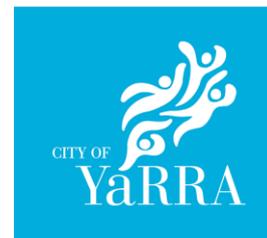


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[RE: Service Standard Submission](#)
[Department of the Environment, Land, Water and Planning](#)

Yarra City Council are writing to provide a submission in relation to the Service Standard Framework (Framework) and the Service Standard Discussion Paper (Paper) as advertised. Yarra City Council agrees with the need for waste and recycling Standards and welcome the improvement and clarity a consistent approach will provide for the community.

The Discussion Paper released by DELWP, has however raised some issues that will be a concern for Yarra and our community.

The key issues and areas of concern for Yarra, that have been identified within the *Paper* and the *Framework* are:

1. A proposed four-bin mandate for all properties that are provided with a kerbside waste collection.
 - (a) It is clearly outlined within the Paper and the Framework that Council must provide bins for all properties that receive a waste service from Council (some exemptions may apply, though not widely available). This is not feasible for all households within inner Metropolitan Councils such as Yarra, that have many small confined single houses - some of which do not have any external area that would enable bin storage. When rolling out the Glass bin service within Yarra, which added a third bin to the household at the time, Council experienced considerable feedback from property owners who complained about lack of space to store bins. The requirement for an additional (4th) bin, will be problematic for numerous households.
 - (b) It is outlined within the Paper that there is an opportunity for the community to apply for exemptions from a FOGO service. It is proposed that Council manage the exemption process. The criteria for exemption, or how this process will be established, has not been outlined in detail. Understanding these criteria and the accepted process will be essential for Council to effectively provide feedback.
2. The requirement ignores the complexity of Multi-Unit Development properties (MUDs), such as the Department of Families, Fairness and Housing, which do not have the necessary infrastructure to support a 4-stream service. These properties provide considerable challenges to manage within the existing framework due to the high level of contamination. Any Standards that require Councils to provide a 4-bin service to these properties should

also require the State Government to provide the infrastructure and support on site to facilitate this.

3. Properties that are serviced by commercial waste providers will not be obliged to meet the standards within the same timeframe, leading to an inequality and potentially delayed achievement of Circular Economy principles.
 - (a) The standard that has been developed relates to all properties serviced by Council. Any properties that are serviced by private commercial contractors are not required to comply with the new standards.
 - (b) The *Paper* and the *Framework* acknowledge that there are considerable challenges in ensuring compliance across all private service providers. However it is considered that the standard should be rolled out to all waste service providers to be fair and equitable.
 - (c) There is no obvious basis for the inconsistent application of the Standards, based on who provides the service; and applying the Standards inconsistently is unlikely to deliver against the Circular Economy principles.
 - (d) It is important that an inconsistent approach to the application of Standards does not encourage those able, to move to commercial collections to avoid being subject to the standards, thereby undermining the intent of the Circular Economy Policy.
4. The lack of clarity around timing of how and when the mandate will come in:
 - (a) The *Paper* and the *Framework* outline that there will be a requirement for Councils to comply with the new Service Delivery Standards within a set timeframe. This timeframe has not been identified and is critical to understanding the ability and cost to comply.
 - (b) Councils will be given a grace period of six to twelve months; however, this does not take into consideration the timeframes required to enable Council to identify budget implications and any impacts that the services changes will have on existing contracts and existing service delivery.
 - (c) Current Legislation outlines that all Councils must provide access to a four-stream service by 2030. DELWP have recently advised that this date has been revised, without clarity of the new date for compliance. There is an urgent need for clarity on the timeframes. Any date must consider the ability for Council to develop an effective roll-out plan for a new service as well as enable budget and community engagement considerations to implement a successful service.
5. The penalties for Councils who are not able to fully comply with the mandate are significant and potentially unreasonable, and there is little clarity on how compliance will be monitored and enforced:
 - (a) The *Paper* and the *Framework* outline that the CEO of Recycling Victoria have the ability to work with Councils to identify exemptions, however there will be no ability for an exemption for not providing a four-bin waste stream. The only exemptions that will be considered will be managed by Councils and will be in line with shared services for MUDs. This is not a sustainable model and will create issues for our community.
 - (b) Community members will also be able to apply for exemptions in relation to FOGO if there is a clear alternate opportunity to separate this at source. The process and criteria for exemptions and how this is to be managed requires clarification.
 - (c) The potential penalty for any inability to comply with the standards will incur a 500-point fine which is currently approximately \$96,000. This does not appear fair and reasonable given the nature of how Council delivers this service.
 - (d) The Discussion Paper provides no information on how the Standards will be monitored and enforced – meaning Councils are unable to comment in any meaningful way on this element.

6. The short timeframe provided by DELWP for community consultation on this Discussion Paper.
 - (a) The Paper and the Framework have been pushed out by DELWP allowing a four-week consultation paper. They have identified that this is a Discussion Paper only and that Council and the Community will have further opportunity to provide feedback in 2023.
 - (b) When DELWP have been approached to request an extension to enable Council have time for meaningful consideration, DELWP has responded to say that their focus is to have the feedback complete prior to entering caretaker period for State elections.
 - (c) This timeframe does not enable Council to have meaningful engagement on this Discussion Paper.
7. The Discussion Paper provides a standard list of materials which will be accepted in each of the four bins. This is supported in principle, as it will provide the community with consistency and a much better understanding of how to manage their waste streams. Whilst these lists have been provided, DELWP are not seeking feedback on this content at this time. It is critical Councils and other stakeholders (community, processors etc) have the opportunity to inform this prior to implementation.
8. There is an onus on Councils to ensure the community minimise contamination within each waste stream. Should Council not manage these waste streams effectively there will be penalties under the proposed Framework. Whilst Yarra Council supports the need to minimise contamination and to maximise resource recovery, further work is required in this area to ensure Councils are not held to an unreasonable standard – particularly for things outside their control. It is difficult to quantify how Council will manage this requirement, and it is noted this could be quite resource intensive.
9. The MAV have written to all Councils for feedback on a draft submission that they will make on behalf of all members. The MAV's position has always been that councils should retain the autonomy to determine the best service model for their area, in consultation with their communities. Yarra City Council supports this position.
10. Whilst Yarra Council supports the principles of the Victorian Governments Circular Economy Policy and the intent to reduce waste to landfill and acknowledges that separating the material into distinct streams will assist with resource recovery, more information on how the Standards will be applied, the mechanisms for exemptions and the support to be provided to Councils to implement the change is required before Council can provide a definitive response on the proposed Service Standards.