

Disposal of Waste Free of Charge Policy

Head of Power

Local Government Act 2009
Environmental Protection Act 1994
Moreton Bay Regional Council Local Law No 7 (Waste Management) 2018

Related Legislation

Waste Reduction and Recycling (Waste Levy) Amendment Regulation 2019
Waste Reduction and Recycling (Waste Levy) Amendment Act 2019
Waste Reduction and Recycling Act 2011
Environmental Protection (Regulated Waste) Amendment Regulation 2018
Environmental Protection Regulation 2008
Corporations Act 2001

Objective

To establish eligibility criteria and identify the nature and category of domestic waste and recycling that can be disposed of free of charge at Moreton Bay Regional Council's waste management facilities by eligible residents, eligible ratepayers, Council approved events, community groups and charitable organisations.

Definitions

Charitable Organisations means an entity that—

- a) operates on a not-for-profit basis; and
- b) is registered as a charity under the *Collections Act 1966*; and
- c) is a Deductible Gift Recipient for the purposes of laws administered by the Australian Taxation Office of the Commonwealth; and
- d) actively and consistently operates a recycling or re-use program for—
 - (i) providing emergency assistance; or
 - (ii) otherwise supporting the charitable purposes of the entity; and
- e) Holds waste levy exemption status under *the State of Queensland's waste levy legislation*.

Commercial Vehicle means a vehicle registered in a business name and/or a vehicle exceeding 4.5 tonnes gross weight and/or a vehicle being used for commercial activity for a fee or reward.

Commercial / Industrial (C&I) Waste means waste defined as C&I waste in the *Waste Reduction and Recycling (Waste Levy) Amendment Regulation 2019* and includes waste from schools, restaurants, offices, retail and wholesale businesses, and manufacturing industries. This includes green waste delivered by commercial operators, waste produced by the activities associated with Community Groups, Charitable Organisations and residential care facilities.

Community Groups and Sporting Organisations means churches, schools, sporting clubs, Scouts and other organisations working for the benefit of the wider community.

Construction and Demolition (C&D) Waste means waste defined as C&D waste in the *Waste Reduction and Recycling (Waste Levy) Amendment Regulation 2019* which is generated as a result of carrying out building work within the meaning of the *Building Act 1975*, section 5 and is non-putrescible waste arising from a construction or demolition activity. It may include materials such as brick, timber, concrete and steel.

Domestic Recyclable Material means recyclable material which has been generated by residents as a result of the ordinary use or occupation of their own domestic/residential dwellings.

Domestic Vehicle means any vehicle that is registered as a private use vehicle and which does not meet the definition of a Commercial Vehicle.

Domestic General Waste means waste resulting from the ordinary domestic use or occupation of a house, flat, apartment or unit. It does not include waste discharged to a sewer, Commercial and Industrial (C&I) Waste or Construction and Demolition (C&D) Waste. Domestic waste may also be referred to as Municipal Solid Waste (MSW) or household waste. In practice, domestic general waste includes the material that householders place in their general waste bins or the mixed waste they self-deliver to Waste Management Facilities and Transfer Stations from their own residential dwellings.

Eligible (for free Domestic Waste/MSW disposal) means a residential dwelling located within the Moreton Bay Regional Council local government area and for which the annual urban or rural waste utilities charge is paid, and the waste is NOT delivered by a commercial operator or a person/entity for fees and/or reward or in a vehicle exceeding 4.5 tonnes gross weight.

Eligible Resident means a householder who occupies a residential dwelling in the Moreton Bay Regional Council local government area.

Eligible Ratepayer means a ratepayer who occupies their rated residential dwelling in the Moreton Bay Regional Council local government area for all or part of the year. This excludes owners of properties that are proprietary companies (PTY LTD).

Fee Schedule means the relevant commercial and/or domestic fees and charges for waste disposal at Moreton Bay Regional Council's Waste Management Facilities as set by Council.

