



Merri-bek
City Council

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Kerbside Waste Service and Charge Policy

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Responsible Department	Sustainable Communities

This policy has been authorised.

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1 INTRODUCTION

This Kerbside Waste Service and Charge Policy 2021 defines the kerbside waste collection service provided by Council and includes the decision-making principles and guidance for setting annual waste charges and fees to achieve full cost recovery.

Once finalised and fully enacted, this policy will replace both the Waste Charge Policy 2008 and the Garbage, Recycling and Green Waste Services Policy 2008.

The policy represents the end-state four-bin service, the implementation of which will occur as a phased transition over several years. Timing and staging of transition to the end state service will be communicated to the community in advance of any changes occurring.

This policy has been amended in accordance with the resolution adopted at the 8 December 2021 Council meeting. It defines the reformed four-bin service which is proposed to be operational from July 2023.

In Scope

- Strategic intent and objectives for Council's kerbside waste collection service
- Decision-making principles guiding the service and charge design
- Kerbside waste service levels: capacity and collection frequencies in relation to:
 - Garbage (red bin lid)
 - Mixed recycling (yellow bin lid)
 - Food and garden organics (light green bin lid)
 - Glass recycling (purple bin lid or access to a collection point)
 - Hard waste
- Service users:
 - Residential properties (including multi-unit developments) within Merri-bek using Council's kerbside waste collection service
 - Commercial and non-rateable properties within Merri-bek using Council's kerbside waste collection service
- Conditions of service
- Eligibility for concessions
- Business rules for bin sharing
- Fee for service option for additional capacity

Out of Scope

- Properties within Merri-bek using private waste collection services (predominantly commercial and high-density properties)
- Council facilities including premises that are leased or seasonally allocated
- Commercial Plus service conditions and charges
- Compliance and enforcement
- Operational Guidelines and Procedures

1.1 Method

The Kerbside Waste Service and Charge Policy 2021 has been developed in accordance with the principles of the *Local Government Act 2020*.

The policy introduces changes to the kerbside service bringing it into alignment with new State Government policy direction as set out in *Recycling Victoria: A New Economy 2020-2030*.

The timeline for development of this policy is as follows:

- April 2019: Council resolved to implement a universal food and garden organics (fogo) service with weekly collection, and fortnightly garbage and recycling collections to form the foundation for detailed implementation planning.
- February 2020: State government released *Recycling Victoria: A New Economy 2020-2030* outlining commitment to reform kerbside waste collection services with the mandatory roll out of the organics service to all households by 2030 and access to a separated glass service by 2027.
- April 2020: first stage of reforms from the new *Local Government Act 2020* took effect.
- May 2020: Council resolved to undertake more extensive community engagement to inform changes to the kerbside service and development of policy.
- July to August 2020: Stage 1 “Sharing the problem” community engagement completed
- December 2020: Council resolved to consult the community on a range of different service options.
- February to March 2021: Stage 2 “Issues and options” community engagement completed.
- July 2021: Council meeting - draft policy presented for endorsement for public exhibition.
- August to September 2021: Stage 3 “Our bins will be changing” community engagement completed.
- December 2021: Council meeting – final policy adopted with amendments.

2 STRATEGIC CONTEXT

2.1 Local context - Council strategies, plans and policies

Council Plan 2021-2025: sets the strategic directions, outcomes and actions that relate to the objectives of this policy.

Strategic Objective 1: To strive for maximum protection of people’s health, plants and animals through leading as urgent response to the climate emergency and a regeneration of our natural environment.

Strategy 1.1: Lead by example and partner with others to accelerate the shift to zero carbon emissions in energy, transport and waste in ways that are efficient, financially responsible, healthy and socially fair.

Waste and Litter Strategy 2018 - 2022: sets the target to send zero waste to landfill by 2030 and to implement a range of programs designed to increase resource recovery and divert more materials away from landfill.

Zero Carbon Merri-bek 2040 Framework and Climate Emergency Action Plan 2020 - 2025: sets out Council’s plan to work with the community towards zero emissions by 2040. Waste accounts for approximately 3% of direct municipal Greenhouse Gas emissions. The ZCM Climate Emergency Action Plan includes a 2025 target that ‘Council’s food and garden organics waste service is delivering ‘best in class’ outcomes in Victorian context’. This is 5 years ahead of the State Government target of 2030 for implementation of an organics service by Councils, to help achieve our ambitious zero waste to landfill target.

Local Law 2018: Part 8 Environment of the General Local Law 2018 sets requirements for activities that may affect the environment of the neighbourhood in which the activities are conducted and includes waste management and disposal. Under this section provisions for Waste

management include how bins are to be used, presented at the kerbside, stored and managed on site and in the public realm.

