



KERBSIDE WASTE AND RECYCLING POLICY

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RELATED STRATEGIC DOCUMENTS, POLICIES OR PROCEDURES: Fees and Charges Schedule
Loddon Shire Waste Management Strategy
Loddon Planning Scheme
Building Act 1993
Loddon Shire Community Support Policy

RELATED LEGISLATION: Local Government Act 1989
Australian Taxation Office Goods and Services Tax Act (GST) 1999
Loddon Shire Local Law No. 4 - Environment

EVIDENCE OF APPROVAL:


Signed by Chief Executive Officer

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This document is available in alternative formats (e.g. larger font) if requested.

1 PURPOSE

To outline conditions associated with the provision of kerbside waste and recycling services throughout the municipality including the application of associated fees and charges.

2 SCOPE

This policy applies to all properties within the Loddon Shire municipal boundary.

This policy should be read in conjunction with Loddon Shire Local Law No. 4 – Environment (the Local Law), Council’s Waste Management Strategy and Council’s Community Support Policy.

3 POLICY

Council operates a kerbside waste and recycling collection service to assist local residential and commercial properties to appropriately manage their waste and recyclable materials. The provision of a kerbside collection service is intended to provide a flexible, convenient and affordable mechanism to manage on site waste generation, protect the amenity of our township areas and reduce the potential risk of illegal dumping.

The provision of a separate recyclable service is consistent with Council’s position of attempting to reduce the volume of waste being disposed to landfill. Complementing the kerbside collection service, Council also operates a number of waste management facilities or other services as detailed within its Waste Management Strategy.

This policy outlines the operational parameters which have been set with respect to the provision of the kerbside collection service to ensure its ongoing viability and effectiveness, as well as the application of associated charges.

To fund the kerbside collection service, Council annually levies charges under the Local Government Act.

3.1 Service eligibility

3.1.1 Residential and commercial properties

Council provides a mandatory kerbside waste and recycling collection service to all residential, industrial and commercial tenements located within the Township Zone (TZ), Low Density Residential Zone (LDRZ) or Rural Living Zone (RLZ) as defined within the Loddon Planning Scheme.

Where it is both economically viable and practical to do so, Council will attempt to provide access to the kerbside waste and recycling service to residential or commercial properties located outside of the TZ, LDRZ or RLZ, however provision of the service in these instances is subject to the conditions specified within clause 3.1.3 being met.

3.1.2 New service requests

Occupants or owners of commercial and residential properties not currently provided with a kerbside collection service may lodge a request for service with Council. In determining whether the property is eligible, consideration will be given to the following:

A set of bins will be supplied and the associated charges applied when:

- for new residential dwellings, construction is complete and the associated Certificate of Occupancy has been issued
- for pre-existing dwellings where no Certificate of Occupancy has been issued, the request has been referred to Council's rates staff to determine if the property is rated as a house; and the property has been assessed under the Building Act as being exempt from the requirement to obtain a Certificate of Occupancy
- a permit has been issued pursuant to clause 7.4 of the Local Law, for the erection, establishment or occupation of a temporary dwelling for the purpose of accommodation.

No consideration of new service requests shall be given for sheds.

There may be circumstances where a new request has been granted and collection is not available at the front of the property due to road access issues. In this circumstance an alternative collection point is to be determined in negotiation with the contractor, Council officer and customer. If this collection point is deemed to be unsuitable, Council staff have the right to determine that the service is no longer compulsory.

3.1.3 New rural service requests

In addition to the requirements specified in 3.1.2, in determining whether a service can be provided to properties located outside the TZ, LDRZ and RLZ, Officers will assess each request against the following criteria:

- the proximity of the proposed bin collection point from the existing service routes
- classification of roads required to be used to facilitate collection
- scope to improve economic viability by clustering or increasing number of properties to receive a new service

The distance required to be travelled by Council's contractor to provide a new service by extending or deviating from an existing route, is to be no more than one kilometre each way per service.

Any route variation or extension must be possible by utilising the existing all weather road network.

