

DRAFT Waste Contamination Policy

Adopted by Council on dd Mmmm 20yy





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Acknowledgement

Mornington Peninsula Shire acknowledges and pays respect to the elders, families and ancestors of the Bunurong/BoonWurrung people, who have been the custodians of this land for many thousands of years. We acknowledge that the land on which we meet is the place of age-old ceremonies, celebrations, initiation and renewal; and that the Bunurong/BoonWurrung peoples' living culture continues to have a unique role in the life of this region.

1. Introduction

Mornington Peninsula Shire Council (Council) delivers a range of waste services to the community: kerbside collection, facility bins, street litter bins, street sweeping, hand litter collection, mechanical beach cleaning, booked hard/green waste collection, three Resource Recovery Centres and three Hoppers.

Residents are provided with a standard 80L Mobile Garbage Bin (MGB) and 240L Mobile Recycling Bin (MRB); rate payers may also increase the size of the bin and/or purchase additional bins such as a Mobile Green Waste Bin (MGWB). Council facilities may receive a mixture of 240L MGB and 240L MRB, and/or Skip Bin/s (SB).

Council's Beyond Zero Waste Strategy 2030 will send no waste directly to landfill by transiting the Peninsula towards away from take, make, use and throw away culture. Waste will be first avoided, our resources will be valued and reused, repurposed and recycled. The Recycling Victoria Policy will overhaul our recycling and shift waste towards a circular economy. Our kerbside collection will be reformed to assist this transition: glass will be removed from co-mingled recycling, food waste will be turned into compost, the landfill levy will increase, and industry will be encouraged to invest in innovative local waste infrastructure.

The 2018/19 changes to the international and Australian waste markets have resulted in significant increases in recycling cost; overseas markets have rejected unsorted dirty recyclables and the Federal government has banned the export of unprocessed glass, mixed plastics, whole used tyres, and mixed paper and cardboard. The waste industry is now requiring cleaner recycling materials with stringent Contamination thresholds; Councils that exceed maximum Contamination levels will be financially penalised. Council's recycling Contamination rate is 15.4% (2019), which is greater than state average of 10.4% and recycling Contamination limits. The introduction of food waste in the green waste bin is anticipated to additionally increase the green waste Contamination rate.

To meet Council's zero waste to landfill by 2030 target and deliver the Climate Emergency Action Plan, it is essential that Council continues to educate households on correct waste disposal, minimises Contamination, seek opportunities to improve resource recovery of materials and divert waste from landfill. If the Peninsula's waste contamination continues without mitigation, Council and households face the possibility of increasing cost to process our waste and limited markets that will accept the materials for recycling and composting.

2. Purpose

This policy establishes waste collection standards and procedures for garbage, recycling, green/garden and Food Organic Green Organic (FOGO) waste.

This policy details the procedures for Premises that do not place designated materials in the MGB, MRB, MGWB and/or SB. Standardised procedures are essential to ensure that the quality of materials is to acceptable standards as specified by contracts with waste service providers.

This policy supports Council to provide equitable, environmental and efficient waste services to the community. Council's waste programs will drive the education of correct waste disposal behaviours. In circumstances of repeat Contamination and non-compliance, this policy will provide Council the ability to take corrective action.

3. Objectives

This policy sets out to:

- Improve recovery of resources and minimisation of waste sent to landfill by reducing the Mornington Peninsula Shire's rate of Contamination;
- Ensure that safe, consistent and equitable waste services are provided to the community through standardised procedures;
- Complement waste education programs to inform the community of good waste practices; and
- Support the implementation of the Beyond Zero Waste Strategy and Climate Emergency Action Plan.

4. Principals

The waste hierarchy underpins this policy and its implementation.

Education: council recognises that waste management and recycling can be complicated; varying standards within each Council area, bin lid colours, and misleading packaging labels have further contributed to waste confusion. Hence, Council will first make all reasonable attempts to work with the householder and or facility to identify knowledge gaps and barriers to recycling right.

Collaboration and partnership: waste is a share responsibility and the community and households play a key role. Council will regularly communicate with the community and households, and work with households to address waste issues.

Last resort: enforcement and penalties will be used when educational attempts have not been successful. In some cases when dangerous or hazardous waste is identified, enforcement may be the first and final step.

5. Scope

This policy applies to all Premises serviced by Council's Waste Services.

6. Owner

This policy is administered by the Infrastructure Services Unit.

