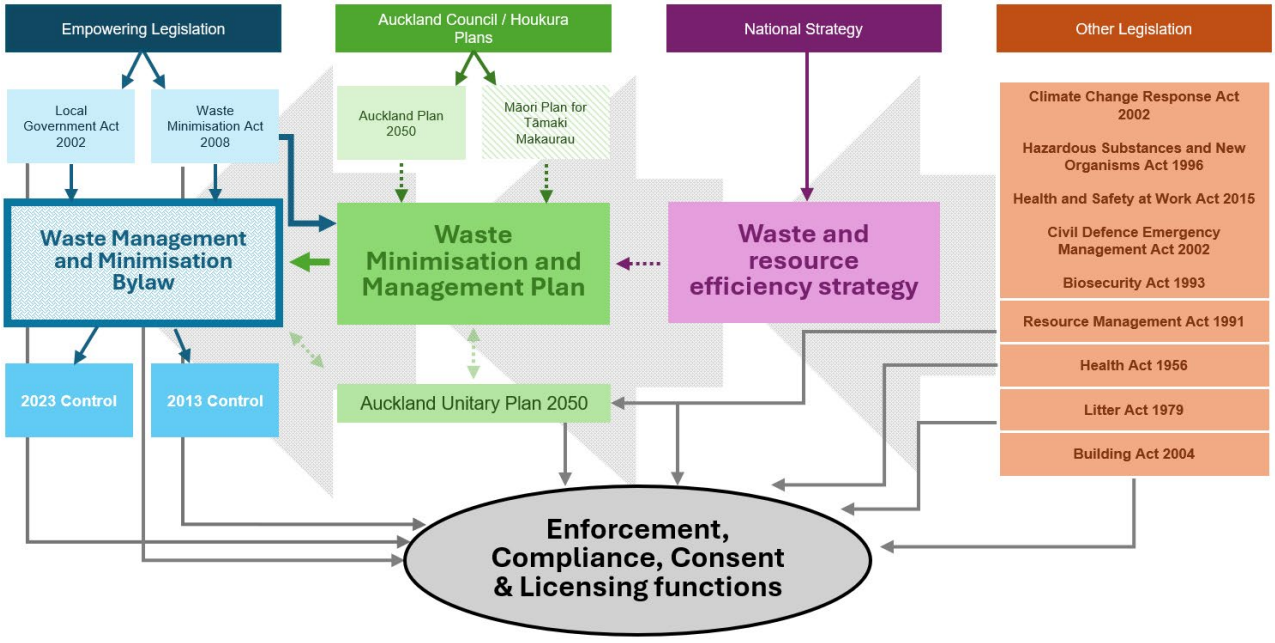
Visit akhaveyoursay.aucklandcouncil.govt.nz/ for more information and to find out how to give your feedback in writing, in-person or by phone. Free internet access is available at our libraries.

2 What are the Bylaw and Controls?

The 2019 Bylaw and Controls set rules for how people must minimise and manage waste on private properties and public places. They also outline requirements for waste collectors and waste facilities and specify when council approval is needed.



Auckland Council rules form part of a wider legislative and strategic framework about waste that the 2019 Bylaw and Controls seek to compliment and do not duplicate.



3 Implementing the Bylaw

A Committee and Waste Solutions implement the Bylaw

A committee of elected members is responsible for controls under the 2019 Bylaw. For example, the committee in December 2023 made the 2023 Control and amended the 2013 Control.

Our Waste Solutions staff are responsible for the day-to-day administration of the Bylaw and Controls. For example, staff process applications for approval to collect and transport waste, check for compliance and respond to non-compliance.

Education-focused approach to compliance

The Bylaw and Controls give regulatory backing to operational practices that support and encourage voluntary compliance.

We carry out activities to ensure compliance using a modern regulatory approach. This includes:

- providing clear online information to help people comply with the rules, for example when their collection days are, what can go in general waste, recycling and food scrap bins, and how to correctly identify and dispose of hazardous waste
- inspecting over 2000 kerbside bins daily for incorrect waste disposal (contamination) and using a staged approach to support compliance that may include:
    - not collecting the waste in the bin
    - collecting the waste subject to payment of the costs of removal
    - withdrawing or suspending a collection service
- notifying approval holders of complaints and requesting action to address non-compliance.

Penalties for not complying with the Bylaw or Controls can include a maximum $20,000 court fine.

4 What council proposes to change

Improving our approach to waste-related bylaws

We recently checked how the rules are working and identified improvements. Most improvements will not have any noticeable impact on people managing their waste or collection services. The proposed improvements mostly aim to simplify and clarify existing rules, while removing inconsistencies, duplication and outdated rules that are no longer used. Here are some examples:

Approvals for waste plans
The review found that rules requiring waste plans for trading, event and filming activities on council land could be simplified by transferring those rules to the Auckland Council Public Trading, Events and Filming Bylaw 2022.

Public waste bins
The review found that rules on what waste can go in public bins need to be clearer and better reflect the types of waste currently accepted.

Composting
The review found that the Auckland Unitary Plan already provides appropriate rules for domestic composting activities. There is no need to duplicate these rules in the Bylaw.

Other key aspects of the current Bylaw and Controls are proposed to be retained:

- people must continue to deposit / dispose of their waste according to the Bylaw and Control
- people must still use public waste bins for waste that is generated on that public place only
- waste collectors must still obtain an approval and meet conditions to operate in Auckland
- matters that are largely operational in nature, for example the maximum weight of an approved container and types of prohibited waste, are still contained within the Control.

However, the proposed changes also introduce new elements to the Bylaw and Control, to address identified gaps. Some examples are:

Onsite storage of waste
Currently, there are no specific rules requiring people to store their waste in a way that stops wind spreading waste onto neighbouring properties. New rules in the 2026 Bylaw cover onsite storage of waste.

Special collections
Most council-organised special collections are ‘inorganic collections’. The rules for these collections differ from regular collections such as when items can be put out. New rules in the 2026 Control make this clear.

Onsite waste collections
Onsite waste collection services occur in certain circumstances (for example, for multi-unit developments). The new rules in the 2026 Bylaw cover these types of collections in addition to the existing rules for kerbside collections.

The Table below summarises the proposed changes and reasons.

Proposed changes	Reasons for proposal
Replace the Waste Management and Minimisation Bylaw 2019 with a new Waste Minimisation and Management Bylaw 2026	To improve and simplify the current waste rules by: • focusing the Bylaw on waste storage and disposal, waste collection and transport and on waste facilities • clarifying rules and definitions for collectors and facilities • expanding the options for how people can dispose of their waste (for example, soft plastics drop-offs at supermarkets) • adding rules about appropriate on-site waste storage • adding rules about waste collection from private properties • removing rules that are unnecessary, unused or covered by existing regulations (for example, the Auckland Unitary Plan for composting, burial and burning of waste or the Litter Act 1979 for unaddressed mail).
Replace the 2023 'Collections' Control with a new 'Collections on Kerbside and Premises' Control 2026	To better clarify rules about: • what types of waste can be deposited in different containers (for example, what waste can be placed in refuse bins) • which waste is prohibited, recyclable and food scraps • approved containers for example, that they must not be removed from the property they are provided to • what waste can be discarded into public waste bins. To add rules for waste collection from private properties, including special collections for inorganic waste.
Revoke the 2013 Control and instead rely on waste collector approval conditions	To clarify and simplify compliance requirements for waste collectors and to support future changes (for example, if the NZ Standards for kerbside collection bins change).
Transfer rules about donation collection bins on council land and waste plans for trading, event and filming activities to the Public Trading, Events and Filming Bylaw 2022 Transfer selected rules about abandoned shopping trolleys and placing flyers on vehicles in public places to the Public Safety and Nuisance Bylaw 2013	To simplify council administration and approval processes by removing the need for a bylaw to be made under the Waste Minimisation Act 2008 and Local Government Act 2002. This will better align the Waste Plan and Bylaw reviews, ensuring the next bylaw is reviewed after the plan is adopted.
Revoke the 2019 Bylaw rules about waste management and minimisation plans for multi-unit developments	To remove duplication of rules by: • relying on the Auckland Unitary Plan to continue to address waste issues for new multi-unit developments • relying on other rules for existing developments (for example, proposed new rules about the onsite storage of waste).
Improve the structure, definitions and wording of the Bylaw and Control	To update and make the rules easier to understand by using plain language, clarifying definitions and providing examples and links to other rules.

