CITY OF
HOLDFAST BAY

Agenda

Council

NOTICE OF MEETING

Notice is hereby given that a meeting of the Council will be held in the

Council Chamber - Glenelg Town Hall
Moseley Square Glenelg

10 December 2024 at 7.00pm

Pamela Jackson
Acting Chief Executive Officer

Please Note: This agenda contains Officers' reports and recommendations that will be considered by the Council. Any confidential items listed on the agenda will be circulated to Members separately.

CITY OF HOLDFAST BAY

1. Opening

The Deputy Mayor will declare the meeting open at 7pm.

2. Kaurna Acknowledgement

We acknowledge Kaurna people as the traditional owners and custodians of this land.

We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kaurna People today.

3. Service to Country Acknowledgement

The City of Holdfast Bay would like to acknowledge all personnel who have served in the Australian forces and services, including volunteers, for our country.

4. Prayer

Heavenly Father, we pray for your presence and guidance at our Council Meeting. Grant us your wisdom and protect our integrity as we carry out the powers and responsibilities entrusted to us on behalf of the community that we serve.

5. Apologies

5.1 Apologies received – Mayor Wilson, Councillor Venning

5.2 Absent

6. Items Presented to Council

7. Declaration Of Interest

If a Member has an interest (within the terms of the Local Government Act 1999) in a matter before the Council they are asked to disclose the interest to the Council and provide full and accurate details of the relevant interest. Members are reminded to declare their interest before each item.

8. Confirmation Of Minutes

That the minutes of the Ordinary Meeting of Council held on 26 November 2024 and the Special Meeting of Council held on 3 December 2024 be taken as read and confirmed.

9. Public Presentations

9.1 **Petitions** - Nil

9.2 **Presentations** - Nil

9.3 **Deputations** - Nil

10. Questions by Members

10.1 **Without Notice** - Nil

10.2 **On Notice** - Nil

11. Member's Activity Reports

11.1 Deputy Mayor's Activity Report – 1 October to 30 November 2024 (Report No: 405/24)

12. Motions on Notice

12.1 AirBnBs in the City of Holdfast Bay – Councillor Bradshaw (Report No: 414/24)

13. Adjourned Matters

13.1 Nil

14. Reports of Management Committees and Subsidiaries

14.1 Southern Region Waste Resource Authority Constituent Council Report – 18 November 2024 (Report No: 404/25)
14.2 Minutes – Alwyndor Management Committee– 31 October 2024 (Report No: 402/24)

15. Reports by Officers

15.1 Items in Brief (Report No: 406/24)
15.2 Confidential Items Review – December 2024 (Report No: 413/24)
15.3 Heritage Review Update (Report No: 407/24)
15.4 Appointment to the Executive Committee Vacancy for the Brighton Ward (Report No: 408/24)
15.5 Proclamation Day Planning (report No: 401/24)
15.6 Feasibility of Expanding Community Safety Services (Report No: 412/24)
15.7 2024 Mawson Oval Reference Group Annual Report (Report No: 400/24)
15.8 Submission to the Review of the EPA Environment Protection (Waste to Resources) Policy 2010 (Report No: 403/24)
15.9 Call for Nominations – Casual Vacancy on Greater Adelaide Regional Organisation of Councils (GAROC) West Regional Grouping

16. Resolutions Subject to Formal Motions - Nil

17. Urgent Business – Subject to the Leave of the Meeting

CITY OF HOLDFAST BAY

18. Items in Confidence

18.1 Giant Wheel 2023-24 Report (Report No: 399/24)

Pursuant to Section 83(5) of the *Local Government Act 1999* the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council considers the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:

d. commercial information of a confidential nature (not being a trade secret) the disclosure of which –

i. could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and

ii. would, on balance, be contrary to the public interest.

18.2 Transforming Jetty Road (Report No: 411/24) – under separate cover

Pursuant to Section 83(5) of the *Local Government Act 1999* the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council considers the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:

d. commercial information of a confidential nature (not being a trade secret) the disclosure of which –

i. could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and

ii. would, on balance, be contrary to the public interest.

19. Closure

Pamela Jackson
Acting Chief Executive Officer

Item No: 11.1

Subject: **DEPUTY MAYOR'S ACTIVITY REPORT – 1 OCTOBER TO 30 NOVEMBER 2024**

Summary

Councillor Lonie was appointed as Deputy Mayor for the period 1 December 2023 to 30 November 2024. This report includes activities undertaken from 1 October to 30 November, and in particular Mayoral duties during the period of Mayor Wilson's absence.

After noting the report any items of interest can be discussed, if required with the Leave of the Meeting.

Recommendation

That the Deputy Mayor's Activity Report for 1 October to 30 November 2024 be received and noted.

