

15.4 CR BOWMAN - AMENDMENT TO FOGO PROGRAM

Ward	All Wards
Disclosure of Interest	Nil
Business Unit	Fleet and Waste Services
Authorised Officer	Executive Director Operations
Voting Requirements	Simple Majority

Cr Bowman submitted the following Notice of Motion:

That Council resolve to:

1. Request that a report be provided to Council within 2 months to allow for any budget considerations, of possible options available to council of amending the current FOGO program, which includes:
 - GO instead of FOGO.
 - GO collected fortnightly.
 - General municipal waste reverting back to weekly pick up.
 - All Rural properties are removed from the GO service.

Reason for Motion (provided by Cr Bowman)

Feedback from the community has been and continues to be overwhelming that a fortnightly general municipal waste pick up is not satisfactory. Community feedback on the proposed changes was never sought. The contamination rates are excessive. The City of Stirling has proven this is a successful waste collection option. Rural properties currently deal with their own GO waste.

OFFICER COMMENT

A briefing on the City's roll out of FOGO is currently being prepared and will be presented to Council in May. It is recommended that Council wait for this briefing before proposing any changes to the FOGO program. It will be exceedingly difficult for staff to provide a report within two months on the matters raised in this Notice of Motion, given current workloads. It should be noted that recent bin audits have confirmed that contamination rates in the City are not excessive.

To date the City has spent \$3.1 million and rolled out FOGO to 25% of the community. Switching to GO would make the current rollout redundant, requiring a new rollout and education campaign, causing community confusion and frustration. It could also increase contamination, as residents may unintentionally continue placing food organics in GO bins.

The City has received \$8.8 million in grants for FOGO, including approximately \$3 million from the Better Bins grant. Switching to GO would violate the grant agreement and result in a loss of funding. The City would also need to consult the Eastern Metropolitan Regional Council (EMRC) about the approximately \$5.8 million in funding that could require repayment.

The City's contract for FOGO bin delivery would need to be modified, incurring additional costs. Furthermore, the State Government's waste strategy promotes a three-bin system, which would conflict with switching to GO.

CEO Impact Statement

This motion does not directly entail a revocation of the four prior decisions of Council, in summary these were:

- On 31 July 2019, Council resolved the parameters for FOGO planning, including the fortnightly collection on red bins.
- On 18 November 2020, it was resolved to proceed with FOGO, subject to appropriate processing facilities being available. It was also resolved to investigate a 240L red bin on a weekly collection.
- On 20 January 2021, it was resolved to have a 140L bin with a fortnightly collection.
- On 13 December 2023, Council resolved to enter into a FOGO Supply Agreement with EMRC.

These decisions set the parameters for the preparation of the City's FOGO service, however, in considering this matter and in accordance with clause 2.9(7) of the City's Meeting Procedures Local Law 2023, the following issues are drawn to Council members attention:

- The City has entered several contractual agreements, which entail specific obligations on the City. Were a change of direction to require any of these agreements to be varied or nullified the legal ramifications will need to be ascertained. These contractual arrangements will need to be assessed.
- Financial agreements the City has entered entailed receipt of funds from the State Waste Authority and the Eastern Metropolitan Regional Council requiring the delivery of the FOGO program. As noted in the Officer Comments, a significant part of these funds has expended and were the FOGO program be terminated or amended to a GO program, these funds would have to be returned, requiring the City to reimburse the parties. These contractual arrangements will need to be assessed.
- Their obligations under section 3.1(1)(A)(a)(i) of the *Local Government Act 1995* (the Act) requires a local government to promote the '*environmental sustainability*' of the district. For waste management, the City has done so through the adoption of a Waste Management Plan. Consideration of any changes to the FOGO program must take adopted strategy into consideration.

While staff agree that a review of the FOGO program should be undertaken, which will be scheduled during May 2025, it is not possible to completely assess the ramifications from the above points within a two-month timeframe. The City's FY2025/26 Annual Budget is also well advanced, there will be limits on what if any changes to services can be implemented for next year. However, a pause to the rollout of the FOGO program would be possible while these matters are under consideration.

(Cr Bowman - Cr Zannino)

AMENDMENT TO THE MOTION

That Council resolve to:

1. Request that a report be provided to Council within ~~2~~⁴ months to allow for any budget considerations, of possible options available to council of amending the current FOGO program, which includes:
 - GO instead of FOGO.
 - GO collected fortnightly.
 - General municipal waste reverting back to weekly pick up.

- All Rural properties are removed from the GO service.

(Cr Predovnik)

THE MOVER AND SECONDER TO THE SUBSTANTIVE MOTION AGREED TO THE AMENDMENT

THE AMENDMENT BECAME PART OF THE SUBSTANTIVE MOTION

MOTION WAS PUT TO THE VOTE AND CARRIED (13/2)

RESOLVED that Council:

1. Request that a report be provided to Council within 4 months to allow for any budget considerations, of possible options available to council of amending the current FOGO program, which includes:
 - GO instead of FOGO.
 - GO collected fortnightly.
 - General municipal waste reverting back to weekly pick up.
 - All Rural properties are removed from the GO service.

For: Mayor Richardson, Deputy Mayor Johnson, Cr Aringo, Cr Bowman, Cr Catalano, Cr Dorn,
Cr Henderson, Cr Jones, Cr Knight, Cr Miles, Cr Predovnik, Cr Singh and Cr Zannino

Against: Cr Howlett and Cr McCullough

Cr Jones left the meeting at 9:11pm returning to the meeting at 9:13pm

16 CONFIDENTIAL REPORTS

RESOLVED UNANIMOUSLY that the Council meet behind closed doors, having regard to the provisions of s.5.23(2) of the *Local Government Act 1995*.

(Cr Bowman - Cr Miles)

All members of the public left the meeting at 9:11pm.