If you want to know more, see **Appendix A** for the proposed 2026 Bylaw, **Appendix B** for the proposed 2026 Control, **Appendix C** for changes to the Public Trading, Events and Filming Bylaw 2022 and **Appendix D** for changes to the Public Safety and Nuisance Bylaw 2013.

5 How we got here

Decisions leading to the proposed changes

The Waste Management and Minimisation Act 2008 and Local Government Act 2002 require the council to review its bylaws periodically to determine whether they are effective, efficient and still necessary to address waste-related problems. We also check that our bylaws do not conflict with other laws, such as the New Zealand Bill of Rights Act 1990.

We reviewed the current Bylaw and Controls by engaging with stakeholders and undertaking research. This was reported in our findings and options at meetings in August and December 2025.



This Statement of Proposal was approved for public consultation by the Governing Body on 16 December 2025 to begin the process of replacing the 2019 Bylaw and 2023 Control, revoking the 2013 Control and amending the Public Trading, Events and Filming Bylaw 2022 and Public Safety and Nuisance Bylaw 2013. A summary of key findings and options is provided below.

Key findings from our review of the current Bylaw and Controls
• Improper storage and disposal of waste in Auckland continues to cause public nuisance, health and safety risks and waste to landfill. • For example, bins block footpaths, 20 per cent of waste in recycling bins is non-recyclable and waste collection and facility data gaps hinder progress towards Zero Waste goals. • The current 2019 Bylaw and Controls help address these problems. • A bylaw about waste is still required but could be improved to better address problems, remove unused or duplicative provisions, and clarify ambiguities in the approval framework and related definitions (see next Table).

Assessment of four options in response to the findings

The 2019 Bylaw rules and Controls were grouped and assessed under four topics and options.

Topic	Statutory options and reasons			
	Confirm (no change)	**Amend**	**Replace**	**Revoke**
Topic 1: approaches to support waste minimisation and management **Topic 2:** disposed or discarded materials in council controlled public places **Topic 4:** approvals for waste collectors and waste management and resource recovery facilities	×	×	✓	×
	• Makes improvements identified in findings ('Confirm' and 'Revoke' not appropriate). • Ensures next statutory bylaw review follows the Waste Plan review ensuring the bylaw does not conflict with it ('Amend' not appropriate).			
Topic 3: approvals for multi-unit developments	×	×	×	✓
	• Currently use other rules in Auckland Unitary Plan and 2019 Bylaw ('Revoke' appropriate).			

Go to akhaveyoursay.aucklandcouncil.govt.nz/ for copies of the above decisions, including findings and options considered, as required by legislation.

6 We want your input

You have an opportunity to tell us your views

We would like to know what you think about the proposal.

Give us your feedback

We want to know your views on the proposal to replace the Auckland Council Waste Management and Minimisation Bylaw 2019 and Collections Control 2023, amend the Public Trading, Events and Filming Bylaw 2022 and Public Safety and Nuisance Bylaw 2013 and revoke the Containers for Kerbside Collection Control 2013.

We recommend you read the statement of proposal before having your say.

You can have your say from 20 January to 22 February 2026.

You can give us your feedback:

- by completing the online feedback form
- in-person or online via audio-visual link at one of our 'Have your say' events
- by phone
- using New Zealand sign language.

We will use your feedback and feedback from mana whenua, stakeholders and technical experts to decide whether or not to adopt the changes as proposed or with amendments by mid-2026.

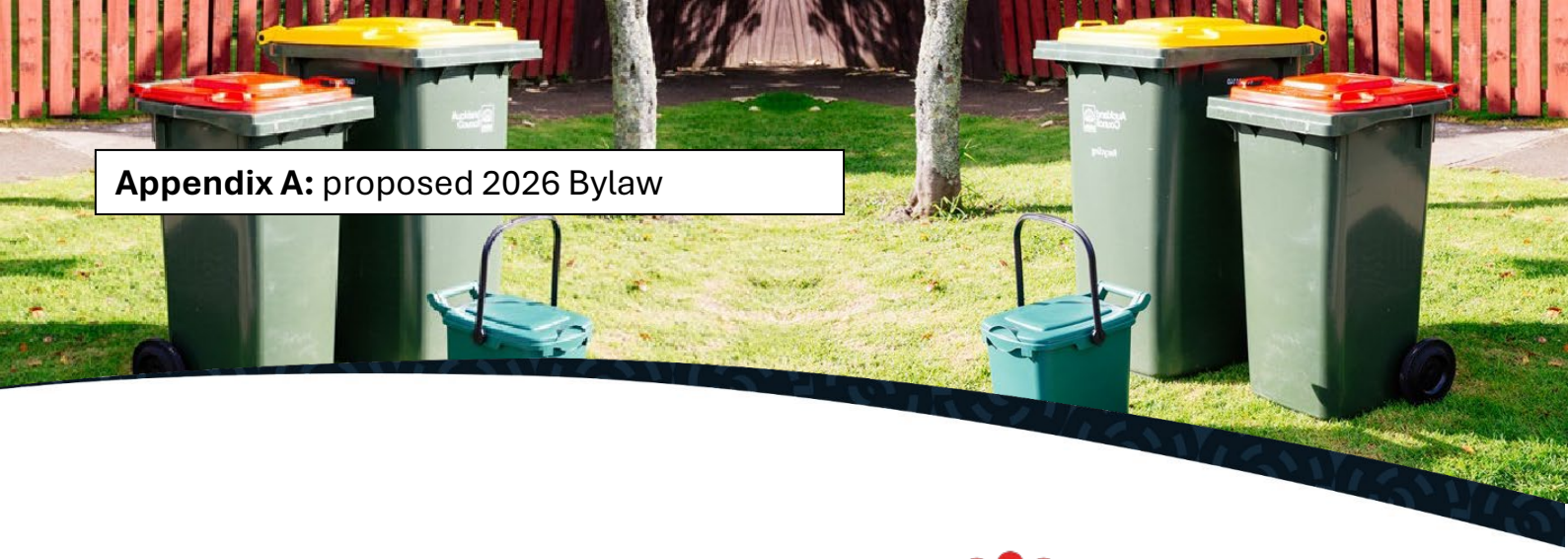
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Auckland Council
Te Kaunihera o Tāmaki Makaurau



Appendix A: proposed 2026 Bylaw

Auckland Council
Te Kaunihera o Tāmaki Makaurau

Te Ture ā-Rohe mō te Whakaheke me te Whakahaere Para 2026 | Waste Minimisation and Management Bylaw 2026

(as at DD Month YYYY)

made by the Governing Body of Auckland Council

in resolution GB/2026/##

on DD Month YYYY

Bylaw made under section 56 of the Waste Minimisation Act 2008.

