

Council Policy

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| POLICY TITLE: | WASTE MANAGEMENT (TERMS OF SERVICE - GARBAGE AND RECYCLING COLLECTION - COUNCIL POLICY) |
| RESPONSIBLE DIVISION: | Infrastructure Services |
| RESPONSIBLE SECTION: | ENVIRONMENT AND HEALTH |
| LINK TO CORPORATE PLAN: | STRATEGIC THEME 2: ENRICHED COMMUNITIES |
| RESPONSIBLE OFFICER: | Chief Executive Officer |
| AUTHORISED BY: | Ordinary Meeting of Council - 20 October, 11 July 2012 |
| ISSUE DATE: | 20 October 2010 |
| AMENDMENT DATE/S: | 11 July 2012; 19 November 2014; 1 April 2015 |
| DATE REVIEW DUE: | November 2015 |

POLICY OBJECTIVES/PURPOSE:

The Waste Management Policy (Terms of Service - Garbage and Recycling Collection) has been developed to provide a guiding document for residents of the Western Downs Region Council regarding the garbage and recycling collection and recycling processing service. The policy has also been created to guide WDRC Officers and Contractors whom provide or administer the regional waste collection service.

ORGANISATIONAL SCOPE:

This policy applies to all residents of Western Downs Regional Council who access garbage and recycling collection and recycling processing service, and is a guiding document for Council Officers and Contractors responsible for providing and administering that service.

POLICY:

1. Standard Regional Waste Collection, Recycling and Disposal Service (please refer to list of definitions at end of policy document).

- a. The Standard Regional Waste Collection, Recycling and Disposal Service for an Occupied Premise or Structure (either domestic or commercial) is one x 240 litre garbage MGB, serviced once per week and one x 240 litre recycling MGB, serviced once per fortnight.
- b. The Standard Regional Waste Collection, Recycling and Disposal Service is a ratable charge for an Occupied Premise or Structure.
- c. More than one Standard Regional Waste Collection, Recycling and Disposal Service may be requested on the appropriate form by a property owner, and will be charged accordingly on the relevant rates notice.
- d. Details of the relevant standard service (including nominated collection areas) are provided with the Councils adopted Revenue Statement.

- e. The garbage and recycling MGB's will be provided to eligible properties by Councils contractor at no charge to the resident or ratepayer, but such MGB's remain property of Council or the contractor.
- f. In the event that a MGB is damaged, stolen or otherwise unserviceable, a replacement MGB will be provided at no additional charge to the resident or ratepayer. See section 6 for replacement criteria.
- g. The standard service is for one day of service per week, on a day that is nominated by the contractor. This cannot be amended to suit customer preference. Any service requested on a day other than the nominated day of service is considered to be an unscheduled service.
- h. From time to time, the day of service may need to be varied for contractor logistics reasons (such as daily maximum permitted hours for drivers). Whilst efforts will be made to avoid any changes, these may be unavoidable and suitable notice will be given.
- i. For rating purposes, the Standard Regional Waste Collection, Recycling and Disposal Service will be categorised as either a domestic service or a non-domestic service.
- j. For large commercial scale unit type developments (of at least eight separate dwelling units), it may be impractical in some limited circumstances for a standard service to be provided (primarily, where there is insufficient space on the road frontage for the required number of bins to be placed in accordance with the 'Presentation and Acceptance Criteria'). In this circumstance, and subject to the consent of and any reasonable conditions imposed by either Council or Councils Contractor (including indemnification for damage), an application may be made to either present the MGB's on private property for servicing, or to provide an alternative garbage and recycling collection (with a recycling service able to process paper, newspaper, cardboard, glass bottles and jars, milk and juice cartons, steel and aluminum cans and empty aerosols, rigid plastic containers numbered 1,2, 3, 4, 5, or 6) to service for the entire unit development.

