
Cessnock City Council Waste Management Policy

Date Adopted **15/06/2022** Revision: **2**

1. POLICY OBJECTIVES

- 1.1. Clearly identify waste management services provided by Council to the community.
- 1.2. Details the types of waste management charges, how they are applied, and specify any relevant exemptions.
- 1.3. Provide direction on the acceptance of waste from outside of the LGA.

2. POLICY SCOPE

- 2.1. This policy applies to waste management services provided by Cessnock City Council (**Council**).

3. POLICY STATEMENT

- 3.1. This policy sets out Council's position for waste management and resource recovery in the Cessnock Local Government Area (**LGA**).
- 3.2. The purpose of the policy is to provide guidance on waste management services, to enable delivery in an efficient manner which promotes environmental and financial sustainability.
- 3.3. Council will deliver waste services that:
 - 3.3.1 Encourage resource recovery and recycling.
 - 3.3.2 Reduce waste to landfill.
 - 3.3.3 Consider social, environmental and financial impacts on the community.
 - 3.3.4 Meet the needs of the community.
 - 3.3.5 Have fees and charges in accordance with the *Local Government Act 1993* (NSW) (**Act**) while being fair and equitable to all members of the community.

4. DOMESTIC WASTE MANAGEMENT SERVICES

4.1. Application of Charges

- 4.1.1 The Domestic Waste Management Charge (**DWMC**) is applied in accordance with Council's Fees and Charges, Council's Revenue policy and section 496 of the Act.
- 4.1.2 Each property rated as Residential or Farmland, or any sub-category, with a residence within the Waste Collection Service Area will be charged the DWMC.

- 4.1.3 New waste management services will be charged from the date Council processes the application for the service. If evidence suggests the service was in use prior to the application, the DWMC will be charged from the date use of the service commenced. Council will only charge for the current financial year in which it becomes aware.
- 4.1.4 There is no opt-out of the DWMC, unless Council cannot deliver the waste management service at the property boundary. These properties will be subject to the DWAC.
- 4.1.5 The Domestic Waste Availability Charge (**DWAC**) is applied to vacant Residential and Farmland within the Waste Collection Service Area.

4.2 Waste Collection Service Area

- 4.2.1 The Domestic Waste Management Service (**DWMS**) is provided to most residential properties, and some eligible non-residential properties, in the Cessnock LGA.
- 4.2.2 The Waste Collection Service Area is determined by:
 - i. Capacity in the current collection zone and fleet;
 - ii. Accessibility of the road for the waste collection vehicle;
 - iii. Road condition and capacity to accommodate the collection vehicle both during collection and any associated turning manoeuvres;
 - iv. Road safety for all road users (collection crew and residents);
 - v. Efficiency of any extension (time, cost, distance, number of services); and
 - vi. Financial considerations (cost versus return).
- 4.2.3 The extension of the Waste Collection Service Area will be reviewed on request from a resident. Extensions will only occur if deemed feasible according to the conditions at clause 4.2.2.
- 4.2.4 Residents outside of the Waste Collection Service Area may be eligible to receive a Remote Waste Service or purchase Alternate Waste Vouchers as outlined in clauses 4.5 and 6.

4.3 Service Days

- 4.3.1 The kerbside collection service will take place as normal on all public holidays, with the exception of the general waste collection on Christmas Day, Good Friday and Union Picnic Day. Waste collection for these days will take place a day later or as otherwise arranged.
- 4.3.2 Changes to waste collection days will be advertised.
- 4.3.3 Changes may be made to service times on Anzac Day so as not to disrupt any ceremonies and recognise the solemnity of the day.

4.4 Service Inclusions

- 4.4.1 The current service includes kerbside collection of:
 - i. mixed general waste on a weekly basis (red lid bin),
 - ii. commingled recyclables on a fortnightly basis (yellow lid bin), and

