

**ITEM 5. DRAFT WASTE MANAGEMENT LOCAL APPROVALS POLICY****FILE NO: X006529.001****SUMMARY**

The draft Waste Management Local Approvals Policy ("Waste Policy") has been developed to replace the current Waste Policy that was adopted by resolution of Council in October 2013. Under the *Local Government Act 1993*, local approvals policies must be remade after each Council election.

The purpose of the draft Waste Policy is to exempt certain waste management activities in public places from the need to obtain approval, and to establish criteria for those activities which do require approval. The draft Waste Policy explains:

- residents' responsibilities for using waste services; and
- businesses' responsibilities for managing and collecting commercial waste.

The draft Waste Policy makes the following updates to the current Waste Policy:

- addition of CBD light rail collection time zone for domestic and commercial waste;
- new CBD night time collection zone for commercial waste to reduce the number of bins left on CBD footpaths during the day and reduce traffic congestion in the CBD;
- change to CBD glass bottle collection times to reduce noise and traffic congestion;
- addition of times to collect grease trap waste from across bike lanes; and
- introduction of criteria for the use of skip bins in a public place.

**RECOMMENDATION**

It is resolved that:

- (A) Council endorse the draft Waste Policy, as shown at Attachment A to the subject report, for public exhibition and community comment for a period of 42 days in accordance with the requirements of the *Local Government Act 1993*; and
- (B) the draft Waste Policy, including any recommended changes, be reported to Council for consideration following the exhibition period.

**ATTACHMENTS**

**Attachment A:** Draft Waste Management Local Approvals Policy

**BACKGROUND**

1. The draft Waste Policy covers activities related to waste management throughout the City. It addresses the impacts waste issues can have on the community and establishes rules that help to minimise traffic impacts and offensive noise associated with domestic and commercial waste collections.
2. The draft Waste Policy replaces the 2013 Local Approvals Policy for the Management of Waste in a Public Place.
3. The draft Waste Policy is a Local Approvals Policy, dealing with the management of the placement of waste in public places in accordance with section 68 of the *Local Government Act 1993*.
4. The draft Waste Policy is prepared in accordance with Part 3 s.158 of the *Local Government Act 1993* and supplements provisions of this Act and the *Local Government (General) Regulation 2005* by specifying:
  - (a) the circumstances in which a person is not required to obtain a particular approval from the City;
  - (b) the criteria which the City must consider when determining whether or not to grant approval to a particular activity; and
  - (c) other matters relating to approvals not dealt with by the Act or Regulations.
5. Activities related to waste management can impact the community in a number of ways. Uncontrolled waste and recycling in public places can negatively impact the environmental amenity of the City's streets, lanes and footpaths. These activities have the potential to obstruct, interrupt and endanger pedestrian and traffic movement as well as create noise and environmental pollution. The draft Waste Policy seeks to address these impacts in a sensitive, sustainable and effective way.
6. The City is responsible for collecting domestic waste from residential properties throughout the local government area.
7. The City does not collect commercial waste. Businesses are responsible for engaging commercial waste contractors to collect and dispose of their waste.
8. The draft Waste Policy provides clear guidelines for residential and commercial properties to help better manage their waste collection activities and addresses issues such as collection times, correct use of bins and requirements for bin storage. It also includes provisions explaining the criteria which will be applied when premises are seeking approval for the ongoing storage of bins in a public place.
9. The draft Waste Policy acknowledges that there are certain circumstances where it may be impossible for a resident, business or organisation to comply with the requirement that their bins are removed from the public place following collection to be stored on their own premises.
10. The draft Waste Policy provides a process for an owner or occupier of a premise to apply for approval to permanently store their bins in a public place. This involves a detailed assessment by a City officer of the circumstances affecting a premises' bin storage capacity. Approval will only be granted where a strict set of criteria have been met.

