

PART 7 WASTE MANAGEMENT

87. INTRODUCTION

The aim of this Part is to:

- a) provide for the use and control of Council-Provided Mobile Bins for the deposit and collection of Household Refuse and Recyclables; and
- b) prevent and regulate the deposit of refuse and rubbish upon Roads, Public Places and Council Land; and
- c) regulate the use of the Melton Recycling Facility.

Division 1 - Household Waste

88. DEPOSIT OF REFUSE AND RECYCLABLES

Subject to clauses [91](#) and [96](#), a Person must not:

- a) deposit any Household Refuse, Recyclable or other waste upon any Road, Public Place or Council Land; or
- b) except at a Refuse Disposal Site, deposit any Household Refuse or other rubbish upon another Person's Property; or
- c) place out for collection any Household Refuse unless it is in a Council-Provided Mobile Bin.

Penalty: 4 Penalty Units

89. OCCUPIER TO MAINTAIN COUNCIL-PROVIDED MOBILE BIN

Each Occupier of a Property must keep a Council-Provided Mobile Bin on that Property and maintain it in good working order and in a clean and sanitary condition upon or about the Property.

Penalty: 2 Penalty Units

90. STORAGE OF COUNCIL-PROVIDED MOBILE BINS

1. Unless exempted by Council, the Owner of any block of:

- a) flats; or
- b) units

(none of which is occupied by him or her) must provide for the use of the Occupiers a:

- i) clearly defined; and
- ii) sufficiently large

area for the storage of Council-Provided Mobile Bins.

Penalty: 2 Penalty Units

2. The Occupier of any:

- a) flat; or
- b) unit

must keep his or her Council-Provided Mobile Bin in the area required to be provided for that purpose under subclause [90.1](#).

Penalty: 2 Penalty Units

91. COLLECTION OF HOUSEHOLD REFUSE

1. In order that Household Refuse may be collected, an Occupier of a Property may, during the hours and on the days appointed or advertised by Council, place a Council-Provided Mobile Bin so that it:
 - a) is as near to the kerb as possible; and
 - b) is aligned so that the handle of the bin is facing away from the kerbside; and
 - c) does not interfere with the free movement of vehicular or pedestrian traffic; and
 - d) is clear of all Obstructions, such as trees, Vehicles and other assets to allow collection to occur.
2. A Person must not place a Council-Provided Mobile Bin out for collection other than as provided in subclause [91.1](#).

Penalty: 2 Penalty Units

3. Council is not required to collect the contents of any Council-Provided Mobile Bin that is not placed out as provided in subclause [91.1](#).
4. The Occupier of a Property must cause each Council-Provided Mobile Bin to be removed from the Footpath, Road or other location of its placement within 24 hours after the time when the contents were, or were apparently, emptied from the Council-Provided Mobile Bin.

Penalty: 2 Penalty Units

5. A Person (other than the Occupier of the Property who placed it out for collection) must not remove or interfere with the contents of any Council-Provided Mobile Bin which has been placed out for collection, except with the authority of Council.

Penalty: 5 Penalty Units

92. DESIGNATED COLLECTION POINTS

1. If an Authorised Officer forms the opinion that a designated collection point is required to allow collection of Council-Provided Mobile Bins, Council may, by a notice given to the Owner and Occupier of Property, direct that any Council-Provided Mobile Bin relating to the Property that is placed out for collection be placed at the location specified in the notice.
2. Following the giving of a notice under subclause [92.1](#), a Person who places a Council-Provided Mobile Bin at a location other than that specified in the notice is guilty of an offence and the Council-Provided Mobile Bin will not be collected.

Penalty: 2 Penalty Units

93. REFUSE RECEPTACLES GENERALLY

1. A Person must not place out refuse for collection by Council other than in an approved Council-Provided Mobile Bin.

Penalty: 2 Penalty Units

2. Unless authorised by Council, a Person must not place out for collection more than the number of approved Council-Provided Mobile Bins.

Penalty: 2 Penalty Units

3. Council is not required to collect waste from a refuse receptacle that is not an approved Council-Provided Mobile Bin.

94. SEPARATION OF RECYCLABLES

1. A Person must not place anything other than Recyclables in an approved Council-Provided Mobile Bin which is specifically designated for Recyclables.

Penalty: 2 Penalty Units

2. Council is not required to collect from a Council-Provided Mobile Bin which is specifically designated for Recyclables if it contains material other than Recyclables.

95. PROHIBITED WASTE

A Person must not place or cause or allow to be placed in any Council-Provided Mobile Bin any:

- a) slops or liquid waste; or
- b) moist refuse unless the moist refuse has previously been strained and securely wrapped in paper so as to prevent its escape or leakage; or
- c) dust from any vacuum cleaner, hair or other like substance unless the dust, hair or other substance has first been securely wrapped in paper so as to prevent its escape; or
- d) ashes or other like substance unless the ashes are or other substance is non-combustible and free from any heat-generating particles; or
- e) window glass or other sharp object unless the window glass or other sharp object is wrapped or secured in such a manner as to render it harmless and inoffensive; or
- f) commercial or domestic building waste, such as brick, rubble, concrete, timber, plaster, tiles or soil; or
- g) hazardous chemical or material, such as asbestos; or
- h) volatile, explosive or flammable substance; or
- i) nightsoil; or
- j) oil, paints, solvents or like substances; or
- k) waste of a shape, size or weight that cannot be contained in such a Council-Provided Mobile Bin; or
- l) Household Refuse or waste matter of any kind, the combined weight of which, in the case of a Council-Provided Mobile Bin, exceeds 50 kilograms; or
- m) needle, syringe or medical waste; or
- n) Industrial Waste; or
- o) other object or matter which is or is likely to be hazardous to health or the environment.