2. Additional or Other Services

- a. Additional services may be provided under the provisions of the relevant waste Collection contract. For the avoidance of doubt, these additional services:
 - i. include unscheduled collection; garbage and recycling collection from commercial or industrial premises (including unscheduled collections or on property collections); on-route opt in service; dead animal collection; special event collection; and
 - ii. are provided on a non-compulsory basis.
- b. Where these services are provided, the definition of and terms and conditions for the relevant service shall be governed by the provisions of the relevant collection contract.
- c. Any service that is not the standard service may be subject to ratable charges as well as other fees as outlined in Councils Register of Fees and Charges.

3. Presentation and Acceptance Requirements

- a. MGB's must be presented for service by the resident at the nominated collection point.
- b. Garbage MGB's are collected weekly, and recycling MGB's are collected fortnightly. The day of service is nominated and detailed on a sticker on a MGB, and is the same day of service for both MGB's. The relevant fortnight of service is called either week 1 or 2 and is nominated for a property on a calendar provided by the contractor.
- c. MGB's must be presented in a place that is readily able to be reached by the collection vehicle but does not cause a traffic hazard, placed no closer than 1 metre apart, oriented with MGB handles away from the road, and placed out no later than 6 am on the day of service.
- d. MGB's must not exceed 50 kg in total weight and the lid must be able to be closed.



- e. Garbage MGB's must contain only general household wastes, and not contain any liquid, hazardous, dangerous, bulky or other waste that are not typically general household wastes
- f. Recycling MGB's must contain only clean paper, newspaper, cardboard, glass bottles and jars, milk and juice cartons, steel and aluminum cans and empty aerosols, rigid plastic containers numbered 1,2, 3, 4, 5, or 6. The contents of the recycling MGB's must be free from other contaminants, including ceramics.
- g. MGB's that do not meet the presentation or acceptance criteria may not be serviced and it will be the responsibility of the resident to lawfully dispose of that waste. Council may issue a letter to the resident, or place an advisory sticker may also be placed on a non-serviced bin to advise of the relevant fault.
- h. In the event that a Recycling MGB is regularly presented with substantial contamination, Council, at its discretion, may direct the Contractor not to collect the Recycling MGB for a period of up to three (3) months. In this event, the ratepayer shall not be eligible for any refund or reimbursement for the ratable charges.

4. Eligibility for 'Wheel out/Wheel Back' service

- a. Description of Service: A 'Wheel out/wheel back' (WOWB) service may be provided by the Council, whereby a contractor will enter a property, remove the garbage and recycling MGB's from a place on the property nominated by the contractor, empty the contents of that MGB and return it to the nominated place on the property.
- b. Eligibility criteria: The WOWB service is provided for approved residents where that resident is physically unable to present the garbage or recycling MGB to the nominated collection point for servicing, and where there is no other person either residing at the property or attending the property who is readily able to present the MGB's for service
- c. The WOWB service may be available on a temporary basis, although the circumstances must be fully detailed on the application form
- d. Application Required: An application for WOWB is required to be completed. All relevant fields are to be completed, and provide all relevant information on that form explaining their reasons for being unable to present their MGB for servicing
- e. Deciding Application: The Authorised Person shall decide the application, and may either approve (with or without conditions), refuse or request further information. The Authorised Person may refuse an application or cancel an existing service in the event that a risk assessment concludes that the service cannot be undertaken safely.
- f. Changing Circumstance: Any applicant approved for a WOWB is required to advise the Council of any change of circumstances which may render the resident again able to present their own MGB for service. Furthermore, an Authorised Person of Council may from time to time assess the approved resident against the eligibility criteria. Where a resident no longer meets the eligibility criteria, or where an Authorised Person is unable to verify eligibility for this service, the WOWB service will be suspended, cancelled or withdrawn.

5. Failure to Service due to extreme conditions

- a. Due to extreme weather or other circumstances, the contractor may be unable to undertake a Standard Regional Waste Collection, Recycling and Disposal Service at selected properties. Whilst reasonable efforts are to be taken to undertake the service, in the event of some extreme events it may not be possible to safely undertake the service, for example, when roads are closed or cut by rising floodwaters, or where gravel roads are not safely traversable due to extreme boggy or slippery conditions. The inability to service may or may not be considered a force majeure, as provided in the contract.