11. City Waste Officers will work with residents and businesses where waste storage is identified as a problem and will help to find suitable solutions.
12. The City's website explains the waste storage responsibilities for residents and businesses and the range of bin options that are available to them.
13. The draft Waste Policy includes criteria relating to the use of skip bins for building waste. This was included in the 2006 Waste Policy but removed in 2013 with the intention that a separate policy for the use of skip bins would be developed by the City's Planning, Development and Transport division. After further review it was determined that the best place for skip bin criteria is in the Waste Policy, hence its reintroduction.
14. The draft Waste Policy specifies times that the City, or the City's contractors, will collect domestic waste.
15. Domestic waste will only be collected between the hours of 6am and 10pm Monday to Saturday and between 8am and 10pm on Sunday for most of the City. Main and arterial roads are the exception where domestic waste can be collected between the hours of 5.30am and 10pm each day.
16. The addition of the CBD light rail collection zone is the only change to domestic waste collection criteria from the former policy and does not affect any existing CBD properties receiving domestic waste collection services from the City.
17. The draft Waste Policy specifies times where the collection of commercial waste should take place. These are detailed in the following table:

<b>Draft Waste Policy Commercial Waste Collection Time Zones</b>	
Open Collection Zone	24-hour collection access every day
Limited Collection Zone	6am–10pm Monday to Friday 8am–10pm weekends/public holidays
CBD Collection Zone	7pm–6am every day
CBD Light Rail Collection Zone	1am–5.30am every day
<b>Criteria for collection of special waste streams</b>	
Grease Trap Waste Collection Across Bike Paths	1am–5.30am every day
Glass Bottle Collection	CBD Monday to Friday: 12pm–10pm CBD weekends: 8am–10pm All other zones: 8am–10pm every day CBD light rail: 1am–5.30am every day

18. Some commercial waste collection times and criteria in the draft Waste Policy differ from the times allowed in the current Waste Policy. These are as follows:
  - (a) The new CBD Collection Zone in the draft Waste Policy changes the allowed commercial waste collection times in the CBD from 24 hours (as per the current Policy) to night time only. The change will remove additional day time vehicular movements to alleviate traffic congestion and will improve the appearance and amenity of CBD streetscapes and footpaths. It is also similar to the old night time collection zone in the City's 2006 Waste Policy.

- (b) The CBD Light Rail Collection Zone is a new feature in the draft Waste Policy to support safe waste operations along the light rail corridor by timing collections to take place when the light rail is not operating.
  - (c) Glass bottles can be collected anywhere in the City between 8am and 10pm in the current Waste Policy. There are two changes to glass bottle collections in the draft Waste Policy. The first restricts collections in the CBD Collection Zone to between 12pm and 10pm on weekdays to support CBD morning traffic decongestion. The second restricts glass bottle collections to between 1am and 5.30am in the CBD Light Rail Collection Zone to support safe operations along the light rail corridor when the light rail is not operating. Glass bottle collections can cause offensive noise which is why they are not allowed in public places after 10pm anywhere in the City of Sydney except the CBD Light Rail Collection Zone.
  - (d) Grease trap waste collection across bike paths is a new issue being addressed in the draft Waste Policy to minimise risks to cyclists and motorists from activities associated with pumping out grease traps. Collection activity is being limited to between 1am and 5.30am when cyclist and motorist movements are low and requires collection personnel to place high visibility warning barriers on both sides of their pump out hose. This solution has been reached in consultation with the waste collection industry and is believed to only affect a small number of premises in the city.
19. Maps of all collection time zones are included in Appendix 1 of Attachment A to the subject report.
20. Pending Council adoption of the draft Waste Policy, the City will undertake an education campaign to communicate the Policy's requirements to residents and businesses. This will ensure that waste management practices are understood and complied with in order to deliver improved outcomes for the community.
21. The draft Waste Policy is intended to provide clear requirements for waste collection in the City with the aim of minimising the need for any enforcement action.

## KEY IMPLICATIONS

### Strategic Alignment - Sustainable Sydney 2030 Vision

22. *Sustainable Sydney 2030* is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This policy is aligned with the following *Sustainable Sydney 2030* strategic directions and objectives:
- (a) Direction 1 - A Globally Competitive and Innovative City - Waste management is one of the City's key health and amenity activities. Effective waste collection services are essential to ensure the City is maintained to a world class standard for residents, business and visitors.
  - (b) Direction 2 provides a road map for the City to become a Leading Environmental Performer - This policy aims to reduce illegal dumping, reduce waste generation and reduce stormwater pollutant loads to the catchment. By providing the community with guidelines about how to effectively utilise the City's waste collection services, the City will maximise collection of recyclable materials and reduce the amount of waste sent to landfill.

