

HOBSONS
BAY CITY
COUNCIL



Hobsons Bay

Waste Service Charge and Reserve Policy

2022

Acknowledgment of Country

Council acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners of these municipal lands and waterways, and pay our respects to Elders past, present and emerging.

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1. Purpose

This Policy guides the setting of the annual Waste Service Charge and the management of funds in the Waste Service Reserve.

The objectives of this Policy are to:

- enable a cost-effective waste service with full cost recovery
- ensure Council's waste service and Waste Service Charge is delivered and applied in a transparent, consistent, inclusive, fair and impartial manner.
- prioritise and incentivise community behaviour that avoids waste in the first instance and then prioritises reuse and recycling over disposal to landfill consistent with the waste hierarchy.

As detailed in the following sections, Council's municipal waste service consists of a 120 litre rubbish bin collected weekly, a 240 litre recycling bin collected fortnightly, a 120 litre food and garden waste bin collected fortnightly, 120L glass recycling bin collected monthly and an "at call" hard waste service available once per financial year to a property. Council's kerbside waste service is primarily for residential properties and is not intended to meet the waste requirements of all multiunit/high density developments or all non-residential property owners or occupiers.

2. Background

Victoria, like many economies around the world has traditionally exported waste overseas for recycling. In 2018 China, with other countries following suit, implemented strict contamination thresholds on imported waste causing widespread disruptions to recycling markets globally. In response, the Victorian Government released the *Recycling Victoria: a new economy* policy which prioritises local processing of recyclables and includes a requirement for all Victorian households to have access to four waste streams with the introduction of recycling for glass and food and garden organics to complement existing commingled recycling and landfill bins by 2030.

In 2020 Hobsons Bay was the first Metropolitan Melbourne Council to introduce a four-bin kerbside waste system with the introduction of glass and food and garden organics bins for all households.

This policy is an update on Council's previous *Waste Service and Charge Policy 2017-21 and Waste Reserve Policy 2018*. It documents the changes to waste services and charges that have been introduced to accommodate the four-bin service.

3. Scope

This policy outlines:

- how the Waste Service Charge is calculated,
- the standard service covered by the Waste Service Charge
- options for additional user-pays services
- application and service levels for different types of properties/users

The policy covers the delivery of the following services:

- kerbside waste collection service
- hard waste collection
- commercial cardboard collection

This policy covers the following service users:

- residential properties within Hobsons Bay
- residential Multi-Unit Developments (apartment buildings) that have not opted out of Council's kerbside waste collection service
- commercial and non-rateable properties within Hobsons Bay including community services, sporting clubs and schools that have opted into Council's kerbside waste collection service

The policy does not cover:

- properties within Hobsons Bay using private waste collection services
- Council owned and operated facilities
- public realm waste services including public litter and recycling bins and the removal of dumped rubbish

4. The Waste Service Charge

The Waste Service Charge is confirmed each financial year during Council's budget process. It is calculated to ensure recovery of the full cost of delivering the service.

Full cost includes direct service delivery, projects, staff salaries, management overheads and a relevant proportion of salaries required to administer rates and provide customer service to the community.

The Waste Service Charge funds the delivery of the following services:

- kerbside rubbish collection and disposal
- kerbside food and garden waste collection and processing
- kerbside mixed recycling collection and processing
- kerbside glass recycling collection and processing
- one annual booked residential hard waste collection and recycling or disposal
- 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
- events, programs and education that support community engagement, the correct use of the four-bin system and increased diversion from landfill.
- other projects identified in Council's Waste and Litter Management Strategy including behaviour change programs.

5. The Waste Management Financial Reserve

The Waste Management Financial Reserve contains funds collected via the Waste Service Charge, additional fees, grants and other forms of income to ensure ongoing and sustainable operation of Council's waste service.

When revenue from the Waste Service Charge in any one financial year is accumulated that is more than required to cover the cost of delivering the waste service these funds are deposited into the Waste Management Financial Reserve to support the ongoing planning and future delivery of waste services.

When revenue from the Waste Service Charge in any one financial year is less than the cost of delivering the waste service a transfer (reduction) is required from the Waste Management Financial Reserve.

