



## **Controls made under the Solid Waste Bylaw 2012 for the Disposal of Waste to Land**

*(Land Disposal Control)  
(Tukuhanga Para ki te Whenua)*

(as at 8 October 2015)

**Regional Strategy and Policy Committee  
Resolution number REG/2015/77  
8 October 2015**

*Explanatory note: Clauses 6, 14(2) and 20 of the Solid Waste Bylaw provides that the council may establish controls containing detailed provisions by resolution. This control contains provisions in relation to the disposal of waste pursuant to Clause 20.*

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## 1. Title

This control is titled Controls made under the Solid Waste Bylaw 2012 for the Disposal of Waste to Land

## 2. Commencement

This control comes into force on 31 October 2015.

## 3. Application

This control applies to Auckland.

## 4. Purpose

This control regulates the disposal of waste to cleanfill and managed fill sites.

## 5. Interpretation

(1) In this control:

**Act** means the Waste Minimisation Act 2008.

**Bylaw** means the Solid Waste Bylaw 2012.

**Clean fill material** means waste that:

- (a) does not undergo any physical, chemical or biological transformation that, when deposited or with the effluxion of time, is likely to have adverse effects on the environment or human health; and
- (b) is not diverted material; and
- (c) includes virgin materials such as clay, soil and rock and other inert materials such as concrete or brick that are free of:
  - (i) combustible, putrescible, degradable or leachable components;
  - (ii) hazardous waste;
  - (iii) products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices;
  - (iv) materials that may present a risk to human health or the environment; and
  - (v) liquid waste.
- (d) has less than two per cent by volume by load of tree or vegetable matter.

**Clean fill site** means land used for the disposal of clean fill material.

(2) Unless the context requires another meaning, a term or expression that is defined in the Act or the bylaw used, but not defined, in this control has the meaning given by the Act or bylaw.

(3) Explanatory notes are for information purposes only and do not form part of this control.

(4) The Interpretation Act 1999 applies to this control.

## 6. Controls on waste that is disposed to a clean fill site

- (1) Material that may be disposed of at a clean fill site pursuant to clause 16(2)(b)(i), 16(2)(b)(ii), 20(1)(d) and 20(1)(e) of the bylaw is set out at Schedule A.
- (2) Prohibited material that must not be disposed of at a clean fill site is set out at Schedule B.

## 7. Controls on waste that is disposed to a managed fill site

- (1) Material that may be disposed of at a managed fill site pursuant to clause 20(1)(d) of the bylaw is set out at Schedule C.
- (2) Prohibited material that must not be disposed of at a managed fill site is set out at Schedule D.

### **Schedule A: Materials that are suitable for disposal to a clean fill site**

<b>Material Type</b>	<b>Definition</b>
Natural Hardfill	<p><b>Clean fill material</b> that consists of soils, rock, aggregates and gravels, sand, clay or other inorganic inert virgin natural materials that does not contain any trace element specified in the Proposed Auckland Unitary Plan H4.5.2.1.3 Table 2 at a concentration greater than the background concentrations in Auckland soils as specified in that Table.</p> <p>May include incidental tree or vegetative matter of less than 2 per cent by volume by load.</p>
Uncontaminated Hardfill	<p><b>Clean fill material</b> that is manufactured and inert and does not contain any trace element specified in the Proposed Auckland Unitary Plan H4.5.2.1.3 Table 2 at a concentration greater than the background concentrations in Auckland soils as specified in that Table.</p> <p>Includes:</p> <ul style="list-style-type: none"><li>• Bricks, ceramics and masonry blocks;</li><li>• Unreinforced concrete and reinforced concrete including exposed reinforcing rods of less than 1 metre in length;</li><li>• Pavers, pipes, tiles (clay, concrete, ceramic).</li></ul> <p>May include incidental tree or vegetative matter of less than 2 per cent by volume by load.</p>
Other Hardfill	Other hardfill material as specifically provided for in a cleanfill resource consent.
Cover material	Natural or other material that is suitable for use as cover at a cleanfill site.

**Schedule B: Prohibited materials that may not be disposed of at a clean fill site**

Material Type	Definition
Prohibited Material	<p>Any material that is not included in Schedule A.</p> <p>This includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Treated Timber</li> <li>• Plaster Board</li> <li>• Asbestos.</li> </ul>

**Schedule C: Materials that are suitable for disposal to a managed fill site**

Material Type	Definition
Managed Fill Material	<ul style="list-style-type: none"> <li>• Natural hardfill</li> <li>• Uncontaminated hardfill</li> <li>• Other hardfill as specifically provided for in a managed fill resource consent</li> <li>• Contaminated soil and other contaminated material that contain trace elements at a concentration greater than the background concentrations in Auckland soils, as specified in the Proposed Auckland Unitary Plan H4.5.2.1.3 Table 2</li> <li>• May include incidental or attached vegetative or biodegradable material of less than 2 per cent by volume by load.</li> </ul>

**Schedule D: Prohibited materials that may not be disposed of at a managed fill site**

Material Type	Definition
Prohibited Material	<p>Any material that is not included in Schedule C.</p> <p>This includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Hazardous substances or materials (such as municipal solid waste) likely to create leachate by means of biological breakdown</li> <li>• Products or materials derived from hazardous waste treatment, stabilisation or disposal practices;</li> <li>• Materials such as medical and veterinary waste, asbestos, or radioactive substances;</li> <li>• Combustible components; or</li> <li>• Vegetative or biodegradable materials in excess of that provided in Schedule C.</li> </ul>