

# GUIDELINES FOR DOMESTIC WASTE MANAGEMENT CHARGING



**TOGETHER WE'VE GOT IT SORTED.** 

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## Introduction

These guidelines describe how Council establishes and administers your **Domestic Waste Management Charge (DWMC)**, in accordance with its obligations under the *Local Government Act 1993* (NSW). As well as providing a transparent framework for the calculation of this charge based on reasonable cost, the guidelines also provides policy positions on:

- Service levels relative to reasonable cost and the application of the DWMC
- Fee waivers and refunds
- Administration of the Domestic Waste Reserve

### **Note to Tenants**

If you require a change in the waste service to the property you rent, you will need to request it through your landlord or real estate agent. Requests for changes in waste services cannot be accepted from anyone other than the property owner.

## Definitions

<b>Term</b>	<b>Definition</b>
<b>the Act</b>	<i>Local Government Act 1993</i> (NSW)
<b>Collection Period</b>	Collection period refers to the 24 hour period of the normal service day and 12 hours prior to the normal service day.
<b>Domestic Waste</b>	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.
<b>Domestic Waste Management Services</b>	Services which are the periodic collection of domestic waste from properties that have a residential component.
<b>Domestic Waste Reserve or DWR</b>	A budgetary reserve amount derived from charges which remain in the budget after the cost of providing Domestic Waste Management Services. The Domestic Waste Reserve exists to offset certain future costs. Please see page 6 for further details. The Domestic Waste Reserve is included in the calculation of the Reasonable Cost of providing the Domestic Waste Service.
<b>Dwelling</b>	A building or part of a building that is used as a place of dwelling.
<b>Non-rateable Property</b>	A property that is exempt from rating according to the Act (s555).
<b>Mixed Development Land</b>	Properties that are on land rated for both business and residential use.
<b>Properties rated residential</b>	Properties rated as residential by Council.
<b>Residual Waste</b>	Material that cannot be recycled or otherwise recovered or reused.
<b>Reasonable Cost</b>	The requirement, under the Act, for Councils to charge no less and no more than the costs of providing Domestic Waste Services. See Table 3 for Reasonable Cost calculation.

### ***External resources***

*Council Rating and Revenue Raising Manual*, Department of Local Government (2007)

## **Types of Domestic Waste Management Services**

The standard domestic waste management service (or its alternatives) is provided to all properties rated residential, and all other types of properties with a residential component that request it, unless:

- The collection vehicles cannot access the property
- A property rated residential does not have a dwelling on it (vacant land)

Table 1 below gives a basic outline of the services and bin sizes that are available to residential properties in the Blue Mountains Local Government Area.

Service type	Collection Frequency	Bin Sizes	Waste Type	Notes
Recycling	Fortnightly	140 litre 240 litre (standard) 360 litre	Recyclables	
Garden	Fortnightly	240 litre (standard)	Garden Organics	
Garbage	Weekly	140 litre 240 litre (standard)	Residual Waste	
Booked Waste service	2/year	4m <sup>3</sup>	Household bulky waste (Kerbside Clean up) and Garden waste (Chipping Service)	2 per year of any combination of these services
Chemical Clean Out Service	4 times annually	Household quantities	Hazardous household chemicals	Occur at Blaxland and Katoomba WMF

**Table 1:** Services available to Blue Mountains City Council residential rate payers

## Frequently Asked Questions

### 1. Why am I being charged for my household waste service?

You are being charged because Council is required by law to charge residential rate payers a DWMC to pay for the removal of waste from residential properties to maintain a clean local environment. These legal requirements are described briefly below.

The *Local Government Act 1993* (NSW) requires councils to levy a charge to fund the domestic waste management service. Under this Act, 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*' (s496(1)).

For properties that are exempt from rating (non-rateable properties), Council may '*make an annual charge for the provision of a domestic waste management service*' (s496 (2)).

### 2. What charges will be applied to my property?

#### Charge types

The charge to be levied against a property is primarily determined by the service choice of the owner (see Table 2). Additional charges will be levied against a property where the owner has requested, or is receiving, additional services. This charge will continue until the owner contacts Council to stop receiving additional services.

### **Other charges**

An **Administration charge** will be levied against your property if you request more than one change in its service per year, where that change involves the exchange of one bin size for another.

A **Bin Replacement charge** will be levied against your property where a bin has been damaged or stolen outside of the collection period. You will not need to pay a bin replacement charge when a bin has been damaged or stolen during the collection period and you have executed a statutory declaration to that effect.

### **3. What can I expect to get for the charge I pay?**

Council offers a range of different bin combinations and additional services which are published on the Blue Mountains City Council Website. Each year, Council adopts the fees and charges in its Operational Plan, including the charges that correlate to the various bin combinations.

Table 2 describes which services correspond to each DWMC.