- (c) Direction 3 - Integrated Transport for a Connected City – The updates to this policy work to reduce traffic congestion in the CBD by reducing the number of commercial waste collection trucks during peak hours.
- (d) Direction 4 - A City for Walking and Cycling - This policy seeks to improve the amenity on the City's streets for pedestrian and cyclist safety.
- (e) Direction 10 - Implementation through Effective Governance and Partnerships - The implementation of this policy will increase collaboration with relevant stakeholders associated with commercial waste collection in the City.

### **Risks**

- 23. Key risks associated with the policy are covered within the Domestic Waste Collection Contract Risk Assessment, the City's Risk Register and the City's Safety Management System. Risk assessments are regularly reviewed and updated.
- 24. The City is limited in the tools it can use to regulate the collection or transport of commercial waste. However, the City is working closely with the Waste Contractors and Recyclers Association of NSW (WCRA) and Transport for NSW on measures to standardise operational conduct of commercial waste transporters with the goal of minimising amenity impacts of waste collections, particularly in the CBD.

### **Social / Cultural / Community**

- 25. The collection of waste impacts residents, businesses and commercial waste operators on a daily basis. Noise from waste collection can be an issue where collections take place at night in areas that have a mix of residential and commercial properties. The draft Waste Policy acknowledges this issue and aims to minimise the impact by taking into consideration the needs of residents, businesses and the logistics of waste collection.
- 26. The permanent storage of residential and commercial bins in public places is an ongoing concern to residents and businesses, particularly with regard to public safety, public amenity and the high incidence of illegal dumping around bins. The draft Waste Policy's guidelines and requirements aim to address this issue.

### **Environmental**

- 27. The draft Waste Policy will deliver environmental benefits (such as reducing traffic congestion, noise, and improving the appearance and amenity of streetscapes and footpaths) by establishing regulations designed to reduce the incidences of illegal dumping and inappropriate storage of waste.
- 28. Dumped waste and litter can be caused by businesses not disposing of their waste appropriately. The draft Waste Policy addresses this by allowing the City to request evidence of a valid and current commercial waste contract and by providing guidelines about bin requirements, their use, placement, and waste collection times.

### **Economic**

- 29. The City does not envisage any additional economic impact with the implementation of this policy.

**BUDGET IMPLICATIONS**

30. There are no significant budget implications associated with the implementation of the draft Waste Policy.
31. Funding has been allocated in the Cleansing and Waste operational budget for education, communication and marketing to implement the policy.

**RELEVANT LEGISLATION**

32. *Local Government Act 1993, Protection of the Environment Operations Act 1997, Environmental Planning and Assessment Act 1979, Impounding Act 1993, Food Act 2003.*

**CRITICAL DATES / TIME FRAMES**

33. 3 July–13 August 2017 – public exhibition and submission period.
34. 3 July–3 September 2017 – consent for exemptions proposed in the draft Waste Policy requested from NSW Office of Local Government as required by the *Local Government Act 1993*.
35. 23 October 2017 – draft Waste Policy submitted to Council for adoption.

**PUBLIC CONSULTATION**

36. Local Approvals Policies are required to have a 28-day public exhibition period and 42-day submission period. For this policy, engagement will be run through Sydney Your Say, with additional engagement through the City's business and industry networks as the majority of the changes impact commercial waste collection.
37. The City has worked closely with the Waste Contractors and Recyclers Association of NSW and their members who comprise the majority of waste collection industry stakeholders impacted by this policy. Regular consultation has been ongoing since 2013 and involved a number of presentations by City staff and Q&A sessions at Waste Contractors and Recyclers Association of NSW meetings and events.
38. Substantial engagement with the Waste Contractors and Recyclers Association of NSW and Transport for NSW commenced in February 2016. Both organisations support the draft Waste Policy and the changes to CBD commercial waste collection times.

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