Summary

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

Waste is everyone's business. We all have an impact on the amount of waste we generate, and on where that waste ends up. In Auckland, around 1.5 million tonnes of waste goes to mixed waste landfills each year. That's enough to fill Eden Park every week. The amount of waste going to landfill remains a growing challenge to Auckland's vision of Zero Waste by 2040.

Auckland Council and private collectors provide kerbside and onsite recycling and food scrap collections to help reduce waste to landfill and Aucklanders play their part by ensuring they separate their waste appropriately. How waste is stored and collected can however increase public safety risks and nuisance for example, bins being left on the footpath and being a hazard to pedestrians.

The purpose of this Bylaw is to minimise public nuisance, health and safety risks, and waste to landfill from the storage and disposal or discarding of waste in Auckland by –

- requiring people to appropriately deposit or dispose of waste in clauses 6, 8, 9 and 10
- requiring people to appropriately and adequately store waste in clause 7
- requiring waste collectors and waste facilities to obtain an approval from council in clause 11

Other parts of this Bylaw assist with its administration by –

- stating the name of this Bylaw, when it comes into force and where it applies in clauses 1, 2 and 3
- stating the purpose of this Bylaw and defining terms in clauses 4 and 5
- providing transparency about how council makes controls and about the approval process in Part 3
- referencing council's powers to enforce this Bylaw and seek up to $20,000 in penalties in Part 4
- stating savings and transitional provisions in Part 5.

The Bylaw is part of a wider framework. The Bylaw does not seek to duplicate or be inconsistent with these requirements, which include –

- rules about littering in the Litter Act 1979
- rules about burning, composting and burial and the discharges of contaminants into the environment in the Auckland Unitary Plan
- rules about waste minimisation and management plans for events and placing donation collection bins in council-controlled public places in the Public Trading Events and Filming Bylaw 2022
- rules about abandoning shopping trolleys and placing flyers on cars parked in public places in the Public Safety and Nuisance Bylaw 2013
- rules about what items can be placed for kerbside collection in the Standard Materials for Kerbside Collections Notice 2023 (Notice No.1)
- For more information about council collection services, please read:
- our "rubbish, recycling and food scraps collections" 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, recycling and food scraps collection day" webpage to learn about council 'kerbside' collection services in your area including collection dates and times
- our "Rubbish, recycling and food scraps collections for apartments and units" to find out more about the services we can provide to apartments and units.

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1 Title

This Bylaw is 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.

2 Commencement

This Bylaw comes into force on 22 August 2026.

3 Application

(1) This Bylaw applies to **Auckland**.

(2) This Bylaw does not apply to –

(a) **council** when exercising its lawful compliance functions;

(b) emergency services or civil defence personnel exercising their lawful functions in an emergency; or

(c) any person acting in compliance with a lawful direction of **council.**

Part 1

Preliminary provisions

4 Purpose

The purpose of this Bylaw is to minimise public nuisance, health and safety risks and to support the minimisation of waste to landfill from the storage, disposal, collection and transportation of **waste** in **Auckland**.

5 Interpretation

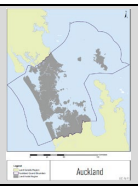
(1) In this Bylaw, unless the context otherwise requires –

2019 Bylaw means the Auckland Council Te Ture ā-Rohe Whakahaere me te Whakaiti Tuku Para 2019 | Waste Management and Minimisation Bylaw 2019.

Approval means permission to do something under this Bylaw and to avoid doubt includes a license.

Auckland has the meaning given by section 4(1) of the Local Government (Auckland Council) Act 2009.

Related information about Auckland
The Local Government (Auckland Council) Act 2009 enabled the Local Government Commission to determine Auckland's boundaries in a map titled LGC-Ak-R1. The boundaries were formally adopted by Order in Council on 15 March 2010, and came into effect on 1 November 2010.



Council means the Governing Body of the Auckland Council or any person delegated or authorised to act on its behalf.

Related information about council
The XYZ Committee has delegated authority to make controls under clause 18 as at DD Month YYYY (GB/202Y/##).
Council's Waste Solutions staff has delegated authority to administer and enforce this Bylaw (excluding clause 12 about Controls) as at July 2025.

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.

Disposal facility means –

(a) a disposal facility defined by section 7 of the Waste Minimisation Act 2008;

(b) a cleanfill facility and industrial monofill facility defined by clause 3B of the Waste Minimisation (Calculation and Payment of Waste Disposal Levy) Regulations 2009;

(c) an incineration facility; and

(d) an industrial landfill.

Related information about disposal facilities

The Waste Minimisation Act 2008 and Waste Minimisation (Calculation and Payment of Waste Disposal Levy) Regulations 2009 define disposal facilities as including municipal disposal facility (Class 1), construction and demolition fill disposal facility (Class 2), and managed or controlled fill disposal facility (Classes 3 and 4).The Ministry for the Environment website also provides descriptions of the types of landfills, including industrial landfills.

Premises means any land, dwelling, storehouse, warehouse, shop, cellar, yard, building, or part of the same, or enclosed space separately occupied, and all lands, buildings, and places adjoining each other and occupied together are deemed to be the same premises.

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.

Transfer station has the same meaning given by clause 3 of the Waste Minimisation (Information Requirements) Regulations 2021.

Related information about transfer stations

The Waste Minimisation (Information Requirements) Regulations 2021 defines transfer station as a facility—

(a) that contains a designated receiving area where waste is received; and
(b) from which waste or any material derived from that waste is—
  (i) transferred to a final disposal site; or
  (ii) transferred elsewhere for further processing; and
(c) that does not itself provide long-term storage for waste or material derived from that waste.

Resource recovery facility –

(a) has the same meaning given by clause 3 of the Waste Minimisation (Information Requirements) Regulations 2021; and

(b) for the avoidance of doubt, includes community recycling centres, scrap metal recovery facilities, e-waste facilities, and food and garden waste processing facilities; however

(c) for the purpose of this Bylaw, does not include any facility that –

(i) receives donated items intended for reuse (for example donation collection bins and charity shops); or

(ii) collects specified types of waste as an incidental function of their primary purpose (for example a supermarket accepting soft plastics or a battery bin at a hardware store).

Related information about resource recovery facilities
The Waste Minimisation (Information Requirements) Regulations 2021 defines resource recovery facility as
(a) a facility that—
(i) collects, sorts, or processes material, or extracts materials or energy from material (or carries out any combination of those activities), for the purpose of recovering components for recycling or reuse; and
(ii) is not a disposal facility; and
(iii) does not incinerate waste (with or without energy recovery); and
(b) includes a facility that is focused on a single waste stream, for example, a construction and demolition resource recovery facility, or a large-scale composting operations and materials recovery facility.

Waste has the meaning provided in the Waste Minimisation Act 2008.

Related information about waste
The Waste Minimisation Act defines waste as –
(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).

Waste facility means a **disposal facility**; a **resource recovery facility**; or a **transfer station**.

(2) 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.

(3) The Legislation Act 2019 applies to this Bylaw.

Related information about the Legislation Act 2019

The Legislation Act provides principles and rules about the interpretation of legislation that apply to any bylaw and do not need to be duplicated in this Bylaw. For example –

- words not defined in this Bylaw but defined in the Waste Minimisation Act 2008 (for example Disposal) have the same meaning as in that Act (section 20)
- the definition of person used in this Bylaw is defined as including "a corporation sole, a body corporate, and an unincorporated body" (Section 13).