<b>Charge types</b> (Rates codes- as appears on the rates notice)	Weekly Garbage collection	Fortnightly Recycling collection	Fortnightly Garden Organics Collection	Booked Waste Services	Household Chemical CleanOut
<b>Standard Waste Service</b> (Std 140 Garbage)	140L	240L	240L	2 per financial year	✓
<b>Large Garbage Service</b> (Lrg 240l Garbage)	240L	240L	240L	2 per financial year	✓
<b>Small Recycling Service</b> (Sml 140l Recycling)	140L	140L	240L	2 per financial year	✓
<b>Large Recycling Service</b> (Lrg 360l Recycling)	140L	360L	240L	2 per financial year	✓
<b>Large Garbage and Large Recycling Service</b> (Gbg(240l)& Rec(360l))	240L	360L	240L	2 per financial year	✓
<b>Vacant Land - Environmental Protection Zone:</b> (Vac Waste Chge EP Zone)	---No waste services---				
<b>Vacant Land</b> (Vacant Waste Chg)	---No waste services---				
<b>Additional Garbage Bin:</b> (Add Garbage 140L) (Add Garbage 240L)	Additional 140L or 240L				
<b>Additional Recycling:</b> Additional 140L, 240L, or 360L Recycling Service Charge (Add Recycling 140L) (Add Recycling 240L) (Add Recycling 360L)		Additional 140L, 240L or 360L Recycling service			
<b>Medical Exemption Waste Service</b> (Med Exemp 240 Gdb)	240L	240L	240L	2 Per financial year	✓
(Med Exemp 360 Recy)	140L	360L	240L	2 per financial year	✓
<b>Administration charge</b>	---No waste services---				
<b>Replacement Bin</b>	---No waste services---				

**Table 2:** Description of DWMCs and corresponding services

#### 4. How are Council's waste charges calculated?

The Act requires that DWMC's reflect the "reasonable cost" of providing the services. The DWMC you pay covers the cost for your waste and recycling services and is separate from your property rates. Council must not use income from property rates to provide domestic waste management services. Instead, domestic waste management services are funded by the DWMC on Rates and Charges Notices. This is described in section 504 of the *Local Government Act 1993*.

Table 3 below outlines the expenses used to calculate the DWMC to comply with "reasonable cost" requirements of the *Local Government Act 1993*.

Service	Service Level	Total Cost components
Garbage Collection	<ul style="list-style-type: none"> <li>• Kerbside weekly collection</li> <li>• All properties rated Residential</li> <li>• Other properties with Residential component that request it</li> </ul>	<ul style="list-style-type: none"> <li>• Staff costs and overheads*</li> <li>• Fleet vehicle costs, including running, capital and depreciation costs</li> <li>• Mobile garbage bin costs</li> <li>• Disposal fees</li> <li>• Communication costs</li> <li>• Compliance costs</li> </ul>
Recycling Collection	<ul style="list-style-type: none"> <li>• Kerbside fortnightly collection</li> <li>• All properties rated Residential</li> <li>• Other properties with Residential component that request it</li> </ul>	<ul style="list-style-type: none"> <li>• Contract costs, which includes collection, processing and disposal</li> <li>• Bin replacement costs</li> <li>• Staff costs and overheads* for contract management, customer service, insurance and administration</li> <li>• Communication costs</li> <li>• Compliance Costs</li> </ul>
Garden Organics Collection	<ul style="list-style-type: none"> <li>• Kerbside fortnightly collection</li> <li>• All properties rated Residential</li> <li>• Other properties with Residential component that request it</li> </ul>	<ul style="list-style-type: none"> <li>• Contract costs, which includes collection, processing and disposal</li> <li>• Bin replacement costs</li> <li>• Staff costs and overheads* for contract management, customer service, insurance and administration</li> <li>• Communication costs</li> <li>• Compliance Costs</li> </ul>
Booked Kerbside Services: Chipping and Bulky Waste Collection	<ul style="list-style-type: none"> <li>• 2 per financial year</li> <li>• All properties rated Residential</li> <li>• Other properties with Residential component that request it</li> <li>• (Additional services are funded on a user-pays basis)</li> </ul>	<ul style="list-style-type: none"> <li>• Staff costs and overheads*</li> <li>• Fleet and plant costs, including running, capital and depreciation costs</li> <li>• Communication costs</li> <li>• Compliance costs</li> </ul>

Chemical Clean Out Service	Drop off service at Waste Management Facilities on scheduled dates	<ul style="list-style-type: none"> <li>• Communication costs</li> <li>• Contract costs including specialist staff, transport &amp; disposal</li> </ul>
Community Engagement and Education	Community engagement and education for Resource Recovery and Waste Management Services	<ul style="list-style-type: none"> <li>• Staff costs and overheads*</li> <li>• Communication costs</li> <li>• Resources</li> <li>• Consultancies</li> </ul>
Strategic Planning and Advocacy	Strategy planning and advocacy for waste management services	<ul style="list-style-type: none"> <li>• Staff costs and overheads*</li> <li>• Communication costs</li> <li>• Resources</li> <li>• Consultancies</li> </ul>
Domestic Waste Reserve	Capital, infrastructure and contract costs that relate to domestic waste service provision.	<ul style="list-style-type: none"> <li>• Capital requirements for future infrastructure and plant replacement costs and development costs</li> <li>• Anticipated changes in contract costs</li> <li>• Short-term recurrent and operational costs</li> </ul>
Corporate Overheads **	As per Domestic Waste Management Overhead Contribution spreadsheet held by Finance Branch	To be reviewed annually during budget development

\* Staff costs and overheads includes wages and salaries, leave loading, long service leave provisions, workers' compensation insurance, payroll tax and employer superannuation contribution.

