

## CP 27 Waste Services Policy

<b>Responsible Officer:</b>	Manager Assets and Infrastructure
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### Policy Objective

This policy details the waste management services that the Council offers to residents, businesses and other groups in the community.

### Introduction

Sustainable waste management is a key part of economic and community development and the Council plays an important role in assisting the community to minimise waste, increase resource recovery and finding alternatives to landfill disposal.

The Council helps residents and businesses achieve this by providing a waste management service to most residential and commercial properties along with waste minimisation education.

### Businesses and Commercial Properties

Persons or corporations operating a business or industry may seek an exemption in writing for the levied Waste Management collection charges if written evidence of an alternate service is provided and this option is accepted by Council.

Businesses and commercial properties may be able to access services to suit them. This may include the provision of multiple collections during the service program, additional services or cancellation of services. These additional services will be charged in accordance with the Council's budget on a cost recovery basis, where the Council and contractor can facilitate the request.

Where Council cannot offer a business a waste management service to suit the needs of the business under its domestic collection contract, it is recommended that the business source a private collection.

## Residential Services

### Urban and Rural Waste Service Provision

Council provides a number of different waste, recycling and organics bin size options to allow customers to select the bins that meet their needs.

The prices are structured to reflect the service cost to the Council and are geared toward encouraging residents to reduce waste to landfill. Current waste service charges can be found on the Council's website [www.benalla.vic.gov.au](http://www.benalla.vic.gov.au)

The area the waste collection service operates thus:

- Organics bin collected weekly
- Recycling and Refuse bins collected on alternate fortnights.

A map of this mandatory organics collection area is attached as **Appendix 1**.

Property owners may request to have their property included or excluded from the urban area. The property must be directly adjacent to the current boundary and clearly be a large rural farm rather than a lifestyle allotment to warrant exclusion.

In the balance of the municipality, a refuse and recycling bin is provided and will be collected thus:

- Refuse bin weekly
- Recycling collected fortnightly.

Mobile bins that are provided by the Council are the Council's property and must be left at the property they were issued to.

The Council will replace bins that have been lost or stolen and undertake bin repairs on bins that have been damaged.

The Council provides a mandatory waste collection to all properties with habitable houses that are located within the Benalla municipality and have a road that can be accessed by a collection vehicle.

The waste management charge is set each year by the Council during its budget deliberations. Waste collection and associated charges are levied as approved by Council each year, whether or not the service is used and incorporated within the properties annual rate notice.

Additional services are available upon request and attract an additional fee depending on the size, frequency and service chosen.

Current available waste service choices are:

### Urban

Organics - Weekly Collection	Recycling - Fortnightly	Refuse - Fortnightly
80 litres	120 litres	80 litres
120 litres	240 litres	120 litres
240 litres	360 litres	240 litres

### Rural

Recycling - Fortnightly	Refuse - Weekly
120 litres	80 litres
240 litres	120 litres
360 litres	240 litres

### Additional Bin Services

To encourage household and businesses to maximise diversion from landfill additional services can be purchased including:

- Extra bins – Organics, Recycling and Rubbish collected in accordance with the current schedule.
- Weekly Collections – Rubbish and Recycling where the additional bins will not place an undue load on the collection system.
- Additional bins must be of the same size or smaller as the property's existing bin services.

A restriction shall be placed on the amount of weekly collections that are allowed to avoid strain on the system in terms of OH&S and vehicle movements.

All charges will be made on a cost recovery basis as adopted each year as part of the fees and charges.

### Route Extensions

Where the owner/occupier of a rural property wishes to receive a waste and recycling collection service and is not on an established collection service route, the owner/occupier of the property can arrange to place their bins at the nearest cross road that is on a collection route and receive the standard waste collection charge.

The defined service area may be extended by the Manager Assets and Infrastructure after considering matters such as viability, access and safety of movement for the waste collection vehicle and other road users.