Part 2

Deposit, collection, transportation and disposal of material

Subpart 1 – Everyone's responsibilities for the disposal or discarding of material

6 A person must dispose of or discard waste correctly

A person must dispose of or discard **waste** in one of the following ways –

(a) to a **waste collector** from a **public place** when expressly allowed in clause 8 (for example in a kerbside recycling, food scrap or rubbish bin);

(b) to a **waste collector** from **premises** a person owns or occupies when expressly allowed in clause 9 (for example in a commercial skip bin located on private property or as part of a special collection of inorganic waste by **council**);

(c) at a **waste facility**;

(d) at a facility that –

(i) receives donated items intended for reuse (for example donation collection bins and charity shops); or

(ii) collects specified types of waste as an incidental function of their primary purpose (for example a supermarket accepting soft plastics or a battery bin at a hardware store);

(e) by composting, burial or burning where this is a permitted activity in the Auckland Unitary Plan or is expressly allowed by a resource consent (or any instrument that may replace the plan or a consent); or

(f) in a **public waste bin** when expressly allowed in clause 10.

Related information about people's general responsibilities in relation to waste

- A person must not litter. This is an offence under the Litter Act 1979 (s15) and includes putting waste around bins, illegal dumping and removing waste from a bin and depositing it outside the bin.
- A person must not accumulate or deposit waste where it becomes offensive or is likely to be injurious to health or harbour vermin under the Health Act 1956 (s29) or where it causes or may cause a nuisance under the Tāmaki Makaurau Te Ture ā-rohe Tiaki Rawa me Ngā Mahi Whakaporearea 2015 | Auckland Council Property Maintenance and Nuisance Bylaw 2015.

Related information about composting

- The Auckland Unitary Plan permits the composting of up to 10m3 of waste, organic materials or green wastes on any premises in Auckland. A resource consent (approval from council) is required to compost more than $10m^3$
- The Auckland Regional Public Health Service advise people to protect themselves when handling compost. Compost may contain Legionella bacteria which can cause Legionellosis or Legionnaires'

disease. Makers and users should ensure that they or others do not inhale dust or aerosols when handling composting products. Recommended protection includes handling compost in a well-ventilated area, wearing a face mask and gloves, and washing hands after handling.

Related information about burning

- The Auckland Unitary Plan allows the burning of green waste in certain zones in Auckland. For example outdoor burning of untreaded wood, paper and greenwaste on the premises it was generated, is permitted in the Rural Countryside Living Zone and Rural-Rural Conservation Zone in a Rural Fire District, but not in Residential Zones. However, burning fuel for the purposes of outdoor cooking is permitted in all zones subject to conditions, including that it not causing offensive or objectionable smoke beyond the site boundary.
- Fire and Emergency New Zealand Act 2017 imposes seasonal fire restrictions.
- The Auckland Council Public Safety and Nuisance Bylaw 2013 generally prohibits burning in public places.

Related information about burial

- The Auckland Unitary Plan allows the burying of livestock and offal in certain zones in Auckland, including the Rural Production and Mixed Rural Zone. A resource consent, however, is required in other zones, including all Residential Zones.

7 The owner and person responsible for a premises must provide for the adequate storage and collection of waste

Both the owner and person responsible for the management of a **premises** must –

(a) provide adequate areas on the **premise** to store any **waste** to be disposed of or discarded from the same **premises**;

(b) provide adequate areas for the collection of **waste** if collection occurs on the **premises**; and

(c) ensure the **waste** is securely contained to prevent it from escaping the **premises** (for example, through wind or rain).

8 A person may dispose of or discard waste to a waste collector from a public place in certain circumstances

(1) A person may dispose of or discard **waste** to a waste collector from a **public place** in a way that complies with the requirements prescribed in a control made under clause 12.

(2) A person must not remove, alter or interfere with **waste** disposed of or discarded in accordance with subclause (1), unless that person –

(a) occupies the **premises** the **waste** came from;

(b) has the consent of a person who occupies the **premises** the **waste** came from; or

(c) is a **waste collector**.

9 A person may dispose of or discard waste to a waste collector from premises in certain circumstances

A person may dispose of or discard **waste** to a **waste collector** from the **premises** they own or occupy, if the **waste** is disposed of or discarded in a way that complies with the requirements prescribed in a control made under clause 12.

10 A person must use public waste bins correctly

(1) A person may dispose of or discard **waste** into a **public waste bin**, if –

(a) that **waste** was generated in that same location; and

(b) the **waste** is disposed of or discarded in a way that complies with the requirements prescribed in a control made under clause 12.

(2) However, a person must not dispose of or discard **waste** in a **public waste bin** if –

(a) the **waste** is from that person's place of employment or business;

(b) the **waste** is from that person's home;

(c) the **public waste bin** is full or overflowing;

(d) the **waste** is deposited in a way that is likely to escape from the **public waste bin**.

Example

A person who eats takeaway sushi in a park may put the sushi container in a **public waste bin.** A person who eats takeaway sushi at home cannot and should instead clean the sushi container of food scraps and dispose of it in their kerbside recycling bin.

Related information about use of public waste bins

- A person requires council approval to attach things to public waste bins, including under the Te Ture ā-Rohe mo nga Tohu Signs Bylaw 2022.
- A person must not damage or vandalise public waste bins. This is an offence under the Local Government Act 2002 (s232) and Summary Offences Act 1981 (s11 and 11A). Council also has the power to intervene to prevent damage under the Litter Act 1979 (s7(1)(c)).

Subpart 2 – Waste Industry responsibilities for waste

11 Waste collectors and waste facilities require an approval

(1) A **waste collector** must obtain an **approval** in accordance with Subpart 2 of Part 3 to –

(a) collect **waste** in **Auckland**;

(b) transport **waste** into, around, or out of **Auckland**; or

(c) both (a) and (b).

(2) A person who is responsible for the operation of a **waste facility** must obtain an **approval** in accordance with Subpart 2 of Part 3.

(3) The holder of an **approval** referred to in (1) and (2), must ensure compliance with the **approval** and any conditions of the **approval**.

Related information about waste facilities

- An approval for a waste facility under this Bylaw supports data collection and council's statutory role to plan for and encourage waste minimisation and a decrease in waste to landfill.
- Waste facilities must also comply with other legislative requirements. For example:
  - the discharge of contaminants from cleanfills, managed fills and landfills on the environment and public health is regulated under the Auckland Unitary Plan
  - the discharge of contaminants to air from commercial composting facilities, greenwaste collection stations, transfer stations and recycling stations is regulated under the Auckland Unitary Plan.
- The monitoring of emissions from waste management facilities is regulated under the Climate Change Response Act 2002 (s62).

Part 3
Controls and Approvals

Subpart 1 Controls

12 Council may make controls about the minimisation and management of waste

The **council** may make a control about disposing of or discarding **waste** to a **waste collector** and the use of **public waste bins** in clauses 8, 9 and 10 to achieve the purpose of this Bylaw, including to prescribe all or any of the following –

(a) the types of **waste** (for example to define types of rubbish, recyclable, food scraps and prohibited **waste**);

(b) types of **approved containers**;

(c) the use and maintenance of **approved containers**;

(d) instructions for the deposit of **waste** when an **approved container** is not required to be used;

(e) the type and amount of **waste** that may be deposited for collection;

(f) the times when **waste** and any **approved container** may be placed for collection and when they must be removed;

(g) the location where **waste** and any **approved container** may be placed for collection;

(h) restrictions on the capacity of **approved containers**;

(i) restrictions on the weight of **approved containers**, **waste,** or both; and

(j) requirements for special collections (for example inorganic collections).