2.2 State context

State legislation and policy

Public Health and Wellbeing Act 2008

Section 24(g) of the *Public Health and Wellbeing Act 2008* outlines the obligation of Local Government under the Act to “ensure that the municipal district is maintained in a clean and sanitary condition.” To meet this obligation Council:

- Creates and enforces Local Laws regarding waste disposal, storage and collection;
- Delivers kerbside collection services for garbage, recycling, food and garden organics and hard waste.

Local Government Act 1989 (still in force alongside the Local Government Act 2020)

Under section 162 of the *Local Government Act 1989*, Council can set service charges to offset the cost of service delivery for a range of services including the collection and disposal of refuse. The primary principle behind a user fee or charge is that of ‘user-pays’.

Section 154 of the *Local Government Act 1989* outlines which properties are classified as non-rateable.

Local Government Act 2020

The *Local Government Act 2020* is a principles-based Act with 5 guiding principles:

- Community Engagement
- Strategic Planning
- Financial Management
- Public Transparency
- Service Performance

The Overarching Governance Principles of the *Local Government Act 2020* inform the way in which Council decisions and actions are to be taken. The Overarching Governance Principles are as follows:

- Council decisions are to be made and actions taken in accordance with the relevant law;
- priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- the municipal community is to be engaged in strategic planning and strategic decision making;
- innovation and continuous improvement is to be pursued;
- collaboration with other councils, governments and statutory bodies is to be sought;
- the ongoing financial viability of the Council is to be ensured;
- regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- the transparency of Council decisions, actions and information is to be ensured.

These principles have informed the development of this policy.

Recycling Victoria – A New Economy 2020 - 2030

In 2018 - 2019 the ‘recycling crisis’ precipitated by China’s National Sword Policy and the closure of many overseas markets to domestic commingled recycling, led to the domestic oversupply and

drop in market value of recyclables. This resulted in the collapse of SKM recycling and the subsequent landfilling of thousands of tonnes of recycling in Victoria.

State government responded to this market failure with a parliamentary inquiry into recycling and waste management in Victoria in 2019. Following the inquiry, state government released *Recycling Victoria – A New Economy*, a ten-year policy and action plan to reform the sector and transform how the Victorian economy uses materials and reuses, repairs and recycles products.

The plan includes targets to divert 80% of waste from landfill and to cut total waste generation by 15% per capita by 2030. Actions to reach these targets include significant increases to the Landfill Levy, the introduction of a fourth glass bin/service by 2027, and access to food and garden organics collections or local composting for all Victorian households by 2030. A container deposit scheme will be introduced in Victoria by 2022-23 for beverage containers (specifically beer, water and soft drinks). The scheme will be funded by the beverage industry and will potentially reduce material in the kerbside recycling bin by 25%.

Recycling Victoria also commits to establishing a new Waste Authority (governed by new legislation) to oversee the sector. The landfill levy increase will bring it into line with other states. For metropolitan municipal waste this means an increase from \$65.90 per tonne in 2019/20 to \$125.90 per tonne by 2022/23.

Circular Economy (Waste Reduction and Recycling) Act and Recycling Victoria

In response to commitments made in *Recycling Victoria: A new economy*, the *Circular Economy (Waste Reduction and Recycling) Act 2021* was passed into law in 2021. The Act provides for the establishment of Recycling Victoria, a new business unit within DELWP, with functions including to administer the container deposit scheme and to provide stewardship and oversight of waste, recycling and resource recovery services and to support the development of the circular economy in Victoria. Recycling Victoria commenced operating in mid-2022.

The purposes of the Act are to:

- introduce a circular economy in Victoria that maximises the continues use of products and waste material over their life cycle and accounts for their environmental impacts;
- require councils to provide municipal residual waste and recycling services, and for councils to comply with service standards;
- introduce a container deposit scheme;
- support councils with procuring and contracting waste and recycling services;
- provide for improved data collection and reporting for greater transparency and accountability in the waste sector;
- encourage and enforce compliance.

2.3 Research and other drivers

In 2018 - 2019 the 'recycling crisis' precipitated by China's National Sword Policy and the closure of many overseas markets to domestic commingled recycling, led to the domestic oversupply and drop in market value of recyclables. This resulted in the collapse of SKM recycling and the subsequent landfilling of thousands of tonnes of recycling in Victoria.

The waste and recycling industry, locally and globally is continually evolving in response to market forces as well as government intervention and regulation. Costs to process organics and recycling are increasing, as are waste disposal fees. Prior to China's National Sword Policy local councils received revenue for commingled recycling, however since its introduction gate fees for the receipt of recyclables have been reintroduced and have continued to climb.

