



LEETON
SHIRE COUNCIL

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**LEETON SHIRE COUNCIL
KERBSIDE COLLECTION POLICY**

February 2024

DOCUMENT CONTROL

RESPONSIBLE OFFICER:	Waste and Recycling Coordinator				
REVIEWED BY:	Director Operations				
LINK TO CSP/DELIVERY PROGRAM/OPERATIONAL PLAN:	CSP Focus Area 4 – a quality environment with Council's adopted Delivery Program/Operational Plan DP 8.1- Deliver recycling and solid waste management services, including: re-use, recycling, kerbside collection, and landfilling; planning for food and organic waste services (FOGO) OP - 8.1.4 - Offer kerbside collection service, including recycling				
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New	Feb 2024	New policy	Waste & Recycling Coordinator	Council	24/012

REVIEW OF THIS POLICY

This Policy will be reviewed every 4 years or as required in the event of legislative changes. The Policy may also be changed as a result of other amendments that are to the advantage of Council and in the spirit of this Policy. Any amendment to the Policy must be by way of a Council Resolution or, if minor, the approval of the General Manager.

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1. Purpose

This policy describes how Council establishes and administers its Kerbside Collection Services in accordance with its obligations under the *Local Government Act 1993* (NSW). As well as providing a transparent framework for the assessment of expansion proposals, the document also provides policy positions on:

- Service levels relative to reasonable cost.
- Fee waivers and refunds.
- Allocation of bin service routes and properties to be levied via the Domestic Waste Management Charge.
- Bin auditing and refusals of service

2. Roles and Responsibilities

This policy document applies to all urban residents and some non-urban residents and businesses on the collection route within the Leeton Shire Council area, as well as Council employees or contractors responsible for implementing kerbside collection services or enforcing the relevant legislation for waste management services.

3. Outcomes

Clarity for customers, staff and contractors Council's kerbside collection service including a framework for future alternations. This Policy will also provide clear guidance for the charging of the Domestic Waste Management Charge on properties both residential and commercial, located within the Leeton Shire Council area.

4. Definitions

Term	Definition
The Act	<i>Local Government Act 1993</i> (NSW)
Collection Period	Collection period refers to the 24-hour period of the normal service day and 12 hours prior to the normal service day.
Domestic Waste	Waste produced by a domestic premises of a kind and quantity ordinarily generated on domestic premises. This includes waste that may be recycled but does not include sewage as defined in section 3 of the Act.
Domestic Waste Management Services	Services which are the periodic collection of domestic waste from properties that have a residential component.
Domestic Waste Management Charge	The annual fees chargeable to residents where the services are available.
Dwelling	A building or part of a building that is used as a place of residence.
Non-rateable Property	A property that is exempt from rating according to the Act (s555).
Mixed Development Land	Properties that are on land rated for both business and residential use.
Properties rated residential	Properties rated for residential use by Council.
Residual Waste	Material that cannot be recycled or otherwise recovered or reused.
FOGO	Food and Organic Green Organic waste
Commercial Property	Properties that are rated for business use only.

5. Legislation and Supporting Documents

The Local Government Act 1993 Part 1 96, Making and levying of annual charges for domestic waste management services reads:

1. A council **must make and levy an annual charge** for the provision of domestic waste management services for **each parcel of rateable land** for which **the service is available**.
2. A council **may make an annual charge** for the provision of a domestic waste management service for a parcel of land that is **exempt from rating if—**
 - a. the service is available for that land, and
 - b. the owner of that land requests or agrees to the provision of the service to that land, and
 - c. the amount of the annual charge is limited to recovering the cost of providing the service to that land.

Supporting Documents:

- Leeton Shire Council Waste and Recycling Strategy.
- Leeton Shire Council's Revenue Policy.

6. Kerbside Collection Waste Management Services

In accordance with this Policy, Council will provide a Standard Kerbside Collection Service consisting of:

Prior to July 1 2024	Post July 1 2024, once FOGO is implemented
Weekly garbage waste collection (red bin)	Fortnightly garbage waste collection (red bin)
Fortnightly mixed recyclables collection (yellow bin)	Fortnightly mixed recyclables collection (yellow bin)
	Weekly Food and Garden Organics collection (once implemented) (green bin)

The service is compulsory under the LG Act. Council has interpreted this as ensuring that households located within the bin service route are provided with a kerbside collection service. This includes households rated residential and rural residential located within Council's mandatory bin route, regardless of the size or type of the property. The Standard Kerbside Collection Service is compulsory, and the fees associated with the delivery of this service are chargeable.