Report

Date	Activity	Location
1/10/24	Council workshop	Brighton Civic Centre
3/10/24	Transforming Jetty Road Committee meeting	Brighton Civic Centre
8/10/24	Council workshop	Brighton Civic Centre
	Council meeting	
	Executive Committee meeting	
9/10/24	Transforming Jetty Road Committee meeting	Brighton Civic Centre
12/10/24	Opening – Brighton and Seacliff Yacht Club 2024-25 Sailing Season	Brighton and Seacliff Sailing Club
	Opening – Somerton Yacht Club 2024-25 Sailing Season	Somerton Yacht Club
13/10/24	Opening – Seacliff Surf Life Saving Club 2024-25 Season	Seacliff Surf Life Saving Club
15/10/24	Council Workshop	Brighton Civic Centre
16/10/24	Rotary Meeting	Banjo's, Moseley Square
18/10/24	Rotary Youth Photographic Competition	Bay Discovery Centre
21/10/24	Meeting with Administration – Citizenship Ceremony	Brighton Civic Centre
	Mayor / Acting CEO Agenda discussion	
22/10/24	Council wrap up video filming	Brighton Library
	Council workshop	Brighton Civic Centre
	Council meeting	
23/10/24	Meeting with Governor Adamson – Proclamation Day	Government House
	Citizenship Ceremony	Brighton Secondary School

Date	Activity	Location
26/10/24	Sea to Shore – Cooking Demonstration Host	Glenelg Foreshore
27/10/24	Down Under Vintage Car Run	Wattle Reserve, Brighton
28/10/24	Official Opening – Warriparri Greening Project	Shannon Reserve, Glenelg North
29/10/24	Council workshop	Brighton Civic Centre
31/10/24	Alwyndor Management Committee meeting	Alwyndor
2/11/24	Somerton Surf Life Saving Club – season opening	Somerton SLSC
6/11/24	Jetty Road Mainstreet Committee meeting	Mayor's Parlour, Glenelg Town Hall
7/11/24	Meeting with Christine Molitor – CEO Recruitment	The Other Ostrich, Hawthorn
10/11/24	Official Opening – Somerton Park Tennis Club – court resurfacing and lighting project	Somerton Park Tennis Club
	Medal Presentation – Australian Beach Volleyball Tour	Glenelg beach
11/11/24	Remembrance Day Service	Moseley Square
	Channel 44 - Christmas Pageant Filming	
	Meeting – General Manager, Community and Business	Brighton Civic Centre
	Mayor / Acting CEO – Agenda discussion	Brighton Civic Centre
12/11/24	Meeting with Remuneration Tribunal	MS Teams
	Council wrap up video filming	Moseley Square
	Council workshop	Glenelg Town Hall
	Council meeting	
18/11/24	Executive Committee meeting	Brighton Civic Centre
19/11/24	Council workshop	Brighton Civic Centre
21/11/24	Executive Committee – special meeting	Brighton Civic Centre
22/11/24	LGFA and LGA Annual General Meetings	National Wine Centre, Hackney
	Executive Committee – special meeting	Brighton Civic Centre
24/11/24	Glenelg Christmas Pageant – Mayor's Float	Jetty Road, Brighton
25/11/24	Mayor / Acting CEO – Agenda discussion	Brighton Civic Centre
	CEO Recruitment – interviews	Glenelg Town Hall
26/11/24	Council workshop	Glenelg Town Hall
	Council meeting	
27/11/24	CEO Recruitment – interviews	Glenelg Town Hall
28/11/24	Bay Sheffield 2024 – media launch	Colley Reserve, Glenelg
	Alwyndor Management Committee	Alwyndor

Written By: Executive Assistant to the Acting Chief Executive Officer

A/Chief Executive Officer: Ms P Jackson

Item No: 12. 1

Subject: **MOTION ON NOTICE – AIRBNBS IN THE CITY OF HOLDFAST BAY – COUNCILLOR BRADSHAW**

Proposed Motion

Councillor Bradshaw proposed the following motion:

1. **That Administration enquire with relevant authorities to explore establishing an Air BnB property listing for the City of Holdfast Bay; and**

2. **That a report on those findings be presented by the 27 May 2025 Council Meeting.**

Background

We currently find ourselves with a housing shortage, a situation that's acknowledged by both State and Federal Governments.

Speaking with people in the real estate industry, I'm advised as the popularity of Air BnB's grows, the number of rental properties diminishes. Whilst that practise is beneficial to holiday makers in Holdfast Bay, it reduces the number of properties available to tenants looking for longer term rentals.

Properties going from long term rentals to Air BnB's are a change of use. Councils planning department advised me there are currently no planning regulations relating to Air BnB's. Council has approached the Minister regarding this matter to no avail.

Whilst legislation permits residents living in a Community Title group to include in their by-laws that other properties within that plan can't lease a property for less than 2 months the same doesn't apply to Strata Title properties. The Strata Titles act was developed in 1988, a time when Air BnB's weren't an issue In Adelaide, therefore that act makes no reference to them.

With the impact Air BnB's are having, I feel it's important we try to establish how many are in Holdfast Bay.