In 2019-20 the Victorian community disposed of 1.22 million tonnes of material into landfills via household kerbside garbage collections¹. Merri-bek contributes around 30,000 tonnes annually to the state-wide total². Our “garbage” is made up of valuable resources from metals, plastics and glass through to food and garden vegetation. The loss of these resources undermines our drive to live sustainably; we need to capture and recycle more and to constantly assess the amount of materials, products and packaging we are consuming. The challenges of resource scarcity, climate change, landfill availability and pollution mean we are being urged to reduce our generation of waste.

Advanced economies traditional approach to resource use has followed a linear pathway where materials are extracted, manufactured, used and discarded for permanent disposal. Increasing population pressure and environmental impacts have made this model increasingly unsustainable.

The ‘circular economy’ is a different approach and involves a regenerative system in which resource use, waste, emissions, and energy leakage are minimised by slowing, closing, and narrowing energy and material loops. In a circular economy, products are designed with the end in mind and waste is designed out of the process. Products are designed and manufactured for repair, repurposing or reuse before they are recycled. This is in stark contrast to a linear economy where ‘built-in obsolescence’ has become prevalent in many consumer items.

Merri-bek City Council aspires to be a leading council that pursues innovation. Council takes seriously its role in assisting its community to live and work in an environmentally sustainable manner. This policy supports the implementation of an improved kerbside waste collection service that encourages waste avoidance, recovers more materials for recycling, diverts more materials from landfill and seeks to minimise the methane production (a powerful greenhouse gas) caused by sending organic waste to landfill.

3 OBJECTIVES

The objectives of this policy are to:

- Establish the decision-making framework for service provision and cost;
- Outline the services and activities covered by the Waste Charge;
- Set the eligibility criteria for provision of Council’s kerbside waste collection service;
- Determine the service levels for Council’s kerbside waste collection service;
- Outline the service requirements under which these services will be delivered.

4 POLICY PRINCIPLES

The kerbside waste collection service and how it is priced and delivered (including bin capacities and collection frequencies) is guided by the following principles:

- **Social licence:** Deliver a service and ongoing education that meets the needs of the community and achieves adequate support and compliance.
- **Social equity and accessibility:** Seek to provide fair and equitable pricing, with reasonable access and flexibility for all residents.
- **Reduce climate pollution:** Consistent with Council’s ambition for a ‘zero carbon Merri-bek’, preference service options that divert food and garden organics from landfill and so minimise greenhouse gas emissions.

¹ Sustainability Victoria, *Victorian Local Government Annual Waste Services Report, 2019-20*

² Figure based on 2020-21 Merri-bek waste generation tonnages

- Reduce waste: Consistent with Council’s ambition of ‘zero waste to landfill’, preference service options that encourage waste avoidance, sustainable consumption and recovery of resources.
- Administrative simplicity: Ensure the service model and pricing structure does not create undue administrative burden.
- Financial viability: Provide a cost-effective service with full cost recovery (via the Waste Charge), including options for additional ‘user-pays’ services, within operational and administrative constraints.
- Price signal: Continue to apply a pricing structure that encourages waste minimisation and resource recovery, while managing unintended consequences (such as dumping or contamination).

5 SERVICE SUMMARY

The waste charge applied for Council’s kerbside waste collection service funds the delivery of the following services to the community:

- Food and garden organics service (weekly collection commencing 2023);
- Garbage service (weekly collection with fortnightly trial commencing 2023 - 2024);
- Mixed recycling service (fortnightly collection commencing 2023);
- Glass recycling service (monthly collection commencing 2023) and/or access to a local collection point;
- Hard waste service (booked hard waste trial commencing 2022);
- Programs and services aimed at reducing waste to landfill and increasing resource recovery;
- Service performance monitoring and review including audits, inspections, data integrity checks, as well as policy and strategy review and development;
- Information and education related to the delivery of, and compliance with, the kerbside waste collection service.

Under exceptional circumstances residents may be able to apply for a variation of / exemption to the service as defined in this policy. These circumstances and the approval process for requests will be outlined in the Operational Guidelines and Procedures, as updated from time to time (CEO endorsed).

6 RESIDENTIAL WASTE SERVICE

6.1 Residential waste collection service – individual household bins

This service is provided to properties that have sufficient storage space and kerbside frontage available for individual bins.

From 2023 for the payment of the appropriate waste charge, a residential property is entitled to the four stream *Residential waste collection service – individual bins* with the following standard (and alternative) bin size/capacities.