7. Definitions

Contamination- means presence of non-designated substances in a Council MGB, MRB, MGWB or SB

Council- the Mornington Peninsula Shire Council

Designated material- means any materials, products or substances that is accepted in respective MGB. MRB, MGWB or SB

Food Organic Green Organic waste (FOGO)- means any substance Council designates as food and green waste materials

Gross Contamination- high levels of materials that does not comply with designated materials, and/or presence of materials Council deems as hazardous

Mobile Garbage Bin (MGB)- means receptacles with wheels that are used to collect waste generated or accumulated in or on a Premise, but excludes any item designated by Council as

hazardous, oversized, or may cause damage to the bin and/or truck, and any state or nationally banned items.

Mobile Green Waste Bin (MGWB)- means receptacles with wheels that are used to collect materials Council designates as green/garden waste materials

Mobile Recycling Bin (MRB)- means receptacles with wheels that are used to collect materials Council designates as recyclable

Non-designated Materials- means any materials, products or substances that is not accepted in respective the MGB, MRB, MGWB or SB

Premises- means a tract of land including its buildings services by Council's Waste Services

Ratepayer- means a person or entity that is liable to pay council rates

Short Stay Rental Accommodation (SSRA)- means property registered under the Short Stay Rental Accommodation Local Law 2018

Skip Bin (SB)- means a large open-topped receptacle that are used to collect and/or transport waste

8. Policy

8.1 Designated materials

Designated garbage, recycling, green/garden or FOGO materials are outlined on Council's webpage.

8.2 Refusal of service

8.2.1 Council reserves the right to temporarily refuse a waste collection service when:

- a) Non-designated or hazardous substances have been identified by Council staff or Contractor in the MGB, MRB, MGWB, and deemed to be Grossly Contaminated;
- b) Prohibited waste is placed for collection;
- c) MGB, MRB, MGWB or SB presented exceeds maximum safe weight for a collection;
- d) The correct MGB, MRB or MGWB is not presented for collection by the required time before or on the Council nominated day;
- e) Overflowing MGB, MRB or MGWB;
- f) Waste is placed on the lid or outside of the MGB, MRB or MGWB;
- g) MGB, MRB or MGWB presented was not a Council bin; or
- h) Designated material will not release from the MGB, MRB, MGWB or SB.

8.2.1 If Gross Contamination occurs or hazardous substances is identified, Council reserves the right to suspend or remove a MRB or MGWB service at any time.

8.3 Bin Inspections

8.3.1 Bin inspections may be conducted by Council and/or Contractors to check bins for Contamination.

8.3.2 A good/happy recycling bin handle tag may be used to notify households of good recycling and/or green waste behaviour. The bad/sad bin handle tag may also be used to identify non-designated materials and areas for improvement.

- 8.3.3 Premise address, level of Contamination and presence of non-designated materials of bins inspected will be recorded using the Council approved Bin Inspection Datasheet.
- 8.3.4 MGB, MRB or MGWB found to be Grossly Contaminated during the bin inspection will be stickered shut using Council's Bin Collection Notice. Photo/s of the contaminate/s and the bin serial number will be taken and logged according to Council's preferred method. Where photo/s are not available, the Bin Collection Notice carbon copy will be retained and stored for Council records.
- 8.3.5 If waste collection vehicles **have** completed their scheduled collection route for the street and/or premise, trucks will **not return** for collection until the next scheduled collection and non-designated material/s have been removed.

If waste collection vehicles **have not** completed their scheduled collection route for the street and/or premise, **and** the occupant has contacted Council to confirm the removal of non-designated material/s, Council may direct the Contractor to reinspect before collection.

- 8.3.6 Council or the Contractor will assess the severity of the Contamination. Grossly Contaminated MGB, MRB or MGWB will not be collected and bin lid stickered shut. Evidence (photo or Bin Collection Notice carbon copy if photo is not available) will be logged against the Premise.
- 8.3.7 A Contamination occurrence described in 8.3.6 will be recorded as an official warning against the Premises. If a Premise receives multiple warnings, Council will take actions described in 8.7 and 8.8.
- 8.3.8 If hazardous waste has been identified in the MGB, MRB, MGWB or SB, Council reserves the right to issue an Infringement Notice under the Environmental Protection Act 1970 without warning.
- 8.3.9 Council or the Contractor will provide waste disposal education materials/resources to the Premise to correct the Contamination.
- 8.3.10 It is the responsibility of the occupier or owner of a Short Stay Rental Accommodation (SSRA) to correct the situation as directed on the Bin Collection Notice before the bin will be collected.