If requirements for access and safety of movement of the waste collection vehicle are met, an extension to the waste collection route will only be considered where the road is on Council's Register of Public Roads and the additional distance travelled per service by the collection vehicle does not exceed two kilometers.

This includes any additional distance travelled to a location where the vehicle can safely turn around if required.

Access using private roads to provide waste collection can be approved where a specific access agreement has been negotiated with the Council, collection service and the landowner and agreed in writing. This is not a preferred option for the management of bin services.

It may be possible for Council to offer collection to ratepayers in other adjoining municipalities in proximity to the border with Benalla Rural City. Requests will be investigated on a case by case basis, with the same requirements to that of a route extension. For this service to take place it must be agreed with the relevant Council that ratepayer resides in.

If a service is to be offered, the Council will enter into an agreement with the relevant Council and service user to either:

- bill the relevant Council separately for the collection
- have the adjoining Council invoice the ratepayer direct
- come to a mutual agreement regarding the costs on quid pro quo basis

### **New Waste Services**

A new service may be applied for at any time. Application forms are available from the Customer Service Centre or on Council's webpage.

New dwelling applications are required to include a certificate of occupancy to discourage construction and demolition waste being placed in any bins.

Once an application has been received it will be processed and referred to the Council's contractor for the supply of new bins and then forwarded to the Council's rates section for inclusion on the Council's rates database system.

Generally, new service bins will be delivered to the property within five business days of the receipt of application.

### **Cancelling Services**

Existing waste services on properties can only be cancelled if the dwelling is uninhabitable. This will be considered on a case by case basis.

### **Tenanted Properties**

Only the property owner or their agent are able to change bin options for the property where there is an extra cost involved. Tenants that require an upsize of bins are required to provide confirmation from the property owner or real estate agent.

## **Vacant Blocks**

Waste services are not provided to vacant blocks and do not attract a waste management charge.

## **Missed Collection**

If a bin is genuinely missed by the collection contractor, as opposed to not being presented in time and the resident informs Council before 2pm the bin will usually be collected that day. If a resident calls after 2pm then the missed service will be collected on the next business day.

Bins are required to be presented kerbside / roadside by 6am on the day of scheduled collection, it is preferred that bins are put out for emptying the night before.

## **Special Needs Waste Collections**

Residents of properties within the urban boundary who have a special needs requirement for the disposal of nappies or medical condition, can complete an application form at the Customer Service Centre for a weekly general waste rubbish collection. Evidence supporting the application such as birth certificate for nappies or doctors confirmation for medical condition is to be supplied when the application is lodged.

A database of the properties receiving the special weekly service will be maintained and the continued need for the service will be reviewed in January of each year by way of completing a new application form confirming the on-going nature of the requirement.

Where the need relates to disposal of nappies, this additional service remains free of charge. It is only available for the child's permanent residence and until the youngest child is four years old or out of nappies. Where medical waste is involved the service is free of charge for the duration of the condition generating the need for the service.

Any weekly service requests for children over four-years or other special needs will be considered on a case-by-case basis. The Council may request documentation from a relevant source (i.e. Medical Practitioner) to support the request.

## **Downsizing and Upsizing**

Upsizing or downsizing bin requests can occur by completing an application form and this results in a debit/credit adjustment to be included on the rates/instalment notice for the property.

The application form can be found on the Council's website [www.benalla.vic.gov.au](http://www.benalla.vic.gov.au)

Requests for refuse (general waste) and organics bin types are limited to every 12 months or when the property changes hands.

There is no associated cost in upsizing or downsizing of recycling bins.

## Contamination

If a bin is found to hold contaminated or inappropriate material, an educative and enforcement process will commence, escalating as follows:

- In the first instance the bin will be stickered to inform the resident that the incorrect material was placed in the bin.
- In the second instance the Council will send a letter to the property occupier informing them that the bin was again presented for collection with contamination evident.
- In the third instance the bin will be removed from the property for the next collection cycle.
- In the fourth instance the bin will be removed from the property and not replaced until the user commits to abide by the requirements to use the bin correctly. Please note that should the bin be removed, Waste Management charges will continue to accrue on the property as normal.