The allocation of funds from the reserve and annual expenditure of the Waste Service Charge income will be guided by the *Waste and Litter Management Strategy*, the requirements of Victorian Government legislation and Council endorsed waste services as outlined in this policy.

6. Standard Residential Waste Service Entitlements

The majority of households are provided with the standard residential waste service.

Council charges all properties accessing the kerbside waste service the annual “Standard Waste Service Charge” that is set annually by Council’s budget process.

The standard waste service charge covers Council’s standard waste service offering:

Stream	Collection Frequency	Capacity
Rubbish	Weekly	120L
Mixed Recycling	Fortnightly	240L
Food and Garden Waste Recycling	Fortnightly	120L
Glass Recycling	Monthly	120L
Hard waste collection	1 x annual	Three cubic metres Service guidelines available on Council’s website

Table 1: Residential waste service entitlement

The combination of Council’s rubbish, 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 to increase resource recovery options and improve service efficiency and environmental outcomes.

7. Additional Options for residential users

Applications to increase or reduce the size and number of bins provided can be made online or with the support of a Council Customer Service officer.

Consistent with the future Recycling Victoria requirement for all households to have access to four waste and recycling streams, households can only opt-out of any of Council’s four waste services in limited scenarios under particular circumstances outlined below.

Additional user-pays options

In addition to the standard waste service, users may elect to:

- increase the size of their rubbish or food and garden waste bin also known as an “upsized”

- apply for additional rubbish, mixed recycling, glass or food and garden waste bins.

Any upsized or additional bin is subject to Council approval and will incur an additional fee charged annually as determined during Council's annual budget process. Bin size options are regularly reviewed and may change subject to availability and logistical constraints. Current bin size options and fees are detailed on Council's website or are available upon request from Customer Service.

Council also reserves the right to apply a charge to recoup the administrative and service costs associated with the administration of any change to bin size or addition of bins.

All requests for changes to bin sizes must be received with authorisation of the rate payer or an authorised representative.

Multi-Unit Developments opt out option

Council encourages the use of Council's waste service by Multi Unit Developments (apartment buildings) and provides waste management advice when proposed building works are undergoing the Statutory Planning process.

However, Council cannot always service large buildings due to building design constraints. Issues can include lack of bin storage, limited access for a collection vehicle, limited kerbside presentation space for a large number of bins and restricted collection frequencies. In these instances, a private waste collection service provider should be appointed and a Waste Service Charge will not be applied to these properties.

Appropriate evidence that Council's waste service is not used must also be provided.

Where evidence is not available a Waste Charge or Additional Service fees will apply. Where there is a mix of uses of private and Council's waste collection services within one development the Owners Corporation or rate payer will be charged for the number and types of service provided for through an additional Service Fee.

New developments – Proposed bin storage and collection arrangements are confirmed during the Statutory Planning process. The developer is responsible for complying with Council's requirements or confirming whether a private waste service is preferred.

Existing developments – If Council's standard waste service cannot practically be provided for an existing development of two or more dwellings, the Owners Corporation can opt-out of Council's standard service and instead nominate a private waste service.

Where a private waste service is nominated a development must maintain public amenity and comply with the *Community Local Law* at all times. Council encourages consideration of four waste streams for all residential buildings to maximise resource recovery opportunities.

Shared Waste Service (Residential)

Residents eligible for a shared bin service receive a discount on their Waste Service Charge which is shared evenly across all participating properties. This discounted charge is confirmed each year during Council's budget process.

Multi Unit Developments Residents in apartment blocks/unit blocks/multi-unit developments may not have the space to store four bins for each household. In these instances, residents may elect to share bins with common agreement, by application to Council.

Evidence of a majority decision to share bins must be provided at the time of application in the form of minutes of an Owners Corporation meeting documenting the decision to share bins or where an Owners Corporation does not exist, evidence of agreement from all property owners or their authorised representatives.

Application to share bins will be reviewed by Council to determine a base level bin configuration. Additional or decreased bin capacity may be modified as required by Council or at the written request of Owners Corporation or Building Manager.

