

ATTACHMENT A

**DRAFT WASTE MANAGEMENT LOCAL
APPROVALS POLICY**

Waste Management Local Approvals Policy

Purpose

To provide the community with information about the requirements for approvals for managing waste in the City of Sydney Local Government Area. The policy is structured as follows:

Part 1	Exemptions from the need for approval for the use of public places for managing waste.
Part 2	Criteria for granting approval in circumstances where the exemption does not apply.
Part 3	Implications of not complying with this policy, the <i>Local Government Act 1993</i> and other laws related to the management of waste in public places.
Appendix	Collection Time Zone Maps

Context

The City of Sydney area is home to over 200,000 people and receives over 610,000 visitors every day for work, shopping, tourism, education or business. Our residential population is expected to increase to around 269,000 by 2031. With this increasing population comes an increased demand for waste services.

The City's waste management services provide residents with high quality, customer-focused domestic waste collection and resource recovery services. We ensure these services represent excellent value for money. We also work to minimise any traffic impacts or offensive noise associated with domestic and commercial waste collection.

Activities related to waste management can impact the community in a number of ways. The uncontrolled presence and collection of 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 and create noise and environmental pollution that impacts our residents' quality of life. This policy addresses these impacts in a sensitive, sustainable and practical way.

This policy also supports the City's Waste Strategy and the Sustainable Sydney 2030 vision. Sustainable Sydney 2030 is a set of goals we have set for our city to help make it as green, global and connected as possible by 2030. The plan will transform the way we live, work and play.

World class waste management services are vital to achieving the Sustainable Sydney 2030 vision of being a leading environmental performer, reducing emissions and generating sustainable sources of energy from waste.

Scope

This policy applies to residents and businesses operating in the local government area of the City of Sydney, including the City's domestic waste collection service providers. The City's street cleaning operations are not addressed under this policy.

Legal status of this policy

This waste policy (*Local Approvals Policy for Managing Waste in Public Places*) is a local approvals policy, dealing with the management of waste in accordance with section 68 of the *Local Government Act 1993*. Section 2 of this policy, prepared and adopted under section 158 of the *Local Government Act 1993*, consists of three parts:

- Part 1 – specifying the circumstances in which a person is not required to obtain a particular approval from the City;
- Part 2 – specifying criteria which the City must consider when determining whether or not to grant approval to a particular activity;
- Part 3 – specifying other matters relating to approvals not dealt with by the Act or regulations.

This policy is enforceable with the criteria for exemption from approval detailed in Part 1. Implications for noncompliance are outlined in Part 3.

Definitions

This policy uses the following terms.

Term	Meaning
Authorised City officer	An employee of the City authorised by the City to deal with, or to act in regard to, any Acts or related matters. It has the same meaning as Authorised Person in the dictionary to the <i>Local Government Act 1993</i> .
Bin	A container for the storage of waste including recyclables and putrescible (food and organic) waste. This definition includes mobile garbage bins with close-fitting lids. It does not include plastic bags, boxes, cartons or crates.
CBD	Sydney's Central Business District. See Map 3 in the Appendix – Collection Time Zone Maps .

