

ATTACHMENT B

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

WASTE MINIMISATION REGULATIONS 2001

(Made under the Waste Minimisation Act 2001)

EXPLANATORY MEMORANDUM

Circulated with the authority of
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Minister for Urban Services

EXPLANATORY MEMORANDUM

WASTE MINIMISATION REGULATIONS 2001

BACKGROUND AND OUTLINE

The Waste Minimisation Act 2001 provides the legal framework for the management, regulation and reduction of waste. The Act contains the provisions of the previous Building and Services Act and the Garbage Regulations.

The Waste Minimisation Regulations 2001 have been made under Part 3, Section 26 of the Waste Minimisation Act to make provisions in relation to the storage, collection and disposal of waste.

WASTE MINIMISATION REGULATIONS 2001

Part 1 Preliminary

Clause 1 is a formal requirement and deals with the short title of the Regulations.

Clause 2 is a formal requirement and deals with the commencement provisions. The Regulations will commence on the day they are notified in the Gazette.

Clause 3 defines certain words and phrases used in the Regulations for example regulated waste etc.

Clause 4 explains that a note is explanatory and not part of the Regulations.

Part 2 Garbage collection and disposal

Clause 5 this clause deals with the need to keep garbage in a suitable container. This includes a bin provided by Government.

Clause 6 allows the Minister to give directions about what type of garbage can be placed in the bins provided by Government for a garbage service. For example the segregation of recyclable materials into a separate bin specifically provided for that purpose.

Clause 7 deals with the requirement for garbage containers to be kept in a hygienic condition.

Clause 8 deals with the requirement for the lid on a bin provided by Government to be kept closed as much as practicable. This prevents smells from the bins becoming a nuisance as well as excess rainwater entering the bins, making them difficult to service.

Clause 9 this allows for a person to enter a premises (excluding buildings) to provide a garbage service. This service is provided to some members of the community who are unable to place their bins out for collection.

Clause 10 deals with the hindrance or obstruction of a person providing a garbage service. Under this clause a person is not allowed to hinder or obstruct someone providing a garbage service.

Part 3 Miscellaneous

Clause 11 this clause deals with the requirement to keep waste in a manner that does not become insanitary or unsightly. The clause provides for an authorised person to give written notice to the occupier of a premises where waste is being kept in contravention of this requirement.

Clause 12 this clause requires that garden waste can not to be put in government bins.

Clause 13 this section deals with regulated wastes not being able to be deposited in either a government bin or buried on land other than a waste facility.

Clause 14 deals with the declared use of premises under section 25 of the Act. Under this section premises are not permitted to be used as a waste facility unless the purpose is a declared use in the regulations. Declared uses are defined as purposes by the Territory, under license from the Environment Management Authority and under written agreement with the Territory.

Clause 15 deals with transitional provisions under the regulations which will expire or change upon commencement of the Legislation Act 2001.