8.4 Contamination- visible at the kerbside

- 8.4.1 Council or the Contractor will assess the severity of the Contamination. Grossly Contaminated MGB, MRB or MGWB will not be collected and bin lid stickered shut. Evidence (photo or Bin Collection Notice carbon copy if photo is not available) must be logged against the premise.
- 8.4.2 Waste collection will proceed as described in section 8.3.5, 8.3.7, 8.3.9 and 8.3.10.
- 8.4.3 A Contamination occurrence described in 8.4.1 will be recorded as an official warning against the Premises.

8.5 Contamination- visible via camera in hopper

- 8.5.1 Where Contractor waste collection vehicle has been fitted with colour cameras in the collection hopper, Contaminated materials can be identified when emptied into the hopper. When Contamination is not visible from the kerbside, Contamination will be viewed and assessed using the waste collection vehicle's camera system.
- 8.5.2 If Grossly Contaminated MGB, MRB or MGWB is mistakenly emptied, the waste collection vehicle driver will complete the Bin Collection Service Notice and attach the notice to the emptied bin. Hopper photo/s of non-designated material/s of emptied bin **and** the Bin Collection Service Notice carbon copy will be logged against the Premise.
- 8.5.3 A Contamination occurrence described in 8.5.2 will be recorded as an official warning against the Premise.

8.6 Second Contamination Occurrence

- 8.6.1 If a Grossly Contamination incident occurs for the same MGB, MRB, MGWB or SB service, for a second time at the premise within six (6) months of the initial occurrence from the same Occupier or SSRA, Council and/or the Contractor will issue a Bin Collection Notice.
- 8.6.2 Evidence (photo or carbon copy of the Bin Collection Notice if no photo is available) will be logged against the Premise.
- 8.6.3 The Contamination occurrence described in 8.6.1 will be recorded as a second and final warning against the Premises.
- 8.6.4 Waste collection vehicles will proceed as per 8.3.6.
- 8.6.5 Council will make reasonable efforts to educate and assist the Premise Occupier or SSRA owner in the correct use of Council's waste services, and to develop strategies to manage Contamination.
- 8.6.6 Council will write to the Premise Occupier or SSRA owner:
- outlining the Contamination incident and previous Contamination history recorded at the Premise; and
 - advising that a third Contamination occurrence will result in an infringement notice
 - advising that a third occurrence will result in an Infringement Notice under the Environment Protection Act 1970.
 - advising that future contamination beyond the third occurrence within a six (6) month period of the MRB and/or MGWB will result in the temporary withdrawal/cessation of the MRB and/or MGWB service and conditions for reinstatement of bin/s;
- 8.6.7 If the occupier is not the owner, a copy of the letter will also be sent to the Premise owner.

8.7 Third Contamination Occurrence

8.7.1 If a Grossly Contamination occurrence occurs for the same waste service, for a third time at the Premise within six (6) months of the initial occurrence from the same Occupier or SSRA, a Bin Collection Notice will be issued.

8.7.2 Evidence (photo or carbon copy of the Bin Collection Notice if no photo is available) will be logged against the Premise.

The Contamination occurrence described in 8.7.1 will be recorded as a third occurrence against the Premises.

8.7.3 Council will direct the Contractor to empty the MRB or MGWB into the Garbage collection vehicle; and

a) Issue an Infringement Notice to the Occupier or SSRA owner.

8.7.4 Council will write to the Premise Occupier or SSRA:

- a) outlining the contamination incident and previous contamination history recorded at the premise;
- b) advise that the third occurrence has resulted in an Infringement Notice under the Environment Protection Act 1970; and
- c) advise that the fourth contamination occurrence within six (6) months of the initial occurrence will result in the removal of the MRB and/or MGWB.

8.8 Fourth Contamination Occurrence

8.8.1 If a Grossly Contamination occurrence occurs for the same waste service, for the fourth time at the Premise within six (6) months of the initial occurrence from the same Occupier or SSRA, a Bin Collection Notice will be issued.

8.8.2 The MRB or MGWB service may be removed if there are Gross Contamination occurrences from the same Premise occupier or SSRA of the first contamination incident.

8.8.3 Further Contamination occurrence described in 8.8.1 will be recorded as official warnings against the Premises and will be subject to the conditions set out in 8.6 and 8.7 respectively.