### **All costs associated with the removal and reinstatement of the bin after contamination will be passed onto the property owner**

Whilst the Council does not wish to take such drastic steps as outlined in the third and fourth instance, the contamination of each of the collection services brings financial penalties to the Council and the broader community.

The misuse of any bin may result in the Council utilising the Community Local Law 2017 provisions and issuing a fine.

Clause 48 under 'Regulation of Household Refuse' states:

*A person must not place in any refuse or recycling waste receptacle any material not expressly listed as permitted to be placed in the relevant receptacle by Council in its collection information published from time to time.*

Under the current Community Local Law if residents are found to be misusing their bin Council can issue an on the spot fine of \$200. Council may issue a fine where more than two instances of misuse have been found.

The Council's staff will support households, as well as schools and community groups to change behaviours to use the bins correctly.

### **Refund of Rates for Services not Received**

In the occurrence of paid waste rates without a collection ever occurring, the owner of the property may seek reimbursement. Reimbursement at the error of the Council will be up to a maximum of five years, if proven there was not waste collection in place.

Other request for reimbursement will be considered on a case-by-case basis. These reimbursements will be up to a maximum of five years.

## **Other Groups**

### **High Density Developments**

Special consideration may be given to high density developments such as nursing homes, retirement villages and multi-unit development where a reduced collection due to their population density and waste generation can be demonstrated.

### **Schools, Kindergartens and Child Care Centres**

School, kindergartens and child care centres are able to increase or decrease waste management services as required, in the same manner as other businesses.

If required they may have a Council service at the scheduled cost for the year or may hire a private contractor.

Schools, kindergartens and child care centres are encouraged to educate students on appropriate waste behaviours by implementing recycling and organics recycling within the class or care room and demonstrating this philosophy across the premises.

The Council can also assist with providing educational material and arranging tours of various facilities to support the educational program and requests should be directed to the Resource and Recovery Coordinator.

### **Properties and Reserves managed by the Council and Council appointed Committees of Management**

The Council will provide one bin service to each such property at no charge. Additional services will be provided on a fee for service basis.

### **Charities**

Charities that maintain charity bins on private property are responsible for any illegal dumping that occurs. The Council will not generally approve public land for the location of charity bins due to illegal dumping issues.

### **Public Place Recycling**

The Council encourages residents and visitors to practice their home recycling habits when out in the community. To support them, the Council provides street litter bins and is progressively installing recycling bins in high traffic areas.

## **Events**

### **Special Events Bins**

Special events bins may be hired from the Council by way of completing and submitting the application form. The hire rate will be set annually as part of the fees and charges.

Council staff will work with event organisers around the appropriate number of bins required and the correct placement of bins.

### **Recycling Trailer (for events)**

The Council has an events recycling trailer that is available free of charge to encourage recycling at events. Booking the trailer for events is by way of completing and agreeing to the terms and conditions of use, then submitting the application form to Council.

The onus is on the applicant for the security of the trailer and they are expected to take reasonable steps to minimise the likelihood of damage or theft of the trailer and its contents.

Waste disposal charges may apply if the bins are returned contaminated.

### **Assistance for Natural Disasters**

On written direction from the CEO, waste disposal fees may be waived in the event of a natural disaster. Council staff will record the value of the fee waivers associated with the event and this will be reported in the Asset and Infrastructure Department quarterly activity report.