CBD light rail	Dedicated transitway between Circular Quay and intersection of Devonshire Street and Chalmers Street. (ROADS ACT 1993, Order, Section 52A - Designated Transitway No 8009). See Appendix – Collection Time Zone Maps for route detail.
Charity clothing bin	A portable metal bin of painted, sturdy construction, with a weatherproof tilt chute at the top on the front permitting clothing to be deposited, a locked door permitting the charity which owns the bin to empty it, and graphic display in line with the <i>Charitable Fundraising Act 1991</i> .
Clean-up action	<p>Has the same meaning as in the dictionary for the <i>Protection of the Environment Operations Act 1997</i>. A 'Clean up action' for a pollution incident, includes:</p> <ul style="list-style-type: none"> a) action to prevent, minimise, remove, disperse, destroy or mitigate any pollution resulting, or likely to result from, the incident; b) ascertaining the nature and extent of the pollution incident and of the actual or likely resulting pollution; and c) preparing and carrying out a remedial plan of action. <p>It also includes (without limitation) action to remove or store waste that has been disposed of on land unlawfully.</p>
Commercial waste	Business or commercial refuse (including recyclable materials) generated as part of ordinary business activities. It does not include construction and demolition waste or the following types of waste defined by the NSW EPA <i>Waste Classification Guidelines 2009</i> for special waste (such as clinical and related waste including pharmaceutical, sharps, asbestos and tyres), liquid waste and restricted solid waste (such as contaminated soil).
Commercial waste contractor	A company or person engaged by a commercial waste generator to manage the containerisation, collection and transport of waste, from commercial or industrial premises, to recyclers and/or lawful waste processing facilities. They provide their customers with reports on the contents, dates, volumes and/or weights of waste collected, the waste processing facility destinations, and registration numbers of the vehicles transporting waste from their premises to processing facility. Also referred to as waste transporters and waste collectors.
Commercial waste generator	Any owner or tenant, or their respective agent that generates, produces, or is in part or whole, responsible for an activity that results in Commercial Waste.
Domestic waste	All waste generated by the ordinary use of residential premises and collected by the City or its agents.

Domestic waste collectors	The City or agents acting on the City's behalf that collect and deliver waste to a processing facility.
Illegal dumping	Illegal dumping is the unlawful disposal of any waste that is larger than litter to land or water. Illegal dumping may vary from small bags of rubbish or household waste to larger scale dumping of materials such as construction and demolition waste.
Public place	Has the same meaning as in the dictionary for the <i>Local Government Act 1993</i> . 'Public Place' means one of the following: <ul style="list-style-type: none"> a) a public reserve, public bathing reserve, public baths or public swimming pool; b) a public road, public bridge, public wharf or public road-ferry; c) a Crown reserve comprising land reserved for future public requirements; d) public land or Crown land that is not: <ul style="list-style-type: none"> (i) a Crown reserve (other than a Crown reserve that is a Public Place because of paragraph (a), (b) or (c)), or (ii) a common, or (iii) land subject to the <i>Trustees of Schools of Arts Enabling Act 1902</i>, or (iv) land that has been sold or leased or lawfully contracted to be sold or leased; or e) land declared by the regulations to be a Public Place.
Residential single dwelling	Residential accommodation that is a dwelling house, attached dwelling, or semi-detached dwelling.
Skip bin	A container designed and used for the storage, transport and disposal of building waste.
The City	The City of Sydney organisation.
Waste	All refuse other than trade waste and effluent, defined as 'Waste' in the <i>Local Government Act 1993</i> . It also includes any other substance defined as waste under the <i>Protection of the Environment Operations Act 1997</i> . A substance is not precluded from being waste merely because it can be refined or recycled.

LOCAL APPROVALS POLICY FOR MANAGING WASTE IN PUBLIC PLACES

Part 1: Exemptions from approval

The following activities are exempt from requiring approval of the City if they comply with the criteria for exemption detailed in this section. These activities are:

- A. placing domestic waste in a public place;
- B. placing commercial waste in a public place;
- C. grease trap waste collection requirements across bike paths; and
- D. placing a skip bin in a public place.

A. Placing domestic waste in a public place

This section applies to residential premises in the City's local government area. It outlines the responsibilities of residents using the City's waste services and domestic waste collectors.

Residents are exempt from having to obtain approval from the City for the placement of domestic waste in a public place provided the following requirements are met:

1. Domestic waste must only be put in a public place for the purposes of collection by the City or agents acting on their behalf.
2. A person must place domestic waste generated at their premises in the domestic waste bins issued to their premises, not in commercial waste bins, street litter bins, or domestic waste bins from another property.
3. All waste must be placed completely within a bin, except waste that has been booked for a clean-up service. Any waste not contained in a bin or booked for a clean-up service is an illegal dump.
4. Any material booked for a clean-up service by the City must be placed out the evening before the collection is scheduled.
5. Clean-up material must be stored in a neat pile immediately adjacent to the property making the booking and be placed on or immediately beside the nature strip, or where waste is usually placed for collection. It must not exceed one cubic metre (a small trailer load in size), not block any road, pavement or footpath, and must not endanger pedestrian, bicycle or vehicle traffic or the environment.
6. All bins must be permanently labelled with the resident's house number and street name. Free bin labels are available from the City by calling the City's Customer Service Centre. It is the resident's responsibility to ensure the information on their bin label is legible.
7. A person must not keep or allow a bin to remain in a public place longer than the day of collection. Bins must be kept on the resident's premises at all other times and not in a public place unless prior written approval has been obtained from the City. Part 2 of this policy contains information on permanent placement of bins in a public place.

If there is a service disruption, bins must be stored on the owner or occupier's premises until a service can be provided. Bins left in a public place for longer than the calendar day of the bin's collection may be removed and enforcement action may be taken.

8. Bins must be placed immediately in front, rear or adjacent to the resident's property and no closer than 10 metres from the boundary of the cross street of the corner property. If the bin is placed beyond the user's property, prior consent is required from the owner or occupier of the adjacent premises. Bins placed on footpaths for collection must not block or endanger pedestrian, bicycle or vehicle traffic or the environment.

9. Where multi-unit dwelling buildings use waste compaction devices, the building is responsible for supplying its own bins that are compatible with the City's rear-load garbage trucks, as City-supplied bins are not suitable for use with compaction devices.

Domestic waste collection times

10. Domestic waste collection time zones refer to the collection of domestic waste by the City or agents acting on its behalf. They relate to the street on which the bin is put out for collection, not the street address of the premises. Map 1 in the **Appendix – Collection Time Zone Maps** shows the domestic collection time zones. The City reserves the right to alter the street boundaries and terms any time. The City will consult with parties deemed to be affected by such changes.

<i>Domestic waste collection time zones</i>	
Main and Arterial Roads Zone	5.30am–10pm every day
Residential Roads Zone	6am–10pm Monday to Saturday 8am–10pm Sundays
CBD Light Rail Collection Zone	1am–5.30am every day

B. Placing commercial waste in a public place

This section applies to commercial premises in the City's local government area. It outlines the responsibilities of all commercial waste generators and commercial waste contractors engaged in collecting and disposing of commercial waste.

Commercial waste generators are exempt from having to obtain approval for the placement of commercial waste in a public place provided the following requirements are met:

1. Commercial waste must only be put in a public place for collection and disposal by a commercial waste contractor.
2. Waste must not be removed from the commercial waste generator's premises to be disposed of in a street litter bin or a domestic waste bin.
3. All waste must be placed completely within a bin with the lid fully closed and must not exceed 1,100 litres. Any waste not contained in a bin is an illegal dump.
4. All bins must have a permanently fixed close-fitting lid, have smooth internal washable surfaces, be free of stains, leaks, odours and debris, and be in full working order with no cracks, missing wheels, lids or pins.
5. Bins exceeding 240 litres must have fitted and working brakes, be lockable, and have reflectors on the outer corners.
6. All bins must be permanently labelled so that an authorised City officer can easily identify the premises to which it was issued. The commercial waste generator must ensure their bins are clearly labelled, and that the information on the label is current and contains the name, address,

and contact phone number of the occupier of the premises. Free bin labels are available from the City by calling the Customer Service Centre.