Related information about the controls

- The XYZ Committee must comply with the decision-making requirements under Subpart 1 of Part 6 of the Local Government Act 2002 to make, amend, replace or revoke a control.
- Current requirements for onsite and kerbside waste collection services are contained in the Waste Minimisation and Management Bylaw (Onsite and Kerbside Collections) Control 2026.
- More specific information can be obtained from **council's** rubbish, recycling and food scraps webpage or from your private waste collection service provider.

Subpart 2 Approvals

13 This Subpart applies to people who must obtain council approval

(1) This Subpart applies to a person who must –

(a) obtain an **approval** from council as a **waste collector** or operator of a **waste facility** in Subpart 2 of Part 2; and

(b) renew an **approval** from **council** prior to its expiration.

(2) For the purposes of subclause (1)(b), this Subpart applies with all necessary modifications as if that renewal was an application for an **approval**.

14 Applications for an approval must include information required by council

(1) A person to whom this Subpart applies must make an application for an **approval** to **council** that –

(a) is in the form and manner required by **council**; and

(b) includes any information required by **council.**

(2) Without limiting subclause (1), **council** may require an application to include information on one or more of the following matters in this table.

Waste collectors
(a) the nature of the activity for which an **approval** is sought; (b) the type(s) of **waste** to be collected and transported; (c) an estimate of the annual quantity of each type of **waste** to be collected and transported; (d) the frequency, location or route of collection and transportation; (e) the method(s) used to collect and transport the **waste** (for example the types of collection vehicles used, and any bins provided); (f) the facilities any **waste** is transported to; (g) any other approvals, consents or certification required by council to collect or transport **waste**; and (h) the applicant's experience, reputation and track record.
Waste facilities
(a) the nature of the activity for which an **approva**l is sought; (b) the type(s) of **waste** to be received, sorted, stored, disposed of and / or processed; (c) an estimate of the annual quantity of each type of **waste** in (b) above; (d) any other approvals, consents or certification required by council to operate the facility; (e) the sources any **waste** is received from; and (f) the facilities any **waste** is transferred to.

15 Council will consider applications for an approval against relevant matters

(3) **Council** when considering an application for an **approval** under Subpart 2 –

(a) will have regard to any matter it considers relevant and reasonably necessary to determine the application in relation to the purpose of this Bylaw; and

(b) may inspect premises or locations related to the application for the purposes for which the **approval** is given.

(4) Without limiting subclause (1), **council** may consider an application for an **approval** against one or more of the following matters in this table.

All approvals
(a) **council's** requirement for data where such data is not already required in accordance with a different approval or consent issued by **council**; (b) **council's** ability to obtain required data through other mechanisms (for example where a waste collector disposes **waste** solely to a landfill that already provides data to **council** as a condition of consent);
Approvals for Waste Collectors
(c) the extent to which the application would – (i) minimise the impacts of waste on public health and safety; (ii) protect the public from nuisance caused by waste; (iii) appropriately manage the use of **public places**; and (d) the applicant's experience, reputation and track record.

16 Council may grant or decline an application for an approval

(1) **Council** may grant or decline an application for an **approval** for **waste collectors,** having regard to the matters in clause 15.

(2) **Council** will grant an application for an **approval** for **waste facilities**, subject to conditions to support data collection where appropriate.

(3) For the avoidance of doubt, an **approval** under this Subpart does not remove the need to comply with all other applicable legislation and rules of law.

17 Council may impose conditions if it grants an application for an approval

(1) If **council** grants an application for an **approval** under Subpart 2, it may impose any conditions on the **approval** it considers appropriate to achieve the purpose of this Bylaw.

(2) Without limiting subclause (1), **council** may impose any one or more of the conditions in this table.

All approvals
(a) requiring data on the types and quantities of material covered by the **approval**
(b) undertaking monitoring, inspections or both;
(c) payment of an annual fee, bond or security;
(d) detailing the duration of the approval within the limits specified in clause 18; and
(e) providing for a transfer of the approval within the limits specified in clause19;
Waste Collector approvals
(f) ensuring customer compliance with this Bylaw and any applicable controls;
(g) specifying types of **approved containers**
(h) requiring the provision of **waste collector** identification details on **approved containers** (for example to allow the public, customer or **council** to contact the collector if there is a problem);
(i) requiring the holding and maintaining of appropriate public liability insurance;
(j) requiring information provision on the types of material intended to be collected in an **approved container;**
(k) specifying collection times and days;
(l) requiring collection of any spillage (for example when emptying a rubbish bin into a collection vehicle);
(m) requiring collection of any **waste** in the vicinity of an **approved container**; and
(n) requiring reimbursement of costs incurred by **council** for failure to collect **waste** or remove an **approved container.**

Related information about handling of information provided to council

Council takes all reasonable measures to keep commercially sensitive information confidential, subject to council's obligations under the Local Government Official Information and Meetings Act 1987. This includes the aggregation of information.

18 Duration of an approval is no more than five years

The duration of an **approval** under this Subpart is either five years from the date of the **approva**l, or for a shorter duration if specified in the **approval**.

19 Transfer of approvals not allowed

An **approval** under this Subpart attaches to the person who obtained it and is not transferable to any other person, unless the **approval** expressly provides otherwise.

20 Council may review approval conditions in certain circumstances

(1) **Council** may review and change the conditions of an **approval** under this Subpart –

(a) to be consistent with any changes to legislation;

(b) to deal with any issues which arise from the exercise of the **approval**, the effects of which make it necessary to apply more appropriate conditions (for example council review of collection times due to noise complaints, changes in road layout or road closures);

(c) if deemed necessary under clause 21; or

(d) to ensure the conditions are appropriate to achieve the purpose of this Bylaw.

(2) For the purposes of subclause (1), this Subpart applies with all necessary modifications as if that review was an application for an **approval**.

Part 4

Enforcement powers, offences and penalties

21 Council may take action to enforce this Bylaw against a person who has obtained an approval

(1) Council may take one or more of the actions in subclause (2) if a person who has an **approval** –

(a) fails to comply with the **approval**;

(b) fails to comply with any condition of that **approval**; or

(c) provided inaccurate information in that person's application which materially influenced the decision made on the application.

(2) Council may take any one or more of the following actions against a person to whom this clause applies –

(a) written advice or a written warning;

(b) a review and change of the conditions of the **approval**;

(c) a review and suspension or cancellation of the **approval**;

(d) forfeiture of any bond or security; or

(e) the use of statutory or contractual powers in clause 22.

(3) For the purposes of any review under subclause (2)(b) and (2)(c), Subpart 2 of Part 3 applies with all necessary modifications as if that review was an application for an **approval**.

22 Council can use statutory powers and other methods to enforce this Bylaw

Council may use its powers under the Waste Minimisation Act 2008, its contractual powers, or its powers as a service provider to enforce this Bylaw.

Related information about enforcement

- Council powers under the Waste Minimisation Act 2008 includes the power to inspect property and obtain information (section 79) and power to seize and dispose of property (sections 81,82, 85).
- Council can also use other methods as a service provider to encourage compliance, for example –
  - providing advice, information or warnings
  - not collecting a person's kerbside bins if it contains incorrect types of material (for example rubbish in a recycling bin)
  - removing the incorrect types of material or overflowing material from a bin and charging for the additional cost of removal and administration
  - suspending or cancelling a person's waste collection service.

23 A person can be penalised for not complying with this Bylaw

A person who fails to comply with this Bylaw commits an offence and is liable to a penalty under the Waste Minimisation Act 2008.