Penalty: 10 Penalty Units

Division 2 - Regulation of Other Refuse and Waste**96. COLLECTION OF OTHER REFUSE**

1. Council may from time to time, and in such manner as it may determine, undertake the collection of other waste in the Municipal District.
2. A Person must place out for collection, in an approved location, the volume and type of waste approved by Council.
3. Upon being placed out for collection, any such waste becomes the unencumbered property of Council or an agent appointed by Council.
4. A Person must not, without the authority of Council:
 - a) remove; or
 - b) interfere withany such waste which is placed out for collection.

Penalty: 4 Penalty Units

97. BULK WASTE CONTAINERS

1. A Person must not, without first obtaining a Permit nor otherwise than in accordance with the conditions of such Permit, place or allow to be placed within a Road or Council Land any Bulk Waste Container.

Penalty: 10 Penalty Units

2. Without limiting Council's powers under Part 8 of this Local Law, in determining whether to grant a Permit under subclause [97.1](#) the matters to which Council may have regard include:
 - a) the proposed site of the Bulk Waste Container; and
 - b) whether any danger will or may be presented to pedestrian or vehicular traffic; and
 - c) whether any signage will be affixed to the Bulk Waste Container; and
 - d) whether any hazard or other lights will be attached to the Bulk Waste Container; and
 - e) whether pedestrian and vehicular traffic will be warned of the presence of the Bulk Waste Container; and
 - f) the period during which it is proposed that the Bulk Waste Container will remain on the site; and
 - g) whether the application complies with any policy adopted by Council:
3. In addition to Council's other rights under this Local Law, if, in the opinion of Council:
 - a) the Permit holder has endangered or threatens to endanger the safety of any Person; or
 - b) the Permit holder has Obstructed or threatens to Obstruct the orderly flow of pedestrian or vehicular traffic;it may revoke the Permit of the Permit holder.
4. The Permit holder must ensure that any Bulk Waste Container is capable of containing all waste, including any windblown matter or sediment.

Penalty: 10 Penalty Units

5. The Permit holder must remove all waste within a 3 metre radius of the Bulk Waste Container, or any waste that has spilt or been blown from the Bulk Waste Container.

Penalty: 5 Penalty Units**98. TRADE WASTE**

An Occupier of Property which produces Trade Waste must ensure that any container used for the storage of Trade Waste is constructed of strong and impervious material so as to prevent the escape by leakage of any of its contents and absorb and accumulate any waste-matter which may be deposited in it, and:

- a) is water, fly and vermin-proof; and
- b) is provided with a close-fitting lid; and
- c) has its contents emptied at regular intervals or immediately upon:
 - i) its contents becoming offensive; or
 - ii) an Authorised Officer directing the emptying of the contents

and is kept in good order and in a:

- d) clean; and
- e) sanitary; and
- f) inoffensive

condition.

Penalty: 8 Penalty Units***Division 3 – Melton Recycling Facility*****99. INTRODUCTION**

The purpose of this Division is to regulate the use of the Melton Recycling Facility.

Behaviour generally within the Melton Recycling Facility is regulated by clause [27](#) and any other relevant clauses in this Local Law.

100. MELTON RECYCLING FACILITY

1. The Melton Recycling Facility will be available for the disposal of waste subject to the fees, charges, terms and conditions determined by Council from time to time.
2. A Person using the Melton Recycling Facility:
 - a) must pay the fees and charges and comply with the terms and conditions determined by Council and/or its operator; and
 - b) must deposit waste in accordance with the directions of the Melton Recycling Facility operator or any Authorised Officer and in accordance with any signs erected at the Melton Recycling Facility; and
 - c) may only deposit material designated by Council or the Melton Recycling Facility operator from time to time; and

- d) may only deposit material permitted by any Environment Protection Authority Licence applying to the Melton Recycling Facility from time to time; and
- e) must not deposit any hazardous, dangerous or infectious materials.

Penalty: 10 Penalty Units

- 3. A person must not, without the authority of Council, enter or use the Melton Recycling Facility on a day or at a time when members of the public are prohibited from entering or using the Melton Recycling Facility.

Penalty: 10 Penalty Units

- 4. A Person must immediately leave the Melton Recycling Facility and take with them any material they brought to the Melton Recycling Facility as and when directed by an Authorised Officer, employee of the operator of the Melton Recycling Facility or a member of the Victoria Police.

Penalty: 2 Penalty Units

- 5. A Person must not Smoke within the grounds of the Melton Recycling Facility.

Penalty: 5 Penalty Units