7. All commercial bins must clearly display the name, address and 24-hour contact telephone number of the commercial waste contractor and be marked with a unique identification number that can be traced to the premises to which it was issued.
8. Bins left in a public place that do not clearly identify the premises to which they were issued may be removed and impounded by the City under the *Impounding Act 1993*. This also applies if the owner of the bin has been given notice to remove the bin but has not removed it promptly.
9. Empty bread and milk crates are not permitted to be stored or placed in a public place at any time. Empty bread and milk crates must be collected by the supplier from within the subject premises.
10. Waste oil drums are not permitted to be stored or placed in a public place at any time. Waste oil drums must be collected by a commercial waste contractor from within the subject premises.
11. Bins must be placed immediately in the front, rear or immediately adjacent to the premises, from which the waste is generated. If the bin is placed beyond the user's property, prior consent must be obtained from the owner or occupier of the adjacent premises. Bins placed on footpaths must be placed along the kerb line for collection.
12. The placement of bins must not:
 - disturb traffic flow or parking;
 - impede or endanger pedestrian or bicycle movement;
 - scratch, stain, or damage any public property;
 - restrict driver sight lines or vehicle access;
 - block access to emergency exits or equipment;
 - be in close proximity to any ventilation inlet; or
 - block any type of door.
13. Bins must not be placed in front of or in close proximity to any opening window or window providing ventilation or visual amenity to the premises or a neighbouring premises. Placing or removing bins must not damage the roadway, footpath or utility services under the ground, or cause damage or obstruct access to adjacent premises.
14. The area where the bin is placed for collection must be kept tidy at all times. It should be regularly cleaned by the commercial waste generator, and on any occasion when directed to do so by an authorised City officer.
15. Where bins are presented for collection in a public place, they must be presented as close to the collection time as possible and no earlier than the night before collection.
16. Following collection, premises should remove bins from a public place and return them to private property no later than the following:
 - If bins are collected between 7pm and 6am: removed no later than 8am.

- If bins are collected between 6am and 7pm: removed no later than two hours after collection.

These conditions apply across all commercial collection time zones detailed in this policy.

17. Failure to remove bins after collection in accordance with these times may leave waste generators liable to enforcement action being taken under s.626-627 of the *Local Government Act 1993*. Bins must be stored on the owner or occupier's premises at all other times and not in a public place unless prior written approval from the City has been obtained authorising such action.
18. Refer to Part 2 of this policy for information on approval conditions for permanent bin placement in a public place. If there is a service disruption, bins must be stored on the owner or occupier's premises until service can be provided. Where there are development approval conditions relating specifically to a premises' waste management, these conditions supersede this policy and must be adhered to at all times.

Commercial collection times

19. There are four time zones for collection of commercial waste, and additional criteria for collection of two waste streams in all zones. These are detailed in the table below and corresponding maps can be found in the **Appendix – Collection Time Zone Maps**.

In cases where multiple zones may apply, the most restrictive zone and/or criteria takes priority. This order of priority is, from highest to lowest: Glass Bottle Collection, Grease Traps, CBD Light Rail Collection Time Zone, CBD Collection Time Zone, Limited Collection Time Zone, Open Collection Time Zone.

Commercial Collection Time Zones		Map Reference
Open Collection Time Zone	24-hour collection access every day	Map 2
Limited Collection Time Zone	6am–10pm Monday to Friday 8am–10pm weekends/public holidays	Map 2
CBD Collection Time Zone	7pm–6am every day	Map 2 & 3
CBD Light Rail Collection Time Zone	1am–5.30am every day	Map 2
Criteria for collection of waste streams		
Grease Trap Waste Collection Across Bike Paths	1am–5.30am every day	Map 4
Glass Bottle Collection (excludes comingled recycling and crushed glass)	CBD light rail: 1am–5.30am every day CBD Monday–Friday: 12pm–10pm CBD weekends: 8am–10pm All other zones: 8am–10pm every day	Map 2

20. The time zones and criteria for collection of waste streams apply to the street on which a bin is put out for collection, not the street address of the premises.
21. If a premises is in the CBD Light Rail Collection Time Zone (Circular Quay to corner Devonshire and Chalmers streets, as per **Appendix – Collection Time Zone Maps**) waste collection must be carried out from an alternate service point in the first instance. If the only service point available is on the light rail corridor, waste must only be collected from 1am to 5.30am any day.
22. If access to a premises is constrained by the presence of a bike path for the purpose of collecting grease trap waste, the policy for grease trap waste collection must be adhered to and must only be collected from 1am to 5.30am. See **Part 1C – Grease Trap Waste Collection Requirements**.
23. Premises must not allow the sorting or collection of glass bottles in a public place outside of the Glass Bottle Collection Times listed in the table above. Regardless, and at any time, such behaviour could be considered a factor when determining offensive noise under the *Protection of the Environment Operations Act 1997*. It may attract enforcement action by the City on behalf of affected residents.
24. Collecting waste or delivering a bin must not damage the roadway, footpath or services under the ground or cause damage or obstruct access to adjacent premises or roadways and must be carried out with due care for public safety.