- iii. garden organic waste on a fortnightly basis (lime green lid bin) – alternating with recyclables.
- 4.4.2 Generally, 240L mobile garbage bins are provided to residents for waste collection, with the option to upsize to a 360L bin for recyclables. Arrangements can be made where a smaller number of bins are provided to Multi-Unit Dwellings (**MUDs**).
- 4.4.3 Bins for the kerbside collection service are provided and owned by Council or its' contractors. These bins must remain at the relevant property and in the event of damage or theft will be repaired or replaced by Council or its' contractors.
- 4.4.4 Collection will only occur when waste materials are presented in bins supplied by Council or its contractors.
- 4.4.5 Elderly residents or those with a disability may be approved to receive an assisted bin collection service following application. Application includes documented support from their physician or doctor.
- 4.4.6 Council and its contractors will return to collect bins that have been missed or half-emptied, however will not return to collect bins:
 - i. that were not placed on the kerb prior to 5am,
 - ii. where collection was obstructed by trees, power lines or vehicles, or
 - iii. when bins were not collected due to being over-full or heavier than 65kg.
- 4.4.7 The service also includes the provision of waste vouchers for use by households at the Cessnock Waste Management Centre. These vouchers include strict conditions for use to prevent misuse, including:
 - i. Waste vouchers are issued each financial year and expire on 31 July.
 - ii. Each voucher is printed with a unique barcode and the property address.
 - iii. Proof of address (e.g. rates notice, driver's license or utilities bill) matching that on the voucher is required in order to use the voucher.
 - iv. Waste disposed in excess to the value of the voucher will be charged for in accordance with Council's Fees and Charges.
 - v. Vouchers cannot be used for disposing of mattresses, tyres or special waste, such as asbestos.
 - vi. Vouchers can only be used for domestic household waste and will not be accepted for commercial waste.
 - vii. Waste materials must not be transported by a commercial enterprise, including businesses appointed by real estate agents or landlords, except in accordance with clause 4.4.7 viii.
 - viii. Eligible businesses may be approved to bring waste materials on behalf of residents upon submitting the relevant application.
 - ix. Vouchers will be deemed invalid if the holder does not follow directions from site staff including appropriately disposing of recyclables and mixed waste.

- x. Valid vouchers must be presented at the time of disposal and refunds will not be provided for residents that do not present a valid voucher at the time of disposal.
- xi. Vouchers are for a single use only and are not transferable, refundable or redeemable for cash.
- xii. Replacement vouchers will not be issued due to theft, loss, being misplaced or relating to changes of property ownership.
- xiii. Claims of non-receipt will be reviewed on a case by case basis and vouchers may be replaced for requests made within three months of the issue of the annual rates notice for the relevant financial year.
- xiv. Council will take into consideration the impact of any interruption to operations and/or services beyond Council control such as pandemic, state or federal legislation. Natural disaster or the like, in determining claims lodged pursuant to clause 4.4.7 xiii.
- xv. Additional vouchers will not be issued under any circumstance. Requests from residents or organisations for assistance will be assessed as a request to waive fees and must be managed in accordance with clause 7.6.
- xvi. Properties who pay the DWAC are not eligible to receive vouchers.
- xvii. Commercial Waste Services are not entitled to receive waste vouchers.

4.5 Remote Waste Services

- 4.5.1 Residents that live outside of the Waste Collection Service Area can request a Remote Waste Service. This service includes all the provisions of a Domestic Waste Management Service with the bins collected from the nearest Remote Service Point to the residence on the collection route.
- 4.5.2 Residents with Remote Waste Services must retrieve bins from the collection location between collections. If bins are not removed, liability for any damage caused by bins will be the responsibility of the resident. Failure to comply may result in the service being cancelled.

4.6 Multiple Waste Services

- 4.6.1 Multiple Waste Services are those provided to MUDs, including any property that contains multiple residences such as units, villas, apartments, townhouses, dual occupancies and residences with granny flats.
- 4.6.2 Where these properties have strata title, each individual residence will be charged the DWMC via their rates notice. An agreement may be made to reduce the number of bins provided, however the full DWMC will be applied.
- 4.6.3 For MUDs with a single owner, including dual occupancies, and residence with granny flats, the DWMC will apply for each individual residence within the property.
- 4.6.4 Upon request made in writing, a subsidy may be applied to the DWMC for MUDs where Council is not able to service the standard number of bins for the property.
- 4.6.5 If Council is unable to suitably service the property, the DWMC will not apply. These properties will be subject to the DWAC.