Table 1: waste stream bin capacity and collection frequency – 2023 service

Waste stream	Standard bin size/capacity	Collection frequency	Minimum bin size	Maximum bin capacity
Garbage				
Current service (2021)	80 litres	Weekly	80 litres	240 litres (1 x 240L bin)
Future service (commencing 2025 pending Council decision)	120 litres	Fortnightly	80 litres	360 litres (1 x 240L + 1 x 120L bin)
Mixed recycling				
Service commencing 2023	240 litres	Fortnightly	120 litres	360 litres (1 x 240L + 1 x 120L bin)
Food and garden organics				
Service commencing 2023	120 litres	Weekly	120 litres	240 litres (1 x 240L bin)
Glass recycling				
Service commencing 2023	120 litres	Monthly	120 litres	240 litres (2 x 120L bins)

The waste charge is based on the capacity (bin size or litres) of each stream included in this service (refer to section 8.1 for information on waste charge).

Service inclusions – from 2023 the residential waste collection service will include four waste streams (garbage, recycling, organics and glass) plus access to the Hard Waste Collection Service. The glass service may be provided via a mobile glass bin collected at the kerbside or via a communal collection point.

Additional bin capacity - residents can request additional capacity (larger or additional bin) for any waste stream. From 2023 additional capacity will result in an increase in the waste charge for that stream applied to that household.

Reduced bin capacity - residents in lower waste producing households can opt for the smaller than standard 80 litre garbage bin (from 2025) and/or 120 litre recycling bin (from 2023) after the four-bin service is introduced. From 2023 reduced capacity will result in a reduction in the waste charge for that stream applied to that household.

Beyond the initial implementation of Kerbside Waste Reform service changes, any change to bin capacity must be requested online or in writing via the Waste Service Request form.

6.2 Residential waste collection service – shared bins

For the purposes of this policy a multi-unit development is *a property with four or more dwellings where an Owners Corporation manages the common land*.

Service inclusions - from 2023 the *residential waste collection service – shared bins* will include four waste streams (garbage, recycling, organics and glass) plus access to the Hard Waste Collection Service. The glass service may be provided via a mobile glass bin collected at the kerbside or via a communal collection point.

As a default these properties will receive shared bins across all waste streams with the same collection frequencies as the *Residential waste collection service – individual bins* service (refer Table 1). The following exceptions to the standard shared bins service will apply:

- **Properties with 4 – 9 units** will receive individual 240 litre recycling bins.
- **Properties with 10 – 19 units** will have access to additional recycling bin capacity if required, with the option of a weekly collection as an exception.
- **Properties with 20 + units** will receive shared recycling bins with a weekly collection.

Where bins are shared the waste charge will be determined by the shared capacity applied evenly across all dwellings sharing the bins. Where shared recycling bins are collected weekly, a shared weekly recycling charge will be applied. For individual mixed recycling bins either the small, standard or large charge will apply per dwelling, depending on the size of the bin.

Council reserves the right to determine, and if necessary modify, bin configurations at new and existing multi-unit developments.

Through their Owners Corporations residents can collectively request additional capacity or reduced capacity for the development. Additional capacity will result in an increase in the waste charge applied.

Where a Residential waste collection service cannot feasibly be provided, developments can access either a private waste collection service or Council's *Commercial Plus service*, refer to section 8.3.4 for further information about this service.

6.3 Hard waste service

Properties paying a waste charge are entitled to participate in the kerbside hard waste collection service for large or bulky items that cannot be disposed of or recycled via the kerbside bin service.

A booked hard waste service will commence in 2023, pending the outcome of the 2022 booked hard waste trial and a further Council decision.

Properties paying a waste charge will be entitled to two booked hard waste collections per financial year. The hard waste service entitles the user to dispose of up to 1 cubic metre of hard waste per collection. Residents can request a 'double booking' utilising the 2 booked collections at once and place out 2 cubic metres in one collection. If additional bookings are required a fee for service option is available.

Refer to Council's website for information on:

- How to book a hard waste collection
- Preparing for a hard waste collection (when and where to put hard waste out for collection)
- A listing of what is and is not collected
- What types of hard waste are recycled
- Alternative ways to recycle or donate unwanted goods.

Hard waste can only be placed out for collection on the nature strip or footpath if a booking has been made and in accordance with the instructions received. Placing hard waste in a public space at any other time is considered illegal rubbish dumping and penalties apply under Council's General Local Law.

Additional booked hard waste collection – fee for service (will commence in 2023, pending the outcome of the 2022 booked hard waste trial and a further Council decision)

Council's contractor can provide a 'fee for service' price for additional booked hard waste collections. This offer will be available to properties using Council's waste service (requiring additional hard waste collection) and to residents of properties using private waste contractors. Refer to section 8.3.3 for further information about this service.

