

<b>Title:</b>	<b>Kerbside Collection Services Policy</b>
<b>Type of policy:</b>	Council Policy
<b>Adopted:</b>	TBC
<b>File No:</b>	24/26847
<b>Attachments:</b>	Attachment A – Map – Murrindindi Kerbside Collection Routes Attachment B – Maps – Defined Urban Collection Areas

## Acknowledgement of Country

*Council acknowledges the traditional custodians of the land comprising the Murrindindi Shire Council area, and those of our neighbouring municipalities.*

*We pay respect to Elders, past and present, and celebrate and respect their continuing culture and connection to the land.*

### 1. Purpose

To set out the terms of operation of Council’s kerbside bin collection service and clarity around the operation of the related Charges collected with the Rates.

This policy facilitates changes to the kerbside collection service which brings it into alignment with State Government policy direction as set out in Recycling Victoria: A New Economy and the related legislation.

Following adoption of this draft policy, Council will transition to the service model outlined in this policy superseding the current kerbside waste and recycling collection service model.

### 2. Rationale

The objective of this policy is a clean municipality and healthy residents by facilitating a modern kerbside collection system that diverts the maximum amount of material away from landfill and is available to as many properties as economically feasible.

### 3. Scope

This policy addresses all aspects of the kerbside bin collection services offered to households, businesses and other community entities, and the structure of fees and charges that support it.

The policy defines which properties must have a service and which properties can have a service, collection routes and criteria for extensions, service exemptions and conditions of participation.

### 4. Definitions

Reference Term	Definition
<b>Bin</b>	A Mobile Garbage Bin (MGB), a Mobile Organics Bin (MOB), a Mobile Purple / Glass Bin (MPB) or a Mobile Recyclables Bin (MRB).
<b>Collection Routes</b>	The roads that will be travelled by the collection trucks to pick up bins. Routes may be varied from time to time.
<b>Non-residential commercial, industrial or farm properties</b>	Places of business including retail, hospitality, trade, industry commercial, industrial or agricultural at which there is no house, apartment or unit that could be used for habitation.

<b>Common collection point</b>	A location established for the collection of waste removed from the property where an individual collection service cannot be provided directly adjacent to a property or properties.
<b>Contamination</b>	The placement of materials other than Organics into a Mobile Organics Bin, placement of mixed Recyclables (except glass) into a Mobile Recyclable Bin and placement of any material other than glass into a Mobile Glass Bin.
<b>Defined Urban Collection Zone</b>	Townships and densely settled areas as defined boundaries shown on Attachment B.
<b>Kerbside Collection Service</b>	Council’s waste and recycling collection service utilising wheelie bins collected at the kerbside (roadside).
<b>Residential Rural properties</b>	All properties including farms outside the defined “urban collection area” having a habitable house.
<b>Residential Urban properties</b>	All properties in township and densely settled areas of the shire as defined in the map attachments to this policy and Council’s mapping system having a habitable house.
<b>Standard Kerbside Collection Service</b>	A set of bins comprising a 120L garbage bin, a 240L mixed recycling bin, a 120L glass bin and in defined urban areas a 120L organics bin.
<b>Waste and Recycling Charges</b>	Charges applied via the rates notices to recover the cost of waste services provided for the community and individual properties. Comprises a Waste Management Charge for all properties, and Collection Service Charges applicable to individual properties related to the collection services provided at the property.

## 5. Policy

The kerbside collection service is operated by Council to collect solid waste from households and businesses and as far as practicable to divert recyclable material away from landfill. Council provides these services to meet obligations under Victoria’s Local Government Act 1989 and Public Health and Wellbeing Act 2008, and is introducing additional services to comply with the Circular Economy (Waste Reduction and Recycling) Act 2021.

In developing the kerbside service and associated charges Council considers the following principles:

- Council will implement the State’s Circular Economy Policy in relation to Service Standards.
- Council will seek to divert the maximum possible amount of organic waste away from landfill.
- Council will provide equitable access to services throughout the Shire.
- Council will levy charges for kerbside services on a cost recovery only basis.
- All ratepayers will contribute to the cost of waste services that are not specific to their property.