25. The commercial waste generator must produce evidence of a valid contract or similar arrangement for waste collection detailing the method, timing and the disposal of the collection to a licensed waste facility if requested to do so by an authorised City officer.

Notes

Waste generation:

- The above applies only to bins for commercial waste generated by the particular use of the premises. It does not relate to skip bins collecting building waste. Where a skip bin is needed for a commercial property, space must be provided inside the property boundary. If this is not possible, contact Customer Service on 9265 9333 for alternative methods.
- Commercial waste generators are responsible for handling and storing waste generated on their premises. They must ensure these actions meet Development Application approval conditions and public health, safety and environmental requirements.
- Commercial waste generators are responsible for all costs, as well as the safe, efficient and lawful collection and disposal of their waste.
- Bins must not be used to store hazardous, liquid or clinical waste. Bins must be vermin-proof and cleaned regularly, or as directed by an authorised City officer, without causing stormwater pollution.

Waste collection:

- The City reserves the right to alter the street boundaries and terms of collection times at any time. The City will make reasonable attempts to notify all parties affected by such changes.
- Commercial collection time zones refer to the collection of commercial, industrial and construction and demolition waste.
- Commercial collection time zones do not apply to the collection of waste from inside or on private property, and only relate to waste collected from a public place.
- Noise offences related to the collection of waste from private or public property are still enforceable under the *Protection of the Environment Operations Act 1997*.
- Commercial waste contractors and the City will work together to accommodate, where possible, reasonable requests for an alternative service time provided by a commercial waste contractor in a particular location.

C. Grease trap waste collection requirements across bike paths for commercial waste generators and collectors

The collection requirements outlined in this section apply only to the emptying of grease traps that are located at premises where access is constrained by the presence of a bike path.

This applies only where no other access points or service options exist to empty a grease trap except by running the extraction hose over the bike path and footpath.

The service frequency for most premises with grease traps is approximately once per month. However, service frequencies may vary due to seasonal demand resulting in the need for increased collection frequencies.

The commercial waste transporter must:

1. schedule collections to take place from 1am to 5.30am to minimise hazards for bike riders, members of the public, motorists and the waste collector;
2. conduct a thorough risk assessment of the issues associated with conducting grease trap waste collection services at cycleway access-constrained premises, including how to respond to emergency overflow service incidents;
3. develop and provide a safe work method statement to their driver and/or any subcontracted drivers carrying out the collection at these premises;
4. implement traffic control in accordance with the Roads and Maritime Service (RMS) *Traffic Control at Work Sites* manual; and
5. respond to emergency grease trap overflow incidents as soon as possible, irrespective of the time of day or night, and take all reasonable measures to conduct the service as safely as possible while minimising impacts on traffic congestion.

See Map 4 in the **Appendix – Collection Time Zone Maps** for locations of bike paths.

D. Placing a skip bin in a public place

This section applies to residential single dwelling premises in the City's local government area. It outlines the responsibilities of residents using skip bins in a public place. In the first instance, space must be made available on-site for the storage of a skip bin. If there is insufficient space, residents are exempt from having to obtain approval from the City for the placement of a skip bin in a public place provided the following requirements are met:

1. Skip bins are for the use of residential single dwelling purposes only - for example, for a clean out of residential premises or renovations which do not require development consent.
2. Skip bins must have a maximum size 3.4 metres long and 1.7 metres wide.
3. Where works are being undertaken on a residential single dwelling premises in accordance with a development consent, the removal of waste shall be undertaken in accordance with conditions of the development consent.
4. Residents must not place, or allow to be placed, a skip bin in a public place where their premises has available space and safe access for the delivery/collection and storage of a skip bin.
5. Where no feasible storage space or safe access for delivery/collection of a skip bin exists then the placement of a skip bin on the roadway for up to a maximum of 14 days is allowed without approval (no extensions allowed). Skip bins must be removed at the end of this period or at the completion of work, whichever is sooner.
6. Only one skip bin can be placed at any one time at the property frontage.
7. Skip bins must not be placed on the footpath.