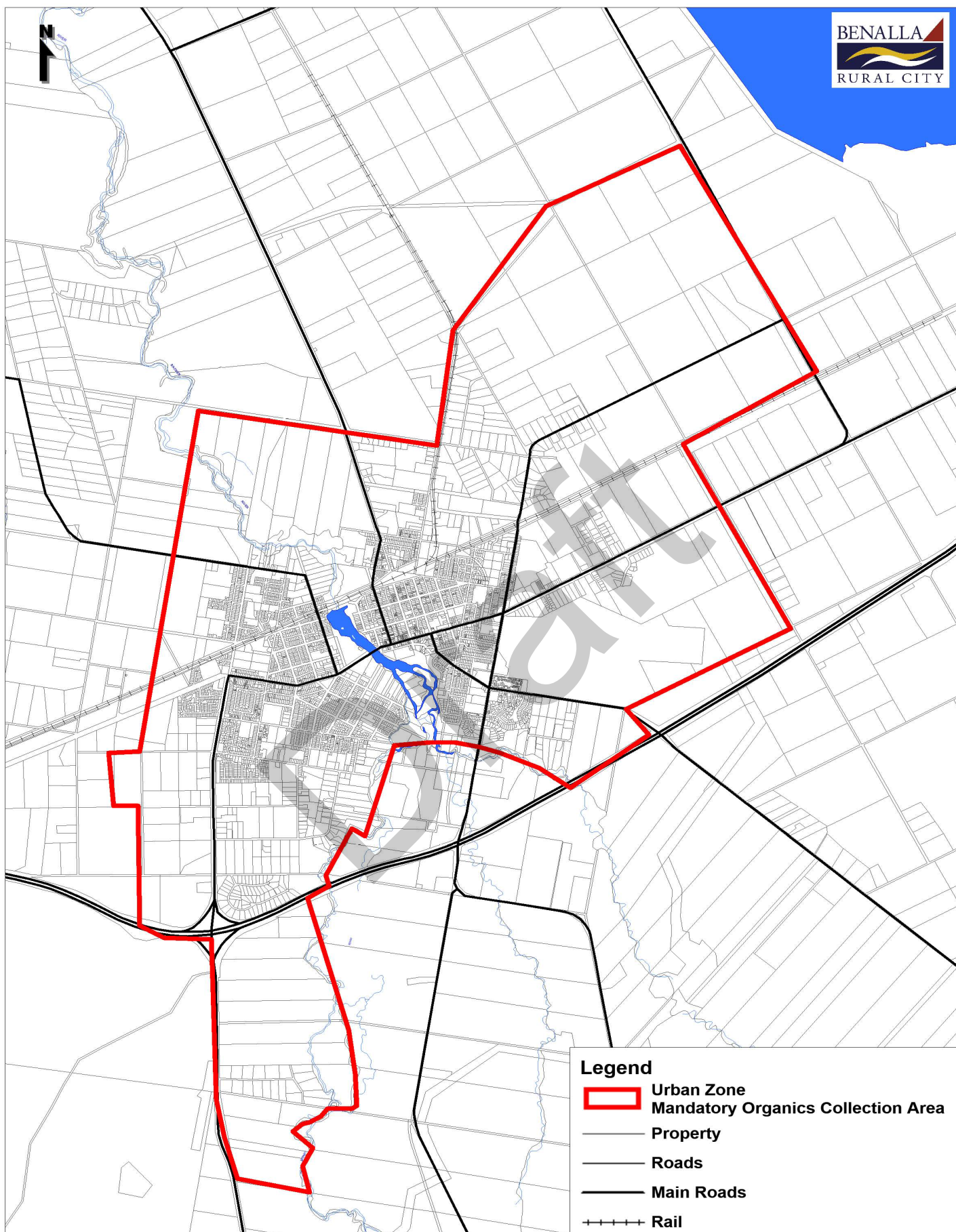
Separation of materials will be required to reduce waste to landfill and maximise resource recovery for processing.

### **Review**

This policy may be reviewed at any time by the Council to accommodate changes in legislation, regulations, policy gaps, new technology or systems, as well as remain consistent with industry best practice.



## Appendix 1 – Mandatory Organics Collection Area



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