Council engages a collection contractor to collect the various waste streams and deliver them to facilities for disposal or processing. Council operates its own landfill for disposal of General Waste, and holds contracts with facilities to receive and recycle the other streams.

From July 2025 the collection service will include 4 waste streams:

- 1 General Waste collected fortnightly;
- 2 Mixed Recycling collected fortnightly;
- 3 Food and Garden Organics collected weekly;
- 4 Glass Only collected 4 weekly.

To maximise environmental outcomes and efficiency of service Council will seek to provide the service to the maximum number of properties that is practically and economically feasible.

### **5.1 Collection Route**

The kerbside collection service is provided to all sealed and defined unsealed roads along a collection route shown on Council's Kerbside Collection Route map (Attachment A) and may be extended from time to time.

Given the large geographical size of the municipality and topography of some roads, it is currently not feasible to support a kerbside collection service in all areas of the shire, therefore collection routes have been developed against a number of set criteria, these include:

- Urban and densely settled areas;
- Rural areas where the ratio of homes to the distance involved makes provision of a service economically feasible; and
- Roads travelled that link collection routes together.

All residential properties on the collection route are required to have a collection service. The mapping of the collection route will be updated annually in July.

### **5.2 Residential Urban properties**

All residential urban properties on the collection route are required to have a collection service comprising as a minimum the standard suite of bins.

Residential urban properties are those properties within township or densely settled boundaries as defined by Council's mapping system that have an occupiable house. The boundaries of defined urban areas are shown in Attachment B to this policy and will be updated annually in July.

### **5.3 Residential Rural properties**

All residential rural properties on the collection route are required to have a collection service comprising as a minimum the standard suite less the Food and Organics bin. These properties can apply to have a Food and Organics bin service, and the application will be assessed as an extension to the collection service on the criteria outlined in section 5.6.

Residential rural properties not on the collection route and non-residential rural commercial or farm properties (see section 5.4) can apply for a kerbside service and the application will be assessed as an extension to the collection service on the criteria outlined in section 5.6. Approval of an application may result in the service being provided at a collection point as outlined in section 5.10.

### **5.4 Non-Residential Commercial, Industrial and Farm properties**

The waste collection service is optional for non-residential properties in Commercial, Industrial or Farm planning zones. This section does not apply to Commercial, Industrial or Farm properties that have a house or similar residential facility. Businesses located along the collection route can apply to have any combination and number of bins that suits their needs, and the charges for these services will be recovered via the rates for the property. The exception is that any number of recycling bins must be accompanied by at least one glass bin.

An application for the service must be made for a minimum 12 month period.

## 5.5 Waste and Recycling Charges

Council is entitled to charge Service Rates and Charges for the collection and disposal of refuse under the Local Government Act 1989.

The Waste and Recycling Charges will comprise:

- A Waste Management Charge that covers shire wide waste management costs including public litter bins, illegal dumping, subsidy of disposal at Resource Recovery Centres and waste education.
  - Applies to all individually rated properties whether residential or not.
- A Waste and Recycling Collection Service Charge that is an aggregate of individual charges for General Waste and Mixed Recycling which reflects the cost of collection and disposal of waste and collection and processing of Mixed Recycling and Glass.
  - Applies to all residential properties with a collection service.
- An Organics Collection Service Charge that covers the cost of collection and processing of Food and Garden Organics.
  - Applies to all residential properties within the defined urban zone and all properties along the rural collection route that have opted to have the food and garden organics collection service.

Each charge will be itemised on the rates to enable ratepayers to confirm that the charges match services they have at their property.

The cost of individual bin services will apply to commercial properties applying for kerbside services and residential properties applying for increased disposal volumes per section 5.9.

## 5.6 Extensions to the collection service

Service extensions can be initiated by Council or by a request from at least one ratepayer with an eligible property not on the collection route. Kerbside collection routes will only be extended after investigation and assessment including direct consultation of all properties along the extension.

The same process will be followed to investigate the viability of the extension whether initiated by Council or ratepayers.

Where a decision is made to extend the collection service, all eligible residential properties along the route to the furthest point of the extension will be required to have the service and to pay the appropriate charges.