8. Skip bins must be positioned to comply with all restrictions and requirements of the *Road Rules 2014* as if they were a vehicle and are not to be placed contrary to kerbside parking provisions.
9. Skip bins must not be placed in any designated mobility parking space.
10. Skip bins must not be used for the storage or transport of commercial waste or putrescible or hazardous material.
11. Any resident who hires or retains the use of a skip bin located and used in a public place must indemnify the City for any cost, property damage or injury arising out of the supply and use of the skip bin.
12. Skip bins must have reflectors or warning lights on outer corners; be placed 400mm from the kerb alignment and on timber gluts parallel as not to impede stormwater or traffic flow; be covered outside working hours and during transport; and bear legibly the name, address and 24 hour contact telephone number of the owner/supplier.
13. Skip bins must be located immediately in front of the property of the user and in accordance to Roads and Maritime Services (RMS) Technical Direction *Stopping and Parking Restrictions at Intersections and Crossings*. If the skip bin is placed beyond the area adjacent to the user's property, prior consent is required from the owner or occupier of the premises adjacent to where the bin is placed.
14. Waste must be completely contained within the skip bin and is not permitted to be stored outside or next to the skip bin.

In the case that these criteria cannot be met, please contact Customer Service on 9265 9333 for alternate methods.

Notes

- Skip bins that do not comply with this policy are not permitted in a public place.
- Where a skip bin is needed for a multi-unit dwellings building or commercial property, space must be provided inside the property boundary. If this is not possible, contact Customer Service on 9265 9333 for alternate methods.
- The City may order the removal of the skip bin if there is a failure to comply with the requirements or if the placement of the skip bin results in a nuisance or danger to the public.
- These exemptions and requirements do not override development consent conditions.
- Subject to compliance with the provisions of the *Local Government (General) Regulation 2005*.

PART 2: Criteria for granting approval

The following are criteria which the City takes into account when assessing an application for approval for the nominated activities.

A. Permanent bin placement in a public place

There may be circumstances where a resident, business or organisation cannot comply with the requirement that their bins are:

- (a) removed from a public place following scheduled collections or
- (b) stored on their own premises.

In this situation a resident, business or organisation can apply to the City for special approval for the permanent placement of bins in a public place. The City will consider approval on a case-by-case basis.

Conditions for permanent bin placement in a public place

The following steps and conditions guide owners and occupiers of premises seeking permanent bin placement approval from the City.

Application

The owner or occupier of a premises may apply to the City for a permanent bin placement assessment. An application form can be obtained from the City's Customer Service Centres or the City's website.

Ineligible applicants

The following buildings or developments are ineligible to apply for a permanent bin placement assessment:

- Any building or development (including single and multi-unit dwellings) that has some form of storage space in which their bin(s) can be kept on their premises, irrespective of whether that space is currently used for a different purpose;
- Any new building or development occupied after Council's endorsement of this policy.

Assessment

An authorised City officer must assess each premises and consider its circumstances individually. The following issues will be considered:

- all avenues for bin storage and collection on the premises have been explored and exhausted;
- compliance with any development consent conditions for the premises (such as requirements for waste storage, and the development's waste management plan);
- location of the premises and alternative waste storage options, with special consideration to impacts on:
 - visual amenity,
 - neighbouring properties,
 - footpath obstruction,

- pedestrian, cyclist and traffic movement,
- attracting illegal dumping and
- vandalism of bins;
- the City's Streets Design Code requirements; and
- capacity of premises owner or occupier to cover potential costs associated with the City's preferred solution.

Conditions of permanent bin placement approval

Applicants must comply with the terms of the permanent bin placement approval. The terms of an approval may vary between premises according to circumstances unique to their location. The City reserves the right to alter the terms of an approval if circumstances relating to bin placement change. The following conditions generally apply to all approvals.