Single unit dwelling If a single unit dwelling does not have adequate space to store four bins, a rate payer or authorised representative may apply to have their **glass bin** removed. It is the responsibility of the resident to identify a near neighbour who can agree to a sharing arrangement in writing. Applications for a residential glass bin sharing arrangement will be assessed by Council to confirm that all other options (e.g. bin downsize, alternative storage sites) have been explored.

8. Non-residential waste service (commercial/industrial)

Council's kerbside waste collection service is designed for residential users.

However, commercial, industrial and other non-residential properties that generate a similar type and amount of waste as a household can elect to receive Council's Standard Waste Service with the same entitlements and charge as residential properties.

Unlike households, the requirement for businesses to sort recoverable materials is not clearly defined in the Recycling Victoria Policy. For this reason, Council can currently offer more flexibility in bin options for non-residential properties accessing the kerbside waste collection service.

Options are outlined below in table 2.

Reduced service (Limited Commercial Service)

Non-residential users that do not generate organic and/or glass waste in their operations may choose to receive a 'Limited Commercial Service' that consists of a 120L rubbish bin collected weekly and a 240L mixed recycling bin fortnightly, with an optional food and garden waste or glass recycling bin if required. If this option is selected, businesses should take any food scraps and glass waste produced on-site home for recycling, noting that glass cannot be placed in the mixed recycling bin.

Additional or upsized bins

Non-residential service users accessing a standard waste service or a limited commercial service can apply for upsized or additional bins. Any upsized or additional bin is subject to Council approval and will incur an additional fee charged annually as determined during Council's annual budget process. A maximum waste service capacity will apply to any new or revised applications for a non-residential waste service. Applications are reviewed to ensure that there is sufficient space on the property to store additional or upsized bins and that property frontage can accommodate the placement of bins on collection days. Non-residential users who generate a greater volume of waste than can be accommodated within the maximum waste service should access a private waste collection service.

Shared Waste Service

Non-residential properties may elect to share glass recycling bins with a near neighbour (provided they are also non-residential) where space is limited and/or combined glass generation does not justify a bin for each property. It is the responsibility of the applicant to identify and obtain written agreement from all proposed users of shared glass bin(s) and identify a suitable location for the storage of glass bin(s). All applications will be assessed by Council to ensure a suitable bin capacity and storage location.

Wherever bins are shared the waste charge is determined by the shared capacity applied evenly across all properties sharing the bins.

Option	120L Rubbish (Weekly)	240L Mixed Recycling (Fortnightly)	120L Food and Garden Waste (Fortnightly)	120L Glass Recycling (Monthly)	Hard Waste Service (annual)	Pricing structure
Standard Waste Service	1	1	1	1	1	Standard waste charge
Maximum Service Capacity	480L	920L	480L	360L	N/A	
Bin sharing arrangement	N/A	N/A	N/A	By application	N/A	Calculated on sharing arrangement
Limited Commercial Service	1	1	Optional*	Optional*	1	90% of Standard waste charge

*Note: only one of either a glass or a food and garden waste service can be selected in the Limited Commercial Service Option

Table 2: Non-residential waste service entitlement

Commercial cardboard collection

An owner or occupier of any non-residential property paying a Waste Service Charge may apply to register with Council for a weekly commercial cardboard collection service. Participants must also have two or more mixed recycling bins and have exceeded this capacity to be eligible for a commercial cardboard collection service. Council will set a price for the commercial cardboard collection annually in Council's budget process.

Users of this service will:

- place no more than 1 (one) cubic metre of cardboard, bundled and tied, on the kerbside by 6.00am on the nominated collection day in bundles manageable by one person, in an agreed safe and unobtrusive location that is easily accessed by the waste collection vehicle, or as directed by an authorised officer.
- store cardboard intended for Weekly Commercial Cardboard Recycling within the premises until the nominated collection day.

9. Non-rateable properties (not-for-profits)

Council is committed to supporting the not-for-profit sector to achieve good waste and recycling outcomes and provides a free service to eligible organisations.

Properties in Hobsons Bay who do not pay rates are entitled to a free allocation of bins if they fit into one of the facility types outlined in table 3 below.

Not-for-profit organisations that can't be categorised in this way should contact Council to discuss options that will work best for them. This might include opting into Council's standard waste service offering with the standard Waste Service Charge.