General Waste means waste (anything left over, surplus or an unwanted by-product that cannot be re-used or recycled) other than Hazardous or Regulated Waste.

Green Waste means grass clippings, tree, bush and shrub trimmings, branches and other similar material resulting from domestic or commercial gardening, landscaping or maintenance activities. Generally, Green Waste relates to separated material delivered directly to Council Waste Management Facilities and Transfer Stations and does not include any contamination of General Waste or Regulated Waste.

Gross Weight means the total weight of the vehicle plus the waste load as measured by Council waste management facilities and waste transfer stations with weighbridges.

Load means a single visit to a waste facility to dispose of waste, within the load limits of that facility.

Municipal Solid Waste (MSW) has the meaning of *Schedule 4: Waste Reduction and Recycling (Waste Levy) Amendment Regulation 2019*. 1. Municipal Solid waste is -

- (a) waste generated by a household if—
 - (i) the waste is collected from domestic premises—
 - (A) by or for an occupant of the premises, unless the waste is collected under a commercial arrangement; or
 - (B) by or for a local government; and
 - (ii) the waste is not waste generated from an activity carried out at domestic premises under a commercial arrangement; or

- (b) the following waste collected by or for a local government—
- (i) waste generated from street sweeping;
 - (ii) (waste collected from public rubbish bins;
 - (iii) waste generated from maintaining a public space, including, for example, a public garden and public park;
 - (iv) large items collected from domestic premises by a kerbside collection service.

Recyclable Material means clean and inoffensive material that is declared by Council to be recyclable and which can therefore be re-used or recycled.

Regulated Waste means waste classified by Queensland's *Environmental Protection Act 1994* (EP Act) and includes hazardous wastes listed in the relevant schedules of the *Environmental Protection Regulation 2008*, the *Waste Reduction and Recycling (Waste Levy) Amendment Regulation 2019* and *Environmental Protection (Regulated Waste) Amendment Regulation 2018*. It includes asbestos, pesticides, a range of waste chemicals and chemical compounds, and other industrial wastes. e.g. tyres, oil, batteries, paints, chemicals.

- **category 1 regulated waste**, for schedule 4, see the *Environmental Protection Regulation 2008*, section 64A
- **category 2 regulated waste**, for schedule 4, see the *Environmental Protection Regulation 2008*, section 64A(4).

Required Identification means suitable identification that will prove their residency within the Moreton Bay Regional Council local government area. **This includes** a driver's licence or some form of photo identification showing their Moreton Bay Regional Council address, **or alternatively** suitable photo identification **in conjunction with** documentation identifying that they are a resident within the Moreton Bay Regional Council local government area. E.g. Current utility bill of either electricity, internet/home phone or gas (water and rates are not accepted).

Waste Disposal Authority (WDA) means a written authority issued by the Chief Executive Officer or Delegate that authorises the disposal of the specified waste free of charge, within the defined limits.

Application

This Policy applies to the free disposal of waste and recyclable material by Eligible Residents, Eligible Ratepayers, waste levy exempt and/or Council approved events, Community Groups and Charitable Organisations at Council's Waste Management Facilities and Waste Transfer Stations.

Limitation

This Policy does not apply to any waste delivered by a commercial operator or person or entity that provides the waste services for fees and/or reward. This Policy applies to General Waste, Green Waste, Clean Concrete and Clean Soil from Eligible generators only and does not include hazardous materials and Regulated Wastes, unless specified in Table 1.

Policy Statement

1. Eligible Moreton Bay Regional Council local government area Residents, Eligible Ratepayers, Council approved events, Community groups and Charitable Organisations are entitled to free disposal of General Waste, Green Waste, Clean Concrete and Clean Soil at Council's Waste Management Facilities within the limits prescribed in Table 1.
2. Where a person is not able to present the Required Identification proving their residency within the Moreton Bay Regional Council local government area or a current Waste Disposal Authority, they will be charged to dispose of the Waste or Recyclable Material in accordance with Council's Fees and Charges schedule current at the time of disposal.