### Extension requests process

Any resident living on a road not currently on the collection route may make a request to extend the kerbside collection service. Extension requests must be made in writing to Council. A request to provide a service to a property not on the collection route will be treated as a service extension request to a location suitable to service that property.

The following factors will be considered in relation to all service extension requests:

- Number of collections compared to the additional distance to be travelled;
- Condition of the road(s) along proposed extension route, and the presence of suitable turn around locations if necessary;
- Community feedback including written agreement to the extension by a majority of responding ratepayers (more than 50%);
- Extension is within the scope of contract, or is agreed to by the collection contractor; and
- Collection contractor has the capacity to deliver the extended service.

Extension requests will be assessed with input from Council's collection contractor with consideration given to all feedback received.

### **5.7 Applications for kerbside collection services**

Applications for the addition or removal of kerbside services must be made by the property owner or person legally responsible for payment of the rates since the application may result in the addition or removal of charges.

Applications must be made using the appropriate forms available on Council's website.

### **5.8 Standard bin suites**

Where any property has a General Waste bin, it must be accompanied by a Mixed Recycling bin and a Glass Only bin.

Where an urban property has a General Waste Bin, it must be accompanied by a Food and Garden Organics bin.

#### Urban properties

The standard bin suite for urban residential properties which will attract the standard Waste and Recycling Collection Service Charge and the Organics Collection Service Charge are:

- General Waste – 120L bin;
- Mixed Recycling – 240L bin;
- Food & Garden Organics – 120L bin;
- Glass only – 120L bin.

#### Rural properties

The standard bin suite for rural residential properties which will attract the standard Waste and Recycling Collection Service Charge are:

- General Waste – 120L bin;
- Mixed Recycling – 240L bin;
- Glass only – 120L bin.

### **5.9 Variations to the standard bin suite**

Where residents may require a different combination of bin sizes, bin size options are as follows:

- General Waste – 120L bins or 240L bin – additional charge for larger or additional bin
- Mixed Recycling – 120L bin, 240L bin – no charge increase or deduction for smaller or larger bin sizes, extra charge for extra bin
- Food & Garden Organics – 120L bin or 240L bin – additional charge for additional or larger bin
- Glass – 120L bin only – no charge for extra bin

Additional services or commercial and industrial requirements will be subject to approval of Council.

### **5.10 Collection points and compounds**

A kerbside collection service may be provided to individual properties located beyond the collection route, provided a resident delivers their bins to and from an agreed collection point on a specified collection day. In this circumstance a three bin service (waste, recycling, glass) will be mandatory and food and garden organics collection will be optional if available.

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For defined urban areas where it is not feasible for a collection truck to travel the road Council will establish and maintain a Waste Collection Compound and collection of all four streams there. All properties accessing the collection point or compound will be required to pay the Waste and Recycling Collection Service Charge and the Organics Collection Service Charge.

### **5.11 New Properties**

Newly developed houses in urban areas or along the collection route will be required to provide an Occupancy Permit (OP) before the collection service will be provided or the collection service charges are applied. The relevant collection service charge(s) will apply from the date of the OP, irrespective of when the OP is provided to Council.

### **5.12 Private property and multi-unit developments**

In the planning of multi-unit developments (MUDs) consideration must be given to how waste will be managed. Proposed MUDs should seek to facilitate individual units to utilise Council's kerbside service where possible, including through design of adequate space for 4 bins per unit to be stored on the property, and for up to three bins per unit at once to be put out for collection on the street.

Where the property is to be serviced by Council's collection contractor, multi-unit dwellings may share bins or change bin sizes subject to a waste management agreement being developed, and regulated by the owner/building manager, and approved by Council. Council will charge for the volume of service provided, and each property will continue to contribute individually to the Waste Management Charge.

Where circumstances do not allow servicing by Council's kerbside collection contract, the planning permit will require engagement of a private collection contractor. It will be a requirement of the developer/permit holder to ensure all future landowners are aware of their obligation to facilitate private kerbside collection services.

Where a planning permit requires that private kerbside collection services are to be undertaken for a development, then an exemption of the relevant Collection Service Charges will apply as these services will not be provided by the Council. The Waste Management Charge will still apply to each property.