- b. In the event that a Standard Regional Waste Collection, Recycling and Disposal Service is unable to be provided due to extreme conditions:
 - i. The contractor shall endeavour to undertake the service by the next collection day in accordance with Clause 7.7 of the Contract, although roads may often be not safely traversable for some duration;
 - ii. there shall be no recourse on the Council or refunds payable for a missed or delayed service; and
 - iii. the Council shall notify residents of any service delays via the WDRC website

6. Replacement of MGB's

- a. As part of the standard service, MGB's will be replaced or repaired upon a customer request where these are stolen, damaged during service or for reasonable wear and tear.
- b. Service standards relating to timeframes for the replacement of MGB's are provided in the contract document and apply to any such replacement.
- c. The contractor reserves the right to either replace or repair bins to a serviceable condition as they deem fit. A replacement bin may not necessarily be a new bin, but will be a clean and serviceable MGB as provided in the contract.
- d. MGB's are not eligible to be replaced or repaired by Council or the contractor as a result of the bin being discoloured or soiled (either inside or out).
- e. In the event that it can be demonstrated that the bin was wilfully damaged or stolen by a resident, the contractor may apply to Council to either refuse to replace that residents MGB, or to seek damages for the costs associated from the resident for any such theft or wilful damage. The Authorised Person of Council will decide on any such applications. In addition, other remedies may apply at law for the Contractor or Council for any stolen or wilfully damaged MGB's.

RELATED LEGISLATION:

Environmental Protection (Waste Management) Regulation 2000

RELATED DOCUMENTS (LOCAL LAWS, POLICIES, DELEGATIONS ETC):

NA

ATTACHMENTS:

Nil

DEFINITIONS:

- a. "MGB" – means a 240 litre mobile garbage bin, provided by the contractor, and nominated either for the collection of general household garbage or recyclable materials
- b. "WOWB" – means a wheel out, wheel back service.
- c. "Occupied Premise or Structure"
- iv. A property is an "Occupied premise or structure" for the purposes of Councils Revenue Statement and the Standard Regional Waste Collection, Recycling and Disposal Service, where land is within the relevant defined Waste Collection Service Areas and:



1. A building certifier issues a 'Form 21' to a class 1a dwelling or a 'Form 11' to a class 1b, 2 or 4 building on that land; or
 2. A ratepayer has nominated a property as a principal place of residence for the purpose of seeking a concession; or
 3. A dwelling is on that land, or a dwelling or structure on that land appears to be in use as a dwelling, lived in occupied or able to be lived in.
 4. The ratepayer requests the premise be considered an Occupied Premise or Structure.
- v. A property may be considered to be occupied even where there are no persons currently residing in the premises.
- vi. A non-residential commercial or industrial property within the boundaries of the defined Waste Collection Service Areas may not be considered to be a Occupied Premise or Structure, provided that a suitable alternative waste removal service is provided in accordance with the Environmental Protection (Waste Management) Regulation 2000.
- d. An Occupied Premise or Structure will be considered an Approved Premise for the purposes of the contract.
- e. A "domestic service" means a Standard Regional Waste Collection, Recycling and Disposal Service on land that has an occupied premise or structure, and that land is assigned as Rate Code 1
- f. A "non-domestic service" means a Standard Regional Waste Collection, Recycling and Disposal Service on land that has an occupied premise or structure, and that land is assigned as a Rate Code other than Rate Code 1
- g. The "Rate Code" means the Rate Code that is assigned to a property pursuant to Western Downs Regional Councils Revenue Statement
- h. The meaning of "nominated collection point" is defined in the contract.
- g. The "contract" or "relevant contract" means the Waste Collection and Processing & Recycling Services Contract and all annexures, between Western Downs Regional Council and JJ Richards Pty Ltd.
- i. "Contractor" means JJ Richards and Sons Pty Ltd, appointed by Council under the terms of the contract.

REVIEW TRIGGER:

- Annual Review
- Change in legislation; corporate plan, planning scheme etc affecting this policy
- Change in community priorities or circumstances relating to this policy.