7 WASTE SERVICES AT COMMERCIAL AND NON-RATEABLE PROPERTIES

7.1 Commercial access to standard waste service

For the payment of the appropriate waste charge a commercial or non-rateable property is entitled to the four stream *Commercial waste collection service* with the same standard bin size/capacity and collection frequencies as the *Residential waste collection service – individual bins* as outlined in Table 1. This service is available to commercial and non-residential properties that have sufficient storage space and kerbside frontage available for individual bins.

If a development does not have an appropriately sized area on common land for storage of bins and/or sufficient kerbside frontage for collection vehicles to safely access all bins a *Residential waste collection service – shared bins* will be provided.

Service inclusions - from 2023 the commercial waste collection service will include garbage, recycling and glass services and properties can also opt in to the organics service if required. The waste charge will be based on the capacity (bin size or litres) of each stream included in this service. Glass collection points will be made available for properties where mobile glass bins are not suitable for use.

Additional capacity - additional capacity (larger or additional bin) can be requested for any waste stream, up to the maximum capacity. From 2023 additional capacity will result in an increase in the waste charge for that stream applied to that property.

Reduced bin capacity - reduced capacity for garbage and/or recycling can be requested. Low waste producing properties can opt for the smaller than standard 80 litre garbage bin (from 2025) and/or 120 litre recycling bin (from 2023) after the four-bin service is introduced. From 2023 reduced capacity will result in a reduction in the waste charge for that stream applied to that property.

Hard waste – From 2022 (when the booked hard waste trial commences), commercial and non-residential properties will be eligible to request booked hard waste collections if it is safe for them to place hard waste on their property frontage. To be placed safely hard waste must not obstruct or hinder the use of any road or footpath. Properties in retail precincts are not entitled to the hard waste service if there is a lack of property frontage and ability to place waste safely.

Non-rateable properties – rates-exempt properties that are not owned by Council can include places of worship, DFFH properties, charities, clubs and educational facilities. Upon payment of the appropriate waste charge these property types are able to access the *Commercial waste collection service*.

Mixed use sites - where a development comprises both residential and commercial uses, upon payment of the appropriate waste charge each use is eligible for a *Commercial waste collection service*. If there is insufficient storage and collection space to have separate bins, the commercial premises can be included in shared bins.

Premises requiring more capacity per week can access Council's Commercial Plus Service or engage a private contractor.

8 SERVICE CHARGES, CONCESSIONS, FEES & CONDITIONS

8.1 Waste Charge

An annual waste charge is to be paid by the owner of a property where the occupier (owner or tenant) is using Council's kerbside waste collection service. The current waste charge is based on the size of the garbage bin only with the standard bin size being 80L.

When the four-bin service is introduced in 2023 the charge will depend on whether bins are shared or individual, and for individual bins, on the applicable bin size/capacity across each of the four streams i.e. garbage, mixed recycling, organics and glass recycling.

Consistent with the 'user pays' principle, and to encourage waste minimisation, the charge will be lower for properties requiring less than standard bin capacities and progressively more for properties requiring additional bin capacity. From 2023 when the four-bin service commences the charge will respond to bin capacity across the four bin types, however the Garbage bin/capacity will have the strongest influence on the charge.

Table 2 outlines the multiplier for the four-bin service with weekly garbage. Table 3 outlines the multiplier with the introduction of fortnightly garbage.

Table 2: Progressive multiplier to be applied to four-bin service (weekly garbage) from 2023

Capacity	Garbage	Recycling	Fogo	Glass	Multiplier
30L/60L/80L	Shared	Shared	Shared	Shared	65%
120L		Small			75%
80L	Standard				100%
120L			Standard	Standard	100%
240L		Standard			100%
120L	Large				225%
240L			Large	Large	225%
360L		Large			225%
240L	Maximum		N/A	N/A	350%

Table 3: Progressive multiplier to be applied to four-bin service (fortnightly garbage) from 2025 - pending Council decision

Capacity	Garbage	Recycling	Fogo	Glass	Multiplier
30L/60L/80L	Shared	Shared	Shared	Shared	65%

80L	Small	N/A	N/A	N/A	75%
120L		Small			75%
120L	Standard		Standard	Standard	100%
240L		Standard			100%
240L	Large		Large	Large	225%
360L		Large			225%
360L	Maximum		N/A	N/A	350%

The waste charge will be applied to all properties using the kerbside waste collection service. To ensure full cost recovery for the waste service, the annual waste charges are established by June each year, based on a projection of the total service cost for the following financial year and adopted by Council as part of the budget process.