3.1.4 Service requests from clients outside of Loddon Shire

A landowner on the periphery of the Loddon Shire boundary may request a bin service due to their local council not providing a service to their property. Any request of this nature will be assessed on its merits in accordance with the requirements specified within this policy; and approved at the discretion of Council officers.

Where it is determined that a service may be accommodated for a property outside of the municipality, a rates notice for this property will be generated. If the landowner fails to pay for the service by the due date each year, access to the service may be reassessed and withdrawn as necessary.

3.1.5 Vacant land

Access to Council's waste and recycling services will not be provided to any vacant land.

3.2 **Service requirements**

Properties which are provided access to the kerbside waste and recycling service are obligated to receive both services in unison. There is no scope to independently cease either the waste or recycling service.

Additional bins may however be issued for either service independently (e.g. request for additional waste bin only due to family size).

3.2.1 Minimum service standard

For eligible properties the minimum service standard provided is:

	Property/Service Classification	
	Residential	Commercial
Waste Service	1 x 140 Litre MGB with red lid	1 x 240 Litre MGB with green or blue lid
Recycling Service	1 x 240 Litre MRB with yellow lid	1 x 240 Litre MRB with yellow lid

3.2.2 Additional or extra bins

Where it can be demonstrated that the provision of a single mobile garbage bin (MGB) or mobile recycling bin (MRB) is insufficient to cater for the volume of waste or recyclables being generated from a residential property (e.g. due to large family or young children present) consideration may be given to the provision of a second MGB or MRB.

Council maintains a strategy of waste minimisation and as such allocation of an additional MGB is only considered where a genuine need can be demonstrated. Prior to an additional MGB being issued, Council officers may undertake an assessment of the waste generation practices on site including assessment of recyclable diversion rates.

Unlike residential properties which are restricted to a maximum of two MGB or MRBs, commercial properties may request the allocation of an unlimited number of additional MGBs or MRBs.

Specified charges shall apply for each bin provided to a property.

3.2.3 Collection scheduling

The scheduling of collections for both the waste and recycling service is detailed within Council's Waste Management Strategy. Modification of collection routes or impact of public holidays may require adjustment of collection scheduling. Where such changes are made Council will issue public or individual notices to inform the community of any service change.

3.2.4 Interruption of service

Council will endeavour to perform the kerbside collection service as detailed within its Waste Management Strategy however there may be situations or circumstances that affect Council's business activities to the extent that it cannot deliver the specified level of service. These include but are not limited to:

- natural disasters, such as fires, floods, or storms
- prolonged labour or resource shortage
- a need to commit or redeploy Council staff and/or equipment elsewhere.

Council will endeavour to inform residents of any suspension or reduction of service, including any interim arrangements for disposal of waste and recyclables and the period for which the suspension is likely to be in effect.

No discount or refund of service charges shall be provided by Council in the event of a service interruption or delay.

3.2.5 Suspension of service

Where a property is identified as presenting inappropriate material (refer to Local Law) within either the waste or recycling bins, Council will initially contact the owner/occupier of the property and provide notice of the observed service breach.

Subsequent or repeated presentation of unsuitable materials may result in either the suspension of service until such time that unacceptable materials are removed from the bin, or property owner behaviour has been remedied to the satisfaction of Council.

Where bins presented for collection have been refused due to contamination, no discount or refund shall be provided with respect to the associated service charges.

3.2.6 Recreational and public facilities

Council's kerbside waste and recycling collection service is also made available free of charge to various sporting or public facilities located throughout the municipality. The below table outlines the provision made for these facilities.

Sporting group	Number of kerbside waste bins	Number of recycling collection bins
Football / Netball / Hockey	5	5
Golf	1	1
Tennis	1	1
Bowls	1	1
Cricket	1	1

3.3 **Service charges**

The garbage and recycling charge will be reviewed annually and set by Council as part of the budget process.

A service charge will be levied on all residential and commercial properties within the TZ, LDRZ or RLZ, whether permanently occupied or not, and regardless of whether the service is required or utilised.