Requesting New Bin Service

For all new bin service requests (e.g. completion of a new build) must be provided to Council in writing via council@leeton.nsw.gov.au. Council fees and charges (as per Council's current Revenue Policy) will apply, and property must be located within Council's mandatory bin route, regardless of the size or type of the property.

Domestic Residential Waste

All residential properties with a domestic waste service must have one of each of the services listed in the table below. Additional services may be provided. Multi-unit developments are required to have an equivalent of one of each bin per dwelling.

Service outline	Collection Frequency	Bin Sizes	Waste Type	Notes
Recycling (Yellow Bin)	Fortnightly	240 litres (standard)	Recyclables	Additional bin may be requested and will be charged as per the current revenue policy

Garbage (Red Bin)	Fortnightly	240 litres (standard)	Residual Waste	Additional bin may be requested and will be charged as per the current revenue policy
FOGO (Green Bin)	Weekly	240 litres (standard)	Food & Garden Organic Waste	Additional bin may be requested and will be charged as per the current revenue policy

Industrial and Commercial Premises

It is not Council's responsibility to collect landfill waste or recyclables generated by the activities of business, industrial or commercial premises.

However where industrial and commercial properties are located on a route, businesses may be permitted access the Standard Kerbside Collection Service. A standard service represents a combination of the three (3) bins which includes landfill waste, recyclables, and organics as the minimum. Additional bins can be ordered subject to Council's approval and additional costs will apply as per Council's Revenue Policy including fees and charges.

Service outline	Collection Frequency	Bin Sizes	Waste Type	Notes
Recycling	Fortnightly	240 litres (standard)	Recyclables	Additional bin may be purchased as per the current revenue policy.
Garbage	Fortnightly	240 litres (standard)	Residual Waste	An additional bin may be purchased as per the current revenue policy.
FOGO	Weekly	240 litres (standard)	Food and Garden Organic Waste	Additional bin may be requested and will be charged as per the current revenue policy

7. Requesting Additional Bins

Where a resident identifies a need for additional bins at their property, the property owner can make a request to Council to have a bin added to their service. The additional bin will be charged in accordance with the current revenue policy for the financial year the service will be implemented.

Residents will not be able to substitute or swap out different types of bins. The service must always include the standard three bin service at all times.

Additional bins over and above two of each waste types (six bins) may be deemed by Council to be commercial in scale and the owner may be referred to make private commercial arrangements.

Medical Exemptions

A residential property may apply for a medical exemption to the Standard Kerbside Collection services. Such requests must be in writing and are subject to the provision of satisfying evidence such as a medical certificate or letter from a treating medical practitioner.

Commercial and Industrial properties

Council reserves the right to decline additional services beyond 6 bins and may refer the owner to make commercial arrangements.

8. Ownership of Waste

Materials located within serviceable bins should not be retrieved once the bin has been placed on the road reserve. Council reserves the right to check bins for contamination, or audit the contents of a bin, to inform waste education programs and improve waste management practices in the community.

9. Bin Ownership, Missing, Vandalised, Damaged Bins

Bins (including any additional bins) are supplied and owned by Council's approved Contractor. They will only service bins that have been hot stamped with a unique identification number.

To ensure bins are serviced the following will apply:

- Residents must not transfer or move bins when they move properties. (i.e. they must be left at the property).
- Owners of multiple properties within Leeton Shire must ensure the bins used are the ones officially assigned to each property. For example, if a 240L bin is registered to one property but being used at another, Council may interpret this as an unlawful bin and have it removed from the property.
- Bins damaged through fair wear and tear or bins that have been lost into the collection vehicle or damaged by the collection process, will be repaired or replaced through the collection contract at no cost to the resident. Customers may report these issues through the Council Customer Services Officers.
- For stolen and damaged bins by the resident or other parties', fees and charges (as per Council's current Revenue Policy) will apply for replacement bins.

The property owner, resident, tenant or real estate agent must notify Council as soon as possible to report a damaged, stolen or missing bin via Council's Customer Service Team on 02 6953 0911 or council@leeton.nsw.gov.au.