Permanently placed bins must:

- be clearly labelled and identifiable to the City, with the contact details of the premises it was issued to;
- have lids and be completely closed and locked at all times;
- be clean on all external surfaces, including being free from visible food matter and other debris;
- be clean on the inside; all general waste must be bagged before it is placed in the bin (bins should not smell);
- not leak;
- not block access to emergency exits or equipment;
- not block any type of door, including front, rear, side, or roller doors;
- not impede vehicle access to the premises or neighbouring premises;
- not be placed in front of or in close proximity to any opening window or window providing ventilation or visual amenity to the premises or a neighbouring premises (the authorised City officer conducting the assessment may use their discretion to evaluate the ventilation and amenity properties of a window);
- be stored in the location prescribed by the approval (these locations may be marked out in white paint on the road surface or be behind a bin screen or similar); and
- not impede or endanger pedestrian movement.

If the City's preferred solution for the bin is a secure enclosed storage area, this must also:

- meet approval conditions under s 138 of the *Roads Act 1993* (where applicable);
- be lockable and constructed in a way to prevent unauthorised persons from accessing or depositing waste inside the bins in the enclosure or inside the enclosure itself;
- have washable and easy to clean surfaces;

- be designed and built to prevent or deter dumping of waste, such as bags or boxes, on top of or around the enclosure;
- prevent leachate runoff from entering stormwater drains; and
- comply with all required planning approvals.

The authorised City officer conducting the assessment will work with applicants on appropriate permanent bin placement solutions for their premises.

B. Placing a charity clothing bin in a public place

Clothing bins must only be placed on private property. The City does not permit charity clothing bins to be placed in public places and reserves the right to remove or relocate any charity clothing bin in a public place.

PART 3: Other matters relating to approvals and exemptions

Implications for non-compliance

City Rangers or other authorised City officers may issue penalty notices, orders, clean up notices, prevention notices or court attendance notices for non-compliance with relevant legislation identified in this policy. Serious incidents of pollution may be prosecuted by state agencies such as the NSW Environment Protection Authority.

If a person puts waste, a bin, or a skip bin in a public place in contravention of this policy or any approval issued by the City, the City may take action under the *Local Government Act 1993*.

The City may also act under the *Protection of the Environment Operations Act 1997* for waste disposal (harm to the environment), litter offences and noise.

Food premises must comply with the *Food Act 2003* and the Food Standards Code and ensure they have adequate facilities for storing garbage and recyclable matter.

Any parties not acting in line with this policy may be given up to seven days' notice in writing to comply before any penalties are issued. The City does, however, reserve the right to take immediate action if circumstances warrant.

If waste is causing or is likely to cause a threat to public health, the City may order the owner or occupier of the land or premises to remove the waste. If the owner or occupier fails to comply, then the City may remove the waste at the owner or occupier's expense under section 128A of the *Local Government Act 1993*.

This policy should be read with the City's Compliance Policy. It does not override:

- State or federal legislation on the management of waste in public places, including noise pollution associated with collecting waste from public places; or
- Conditions imposed on development consents issued under the *Environmental Planning and Assessment Act 1979*.

References

Laws and standards

- *Local Government Act 1993*
- *Protection of the Environment Operations Act 1997*
- *Environmental Planning and Assessment Act 1979*
- *Impounding Act 1993*
- *Food Act 2003*
- *Roads Act 1993*
- *Charitable Fundraising Act 1991*
- *Trustees of Schools of Arts Enabling Act 1902*

Policies and procedures

- The City's Interim Waste Strategy
- Sydney Streets Design Code
- The City's Compliance Policy

Approval

This policy must be approved by Resolution of Council.