3.3.1 New service

Where a request has been made for a new service or additional bins, a pro-rata charge will be applied from the delivery date of the bins for the remainder of the financial year.

3.3.2 Removal of service

Where a request has been made to remove a non-compulsory service (e.g. additional bin) a pro-rata charge will be applied for the part of the financial year where the service has been available up to the date of pick up.

For properties outside of the TZ, LDRZ or RLZ who have been provided with access to the kerbside collection service, cessation of this service shall only be considered where officers determine that there shall be no negative economic or functional impact upon the service provision i.e. where elimination of a single property does not create unreasonable travel distances to collect remaining services in the area.

3.3.3 Charge exemptions

Organisations or facilities identified as being eligible to receive charge exemptions for kerbside waste and recycling services under Council's Community Support Policy shall not be charged for the number and type of bins approved.

Any additional services beyond that which has been defined under the Community Support Policy shall incur the full service charge.

Council shall not apply any charges to bins used internally by the organisation for municipal buildings or within public parks and reserves, under the direct management and control of Council.

3.3.4 Incorrect charge

If a ratepayer believes that a charge has been incorrectly raised on a property, the ratepayer must provide documentation (if available) to Council in order to establish that this charge is incorrect. If the charge has been raised continuously for a number of years and is proven to be incorrect, Council will refund up to three years retrospectively.

3.4 **General operation and management of service**

The following general requirements apply with respect to the operation of Council's kerbside collection service. Additional details pertaining to suitability of materials for disposal or other operational requirements are documented within the Local Law and Waste Management Strategy.

3.4.1 Bin ownership and location

All bins issued as part of Council kerbside service remain the property of the Loddon Shire Council at all times.

Each bin is labelled with a unique identification code and must remain with the property to which it has been issued. Bins must not be transferred or relocated from the property (e.g. where there is a change of tenant or ownership of the property).

3.4.2 Placement of bins for collection

Bins (with the lids fully closed) must be placed on the verge of the vehicle crossing (driveway) or roadway abutting the property with handles facing away from the roadway (i.e. towards property).

The bins must be presented for collection only on the night before the scheduled collection day. Bins must be returned within the property boundary within 24 hours of the collection.

Placing bins out for collection is at the property owner's discretion; however consideration should be given to the requirements under clause 3.4.4.

Applicable charges for the service shall apply regardless of its utilisation.

3.4.3 Weight of bins

The total weight of any bin placed out for collection must not exceed 80 kilograms.

3.4.4 Maintenance

Property owners/occupiers are responsible for ensuring the cleanliness of their bins. These bins must be maintained in a clean condition by users so as not to be offensive to any person or become a health hazard or nuisance.

3.4.5 Damaged bins

Damaged bins will be either repaired or replaced, within the next two (2) collection cycles, upon Council receiving notification from the property owner or occupier of such damage.

A bin damaged or lost as a result of misuse or other action on the part of the property owner may incur a charge to the property owner for the cost of repair or replacement.

3.4.6 Replacement of stolen bins

Stolen bins must either be reported to the police with the subsequent police report forwarded to Council, or reported directly to Council and accompanied by a signed statutory declaration, in order for a replacement to be supplied. Replacement bins will be delivered within the next two (2) collection cycles following the provision of notification to Council.

3.5 Goods and services tax

Garbage collection charges for commercial and non-residential properties are subject to the appropriate amount payable pursuant to the Goods and Services Tax (GST) Act 1999.

4 DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Term	Definition
GST	Goods and Services Tax
MGB	Mobile Garbage (waste) Bin
MRB	Mobile Recycling Bin

5 HUMAN RIGHTS STATEMENT

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights Act. Loddon Shire Council is committed to consultation and cooperation between management and employees. The Council will formally involve elected employee Health and Safety Representatives in any workplace change that may affect the health and safety of any of its employees.

6 REVIEW

The Manager Financial Services will review this policy for any necessary amendments no later than 4 years after adoption of this current version.