

Item 4.

Post Exhibition - Managing Waste in Public Places Local Approvals Policy

File No: X006529.004

Summary

The Managing Waste in Public Places Local Approvals Policy (the Policy) sets out how commercial and residential waste is managed in the public place to reduce amenity issues.

On 27 June 2022, Council resolved that the draft Policy be placed on public exhibition for a period of 42 days and for a further report to be submitted to Council following public exhibition with any recommended changes.

The City has now completed the public exhibition process. Eight submissions were received and reviewed, resulting in minor recommended changes to the Policy. A summary of submissions, the City's response, and the subsequent amendments to the Policy are detailed in Attachment C.

This report seeks Council adoption of the Managing Waste in Public Places Local Approvals Policy.

Recommendation

It is resolved that:

- (A) Council note the submissions received on the exhibited draft Managing Waste in Public Places Local Approvals Policy, as shown in Attachment C to the subject report;
- (B) Council adopt the Managing Waste in Public Places Local Approvals Policy as shown at Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to make minor amendments to the Managing Waste in Public Places Local Approvals Policy to correct any drafting errors and finalise design, artwork and accessible formats for publication.

Attachments

- Attachment A.** Managing Waste in Public Places Local Approvals Policy
- Attachment B.** 27 June 2022 Resolution of Council – Public Exhibition – Managing Waste in Public Places Local Approvals Policy
- Attachment C.** Engagement Report - Managing Waste in Public Places - Local Approvals Policy

Background

1. The Managing Waste in Public Places Local Approvals Policy (the Policy) covers activities related to waste management in public places throughout the City in accordance with section 68 of the Local Government Act 1993.
2. The Policy provides clear guidelines for residential and commercial properties to manage their activities conducted in public places and address issues such as the correct use of bins, requirements for bin storage, and bin collection times. The Policy aims to reduce the impact of waste issues on the community and minimise impacts on amenity from domestic and commercial waste collections.
3. The Managing Waste in Public Places Local Approvals Policy must be reviewed after each Council election and this Policy will replace the 2017 Local Approvals Policy for Managing Waste in Public Places.
4. On 27 June 2022, Council endorsed the draft Policy for public exhibition and community comment for a period of 42 days with any recommended changes to be reported to Council following the exhibition period. The Resolution of Council is shown at Attachment B.

Public Exhibition

5. The draft Managing Waste in Public Places Local Approvals Policy was placed on public exhibition for 42 days from Tuesday 28 June to Wednesday 10 August 2022.
6. The public notice of the exhibition was through the City of Sydney website with links to the Sydney Your Say website on the existing Policy page.
7. An electronic copy of the document was made available to the community through the City's Sydney Your Say website, which had 143 unique page views and 53 document downloads.
8. Notification of the public exhibition was included in the City's Sydney July Your Say eNewsletter, and sent to 7,152 subscribers. Further email notification was sent to 101 key stakeholders including resident action groups, peak bodies and state government agencies.
9. A total of seven submissions were received during the consultation period. (Six submissions were received via the Sydney Your Say website and one submission was received via the Sydney Your Say email address.)
10. A further submission was received from an external stakeholder organisation prior to the commencement of public exhibition. This has been included in Attachment C.
11. The eight submissions have all been internally reviewed, with staff recommending minor changes to the Policy in response to the submissions received. The issues raised in the submissions and the subsequent staff responses and recommendations are detailed in the engagement report at Attachment C.

Amendments to the Managing Waste in Public Places Local Approvals Policy following exhibition

12. Based on the submissions received from the public during the consultation period, the following minor amendments have been made to the Policy:
 - (a) In the Policy under Part 1 A - Placing residential waste in a public place, an additional point has been added to clarify that a resident has permission to leave their bin in a public place where their regular collection has been missed.
 - (b) The Policy has been amended under Part 1 B - placing commercial waste in a public place to:
 - (i) update the size class of bin that requires brakes. Bins that are 660 litres or greater, must have fitted and working brakes.
 - (ii) include a requirement for reflectors to be visible.
 - (iii) remove the term 'permanently' from the clause relating to bin labels for commercial waste generators.
 - (iv) remove the requirement for the address of the commercial waste contractor to be visible on a business bin.
 - (c) The Policy has been amended under Part 1 C - placing a skip in a public place to include a requirement for reflectors or lights to be visible on skips.

Key Implications**Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision**

13. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. 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 strategic directions and objectives:
 - (a) Direction 1 - Responsible governance and stewardship - Waste management is one of the City's key health and amenity activities. Effective waste management and activities are essential to ensure the City is maintained to a world class standard for residents, business and visitors.
 - (b) Direction 2 - A leading environmental performer - This policy aims to reduce illegal dumping and litter, 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 5 - A city for walking, cycling and public transport - - This policy seeks to improve the amenity on the City's streets, and pedestrian and cyclist safety by providing requirements on the safe placement of residential and commercial bins. This policy and continued inclusion of collection time guidance works to reduce traffic congestion in the CBD by reducing the number of commercial waste collection trucks during peak hours.

Strategic Alignment – Leave nothing to waste: strategy and action plan 2017-2030

14. Leave nothing to waste targets the increase of resource recovery and a reduction in how much of the City's waste goes to landfill to achieve the long-term goal of zero waste to landfill by 2030. It sets out six priority areas for better management of waste and resources in the city. The Managing Waste in Public Places Local Approvals Policy is aligned with the following priorities:
 - (a) Priority 3 – Sustainable design – The Policy provides a clear policy framework to support planning decisions for the management of waste in new developments.
 - (b) Priority 4 – Clean and clear streets – the Policy aims to support targeted reduction in illegal dumping and litter, time that bins are left out on footpaths, and the number of waste collection vehicles in the CBD during peak hour.

Risks

15. The City is limited in the tools that it can use to regulate the collection or transport of commercial waste. However, the City will continue to work with key stakeholders on the operational conduct of commercial waste transporters with the goal of minimising amenity impacts of waste collections, particularly in the CBD.

Social / Cultural / Community

16. 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 Policy acknowledges this issue and aims to minimise the impact by incorporating commercial waste collection time zones. These time zones provide critical guidance to the commercial waste industry to encourage the conduct of commercial collections during reasonable hours. The time zones take into consideration the needs of residents, businesses, and the logistics of waste collection.
17. The permanent storage of residential and commercial bins in public places is an on-going concern to residents and businesses, particularly with regard to public safety, public amenity and the high incidence of illegal dumping around bins. The Policy guidelines and requirements aim to assist in addressing this issue.

Environmental

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

Financial Implications

20. There are no significant budget implications associated with the implementation of the Policy.

Relevant Legislation

21. Local Government Act 1993 (section 68 and section 158).
22. Protection of the Environment Operations Act 1997 (section. 96).
23. Environmental Planning and Assessment Act 1979.
24. Impounding Act 1993.
25. Food Act 2003.

Critical Dates / Time Frames

26. The updated Managing Waste in Public Places Local Approvals Policy will be implemented in late 2022 when the City receives the Office of Local Government Departmental Chief Executive's consent.
27. On 23 December 2022, the existing Policy will be automatically revoked under the Local Government Act 1993.

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