4.7 Additional Waste Services

- 4.7.1 Property owners may request additional waste services, including an additional full service, additional recycling and/or organics service for an additional charge that appears annually on the rates for the property.
- 4.7.2 Charges will apply from the date Council process the application for additional services.
- 4.7.3 Additional waste services will only be provided if Council has the ability to provide the requested service.
- 4.7.4 Properties with ratings that are categorised as Business with a Residential component or known to be undertaking business on the premises are eligible for one DWMS. Additional services will be classified as Commercial Waste Services.

4.8 Cancellation of Waste Charges

- 4.8.1 DWMSs cannot be cancelled, in accordance with section 496 of the Act, including Multiple Waste Services.
- 4.8.2 Additional Waste Services and Remote Waste Services can be cancelled on request, subject to a cancellation fee and bins being retrieved by Council and its contractors.
- 4.8.3 Premises with residences that have been demolished, have been issued a demolition order or are deemed uninhabitable by Council will, on request, have the DWMC converted to the DWAC, from the date of request.

4.9 Exemption of Waste Charges

- 4.9.1 An exemption may be granted to residents who generate unavoidable medical waste, requiring additional garbage or recycling capacity. The supply of an additional general waste bin, additional recycling bin and/or 360 L recycling bin, without an additional charge to be imposed and will be considered on a case-by-case basis, where the applicant can demonstrate a legitimate need. Requests for exemption for medical reasons will be required each financial year.

4.10 Requests for Refunds – Non-delivery of Additional Services

- 4.10.1 Where a customer indicates that Council has not provided an additional service as charged on their rates notice, Council will review the claim and determine an appropriate refund for services not delivered. The following will be considered in the review and determination of a suitable recompense:
 - i. Record of bins collected from premises;
 - ii. Record of bins supplied or bins currently on property;
 - iii. Return of current voucher or portion removed from DWMC refund.
- 4.10.2 Where claims of overpayment or non-delivery of service are substantiated, the current plus one previous financial year only rates will be reimbursed by a credit or refund on the properties' rates.

5 COMMERCIAL WASTE MANAGEMENT SERVICE

5.1 Waste Collection Service Area

- 5.1.1 Commercial businesses within the Waste Collection Service Area can request provision of a Commercial Waste Service by Council.
- 5.1.2 Council will not extend the waste service area at the request of commercial premises.

5.2 Service Days

- 5.2.1 Collection of Commercial Waste Services occurs as part of the weekly DWMS and will occur on the same days.

5.3 Service Inclusions

- 5.3.1 The service includes kerbside collection of:
 - i. mixed general waste on a weekly basis,
 - ii. commingled recyclables on a fortnightly basis, and
 - iii. garden organics collection is provided fortnightly (alternating with recyclables) when requested and deemed necessary for the property (i.e. the property includes gardens or grassed areas).
- 5.3.2 Generally, 240L mobile garbage bins are provided to businesses for waste collection, with the option to upsize to a 360L bin for recyclables.
- 5.3.3 Bins for the kerbside collection service are provided and owned by Council or its' contractors. These bins must remain at the relevant property and in the event of damage or theft will be repaired or replaced by Council or its' contractors.
- 5.3.4 Waste vouchers are not included in the Commercial Waste Service.

5.4 Application of charges

- 5.4.1 Charges are applied in accordance with Council's Fees and Charges, and the Revenue policy.
- 5.4.2 Properties with ratings that are categorised as Business with a Residential component are eligible for one DWMS. Additional services to such businesses will be classified as Commercial Waste Services and charged accordingly.
- 5.4.3 In respect of non-rateable properties such as halls, churches and similar facilities, Council apply commercial waste collection charges on services requested.

5.5 Cancellation of charges

- 5.5.1 Commercial Waste Services can be cancelled on request, subject to a cancellation fee and bins being retrieved by Council and its contractors.

5.6 Requests for Refunds – Non-delivery of Commercial Services

- 5.6.1 Where a customer indicates that the Council has not provided a commercial service as charged on their rates notice, Council will review the claim and determine an appropriate refund for services not delivered. The following will be considered in the review and determination of suitable recompense:
 - i. Record of request for supply or removal;
 - ii. Record of bins collected from premises;

iii. Record of bins supplied or bins currently on property.

- 5.6.2 Where claims of overpayment or non-delivery of service are substantiated, the current year plus one previous financial year only rates will be reimbursed by a credit or refund on the properties rates.