Related information about penalties

A person who is convicted of an offence against a bylaw is liable to a fine not exceeding $20,000 under section 66 of the Waste Minimisation Act 2008.

Part 5

Savings and transitional provisions

24 Certain existing approvals to continue to apply under this Bylaw

(1) Every **approval** under the **2019 Bylaw** that applied on the day before this Bylaw commences, continues to apply until the expiration date specified in the **approval** as if it was obtained in accordance with Subpart 2 of Part 3.

(2) **Council** may at any time prior to the expiry of the **approval** in subclause (1), review and change the conditions of the **approval** to ensure the conditions are appropriate to achieve the purpose of this Bylaw (for example to be consistent with any control under clause 12, to have regard to any matter in clause 15 or to impose any condition in clause 17).

(3) For the purposes of subclause (2), Subpart 2 of Part 3 applies with all necessary modifications as if that review was an application for an **approval**.

25 Existing applications for approval to be processed under this Bylaw

Any application for an **approval** under the **2019 Bylaw** that is not granted or declined before the date this Bylaw commences, will continue to be processed as if it had been applied for under this Bylaw.

26 Certain existing approvals to expire

Any **approval** under the **2019 Bylaw** that is not required under this Bylaw, will expire on the date this Bylaw commences.

27 Applications for approval previously not required must be made

A person who did not require an **approval** under Subpart 2 of Part 2 prior to the commencement of this Bylaw, must apply for an **approval** within three months of this Bylaw commencing.

28 Existing inquiries to be completed under the 2019 Bylaw

Any compliance or enforcement action by **council** under the **2019 Bylaw** that was not completed before the date this Bylaw commences, are to be completed as if this Bylaw had not been made and the **2019 Bylaw** had not been revoked.

Related information, Bylaw history

Date	Description
01 November 2010	Made legacy bylaws about solid waste1 (Section 62 Local Government (Auckland Transitional Provisions) Act 2010)
01 November 2010	Commencement of legacy bylaws about solid waste (Section 62 Local Government (Auckland Transitional Provisions) Act 2010)
18 July 2012	Review of legacy bylaws about solid waste completed (RB/2012/12)
26 July 2012	Proposal to make new bylaw about solid waste and to revoke legacy bylaws (GB/2012/103)
25 October 2012	Made the Auckland Council Solid Waste Bylaw 2012 (GB/2012/140)
27 October 2012	Public notice of making of the Auckland Council Solid Waste Bylaw 2012 and revocation of legacy bylaws
01 November 2012	Commencement of Auckland Council Solid Waste Bylaw 2012 and revocation of legacy bylaws (GB/2012/140)
14 February 2019	Review of Auckland Council Solid Waste Bylaw 2012 completed (REG/2019/7)
02 May 2019	Proposal to make a new bylaw about waste (GB/2019/34)
22 August 2019	Made the Auckland Council Waste Management and Minimisation Bylaw 2019 (GB/2019/83)
October 2019	Public notice of making of the Auckland Council Waste Management and Minimisation Bylaw 2019
25 October 2019	Commencement of the Auckland Council Waste Management and Minimisation Bylaw 2019 (GB/2019/83) and revocation of the Auckland Council Solid Waste Bylaw 2012 (section 160A Local Government Act 2002)
05 August 2025	Review of Auckland Council Waste Management and Minimisation Bylaw 2019 (2019 Bylaw) completed (RSCCC/2025/47)
DD Month 202#	Proposal to make a new Waste Minimisation and Management Bylaw 2026 (2026 Bylaw), amend the Auckland Council Public Trading Events and Filming Bylaw 2022 (PTEF) and Public Safety and Nuisance Bylaw 2013 (PSN) and to revoke the 2019 Bylaw (GB/202#/##)
DD Month 202#	Made 2026 Bylaw and amended PTEF and PSN (GB/202#/##)
DD Month 202#	Public notice of making 2026 Bylaw, amending PTEF and PSN and revocation of 2019 Bylaw
DD Month 202#	Commencement of 2026 Bylaw and amendments to PTEF and PSN and revocation of 2019 Bylaw (GB/202#/##)

[1] Legacy bylaws made: Auckland City Council Solid Waste Bylaw 2006, Franklin District Council Waste Bylaw 2009, Chapter 20 (Waste Management) of the Manukau City Consolidated Bylaw 2008, Part 4 (Solid Waste Management & Minimisation) of the North Shore City Council Bylaw 2000, Papakura District Council Collection and Transportation of Refuse Bylaw 2006, Chapter 19 (Waste) of the Rodney District Council General Bylaw 1998 and Waitakere City Council Waste Bylaw 2005.

Related information, next bylaw review

This Bylaw must be reviewed by DD Month 2036. If not reviewed by this date, the Bylaw will expire on DD Month 2038.

Find out more: **phone 09 301 0101**
or visit **aucklandCouncil.govt.nz**

Auckland Council
Te Kaunihera o Tāmaki Makaurau



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

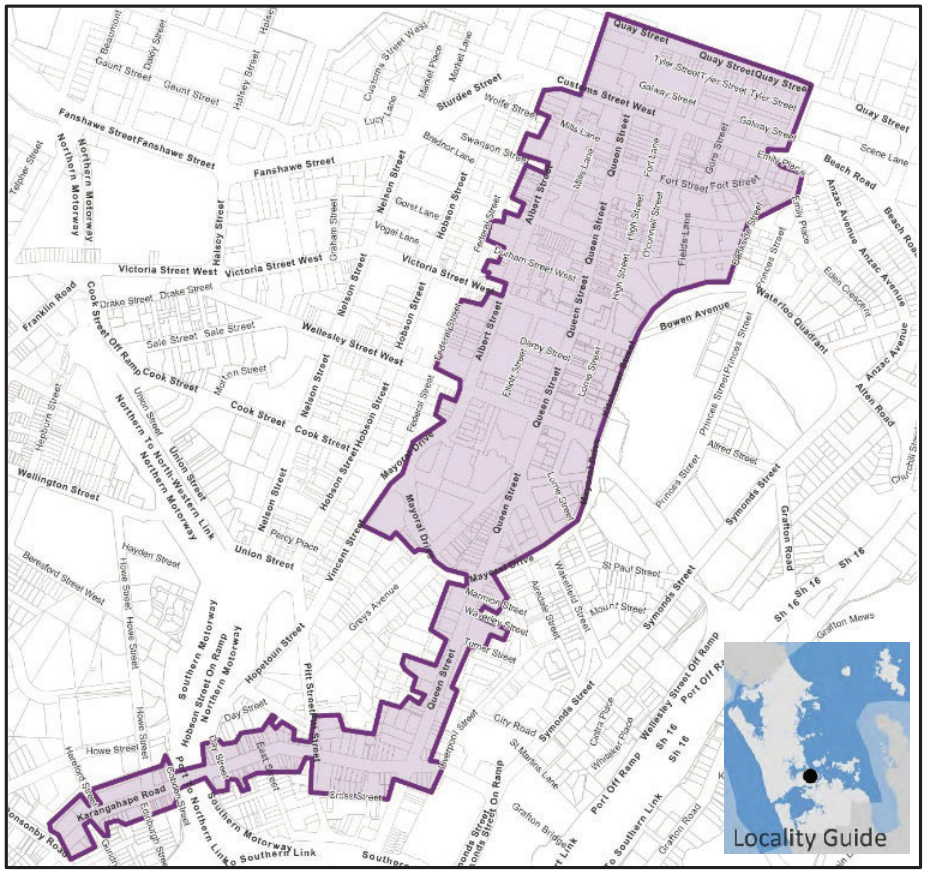
(b) must be removed.

