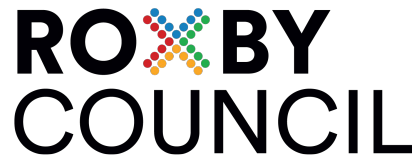


DRAFT
FOR PUBLIC CONSULTATION

WASTE MANAGEMENT BY-LAW #7





By-law made under the Local Government Act 1999

WASTE MANAGEMENT BY-LAW 2026

By-law No. 7 of 2026

For the management of domestic waste within the Council's area.

Part 1 – Preliminary

1. Short Title

This By-law may be cited as the *Waste Management By-law 2026*.

2. Commencement

This By-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

3. Purpose

The objectives of this By-law are to:

- 3.1 prevent and suppress nuisances associated with the storage and collection of domestic waste;
- 3.2 prevent damage to Council property and land;
- 3.3 define the requirements for the use of the Council's domestic kerbside waste collection service;
- 3.4 protect the convenience, comfort and safety of members of the public; and
- 3.5 enhance the amenity of the Council area.

4. Definitions

In this By-law:

- 4.1 **crossover** means the portion of a road (usually connected to a driveway on private property) that provides vehicular access to adjoining land;
- 4.2 **domestic waste** means any kind of domestic and kitchen waste generated from residences including, but not limited to, broken crockery, clothing, material, broken cooking items, glass items, hoses, polystyrene, ropes, green

waste and soft plastics but excluding effluent, liquids, lead acid batteries and any toxic waste;

- 4.3 **domestic waste container** means a container for the disposal of domestic waste that is approved by resolution of the Council;
- 4.4 **emergency worker** has the same meaning as in the *Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*;
- 4.5 **hard waste** means any internal and/or external domestic items such as (but not limited to) fridges and mattresses but excluding any domestic waste or other items as may be specified by the Council and noted on its website;
- 4.6 **maximum allowable weight** in relation to a domestic waste container means the maximum weight set by the Council, by resolution, with respect to a container of a particular size or type;
- 4.7 **person** includes a natural person, a body corporate or incorporated association;
- 4.8 **premises** means any premises, excluding vacant land, to which the Council's waste collection service is made available; and
- 4.9 **road** has the same meaning as in the *Local Government Act 1999*.

Part 2 – Waste Collection Services

5. Provide containers

An occupier of premises must keep on their premises a domestic waste container.

6. Management of waste collection services

An occupier of premises must:

6.1 Domestic Waste

- 6.1.1 ensure that the domestic waste container kept on the premises is of a type approved by the Council; and
- 6.1.2 not place, cause, suffer or permit any waste other than domestic waste to be in a domestic waste container; and

6.2 Keep Container Clean

cause each domestic waste container kept on the premises to be kept in a clean and sanitary condition and maintained in good order and repair with a closable lid at all times; and

6.3 Sealing of Container

cause each domestic waste container to be continuously and securely covered or sealed except when waste is being deposited in or removed from the container; and

6.4 Damage

ensure that each domestic waste container is maintained, repaired or replaced (as necessary) so that it is not damaged or worn to the extent that:

- 6.4.1 it is not robust;
- 6.4.2 it is unable to be moved on its wheels (if any) efficiently;
- 6.4.3 the lid does not seal on the container when closed to prevent rubbish escaping; or
- 6.4.4 its efficiency or use is otherwise impaired; and

6.5 Collection Services

6.5.1 facilitate the collection and removal of waste from the premises by ensuring all domestic waste containers thereon that contain waste for collection are placed on the road for collection by the Council, its agents or contractors:

- 6.5.1.1 by 7:00am on the day appointed by the Council for the collection of waste from those premises or the night before that day; and
- 6.5.1.2 in a position:
 - (a) adjacent to the kerb (not on the carriageway) so that the front of the domestic waste container faces the road; and
 - (b) not under the overhanging branches of any trees; and
 - (c) if placed on a crossover, only on the part of a crossover (where it abuts the carriageway) that is closest to the edge of the crossover and not in the centre of the crossover or in any other place or manner that may reasonably be considered (in the opinion of an authorised person) to create a restriction or a danger for other pedestrians or vehicular access to the crossover; and
 - (d) as may otherwise be approved or directed by the Council and, wherever practicable, notified to the occupier in writing; and

6.5.2 remove all domestic waste containers from the road on the same day as the collection of waste has occurred; and

6.6 Waste

not place any domestic waste container on the road for collection by the Council, its agents or contractors:

- 6.6.1 if the weight of the domestic waste container and waste therein exceeds the maximum allowable weight for the container of that type or size;
- 6.6.2 unless the domestic waste container contains only the type of waste that is permitted to be disposed of in the domestic waste container; and

6.7 Hard Waste

not place any hard waste on the road for collection by the Council, its agents or contractors other than in accordance with any directions issued by the Council and notified to the occupier in writing or on the Council's website.

7. Interference with Waste/Hard Waste

A person must not, without the Council's permission, remove, disburse or interfere with any waste, or hard waste that has been placed on a road or in a domestic waste container on a road for the apparent purpose of collection by the Council, its agents or contractors.

Part 3 – Enforcement

8. Orders

If a person fails to comply with an order of an authorised person made pursuant to Section 262 of the *Local Government Act 1999* in respect of a breach of this By-law, the Council may seek to recover its costs of any action taken under Section 262(3) of the *Local Government Act 1999* from the person to whom the order was directed.

9. Exemptions

The restrictions in this By-law do not apply to a police officer, emergency worker, Council officer or employee acting in the course of and within the scope of that person's normal duties, or to a contractor while performing work for the Council and while acting under the supervision of a Council officer.

The foregoing by-law was duly made and passed by resolution of the Administrator of the Municipal Council of Roxby Downs on the day of 2026 in accordance with Section 12 of the *Roxby Downs (Indenture Ratification) Act 1982* and Section 246 of the *Local Government Act 1999*.

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Mr Mick Nelson
Chief Executive Officer