6 ALTERNATE WASTE VOUCHERS

6.1 Residential properties outside the Waste Collection Service Area are eligible to purchase alternate waste vouchers for use at the Cessnock Waste Management Centre. These vouchers include strict conditions for use, including:

- 6.1.1 The vouchers are for residential waste only and cannot be purchased by commercial premises or used for commercial generated waste.
- 6.1.2 Vouchers are charged in accordance with Council's Fees and Charges and are non-refundable.
- 6.1.3 Vouchers can be purchased to dispose of up to 20kg of mixed waste or up to 20 kg of commingled recyclables.
- 6.1.4 A maximum of 110 mixed waste and 110 recyclable vouchers can be purchased per eligible household each financial year.

7 CESSNOCK WASTE MANAGEMENT CENTRE

- 7.1 The Cessnock Waste Management Centre is operated in a manner to encourage source separation of recyclable materials to minimise waste to landfill.
- 7.2 The Centre operates in accordance with the NSW Environmental Protection Licence (EPL) 6121, the *Protection of the Environment Operations Act 1997* (NSW), the *Protection of the Environment Operations (Waste) Regulations 2014* (NSW) and the *Protection of the Environment Operations (General) Regulations 2009* (NSW).
- 7.3 Cessnock Waste Management Centre operates seven days per week with the exception of Christmas Day, Good Friday and Union Picnic Day.
- 7.4 Changes to operating hours, including operation on public holidays will be advertised prior to any change.
- 7.5 Fees and charges at the Centre are charged in accordance with Council's adopted Fees and Charges.
- 7.6 Exemptions to fees can be requested in accordance with Council's Community Sponsorship and Fee Waiving Policy, Council's Hardship Policy or Council's Financial Assistance for the Disposal of Waste Policy.
- 7.7 Commercial customers can apply for an account billed monthly for waste disposed at the Centre. Application for such an account is subject to appropriate financial checks. If accounts are more than 3 months in arrears the account will be cancelled and recovery action initiated.

8 CHARITY CLOTHING BINS

- 8.1 That charity clothing bins are not placed on Council owned land that is managed by Council.

- 8.2 That approval for the placement of charity clothing bins may be given on Council owned land that is managed by a third party under licence or lease, on the provision that the clothing bins are managed by and align with the services of the third party.

9 WASTE FROM OUT OF THE CESSNOCK LGA

- 9.1 Council will not accept waste at its waste facility from the Sydney metropolitan area.
- 9.2 Council will consider environmental, financial and social impacts prior to accepting waste at its facility from outside of the Cessnock LGA.

10 RESPONSIBILITIES

10.1 Environment and Waste Manager

- 10.1.1 Is responsible for monitoring and reviewing this policy.

10.2 Business Support Officer/Technical Support Officer

- 10.2.1 Process applications for new and addition services in accordance with this policy.
- 10.2.2 Process applications for assisted bin collection services for the elderly or residents with a disability.
- 10.2.3 Provide waste vouchers for multiple, additional and new services.
- 10.2.4 Process cancellation requests in accordance with this policy.

10.3 Waste Services Coordinator

- 10.3.1 Review requests for refunds of waste fees and authorise in accordance with this policy.

10.4 Waste Site Supervisor or their delegate

- 10.4.1 Refuse waste vouchers from customers at the Waste Centre not following site instruction or conditions of use.

10.5 Customer Support Officers

- 10.5.1 Provide information to the community in relation to this policy.

10.6 Rates Team

- 10.6.1 Apply charges to property rates in accordance with this policy.
- 10.6.2 Apply MUD subsidy on application in accordance with this policy and Council's Fees and Charges.

10.7 Finance Team

- 10.7.1 Review financial checks for account customer applications and approve applications where appropriate.

10.8 Council Asset Managers or their delegate

- 10.8.1 Review requests for clothing bins on Council land and approve where appropriate under this policy.

10.9 Reporting

- 10.9.1 No additional reporting is required.

10.10 Records management

10.10.1 Staff must maintain all records relevant to administering this policy in accordance with Council's Records Management Policy.