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**
or visit **aucklandcouncil.govt.nz**

Auckland Council
Te Kaunihera o Tāmaki Makaurau

Appendix C Proposed changes to the Auckland Council Public Trading, Events and Filming Bylaw 2022

The Table below shows proposed changes to the Auckland Council Public Trading, Events and Filming Bylaw 2022 in response to the findings from a review of the Auckland Council Waste Management and Minimisation Bylaw 2019.

Existing words proposed to be deleted are shown in ~~strikethrough~~ and proposed words to be added are shown underlined.

Note: consequential edits to re-number schedule clauses are proposed but not shown for conciseness.

Current Public Trading, Events and Filming Bylaw	Proposed amendments	Reasons for change
Summary This summary is not part of the Bylaw but explains the general effects. Every day…. …The Bylaw is part of a wider framework, the bylaw does not seek to duplicate or be inconsistent with these requirements, which include – • … • rules about waste plans in the Auckland Council Waste Management and Minimisation Bylaw 2019 • …	**Summary** This summary is not part of the Bylaw but explains the general effects. Every day…. …The Bylaw is part of a wider framework, the bylaw does not seek to duplicate or be inconsistent with these requirements, which include – • … • ~~rules about waste plans in the Auckland Council Waste Management and Minimisation Bylaw 2019~~ • …	To remove the reference to Waste Bylaw rules transferred into this Bylaw.
5 Interpretation **council-controlled public place** means – (a) a place that is owned, managed, maintained or controlled by council or a council-controlled organisation 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, ramp, pontoon, road, footpath, access way, grass verge, berm, and any part of those places; and	**5 Interpretation** **Council-controlled public place** means **—** (a) a place that is owned, managed, maintained or controlled ~~under the control of Auckland~~ by council or a ~~council-controlled organisation~~ 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	To align the definition of council controlled public places with other recently reviewed bylaws. To clarify the current definition of 'trade' to more explicitly include activities in clause 6 of the Bylaw, including donation collection bins.

<table>
<tr><th>Current Public Trading, Events and Filming Bylaw</th><th>Proposed amendments</th><th>Reasons for change</th></tr>
<tr><td>(ii) excludes any place under the control of the Tūpuna Maunga o Tāmaki Makaurau Authority

trade, trading and trading activity means the sale, hire or offer of goods or services for payment, reward or otherwise.</td><td>ramp, pontoon, road, footpath, access way, grass verge, berm, and any part of those places; and
(ii) excludes any place under the control of the Tūpuna Maunga o Tāmaki Makaurau Authority.
trade, trading and trading activity means the sale, hire or offer of goods or services for payment, reward or otherwise and includes any fundraising, soliciting of subscriptions and collection of any financial or physical donations.</td><td></td></tr>
<tr><td>10 Applications for an approval must include required information and fees
(2) Without limiting (1), council may require an application for an approval to include information on one or more of the following matters in this table.
<table><tr><th>All applications for approvals may require the following information</th></tr><tr><td>(a) …</td></tr><tr><td>(g) …</td></tr></table>
Related information about how to apply for an approval (for example a licence or permit)
For more information about how to apply for an approval, view the following links:
• Markets, mobile shops, …
• E-scooter, e-bike …</td><td>10 Applications for an approval must include required information and fees
(2) Without limiting (1), council may require an application for an approval to include information on one or more of the following matters in this table.
<table><tr><th>All applications for approvals may require the following information</th></tr><tr><td>(a) …</td></tr><tr><td>(g) …</td></tr><tr><td>(h) a waste minimisation and management plan</td></tr></table>
Related information about how to apply for an approval (for example a licence or permit)
For more information about how to apply for an approval, view the following links:
• Markets, mobile shops, …
• Use this form to submit a draft waste minimisation and management plan
• E-scooter, e-bike ..</td><td>To clarify that a waste minimisation and management plan is required as part of the approval application process.</td></tr>
</table>

<table>
<tr><th>Current Public Trading, Events and Filming Bylaw</th><th>Proposed amendments</th><th>Reasons for change</th></tr>
<tr>
<td>
11 Applications for an approval will be considered against relevant matters
(2) Without limiting (1), council may consider an application for an approval against one or more of the following matters in this table.
<table>
<tr><th>All applications for approvals may consider the following matters</th></tr>
<tr><td>(a) …</td></tr>
<tr><td>(c) actual or potential impact of the activity on the public, council-controlled public places and surrounding environment, for example:
(i) impacts as a result of noise, glare, light spill, odour, anti-social behaviour;
(ii) impacts…</td></tr>
<tr><td>(d) how any actual or potential impacts may be mitigated, for example through waste management and minimisation, traffic management, safety and risk management, adverse weather, emergency, customer conduct plans;</td></tr>
<tr><td>…</td></tr>
<tr><td>(h) whether the activity complies with relevant requirements in any Act, regulation or Bylaw to enable the activity to occur for example, obtaining and complying with an approved waste management and minimisation plan or compliance with food safety legislation;</td></tr>
<tr><td>(i) …</td></tr>
</table>
</td>
<td>
11 Applications for an approval will be considered against relevant matters
(2) Without limiting (1), council may consider an application for an approval against one or more of the following matters in this table.
<table>
<tr><th>All applications for approvals may consider the following matters</th></tr>
<tr><td>(a)…</td></tr>
<tr><td>(c) actual or potential impact of the activity on the public, council-controlled public places and surrounding environment, for example:
(i) impacts as a result of noise, glare, light spill, odour, anti-social behaviour <u>and waste</u>;
(ii) impacts…</td></tr>
<tr><td>(d) how any actual or potential impacts may be mitigated, for example through waste <u>minimisation and</u> management ~~and minimisation~~, traffic management, safety and risk management, adverse weather, emergency, customer conduct plans;</td></tr>
<tr><td>…</td></tr>
<tr><td>(h) whether the activity complies with relevant requirements in any Act, regulation or Bylaw to enable the activity to occur for example, ~~obtaining and complying with an approved waste management and minimisation plan or~~ compliance with food safety legislation;</td></tr>
<tr><td>(i) …</td></tr>
</table>
</td>
<td>To update matters considered during the assessment of the application in relation to terminology and transfer of waste plan rules from the Waste Bylaw into this Bylaw.</td>
</tr>
</table>