10. Bin Collections / Bin Placement

Bins should be placed on the kerbside the night before the collection and removed from the kerbside no later than 5:30 pm on the collection. Bins should be placed as close as possible to the kerbside with the wheels facing the property. Rural residents should place their bins one metre off the road, well clear of traffic.

Bins should be spaced one (1) metre apart from other bins, and free of obstructions such as power poles, letter boxes, trees, low hanging branches and parked cars. Where possible, bins should not be placed on the road surface (including driveway crossovers).

Residents who live on a Road/Street with restricted access may be required to take their bins to the nearest straight section of road. Where there is no verge, residents are to place them in the safest accessible location, so the collection vehicles can easily access them.

Residents living on unsealed roads may be required to take their bins to a collection point on a nearby sealed road. Council's collection contractor will determine this. Residents with any queries regarding this should contact Council.

11. Bin Collection Refusal / Sanctions

Kerbside Collection Services may be refused if:

- The bin being used is not a Council approved bin,
- the bin is overflowing (the lid must close properly),
- a bin is contaminated (for example landfill waste is placed in the yellow lid bin),

- part of a load is jammed within the bin, or the contents are over compacted, and will not release,
- a bins weight is more than 80kg,
- a bin is placed in an area that the collection vehicle is unable to access/reach,
- failure to present the bin prior to 5am the day of collection.

11.1 Incorrect Bin Placement Sanctions

Customers are expected to properly position bins for emptying as described in section 10 (Bin Collections/Bin Placement). If they default, the following sanctions apply:

- **First Occurrence:** If a customer doesn't present Mobile Bins suitably, Council's contractor will notify the customer with an official notice describing the issue, either posted or securely delivered.
- **Second Occurrence:** If the problem repeats, Council's contractor will supply the customer with another notice, following the same procedure as the first occurrence.
- **Third Occurrence:** If the issue persists for a third time within three months, Council's contractor may refuse to empty the bins. Council's contractor will notify the customer of this decision, using a formal letter or sticker. The customer will be advised on how to comply with service requirements. Council's contractor may specify requirements for bin placement and propose alternative collection points if needed.

11.2 Contamination Refusals

This section outlines the requirements and procedures for addressing contamination issues with mobile bins used for waste, recycling and food and organic collection.

First Occurrence:

- Customer will receive a letter with the date and type of contamination, along with visuals of accepted and rejected items.
- This letter will be distributed within seven days of the offense along with a brochure of the correct materials for each of the Three (3) kerbside mobile bins.

Second Occurrence:

- Customer will receive a contamination letter advising them of a second contamination offence.
- This letter will provide the resident with further information regarding the contamination and correct waste for the affected bins.

Third Occurrence:

- The Customer will receive a contamination letter advising them of a third contamination offence.
- This letter will provide the resident with further information regarding the contamination and correct waste for the affected bin. The letter will also advise the customer of the risk of losing the bin service if the issue is not resolved.

Fourth Occurrence – Suspension of Service and Possible Removal of a Bin:

- If contamination occurs a fourth time within a year, Council will notify the customer of a minimum two-week service suspension.
- The Customer must sign a pledge to follow proper bin usage before the service can be resumed.
- Failure to comply may result in permanent removal of the bin.

Cessation of Service:

- Council can request temporary service cessation if the pledge is signed, notifying the customer of the suspension and instructions for reinstatement.

12. Kerbside Collection Route & Days

The Standard Kerbside Collection Service will be provided to all properties except:

- Vacant allotments with no dwelling located on them,
- allotments considered inhabitable,
- commercial and industrial properties and facilities that have not requested a kerbside service.

The kerbside collection service is provided within a defined service area. Council may alter the day of collection and extend or alter the collection routes. Changes will be properly communicated to the affected properties prior to change being implemented.

Extensions in rural zones will only be considered where:

- The distance between collection points has been assessed and the service is considered economically feasible.
- The locations is within the scope of Council's contract with the service provider and where there is greater than 80% of the residents on the road requesting the service.
- Where an extension of route has been approved, all properties with dwellings on the collection route will be added as per the *Local Government Act 1993 section 496*.

The request may be declined if:

- a. The collection vehicles cannot safely access the property,
- b. a property rated residential does not have a dwelling on it (vacant land),
- c. the property is not located on Council's bin route.