Policy: 2150-042 - Disposal of Waste Free of Charge Policy

3. Waste not eligible for free disposal includes:
- All commercial / industrial waste (C&I), unless specified in Table 1;
 - All regulated waste, unless specified in Table 1;
 - All waste in excess of the limits specified in Table 1 and/or the current fee schedule;
 - Any waste emanating from a residence where the person disposing of the waste is not the resident and/or has been engaged to do so for a fee or reward; and
 - All waste with a moisture content of more than 10% and other hazardous materials, including explosives and hot embers.
4. On receipt of a written Waste Disposal Authority application, the Chief Executive Officer or their delegate is authorised to:
- Issue Waste Disposal Authorities to dispose waste free of charge at Council's Waste Management Facilities, as referred to in Table 1;
 - Issue appropriate Waste Disposal Authorities for the disposal of waste free of charge at Council's Waste Management Facilities should extenuating or special circumstances apply;
 - Administer the terms of this Policy;
 - Apply additional terms and conditions in relation to disposal requirements and locations; and
 - Reimburse waste disposal fees charged at Council's Waste Management Facilities where extenuating circumstances apply.

TABLE 1

Disposer	Type of Vehicle	Entitlements
Eligible Resident or Eligible Ratepayer (with the presentation of the Required Identification proving their residency within the Moreton Bay Regional Council local government area).	Domestic Vehicle less than 4.5 tonnes gross weight.	<p>Waste Disposal Authorities not required for:</p> <ul style="list-style-type: none"> Up to 3 tonnes or 26 loads (whichever is reached first) total domestic General Waste, Green Waste, Clean Concrete, Clean Soil, per household, per financial year. Additional limits apply to select products, as per current fee schedule and/or Council's website. <p>Any waste in excess of the above will be charged in accordance with Council's Fees and Charges schedule current at the time of disposal.</p>
Eligible Resident or Eligible Ratepayer (with the presentation of the Required Identification proving their residency within the Moreton Bay Regional Council local government area).	Commercial Vehicle less than 4.5 tonnes gross weight.	<p>Declaration confirming domestic origin of waste to be signed at weighbridge in all instances where domestic waste is delivered in a commercial vehicle less than 4.5 tonnes gross weight.</p> <p>Waste Disposal Authorities not required for:</p> <ul style="list-style-type: none"> Up to 3 tonnes or 26 loads (whichever is reached first) total domestic General Waste, Green Waste, Clean Concrete, Clean Soil, per household, per financial year. Additional limits apply to select products, as per current fee schedule and/or Council's website. <p>Any waste in excess of the above will be charged in accordance with Council's Fees and Charges schedule current at the time of disposal.</p>

Policy: 2150-042 - Disposal of Waste Free of Charge Policy

Disposer	Type of Vehicle	Entitlements
Friend or relative or volunteer, disposing of waste on an Eligible Resident's behalf (where the service is not provided for fee or reward).	Domestic or Commercial Vehicle less than 4.5 tonnes gross weight.	<p>Waste Disposal Authorities are required in all instances and will be limited to:</p> <ul style="list-style-type: none"> • Up to 3 tonnes or 26 loads (whichever is reached first) total domestic General Waste, Green Waste, Clean Concrete, Clean Soil, per household, per financial year. • Additional limits apply to select products, as per current fee schedule and/or Council's website. <p>Any waste in excess of the above will be charged in accordance with Council's Fees and Charges schedule current at the time of disposal.</p>
Owner of vacant land.	Domestic or Commercial Vehicle less than 4.5 tonnes gross weight.	<p>Waste Disposal Authorities are required in all instances and will be limited to:</p> <ul style="list-style-type: none"> • Up to 2 tonnes or 16 loads (whichever is reached first) of Green Waste only, per property and per financial year.
Council Approved Community Groups and Sporting Organisations.	Domestic or Commercial Vehicle less than 4.5 tonnes gross weight.	<p>Waste Disposal Authorities are required in all instances and will be limited to:</p> <ul style="list-style-type: none"> • Up to 3 tonnes per property, per financial year, which can include: <ul style="list-style-type: none"> ○ General Waste; ○ Recyclable Material; ○ Green Waste; ○ Clean Concrete; ○ Clean Soil. <p>Waste levy exemption certificates for eligible programs/events are to be submitted with the application for a Waste Disposal Authority.</p> <p>Any waste in excess of the above will be charged in accordance with Council's Fees and Charges commercial schedule current at the time of disposal.</p>
Charitable Organisations.	Domestic or Commercial Vehicle less than 4.5 tonnes gross weight.	<p>Waste Disposal Authorities are required in all instances and will be limited to:</p> <ul style="list-style-type: none"> • Up to 3 tonnes per property, per financial year, which can include: <ul style="list-style-type: none"> ○ General Waste; ○ Recyclable Material; ○ Green Waste; ○ Clean Concrete; ○ Clean Soil. <p>Waste levy exemption certificates for eligible programs/events are to be submitted with the application for a Waste Disposal Authority.</p>