Properties using a private waste collection service will not be required to pay the waste charge.

Pro rata charges for service change

If you choose to upsize or downsize your bin/s outside of the annual billing cycle the adjusted Waste Charge will be calculated on a pro rata basis from the date of the bin changeover.

8.2 Concessions

Households that require additional garbage bin capacity (above the standard garbage bin size) may apply for a Concession charge. Households eligible for a Concession can access additional garbage bins/capacity (e.g. upsize from 120L to 240L) at no additional cost.

Applications for a waste charge concession must be made in writing via an application form (online or hard copy). Where applicants meet the eligibility criteria (including providing required evidence of eligibility) the concession will be approved by the Manager City Services.

Changes to eligibility for a Large Family concession and the introduction of two additional concession categories, Financial Hardship and Two children in nappies, are intended to assist households that may be disadvantaged if/when the collection frequency of garbage bins changes from weekly to fortnightly. Concession category changes will be enacted if/when garbage collection frequency moves from weekly to fortnightly.

Whilst garbage is collected weekly the pre-existing concession categories for Large Family (6 or more dependants) and Medical condition (as per wording below) will apply.

To be eligible for a Concession charge on additional garbage bin capacity (with fortnightly collection), one of the following must apply:

Medical condition and/or disability: where a household member has a medical condition or disability that generates additional waste (evidence - letter from a medical practitioner or hospital stating that the condition generates additional waste).

Large family: where a household has 4 or more dependants (for example children or elderly relatives) in permanent residence at the property (evidence – copy of Medicare card/s listing names of household members).

Financial hardship: where a household member is the holder of a Commonwealth Pensioner Concession Card, Veteran’s Affairs Gold Card or Low-Income Health Care Card.

Two children under four years of age: where the household includes two (or more) children in daytime nappies under the age of four years (evidence – for example copies of birth certificates for children). This concession will expire after one year unless a subsequent application is approved. If a subsequent application is not received, and the bin is not returned, the full waste charge will be applied. (Note: Council encourages all households caring for young children to consider use of modern cloth nappies as an alternative or supplement to disposable nappies. Refer to Council’s website for support and information).

8.3 Fee for service options

Fee for service options are not part of the standard kerbside waste service and are not included in the waste charge. Fees charged recover the full cost of delivering the additional service.

8.3.1 Weekly garbage collection

The weekly garbage collection service will be available with the introduction of fortnightly garbage collection.

Households can request a weekly garbage collection, however an additional fee is payable. This fee will be set annually by Council to cover the full cost for providing the household a weekly (rather than standard fortnightly) garbage collection. Setting the fee on this basis avoids ratepayers that are paying for the standard service cross-subsidising households seeking continued weekly garbage collection.

8.3.2 Bin size changeover fee

The bin size change-over fee will commence with the adoption of this policy.

A bin size changeover fee will apply were property owners request a change of garbage, recycling or organics bin capacity.

Every bin size change will incur a one-off changeover fee to recover costs incurred by Council for purchasing and delivering bins and taking the old bin for re-use or recycling. The fee will be set annually by Council as part of the Fees and Charges schedule.

Implementation of this Policy and the four-stream kerbside waste service will require bulk roll-out of additional bins and bin size changes across the municipality. The bin size changeover fee will not apply to bin size changes resulting from reforms to the kerbside service.

8.3.3 Additional booked hard waste collection

The additional booked hard waste collection service will be available with the introduction of a booked hard waste collection service.

Council’s contracted provider for the booked hard waste service will offer a ‘fee for service’ price for hard waste collections where hard waste can be placed safely. This offer will be available to properties using Council’s waste service requiring additional hard waste collection and to residents of properties using private waste contractors.

Fee for service hard waste collection arrangements and payment are to be made directly between the resident and the contractor.

8.3.4 Commercial Plus Service

The Commercial Plus service is a kerbside 'fee for service' garbage, recycling, organics and glass collection service available to all Merri-bek properties where requirements for waste services are beyond the standard residential kerbside bin capacities and/or collection frequencies.

Where a property has sufficient storage space and kerbside frontage this service entitles the user to any number of 120 or 240 litre garbage, recycling, food and garden organics, or glass bins to be collected as part of the regular collection schedule.

This service allows Council to provide owners and occupiers with flexible waste services where requirements deviate from the standard kerbside service. Commercial Plus fees can be invoiced half yearly to the property owner or tenant.

Additional bulk size options may be added to this service if trials prove service feasibility. A service agreement will be entered into with the Owners Corporation for delivery of this service.