<table>
<tr><th>Current Public Trading, Events and Filming Bylaw</th><th>Proposed amendments</th><th>Reasons for change</th></tr>
<tr>
<td>
13 Conditions may be imposed if an application is granted
(2) Without limiting subclause (1), council may impose conditions about any one or more matters in this table.
<table>
<tr><th>All approvals may include conditions about the following matters</th></tr>
<tr><td>…</td></tr>
<tr><td>(m) compliance with approved impact mitigation plans (for example, a traffic management plan);</td></tr>
<tr><td>(n) any relevant matters contained in a control in clause 8;</td></tr>
<tr><td>…</td></tr>
</table>
.
</td>
<td>
13 Conditions may be imposed if an application is granted
(2) Without limiting subclause (1), council may impose conditions about any one or more matters in this table.
<table>
<tr><th>All approvals may include conditions about the following matters</th></tr>
<tr><td>…</td></tr>
<tr><td>(m) compliance with approved impact mitigation plans (for example, a traffic management plan);</td></tr>
<tr><td>(n) <u>compliance with an approved waste minimisation and management plan;</u></td></tr>
<tr><td>(o) any relevant matters contained in a control in clause 8;</td></tr>
<tr><td>…</td></tr>
</table>
</td>
<td>To support appropriate conditions being applied to a granted approval to support waste minimisation and management requirements.</td>
</tr>
<tr>
<td>
22 Existing controls, approvals and compliance action to continue
(1) This clause relates to the Auckland Council Trading and Events in Public Places Bylaw 2015 / Te Ture ā-Rohe Te Mahi Tauhokohoko me nga Takunetanga ki ngā Wāhi Marea 2015 (2015 Bylaw).
(2) …
(3) Every approval (for example, a licence or permit) made using the 2015 Bylaw in (1) continues to apply until the expiration date in that approval or until it is renewed, reviewed, suspended or cancelled.
(4) Any existing compliance or enforcement action (including inquiry) by council under the 2015 Bylaw in (1) that was not completed before the date this Bylaw commences, will continue to be actioned under the 2015 Bylaw as if it were still in force and as if this Bylaw had not been made.
23 Existing applications and renewals of approvals to be processed under this Bylaw
(1) Any application for an approval under the 2015 Bylaw in clause 22(1) not approved or declined before the date this Bylaw commences, will continue to be processed as if it had been applied for under this Bylaw.
</td>
<td>
22 Existing controls, approvals and compliance action to continue
(1) This clause relates to <u>–</u>
<u>(a) the Auckland Council Trading and Events in Public Places Bylaw 2015 / Te Ture ā-Rohe Te Mahi Tauhokohoko me nga Takunetanga ki ngā Wāhi Marea 2015 (2015 Bylaw);</u>
<u>(b) clause 13 (Donation collection bin operator approvals) of the Auckland Council Te Ture ā-Rohe Whakahaere me te Whakaiti Tuku Para 2019 Waste Management and Minimisation Bylaw 2019 (2019 Bylaw); and</u>
<u>(c) clause 15 (Waste management and minimisation plan approvals) of the 2019 Bylaw</u>.
(2) …
(3) Every approval (for example, a licence or permit) made using the 2015 Bylaw <u>or 2019 Bylaw</u> in (1) continues to apply until the expiration date in that approval or until it is renewed, reviewed, suspended or cancelled <u>in accordance with the provisions of this Bylaw</u>.
</td>
<td>To allow for approvals granted under the existing Bylaw to remain valid until their expiration date and to allow for applications made under the current Bylaw but not declined or granted before the Bylaw is revoked to be assessed in accordance with the provisions of this Bylaw.</td>
</tr>
</table>

Current Public Trading, Events and Filming Bylaw	Proposed amendments	Reasons for change
(2) Any application to renew an approval made using the 2015 Bylaw in clause 22(1), will be processed as if the approval had been applied for under this Bylaw.	(4) Any existing compliance or enforcement action (including inquiry) by council under the 2015 Bylaw or 2019 Bylaw in (1) that was not completed before the date this Bylaw commences, will continue to be actioned under the 2015 Bylaw as if it were still in force and as if this Bylaw had not been made. **23 Existing applications and renewals of approvals to be processed under this Bylaw** (1) Any application for an approval under – (a) the 2015 Bylaw (as defined in clause 22(1) of this Bylaw) and not approved or declined before the date this Bylaw commences; or (b) the 2019 Bylaw (as defined in clause 22(1) of this Bylaw) and not approved or declined before the date that Bylaw is revoked; will continue to be processed as if it had been applied for under this Bylaw. (2) Any application to renew an approval made using the 2015 Bylaw or 2019 Bylaw (as defined in clause 22(1)), will be processed as if the approval had been applied for under this Bylaw.	

Appendix D Proposed changes to the Auckland Council Public Safety and Nuisance Bylaw 2013

The Table below shows proposed changes to the Auckland Council Public Safety and Nuisance Bylaw 2013 in response to the findings from a review of the Auckland Council Waste Management and Minimisation Bylaw 2019.

Existing words proposed to be deleted are shown in ~~strikethrough~~ and proposed words to be added are shown underlined.

Note: consequential edits to re-number schedule clauses are proposed but not shown for conciseness.

Current Public Safety and Nuisance Bylaw	Proposed amendments	Reasons for change
5 Interpretation **Public place —** (a) means 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) includes any hovercraft, ship or ferry or other vessel, train, or vehicle carrying or available to carry passengers for reward; and (c) includes any Council controlled public place.	**5 Interpretation** **Public place** means **—** (a) ~~means~~ 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 ~~(c) includes~~ any ~~C~~**council controlled public place**.	To align the definition of council controlled public places with other recently reviewed bylaws for consistency.
Schedule 1 **Restrictions on the use of public places**	**Schedule 1** **Restrictions on the use of public places** **11 Shopping trolleys** (1) A person must not place, leave or abandon a shopping trolley in a public place, unless prior written approval has been obtained from council for a council-controlled public place or the owner for a privately owned public place. (2) The owner of or person responsible for a shopping trolley (for example a shop manager) must not allow the trolley to remain in a public place for more than 48 hours after being notified by any person, including council. (3) However, (2) does not apply to any public place directly associated with the trolley (for example a trolley from a supermarket left in the car park of the supermarket)	To transfer rules about shopping trolleys and unaddressed mail not addressed in other existing legislation and still needed, to avoid the complexity of having a bylaw made under both the Waste Minimisation Act 2008 and the Local Government Act 2002.

Current Public Safety and Nuisance Bylaw	Proposed amendments	Reasons for change
	Related information about shopping trolleys Unauthorised taking of a shopping trolley from a business premises is theft or stealing under the Crimes Act 1961 (s219). Abandoning a shopping trolley in a public place is also an offence under the Litter Act 1979 (s15). Businesses may undertake initiatives to reduce the taking of shopping trolleys. Previously explored prevention initiatives include wheel-locking systems, coin-operated systems and bollards. Response initiatives may include abandoned trolley collection services. Council may use powers under the Local Government Act 2002 to retrieve abandoned trolleys from a public place and to recover the costs of doing so from the owner of or person responsible for the trolley. **14 Unaddressed mail ('flyers')** (1) A person must not place, cause, allow or instruct the placement or delivery of unaddressed mail on vehicles parked in a public place. **Related information about unaddressed mail** Placing unaddressed mail ("junk mail" or "circulars") may also be an offence under the Litter Act 1979 (s15) when: • placed in a letterbox that is likely to fall out or be blown away, for example because the letterbox is full or overflowing, is unsecured or unsuitable to receive or hold the mail; • placed in a letterbox in a way that may cause other material in that letterbox to fall out or be blown away; • placed in any public place.	

Current Public Safety and Nuisance Bylaw	Proposed amendments	Reasons for change
12 Soil, rock, shingle, shell, sand, vegetation, material, object or other naturally occurring thing **Related information about naturally occurring things, other regulations** The Resource Management Act 1991 and Auckland Unitary Plan protect scheduled trees, archaeological, heritage, and waahi tapu sites. The Litter Act 1979 and Solid Waste Bylaw 2012 prohibit the deposition of material. See also 1B animals', '5B damage', '9J set netting ', '5A crab potting.	**12 Soil, rock, shingle, shell, sand, vegetation, material, object or other naturally occurring thing** **Related information about naturally occurring things, other regulations** The Resource Management Act 1991 and Auckland Unitary Plan protect scheduled trees, archaeological, heritage, and waahi tapu sites. The Litter Act 1979 and ~~Solid Waste Bylaw 2012~~Waste Minimisation and Management Bylaw 2026 ~~prohibit~~ control the disposing and discarding of ~~deposition of material~~ waste. See also 1B animals', '5B damage', '9J set netting ', '5A crab potting.	Related information updated to replace Bylaw reference with correct title and to make minor improvements to the wording.