Policy: 2150-042 - Disposal of Waste Free of Charge Policy

Disposer	Type of Vehicle	Entitlements
		Any waste in excess of the above will be charged in accordance with Council's Fees and Charges commercial schedule current at the time of disposal.
Senior residential complexes with Council waste services where the waste is <u>delivered by the residents themselves.</u>	Domestic or Commercial Vehicle less than 4.5 tonnes gross weight.	<p>Waste Disposal Authorities are required in all instances and will be limited to:</p> <ul style="list-style-type: none"> • Up to 3 tonnes per property, per financial year, which can include: <ul style="list-style-type: none"> ○ General Waste; ○ Recyclable Material; ○ Green Waste; ○ Clean Concrete; ○ Clean Soil. <p>Any waste in excess of the above will be charged in accordance with Council's Fees and Charges schedule current at the time of disposal.</p>
Schools and other education facilities.	Domestic or Commercial Vehicle less than 4.5 tonnes gross weight.	<p>Waste Disposal Authorities are required in all instances and will be limited to:</p> <ul style="list-style-type: none"> • up to 3 tonnes per financial year, which can only include waste that does not attract the waste levy such as: <ul style="list-style-type: none"> ○ Recyclable Material; and ○ Green Waste <p>Any waste in excess of the above will be charged in accordance with Council's Fees and Charges commercial schedule current at the time of disposal.</p>
<p>Special circumstances -</p> <ul style="list-style-type: none"> • Council supported events • Hardships • Projects that benefit the whole community • Bushland and waterway restoration and improvement activities • Sporting Carnival/s and fetes 	Domestic or Commercial vehicle less than 4.5 tonnes gross weight.	<p>Waste Disposal Authorities are required in all instances and will be limited to:</p> <p>Recyclable Material</p> <ul style="list-style-type: none"> • Two annual clean-up events per organisation or group not exceeding 2 tonnes of Green Waste in total; OR • Two annual clean-up events per organisation or group not exceeding 2 tonnes of Recyclable Material in total. <p>General Waste</p> <p>Separate application for waste disposal authority required for any waste that will incur the waste levy.</p> <p>Waste levy exemption certificates for eligible events are to be submitted with the application for a Waste Disposal Authority.</p> <p>Charges for any General Waste will be based on community benefit delivered.</p>

Related Documents

This Policy complements and is to be implemented in conjunction with other Council policies, directives and relevant documents published by other agencies.

Review and evaluation

This policy will be reviewed for applicability, effectiveness, and consistency with relevant legislation, Council resolutions, and other Council documents. Reviews of this policy will occur as required, or at least once every four years.

Responsibility

This Policy is to be:

- (1) implemented by the Chief Executive Officer; and
- (2) reviewed and amended in accordance with the "Review Triggers" by Manager Waste Services.

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Version 2	<i>Amended to reflect new legislation</i>	16.2.2012	Version of PDF
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