Council reserves the right to determine bin configurations and collection frequencies for these developments, subject to feasibility of a four-stream waste service at medium and high density multi-unit developments.

9 CONDITIONS OF SERVICE

This policy section relates to the ownership, distribution, storage, maintenance, replacement and collection of garbage, recycling, glass and food and garden organics bins. It provides the operational settings to support requirements relating to waste management in the General Local Law.

9.1 Refunds

Where an application for overpayment of a Waste Charge is validated, the overpayment will be refunded up to a maximum period of the current and previous financial year.

9.2 Change to standard kerbside service

The composition of the garbage, recycling, organics and glass streams may change over time as new services and processing facilities become available. Council reserves the right to change bin configurations, collection frequencies and accepted items in each stream in order to increase resource recovery options and improve service efficiency and environmental outcomes.

9.3 Feasibility of Council service at Multi-Unit Developments

Council reserves the right to determine whether a Council waste collection service can be provided to a multi-unit development. This decision will be determined by:

- An appropriate sized area on common land for storage of shared bins;
- Sufficient kerbside frontage for collection vehicles to safely access all bins.

If health and safety issues with the collection service are identified and bin configuration modification is not possible or cannot be agreed, Council may cease collections. Before such action is taken Council will consider the following:

- That there are at least two private companies available to provide a collection service in a safe manner at the property; and
- That the Owners Corporation has been given a minimum of three months-notice to engage one of those private companies.

Alteration of average capacity per dwelling can only be negotiated by the Owners Corporation.

9.4 *Distribution, storage and ownership of bins*

All bins remain in the ownership of Council and must remain at the property to which they have been allocated at all times. Bins issued by Council must be stored within the property to which they are distributed in a convenient and secure position. Council may not provide bins to properties that do not have appropriate storage space and in accordance with its General Local Law Council may either fine owners or remove bins that are continually left outside the property.

9.5 *Cleanliness and maintenance*

In accordance with Council's General Local Law, bins must be maintained in a clean condition by users so as not to be offensive to any person and/or become a health nuisance. Council is responsible for the repair and maintenance of all bins, including the replacement of lids and wheels.

9.6 *Replacement of lost / stolen bins*

Council will replace lost/stolen bins upon receipt of request from the property owner / occupier. If a bin is reported lost or stolen from a property an investigation may be undertaken by the Waste Services Unit to determine whether appropriate storage space is available and whether replacement bins will be provided to the property.

9.7 *Placement of bins for collection*

In accordance with Council's General Local Law, bins must be placed:

- on the verge of the roadway or vehicle crossing abutting the property with lids fully closed and wheels facing the property;
- within one metre of the kerbside and with a minimum of 30cm between each bin and any other object such as cars, trees, poles and other bins;
- either the night before or by 5am on the morning of the collection and returned to within the property within 24 hours of collection;
- at the entrance to the bowl or hammerhead if the road is a cul-de-sac;
- any other location specified by Council.

All waste must be contained within the bins. Any material left beside or on top of a bin will not be collected.

9.8 *Weight of bins*

The total weight of any bin placed out for collection must not exceed 30 kilograms. Bins in excess of this weight limit may not be collected.

9.9 *Vacant properties*

Bins will not be issued to vacant properties or premises. Properties that become vacant and/or that do not have an occupancy permit are required to request removal of all bins allocated to them before the waste charge can be adjusted.

9.10 *Contamination (non-compliant materials)*

Council's garbage, recycling, glass and organics bins are provided for collecting and disposing of the materials compliant with those services. Council's General Local Law outlines the conditions for the provision of kerbside waste services and the penalties that can apply for infringements.

Council reserves the right to cease collection or to remove bins from properties where non-compliant materials are repeatedly found. A comprehensive list of compliant and non-compliant materials can be found on Council's website.

10 ROLES AND RESPONSIBILITIES

Party/parties	Roles and responsibilities	Timelines
Waste Services Unit	<p>To implement and deliver revised kerbside waste service model.</p> <p>To review service delivery costs and update waste charges and fees.</p> <p>To review commercial service, concession eligibility, and fee for service options within 1 to 2 years of revised kerbside waste service model implementation.</p> <p>To respond to service delivery requests and complaints, to record all service related data and to continuously improve on service delivery to ensure policy principles are being adhered to.</p> <p>To monitor tonnages and diversion rates through regular waste audits.</p>	<p>22/23 financial year, ongoing</p> <p>Annually</p> <p>23/24 financial year</p> <p>As part of service unit planning and contract renewal processes</p> <p>Biannually</p>
Sustainable Communities Unit	<p>To deliver education and behaviour change programs to support the implementation and delivery of revised kerbside service model.</p> <p>To deliver programs, services and education to reduce waste, increase resource recovery and reduce contamination.</p>	22/23 financial year, ongoing
Rates	<p>To apply the relevant waste charge and annual fees to the property on the rates notice.</p> <p>To adjust charges where concessions apply.</p> <p>To pro rata charges where bin sizes changes occur and to issue refunds when deemed appropriate by Waste Services Unit.</p>	22/23 financial year, ongoing
Amenity and Compliance	To enforce conditions of service to increase bin use compliance.	Ongoing
Customer Services	To provide advice and information in response to customer enquiries about service changes.	Ongoing