\*\* Corporate overheads include office costs, human resources and other organisation support services, IT and Finance.

**Table 3:** Reasonable cost calculation for DWMC

### **Domestic Waste Reserve**

The Domestic Waste Reserve is funded by your DWMC and will only be used to fund the Domestic Waste Management Services. The Domestic Waste Reserve balance is based on:

- an expected level of service delivery for the year;
- accumulated surplus or deficit depletion; and
- provision for the cost of planned future services.

## **5. Who do these charges apply to and why?**

Council levies a DWMC to the owners of every residential rated property where the service is available (s496 of the Act). A service is available where ever the collection vehicles can reach properties that have access to a road with an all weather surface and an adequate turning circle.

### **Land with dwelling(s)**

Where a dwelling (or dwellings) exists on a residential rated property a DWMC will be levied. In the case of a newly constructed dwelling a DWMC will be levied from the date an Occupation Certificate is issued. Bins will be delivered unless the ratepayer advises Council not to deliver bins – in this case a DWMC will still be levied as required by the *Local Government Act 1993* (s496).



In all the cases a Standard Waste Service will be allocated to a new property unless an alternative is specified by the owner.

### **Vacant Land**

Where a property is rated residential and is vacant (i.e. no dwelling has been established or a dwelling has been lawfully demolished), a Vacant Land Charge will be levied (s496 of the Act).

Levying a Vacant Land Charge is appropriate because all existing ratepayers must contribute to future provisions for the Domestic Waste Management Service. The Vacant Land Charge is a small but essential contribution to ensuring the continued availability of waste management services, including planning for future capital expenditure.

Where a property is rated Vacant Land but is inaccessible to collection vehicles (service is not available) no charge will be levied on the property until such time as it becomes accessible to collection vehicles.

### **Land zoned Environmental Protection**

Where the entire property is zoned Environmental Protection, and is vacant, the property is exempt from being levied a vacant land charge, unless it is accessible to collection vehicles. Where it is accessible to collection vehicles, it will be charged the Vacant Land – Environmental Protection Zoning charge.

### **Other property types**

Domestic waste management services are also available to properties with a residential component that are **non-rateable** (496(2)) **mixed development** or **agricultural**, by request (s503(2)).

## **6. Where can I find out what I am being charged?**

Your Rates and Charges Notice shows you what DWMCs you are being charged and the number of these services you are paying for. Refer to Table 2 for a description of each charge.

## **7. Can I get a reduced rate?**

There are two circumstances where exemptions and rebates are available.

### **Medical exemptions**

Council will provide a large 240 litre garbage collection service or a large 360 litre recycling collection service at the cost of a Standard service for properties that demonstrate an increased waste capacity requirement related to medical reasons. These will be assessed on a case by case basis upon completion of an application form available from Council.

### **Pensioner rebates**

Pensioner rebates may apply to the DWMC, if a ratepayer is eligible for a concession in accordance with the *Local Government Act 1993*.

## 8. What do I do if I believe I am being charged incorrectly?

If you believe that there may be an error in your DWMC, please contact the Council in writing through the corporate Email ([Council@bmcc.nsw.gov.au](mailto:Council@bmcc.nsw.gov.au)), by post to Locked Bag 1005 Katoomba NSW 2780, or call on 02 4780 5000 with details of your query. If you are not satisfied with Council's response you can appeal to Council or directly to the Land and Environment Court with or without consulting Council.

Where it is found that a ratepayer is being charged for more services than are currently being provided, the property's rates will be adjusted for the current financial year to reflect the actual services being provided. Where the ratepayer asserts that the charges are not aligned with services for longer than the current year, a credit to the value of the difference will be applied to the property's rates for the previous financial year only.

The Council, or its delegate, may provide up to 5 years credit following consideration of the merits of the individual application for rebate.

## 9. What do I need to do when using the services?

### Bin Services

To enable efficient servicing of your bins, wherever possible, bins must be presented:

- 1 metre apart
- 1 metre from other obstacles such as trees
- at a weight of below 90kgs
- with lids completely closed
- facing the kerb with wheels away from the kerb
- before 5 am on collection day
- with no liquid and no hot ashes

After servicing, all bins must be removed from the kerb and secured on private property until the next service day.

If an **enforcement order** is issued on the storage of domestic waste service bins on public land outside of the collection period the bin owner may be subject to a penalty as per (s124) of the Act.

The material placed in the bins must be the correct items for that service. Details of what each bin type takes can be found in your Resource Recovery Guide or on Council's website. Continued misuse of the bins could lead to them being removed from your property without change in your DWMC.

### Booked Services

In order for your Booked Kerbside Clean up or Chipping service to be completed the Terms and Conditions of use must be met. These are provided when you request a service at <http://bmccbookaservice.com.au/>