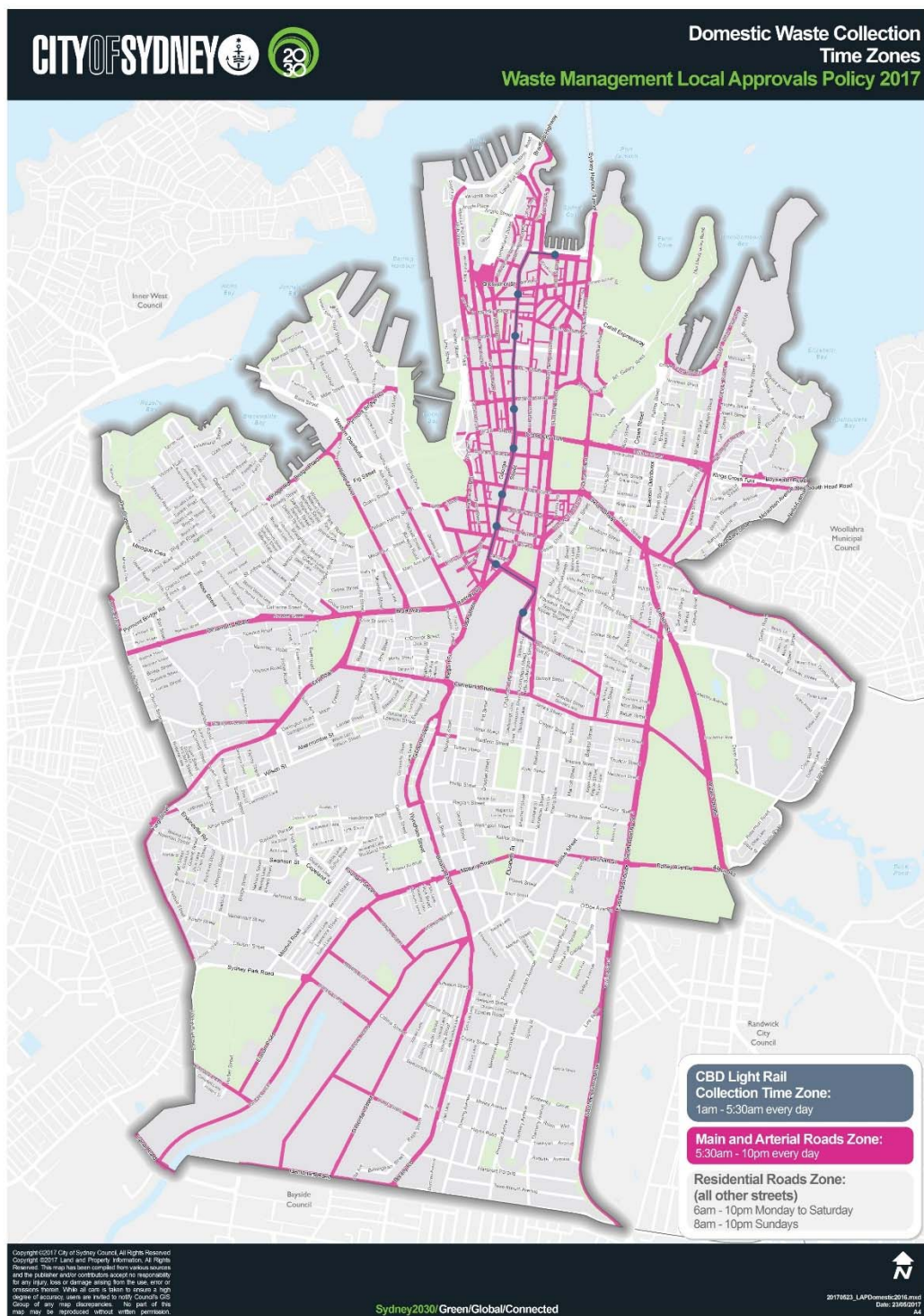
Ownership: Director, City Operations

Commencement date: (pending adoption by Council)

When will the policy be revoked: under section 165(4) of the *Local Government Act 1993*, this policy is automatically revoked 12 months after the declaration of the poll for that election, unless Council revokes it sooner.

APPENDIX – COLLECTION TIME ZONE MAPS

Map 1: Domestic waste collection time zones



Sydney2030/Green/Global/Connected



Map 3: CBD commercial waste collection time zones



Map 4: Bike paths and commercial waste collection time zones