11 MONITORING, EVALUATION AND REVIEW

Annual review of fees and charges will occur as part of the annual budget setting and adoption process. If service changes are required that align with the policy principles, approval for these will be at the discretion of either the Director City Infrastructure (operational changes) or the Director City Futures (strategic changes). If proposed changes are outside of the policy principles, they will be presented to Council for a decision.

Service performance and diversion from landfill will be monitored through waste tonnage data and regular kerbside waste stream audits.

Key Performance Indicators will be:

- Annual tonnages per stream (including hard waste) and percentage of total waste diverted from landfill
- Total waste generation per capita
- Percentage of contamination in kerbside recovery streams and resource loss in landfill stream

In accordance with Council Governance Rules section 3.10.16 Change of Council Policy, and acknowledging the staged implementation of this policy, with elements subject to trial outcomes, the Policy will be reviewed at key implementation milestones and formally amended if a substantial change is required.

DEFINITIONS

Term	Definition
Council	means the Merri-bek City Council.
Hard waste	means compliant household items that are too large or heavy to dispose of through the kerbside garbage service and are not compliant with the kerbside recycling or food and garden organics service.
Garbage bin	means a bin issued by Council to premises for the purpose of waste collection of household waste specified by Council not including those items accepted in the recycling collection, glass collection or food and garden organics collection.
Recycling bin	means a bin issued by Council to premises for the purpose of waste collection of household recyclable materials and items specified by Council not including those items accepted in the garbage collection, food and garden organics collection or glass collection.
Food and garden organics bin	means a bin issued by Council to premises for the purpose of waste collection of food and garden organics specified by Council not including those items accepted in the recycling collection, garbage collection or glass collection.
Occupier	<i>of premises</i> means a <i>person</i> having the charge, management or control of the <i>premises</i> .
Owner	in respect to a <i>premises</i> means the following: <ul style="list-style-type: none"> (a) where the <i>premises</i> are Crown land, the <i>owner</i> of the <i>premises</i> is the lessee or licensee of the land from the Crown, (b) where the <i>premises</i> are other than Crown land, the <i>owner</i> of the <i>premises</i> is:

(i) every *person* who is jointly or severally entitled to the freehold estate of the land, and

(ii) every *person* who is, or would be, entitled to receive, or is in receipt of, the rents and profits of the land, whether as beneficial *owner*, trustee, mortgagee in possession or otherwise.

Commercial waste	means any garbage, recycling, organic or other waste arising from or generated by any trade, industry or commercial activity.
Food and garden organics (FOGO)	means food and garden waste specified by Council that is compliant with the kerbside FOGO service.
Recycling	means recyclable household materials and items specified by Council that are compliant with the kerbside recycling service.
Garbage	means any unwanted materials or objects that: require disposal; are not prohibited or hazardous; cannot be recycled or composted; and can fit inside a Garbage bin.
Glass bin	means a bin issued by Council to premises for the purpose of waste collection of glass materials and items specified by Council not including those items accepted in the garbage collection, recycling collection or food and garden organics collection.
Glass collection point	means a communal site established by Council for the collection of glass materials and items specified by Council not including those items accepted in the garbage collection, recycling collection or food and garden organics collection.
Non-compliant material	means any item that does not comply with the service contract and should not be placed in that bin.
Commercial Plus service	means the waste collection service available as a fee for service option where the standard kerbside service does not meet capacity or collection frequency requirements.
Non-rateable property	means a property that is not owned by Council and meets the criteria described under section 154 of the Local Government Act 1989 to apply for non-rateability, this can include places of worship, DHHS properties, charities, clubs and educational facilities.
Mixed-use site	means a development that combines both commercial and residential uses.

ASSOCIATED DOCUMENTS

- Council Plan 2017-2021
- Waste and Litter Strategy 2018
- Zero Carbon Merri-bek - Climate Emergency Action Plan
- Local Law 2018
- Recycling Victoria – A New Economy 2020 - 2030