### **5.13 Exceptions and exemptions**

#### Emergency services

Volunteer based Emergency Services including CFA and SES will be exempted from the mandatory service requirements, and the payment of the Waste Management Charge.

They can be provided with one standard waste, mixed recycling and glass bin free of charge on request. Additional services will attract the relevant Collection Service Charges.

#### Education

Primary and secondary schools, kindergartens and early learning centres will be exempted from the mandatory service requirements, and the payment of the Waste Management Charge.

Where schools can demonstrate they are participating in ongoing defined waste education programs/activities such as Resource Smart (or similar) or Council programs they can receive free of charge one standard Food and Garden Organics Bin, Mixed Recycling bin and Glass Only bin for every 100 students up to a maximum of 4 each. Collection Service Charges will apply for any General Waste Services provided, and for any recycling services where a school does not demonstrate participation in an external waste education program.

Schools may apply for the provision of kerbside collection services.

#### Council tenanted properties

Council tenanted properties will be exempted from the payment of the Waste Management Charge.

Unless otherwise specified in a lease, licence, or management agreement or any other contract with Council, Council owned properties that are provided with a kerbside collection service are required to pay the Collection Service Charges applicable to that property.

Sporting clubs, non-profit organisations and other clubs utilising Council facilities will be provided with a kerbside collection services upon request and will be charged the associated Collection Service Charge(s).

#### Medical exemptions

An extra standard rubbish and/or recycling bin is available at no extra charge, for a resident or residents living at a private property who have a chronic illness, disability or medical needs that causes additional generation of waste and have no feasible way to reduce the amount of waste.

The extra rubbish or recycling bin is only for regular household waste items such as packaging items and incontinence aids. This service is not available for medical or clinical waste such as sharps, large amounts of blood or urine, human tissue or items from patients with a contagious disease - these items should never go in Council kerbside bins.

This service is not available to businesses, or businesses operating in a residentially rated property, or non-residential properties.

Applications must be made to Council in writing and be accompanied by a medical certificate or letter from a registered medical practitioner outlining the need.

The Medical Exemption will be valid for up to two (2) years, aligned with the financial year at the end of year 2. A new medical certificate or letter from a registered medical practitioner will be required to continue the service, valid for two (2) years at a time. If a renewal letter is not provided within eight (8) weeks of a request from Council the bin will be removed by Council.

#### Households with people in nappies

For Households having to dispose of nappies or incontinence products, the standard fortnightly 120 litre MGB service may be replaced with a larger 240 litre MGB service (or have an additional 120 litre MGB service added) at no extra cost at the request of the resident, subject to provision of suitable documentation to support the request. Council will keep a record of properties receiving the extra service and review the continued need for the extra service annually.

## **5.14 Bin ownership and replacement**

### Ownership

All bins supplied to properties for use in the kerbside collection system are the property of Council.

### Bin modification

The bins must not be deliberately damaged or modified except to add marks or stickers to identify street number or to enable a lock to be placed on the bin. It is the responsibility of the resident to remove any lock before collection or the bin will not be emptied.

### Damaged bins

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Bins that have been damaged through fair wear and tear or vandalism, or bins that have been lost into the collection vehicle or damaged by the collection process, will be repaired or replaced at no cost to the resident.

Bins will be supplied from stock that includes new and refurbished bins.

#### Stolen or missing bins

For stolen or missing bins, where deemed necessary, residents may be required to provide a Statutory Declaration in order to secure a replacement bin free of charge.

The onus is on the resident to notify Council of a stolen or missing bin as soon as possible. If the resident is not the property owner, then the owner's agent or the tenant needs to contact Council and complete a statutory declaration. Council will not refund for Collection Service Charges for properties where bins have been stolen or are otherwise missing, including having been removed due to ongoing contamination under clause 5.16.

#### Bin replacement cost

For all reasonable repair and replacement of bins there will be no cost to the resident. If a bin is missing or damaged other than by any fault of the Council, the owner is liable for all costs to repair or replace the bin.

