

Hay Shire Council Policy



Title of Policy	WASTE SERVICES POLICY		
	All persons, properties, organisations and visitors accessing or utilising Council waste services		
This applies to			
Author	Wes Moorhouse	Date Approved:	25/8/26
Position of Author	WHS/Risk Officer	Authorised by:	Council
Legislation, Australian Standards, Code of Practice.	- Local Government Act 1993 - Applicable Environmental and regulatory requirements (including EPA compliance obligations) including Protection of the Environment Operations Act 1997		
Related Policies/Procedures			
Attachments	Annexure A – Hay Waste Services Procedure		
Aim	To establish a clear and consistent framework for the provision, use and management of waste services within the Local Government Area, ensuring safe, compliant and sustainable waste practices for the community.		
Version	Details	Date	
Version 1	Initial Issue	June 2026	
To be reviewed	Every four years, or earlier if required by legislative changes or community needs.		
Superseded Policies	Mobile Garbage Bin Issue Replacement Policy adopted 28.5.24 Waste Transfer Scavenging Policy adopted 25.7.17		
The Policy			

1. Purpose

This Policy establishes Hay Shire Council's position on the provision, management, and regulation of waste services across the Local Government Area (LGA), ensuring consistency, compliance and sustainable waste outcomes.

2. Scope

This Policy applies to all persons, properties, organisations and visitors accessing or utilising Council waste services, including kerbside collection, public bins, and waste facilities.

3. Policy Objectives

Council aims to:

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- Reduce waste to landfill
- Maximise recycling and organics recovery
- Promote sustainable waste practices
- Provide clear and equitable waste services
- Ensure safe operation of waste facilities
- Minimise environmental and public health risks
- Provide efficient and affordable waste services

5. Policy Statements

4.1 Waste Service Provision

Council will:

- Provide kerbside waste collection services to eligible properties
- Supply and maintain waste bins for approved services
- Operate waste and recycling facilities within the LGA
- Provide public place waste infrastructure
- Deliver education and community engagement on waste management

4.2 Use of Waste Services

All users of Council waste services must:

- Comply with waste separation and disposal requirements
- Follow signage, directions and facility rules
- Use bins appropriately and avoid contamination
- Dispose of only approved waste types

4.3 Waste Bins (MGBs)

Council supplied bins:

- Remain the property of Council and are allocated to premises
- Must remain with the property when ownership changes
- Will be repaired or replaced in accordance with Council processes

4.4 Waste Facility Management

Council will:

- Operate waste facilities in a safe and controlled manner
- Assess waste loads and apply appropriate fees
- Refuse entry or disposal where required
- Ensure compliance with EPL licence requirements, safety and environmental standards and regulations

4.5 Prohibited Activities (Scavenging)

Scavenging at Council waste facilities is prohibited due to safety and public health risks.,
Council may enforce penalties under the Local Government Act 1993 for non-compliance.

4.6 Waste Charges

Council will apply waste service and facility fees in accordance with adopted Fees and Charges and legislative requirements.

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4.7 Compliance and Enforcement

Council may:

- Apply penalties for breaches (including scavenging and misuse of services)
- Remove services for repeated non-compliance
- Refuse facility access where required
- Apply a surcharge for waste generated out of the Shire

4.8 Roles and Responsibilities

- Council is responsible for service provision, compliance, and enforcement
- Users are responsible for correct use and adherence to requirements

6. Review

This Policy will be reviewed regularly to ensure compliance with legislation and community needs.

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Annexure A – WASTE SERVICES PROCEDURE

1. Waste Collection Procedures

1.1 Standard Bin Allocation

- Each eligible property will receive:
 - 240L Red (general waste)
 - 240L Yellow (recycling)
 - 240L Green (organics)
- Additional bins may be issued subject to application and fees.

1.2 Bin Ownership and Management

- All bins remain Council property and are assigned to the premises
- Must not be removed when occupants vacate
- Misuse, vandalism or defacing of bins is prohibited

1.3 Bin Presentation Requirements

Residents must ensure:

- Bins are presented kerbside by 6am or as otherwise advised
- Lids are closed and weight does not exceed 80kg
- Bins are spaced appropriately
- Only approved waste is placed in Council issued/approved bins

Failure to comply may result in non-collection.

1.4 Missed Collection Process

- Report missed collections to Council
- If compliant, collection will occur as soon as practicable
- Fee-based collection applies in certain circumstances

2. Mobile Garbage Bin (MGB) Replacement Procedure

2.1 Requests for Replacement

Landholders must notify Council where bins are:

- Lost
- Stolen
- Damaged

2.2 Replacement Conditions

- Replacement fees apply in accordance with Fees and Charges
- Replacement is free where:
 - Damage or theft is not the fault of the landholder
 - Incident is reported and evidence provided (e.g. Police report or statutory declaration)

2.3 Timeframes

- Bins to be replaced within operational service targets (e.g. 3 working days where practicable)

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3. Contamination Management Procedure

3.1 Contamination Monitoring

- Council will inspect bins and identify contamination

3.2 Four-Strike Enforcement Process

1. First offence – bin not collected, contamination sticker applied
2. Second offence – warning letter issued
3. Third offence – final warning and education material provided
4. Fourth offence – the affected bin for the relevant waste stream will be removed.
Reinstatement conditions will apply.

3.3 Reinstatement

- Completion of compliance form
- Payment of reinstatement fee
- Agreement to correct waste practices

4. Waste Facility Procedures

4.1 Entry Requirements

- Follow staff directions and signage
- Waste loads must be covered
- Waste must be presented for inspection

4.2 Waste Assessment

- Staff assess waste visually
- Fees applied based on type and volume as outlined in Council's Revenue Policy

4.3 Refusal of Entry

Entry may be refused where:

- Inspection is not permitted
- Directions are ignored
- Waste is non-compliant
- Prepayment and arrangement for commercial volumes or out of Shire waste has not occurred

4.4 Operating Requirements

- Customers must leave before closing time
- Safety directions must be followed at all times

5. Scavenging Control Procedure

5.1 Prohibition

- Entry into waste pits or removal of waste materials is prohibited

5.2 Compliance Measures

Council will:

- Install signage stating prohibition
- Communicate rules to the community

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- Enforce penalties for breaches

5.3 Penalties

Under the NSW Protection of the Environment Operations (POEO) Act 1997, unlawfully accessing and rummaging through a waste facility is treated strictly with the following penalties enforceable:

- **On-the-Spot Fines (Penalty Notices):**
 - **Individuals:** \$250 to \$500
 - **Corporations:** \$1,000 to \$2,000
- **Maximum Court Penalties:**
 - **Individuals:** Up to \$250,000
 - **Corporations:** Up to \$1,000,000

5.4 Exemptions

- Authorised personnel may enter restricted areas for maintenance with General Manager approval

6. Event Waste Procedures

6.1 Event Requirements

Event organisers must:

- Provide waste management requirements as part of an Event Application
- Ensure bin systems support waste separation
- Minimise contamination

6.2 Large Events

- Encourage use of recyclable materials
- Provide waste education/support staff where possible

7. Continuous Improvement

Council will:

- Monitor waste performance
- Provide education programs
- Review service delivery and infrastructure

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