Additional bins and those services not provided in the free allocation rubbish are available for a service fee

Organisations that have a lease or licence agreement with Council should also confirm any additional offering or any relevant restrictions in their signed agreements.

Additional or upsized bins for a fee

Non-rateable properties can also apply for upsized or additional bins to complement their free entitlement. Any upsized or additional bin is subject to Council approval and will incur an additional fee charged annually as determined during Council’s annual budget process.

As with commercial properties, a maximum waste service capacity will apply to any new or revised applications for a non-residential waste service. These maximums are outlined in table 2. Applications are reviewed to ensure that there is sufficient space on the property to store additional or upsized bins and that property frontage can accommodate the placement of bins on collection days.

Non-rateable properties that generate a greater volume of waste than can be accommodated within the maximum waste service should access a private waste collection service.

Non-residential maximum service capacities outlined in table 2 will guide any new or revised applications for a non-rateable waste services from the date of the adoption of this policy.

Free bin entitlement (up to)

Facility Type (non-rateable only)	240L Rubbish (Weekly)	240L Mixed Recycling (Fortnightly)	240L Food and Garden Waste (Fortnightly)	120L Glass Recycling (Monthly)	Hard Waste Service (annual)
Sporting clubs and recreational reserves (without public litter bins)	N/A*	2	N/A*	3	1
Schools	N/A*	3	1	1	0
Childcare centres and kindergartens	2	2	1	1	1
Community centres	2	2	1	1	1
*Service available on application, charges apply					

Table 3: Free waste service entitlement for non-rateable properties

10. Hard waste service

Users paying the Waste Service Charge are entitled to one free booked hard waste collection per financial year for large or bulky items that cannot be disposed of or recycled via the kerbside bin service.

Residential properties serviced by a private waste contractor are not entitled to use Council’s hard waste service and must book a private collection independently or via their building manager.

The hard waste service entitles the user to dispose of up to three (3) cubic metres of hard waste per collection. If additional bookings are required a fee for service option is available.

Refer to Council’s website for information about:

- 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 is 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 *Community Local Law*.

Additional hard waste collection – fee for service

One additional paid hard waste collection may be booked by any property paying a Waste Service Charge via the online hard waste booking form. The cost for an additional collection is set by Council's hard waste collection contractor and confirmed in Council's annual budget processes. The service payment is made directly to the contractor.

11. Service changes and waivers

Pro rata charges for service change

Any new waste service or changes to size or quantity of bin/s will incur a change to the waste service charge calculated on a pro rata basis by quarter from the date of the new service or bin changeover.

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.

Fee waiver for medical reasons

Households where a resident has a medical condition or disability that generates high amounts of waste requiring additional rubbish bin capacity (above the standard 120L rubbish bin) may apply for a fee waiver for a larger 240L at no additional cost.

Application for a fee waiver due to a medical condition must be made in writing via an application form (online or hard copy). accompanied by correspondence from a medical practitioner or hospital/care facility that includes the resident's name, address, confirms the condition generates additional waste and indicates whether the condition is likely to be temporary (with timeframe) or long-term. There is no requirement to provide specific detail of the medical condition.

Householders must notify Council when the larger bin is no longer required for a medical condition or where the resident subject to the fee waiver no longer resides at the address. Council will periodically audit all households with a fee waiver to confirm that the fee waiver is still valid including requesting additional evidence from a medical practitioner or care facility.

12. Conditions of service

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 secure position.

Council will not provide bins to properties that do not have appropriate storage space and in accordance with its Community Local Law Council may either fine owners or remove bins that are continually left outside the property.

Cleanliness and maintenance

In accordance with Council's Community Local Law, bins must be maintained in a clean condition by users with the lid closed except for when disposing of waste. Council is responsible for the repair of all bins, including the replacement of lids and wheels.

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 to determine whether appropriate storage space is available and whether replacement bins will be provided to the property.

Placement of bins for collection

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

- 50cm from the kerb and adjacent receptacles, clear of trees, poles, parked cars and other obstructions, with the rear of the receptacle facing towards the premises
- either the night before or by 6am on the morning of the collection and returned to within the property within 24 hours of collection
- within the straight section of the court or cul-de-sac
- on the left-hand side of the street following the direction of travel where the street is a one-way street 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.