## **6. Resident obligations**

On receipt of a kerbside collection service, residents must consider, and where applicable, adhere to the following obligations:

- Only Council provided bins allocated to the property may be put out for collection;
- Bins are to be maintained in a hygienic state;
- Bins must be placed at the kerbside the night before the scheduled collection day;
- All bins are to be placed on the kerbside (or equivalent) at the front of the property a minimum of one metre apart where practically possible or at a point determined between the contractor and the ratepayer/resident;
- Avoid presenting bins on the bowl of a Court;
- Avoid placing bins below low hanging trees and behind parked cars;
- Always place bins with the wheels facing away from the kerb.
- Bin must be removed from kerbside within a day from collection.

#### Collection trucks and drivers

The collection of kerbside bins is undertaken by contractors working for Council. The drivers are operating under instruction from Council. Any resident concerns with the operation of the service, including refusal of service and non-collection of bins, should be raised with Council who will communicate with the contractor.

Residents must not interfere with the collection vehicles or drivers.

### **5.15 Refusal of service and contamination**

Kerbside Collection Service may be refused if:

- A bin being used is not a Council approved bin;
- The bin is overflowing (the lid must close properly);
- There is waste on the ground around and beside the bin;
- A bin is contaminated (for example landfill waste is placed in the recycling bin);



- Part of a load is jammed within the bin, or the contents are over compacted, and will not release;
- A bin weighs more than 30kg;
- A bin is placed in an area that the collection vehicle is unable to access/reach;
- Failure to present the Bin the night before collection day (refer to clause 5.15)

Council reserves the right to cease a collection service where there is repeated misuse of the kerbside collection service. Contamination of bins can be recorded by closed-circuit TV cameras during the collection process, direct driver observation or through audits.

### Contamination

A bin is contaminated when it contains material that is not appropriate to the waste stream for that particular bin. This includes but is not limited to:

- Contamination of the waste bin:
  - Items not allowed at landfill including liquid waste, chemicals, hot ashes, tyres, electronic waste, clinical waste;
  - Gross contamination including dead animals, faeces;
  - Organic waste exceeding 10% of contents in a non-mobile organics bin;
  - Oversize items that do not allow the lid to close.
- Contamination of the mixed recycling bin:
  - Any material that is not paper, cardboard, aluminium cans, tin cans, firm plastic containers of domestic origin;
  - Glass items.
- Contamination of the organics bin:
  - Any item that is not entirely organic in nature being either garden or food waste;
  - Timber greater than 10cm in diameter and 50cm in length;
  - Gross contamination including dead animals, faeces;
  - Soil or dirt.
- Contamination of the glass bin:
  - Any item that is not a glass container previously holding food or drink.

If a bin is found to contain contamination or inappropriate or prohibited material, Council's retains discretion to implement any or all of the following waste education and enforcement processes:

- If contaminated/prohibited material is found in the bin prior to collection, the bin will not be emptied. The contaminated bin will be stickered to inform the resident that incorrect material was placed in the bin, and a letter will be sent to the resident to remind them of what can and cannot be placed in each bin. The resident must remove the contaminating material before the bin will be collected. Failure to remove the material in a timely manner may result in the collection being put back to the following week or fortnight.
- If the contamination is discovered during the collection process (once the contents of the bin has been emptied into the collection vehicle) a letter will be sent to the resident to inform them that the incorrect material has been placed in the bin. This process will occur in the first, second and third instance of contamination.
- In the fourth instance that contamination is discovered during the collection process, the collection of the contaminated bin will be suspended until the resident/owner signs a statutory declaration committing to abide by the requirements of correct bin use.

- If extreme levels of contamination occur, Council may suspend collection or remove the bin at any time, without waiting until the fourth instance. Collection will be suspended until the resident/owner signs a statutory declaration committing to appropriate use of the service.

Where collection has been suspended (or the bin removed) the relevant Collection Service Charge will continue to accrue on the property.

The count of contamination incidents leading up to service suspension will expire at change of ownership of the property. Services can be reinstated when the service manager is satisfied that the user is committed to using the service as intended.