8.8.4 Council will write to the Premise advising that the fourth occurrence has resulted in the temporary withdrawal/cessation of the service and conditions for reinstatement of bin/s as per 8.9. If the Occupier is not the owner, a copy of the letter will also be sent to the Premise owner.

8.8.5 After a duration of a minimum of six (6) months and up to twelve (12) months, MRB or MGWB may be reinstated on application and approval from Council. The bin will only be reinstated after the Premise Occupier or SSRA owner has signed a pledge agreeing not to further contaminate and participate in one (1) education session to the satisfaction of Council. Council reserves the right to change the structure of the education session at any time.

8.8.6 If a request for reinstatement has not been made, Council will inspect the Premise for stolen MRB or MGWB. If stolen MRB or MGWB have been identified, Council will direct the Contractor to remove the bin and where possible, return the bin to its owner.

- 8.8.7 In the instance where the MRB or MGWB has been stolen from another property for use during the temporary suspension of waste service, the recycling and/or green waste service suspension will be extended by another six (6) months.
- 8.8.8 In the instances where MRB or MGWB service have been removed and there is a change in Premise Occupier or SSRA owner, MRB or MGWB service can be reinstated upon application **and** if evidence of occupancy/SSRA ownership change has been supplied.

8.9 Reinstatement of bins

- 8.9.1 Ratepayers must continue to pay for the full waste service charge or extra capacity service charge regardless of whether they are receiving the MRB or MGWB service.
- 8.9.2 After a duration of up to six (6) months, the MRB or MGWB may be reinstated on application and approval from Council. The bin will only be reinstated after the Premise Occupier or SSRA owner has signed a pledge agreeing not to contaminate **and** has participated in one (1) educational session to the satisfaction of Council. Council reserves the right to change the structure of the education session at any time.
- 8.9.3 If a request for reinstatement has not been made, Council will inspect the Premise for stolen MRB or MGWB. If stolen MRB or MGWB have been identified, Council will direct the Contractor to remove the bin and where possible, return the bin to its owner.
- 8.9.4 In the instance where the MRB or MGWB has been stolen from another property for use during the temporary suspension of waste service, the recycling and/or green waste service suspension will be extended by another six (6) months.
- 8.9.5 In the instances where MRB or MGWB service have been removed and there is a change in Occupier or SSRA owner, the MRB or MGWB service will be reinstated upon application **and** if evidence of occupancy/SSRA owner change has been supplied.
- 8.9.6 Council reserves the right not to reinstate a SB if Council is not satisfied the Contamination can be managed by the Premises Occupier.

8.10 Permanent removal of waste service

- 8.10.1 Council reserves the right to permanently withdraw/cease the MRB or MGWB service if the same Premise Occupier of the initial occurrence continues to Grossly Contaminate heir MRB and/or MGWB after the MRB or MGWB has been reinstated as per 8.9.
- 8.10.2 The Premise will not be allowed another replacement MRB or MGWB service unless there is a change in occupancy or SSRA owner pursuant to section 8.9.5.
- 8.10.3 The Ratepayer may apply for additional and/or extra capacity MGB at their own expense.
- 8.10.4 If MRB or MGWB service is permanently removed:
a) the ratepayer will not be entitled to a refund if an extra capacity bin has been purchased, for example an additional MRB or MGWB, and

- b) the ratepayer will not be entitled to a reduced waste service charge

9 Dispute resolution

- 9.1 In the event of a dispute over any aspects of this policy, the Premise owner, Occupier or SSRA owner may provide to Council a written notice of the dispute.
- 9.2 Within 7 days of Council receiving the notice, the Manger of the Unit responsible for administrating this policy will meet with the Premises Owner or Occupier to discuss the dispute in good faith.
- 9.3 If a resolution cannot be reached, the Director of Place will have final judgment on the matter.

10 Exemptions

There are no exemptions to this policy.

11 Related documents

This policy is implemented in conjunction with the following documents

- Our Peninsula 2021: Council Plan 2017-2021
- Kerbside Waste Collection contract/s
- Beyond Zero Waste Strategy 2030
- Climate Neutral Policy
- Emergency Climate Action Plan
- Morington Peninsula Shire Council General Purposes Local Law
- Short Stay Rental Accommodation Local Law 2018

12 Review

This policy will be reviewed on the third year from the year of adoption.