11 POLICY DEFINITIONS AND ABBREVIATIONS

Act	<i>Local Government Act 1993 (NSW)</i>
Council	Cessnock City Council
Domestic Waste Management Charge (DWMC)	The charge under Section 496 of the <i>Local Government Act 1993 (NSW)</i> applied to domestic premises
Farmland	A rating category under Section 514 of the <i>Local Government Act 1993 (NSW)</i>
Residential	A rating category under Section 514 of the <i>Local Government Act 1993 (NSW)</i>
Domestic Waste Availability Charge (DWAC)	The charge under Section 496 of the <i>Local Government Act 1993 (NSW)</i> applied to vacant land
Waste Collection Service Area	The area within the Cessnock Local Government Area where kerbside collection of waste is undertaken.
Domestic Waste Management Services (DWMS)	Waste services provided to residential premises
Remote Waste Service	Services provided to residents outside the Waste Collection Service Area
Alternate Waste Vouchers	Vouchers available to residents outside the Waste Collection Service Area
Multi-Unit Dwellings (MUDs)	A dwelling with multiple housing units contained within one building or multiple buildings within a complex
Multiple Waste Services	Services provided to MUDs
Commercial Waste Service	Optional waste services provided to businesses in the local government area by Council
Additional Waste Services	Optional services provided on request
Business	A rating category under Section 514 of the <i>Local Government Act 1993 (NSW)</i>

12 POLICY ADMINISTRATION

Business Group	Works and Infrastructure
Responsible Officer	Environment and Waste Manager
Policy Review Date	Three years from date of adoption unless legislated otherwise
File Number / Document Number	DOC2021/015067
Associated Procedure/Guidelines	
Relevant Legislation (reference specific sections)	<p>This policy supports Council's compliance with the following legislation:</p> <ul style="list-style-type: none"> - <i>Sections 356, 496, 501 & 502, Local Government Act 1993 (NSW)</i> - <i>Protection of the Environment Operations Act 1997</i> - <i>Protection of the Environment Operations (Waste) Regulation 2014</i>
Relevant desired outcome or objectives as per Council's Delivery Program	<p>A sustainable and healthy environment</p> <p>Objective 3.3 Better waste management and recycling</p>
Related Policies / Protocols / Procedures / Documents (reference document numbers)	<ul style="list-style-type: none"> ▪ Records Management Policy (DOC2019/038769) ▪ Revenue Policy ▪ Hardship Policy ▪ Financial Assistance for the Disposal of Waste Policy (Charitable and Not for Profit Organisations) ▪ Community Sponsorship and Fee Waiving Policy ▪ Waste and Resource Recovery Strategy 2020-2025

13 POLICY AUTHORISATIONS

No.	Authorised Function	Authorised Business Unit / Role(s)
	Determine the extent of the Waste Collection Service Area (Clause 4.2)	Environment and Waste Manager
	Determine if waste charges will back charged where evidence of service exists (Clause 4.1.3)	Environment and Waste Manager Waste Services Coordinator
	Determine if Council is unable to deliver the service (Clause 4.1.4 and 4.7.3)	Environment and Waste Manager Waste Services Coordinator Waste Collection Supervisor
	Approve applications for assisted bin collection service for the elderly or residents with a disability (Clause 4.4.5)	Waste Services Coordinator Waste Collection Supervisor
	Approve applications of eligible businesses for use of vouchers for eligible vulnerable residents (Clause 4.4.7viii)	Waste Services Coordinator Business Support Officer Technical Support Officer
	Approve applications of eligible residents and those with a disability (Clause 4.4.7viii)	Waste Services Coordinator Business Support Officer Technical Support Officer
	Review requests approve as required for voucher replacement (Clause 4.4.7xiii)	Waste Services Coordinator Business Support Officer Technical Support Officer
	Determine if standard waste service can be delivered for MUDs (Clause 4.6.4)	Waste Services Coordinator Waste Collection Supervisor
	Authorise exemptions of the DWMC in accordance with this policy (Clause 4.9)	Environment and Waste Manager
	Authorise refunds of waste charges in accordance with this policy and officer delegations (Clause 4.10 and 5.6)	Environment and Waste Manager Waste Services Coordinator

14 POLICY HISTORY

Revision	Date Approved / Authority	Description Of Changes
1	21/07/2021	New policy adopted
2	15/06/2022 – W139/2022	Amend clause 4.4.7viii