Bins that are obstructed by parked cars or street signs may not be able to be accessed by the collection trucks.

Weight of bins

The total weight of any bin placed out for collection must not exceed 60 kilograms. Bins in excess of this weight limit may not be collected.

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.

Contamination (non-compliant materials)

Council's rubbish, recycling, glass and food and garden waste bins are provided for collecting and disposing of the materials compliant with those services. Council's Community 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.

Missed collections

On report of a missed collection of a bin within one business day of a scheduled collection, Council's waste service provider will return to the address to complete the collection. Bins to be collected should be left on the kerbside until the collection has occurred.

Where there is evidence of missed collection due to late presentation, presentation to an incorrect or obstructed location or other activity that has prevented normal collection, Council

may refuse to collect reported missed bins until the next scheduled collection day. In this instance bins must be returned to the inside of the property until scheduled collection.

Non-compliance with conditions of service

Up-to-date waste service conditions can be found on Council's website. It is the responsibility of the service user to ensure they are aware of and compliant with conditions of service.

Incidents of non-compliance with service conditions will be met with a progressive education and enforcement approach that may include notice of breach and education of conditions of service, financial penalties and/or all or partial service removal. Any egregious breach to conditions such as disposal of hazardous materials to kerbside bins may be met with financial penalties and/or service removal without prior warning.

13. Monitoring, evaluation and review

Council will regularly review waste services that are provided to residential and non-residential properties through an annual review program and feedback from its waste service providers and apply the Waste Service Charge accordingly.

Council will periodically audit all households with a fee waiver to confirm that the fee waiver is still valid including requesting additional evidence from a medical practitioner or care facility.

Annual review of fees and charges will occur as part of the annual budget setting and adoption process. 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.

Council will review this policy every three years or sooner if there is any significant change to Council waste service delivery, industry conditions or government policy.

14. Related documents

Strategic Context (Local)

The Council Plan 2021-2025 outlines Council's four-year strategic objectives. It includes the strategy:

2.1 Increase resource recovery and reducing landfill across Council's waste services and improve the customer experience of waste services

Hobsons Bay 2030 Community Vision captures the community's vision and aspirations for the future of Hobsons Bay. It includes the priority to activate sustainable practices.

Council's **Waste and Litter Management Strategy 2025** sets the directions and innovative actions for waste and litter management in Hobsons Bay with a focus on avoiding, reusing and recycling waste and litter rather than disposal to landfill. It includes goals to reduce and recover waste and avoid contamination in recycling streams.

Part 7 of the **Community Local Law 2015** outlines the provisions for use of Council's kerbside waste service including the use, storage and presentation of Council bins.

Strategic Context (Victorian and Federal)

In response to the global disruption to recycling markets caused by China's waste import restrictions and subsequent recycling crisis in Victoria, the Victorian 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.

A **National Waste Policy** was released in 2018. In August 2019, the Australian Government and all state and territory governments committed to ban the export of waste glass, paper, cardboard, plastic and tyres. The accompanying **National Waste Action Plan** outlines targets including a 10% reduction in waste generation per person by 2030.

15. Relevant legislation

Under section 162 of the **Local Government Act 1989** (still in force alongside the Local Government Act 2020) 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.

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 and have informed the development of this Policy. 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.

The **Circular Economy (Waste Reduction and Recycling) Act 2021** passed Parliament in late 2021. The Act provides for stronger regulation of the state's waste and recycling sector and establishes the transition to a more circular economy, including enabling laws for the new container deposit scheme and new state-wide four-stream household waste and recycling system.

The Act establishes a mandatory service provision for Councils on and from a prescribed date that requires a municipal residual waste service and, primarily for residential purposes, a municipal recycling service (other than for glass or for food organics and garden organics material), a municipal recycling service for glass and a municipal recycling service for food organics and garden organics.

16. Review date

This policy will be reviewed three years from the date of endorsement by Council unless it is required to be updated sooner.

17. Further information

For further information concerning this policy please contact the Manager Strategy, Economy and Sustainability on 1300 179 944 or customerservice@hobsonsby.vic.gov.au.

18. Document control

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19. Version history

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