### **5.16 Ownership of waste**

Ownership of the waste in the bin resides with the resident up until the bin is collected. This includes waste outside of the bin and any waste with value in the bin, such as beverage containers redeemable through the Container Deposit Scheme (CDS).

All waste emptied into the collection vehicle becomes the property of Council. Regardless of value, Council or residents may not retrieve an item once the bin has been emptied into the collection vehicle, nor recover from Council the value of items collected.

Council reserves the right to check bins for contamination, or audit the contents of a bin, in order to inform waste education programs and improve waste management practices in the community.

### **5.17 Container Deposit Scheme**

The State Government has introduced the CDS to reduce litter and recover resources. Eligible beverage containers can be redeemed for a 10c refund per container. This scheme is managed and supervised by the State Government and does not form part of Council's responsibilities and is not covered under this policy.

### **5.18 Event bin service**

Council may provide wheelie bins to assist with waste management for public and private events, with the cost of the services invoiced to the event organiser at the rates indicated in the Council's Schedule of Fees and Charges. Council will provide up to two General Waste and two Mixed Recycling bins free of charge for events who commit to making a concerted effort to implement recycling. Provision of Glass Only and Organics bins for events is possible and can be negotiated by Council officers on a case-by-case basis.

Organisers of special events within the Shire can apply to Council for the provision of waste and recycling collection services for their event. Application must be made to Council via Council's event application process at least 3 weeks prior to the event.

Council will only provide event bins for events that adhere to the following guidelines:

- To promote recycling at the event each General Waste bin must be paired with at least one Mixed Recycling bin.
- Where the sale of food to consume at the event is anticipated, the Council requires one Organics bin to be provided at the event for every three rubbish bins provided, and to be placed with a Waste bin.
- Event bin signage must be used to indicate the appropriate waste stream for each bin.

Council will provide and empty up to two General Waste bins, two Mixed Recycling bins and one Organics bin free of charge for special events provided an undertaking in writing is made and acted

upon by the event organiser to initiate, promote, and action appropriate disposal procedures for recyclables and organic waste.

Council staff will work with organisers of large events (>1000 patrons) around the correct placement of bins and appropriate numbers of bins for the potential visitors.

Bins will be delivered to the event and must be lined up together for emptying at the same location.

This will be the standard arrangement unless an alternative, suitable collection arrangement is agreed to by Council's waste services contract supervisor.

All bins for private events will be invoiced to the customer at the rates indicated in Council's Schedule of Fees and Charges.

## **5.19 Illegally Dumped Rubbish**

Maintenance of the nature strip of residential properties is the responsibility of the property owner. Rubbish left on a nature strip or around a bin may be considered littering or illegal dumping. Where possible the offender will be required to remove the dumped rubbish at their own expense.

Council officers will use a variety of investigation techniques, including covert methods, to observe and sanction people incorrectly disposing of waste. Penalties will be applied through Council's Local Law and the Environment Protection Act 2017.

## **7. Related Policies, Strategies and Legislation**

- *Circular Economy (Waste Reduction and Recycling) Act 2021 (VIC)*
- *Local Government Act 1989 / 2020 (VIC)*
- *Public Health and Wellbeing Act 2008 (VIC)*
- *Environment Protection Act 2017 (VIC)*
- Recycling Victoria A New Economy Policy 2020
- Rethink | Reduce | Reuse | Recycle – Murrindindi Shire Council Waste and Resource Recovery Strategy 2021

## **8. Council Plan**

The development of this policy is consistent with Goal 4.1 of the Council Plan 2021-2025: Minimise waste and increase recycling to reduce our environmental footprint.

## **9. Management and Review**

This policy will be implemented by the Waste and Resource recovery Team with support from the Rates and Finance Team.

This policy will be reviewed on finalisation of relevant State legislation, Regulation or Guidance that has a direct material impact on the subject of the policy.

This policy will be reviewed within 3 years of the commencement of the 4 stream kerbside service. Responsibility for the review will lie with the Waste and Resource Recovery Team.

## **10. Consultation**

To be completed following advertising of policy for public comment.

## **11. Human Rights Charter**

This policy has been developed with consideration of the requirements under the [Charter of Human Rights and Responsibilities](#).

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