Item No: 14.1

Subject: **INFORMATION REPORT – SOUTHERN REGION WASTE RESOURCE AUTHORITY BOARD MEETING – 18 NOVEMBER 2024**

Summary

The Information Report of the Southern Region Waste Resource Authority Board meeting held 18 November 2024 is provided for information.

Recommendation

That Council notes the Information Report of the Southern Region Waste Resource Authority Board meeting held 18 November 2024.

Background

Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay (the "Constituent Councils"), pursuant to section 43 of the *Local Government Act 1999*. The functions of SRWRA include providing and operating waste management services on behalf of the Constituent Councils.

In accordance with Section 4.5.2 of the SRWRA Charter - 2024, there shall be at least six ordinary meetings of the Board held in each financial year.

Furthermore, Section 4.5.11 states that prior to the conclusion of each meeting of the Board, the Board must identify which agenda items considered by the Board at that meeting will be the subject of an information report to the Constituent Councils.

Report

In accordance with the above, the Information Report from the Board Meeting held on 18 November 2024 is provided for Members' information.

Refer Attachment 1

Budget

Not applicable

Life Cycle Costs

Not applicable

Strategic Plan

A city, economy and community that is resilient and sustainable.

Council Policy

Not applicable

Statutory Provisions

Not applicable

Written By: Manager Finance

A/Chief Executive Officer: Ms P Jackson

Attachment 1

CITY OF HOLDFAST BAY

SRWRA
Southern Region Waste Resource Authority

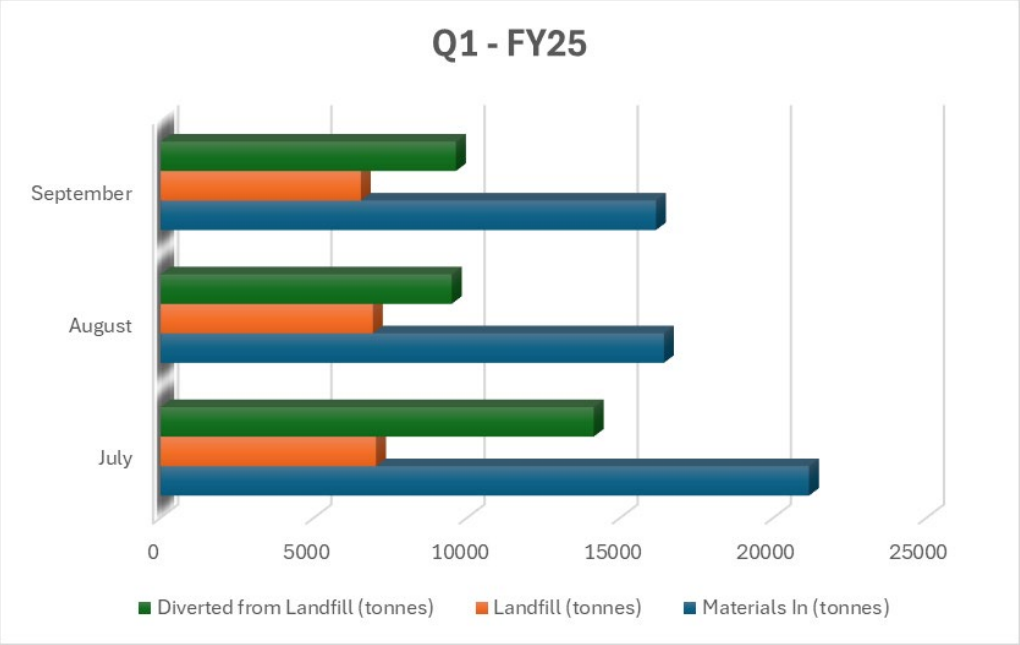
Constituent Council Information Report – Public

Board Meeting: 18 November 2024

Report By: Chief Executive Officer

In accordance with Section 4.5.11 of the Southern Region Waste Resource Authority Regional Subsidiary Charter - 2024, the SRWRA Board identified the following Agenda Items to be the subject of a Public Information Report to the Constituent Councils (Cities of Onkaparinga, Marion and Holdfast Bay).

SRWRA STATISTICS – Q1 FY25			
Month	Total Tonnes Received	Tonnes to Landfill	Diversion Rate (%)
JULY	21,165	7,028	67
AUGUST	16,428	6,926	58
SEPTEMBER	16,169	6,532	60



	Incidents Reported	Incidents Reported with Injury
2023	25	2
2024 *(YTD)*	58	3

Incident reporting has shown significant improvement in 2024, with minimal increase in injuries. SRWRA is effectively managing its personnel injury risk profile and maintaining a safe work environment.

Constituent Council Information Report – Public

Report Name	Report Summary
Internal Audit – Procurement	SRWRA is seeking to appoint an internal auditor to enhance oversight in risk management, compliance, and operational efficiency. This internal audit function will strengthen accountability and transparency through assessments of financial and operational processes while identifying opportunities for process improvement.
Stage 10 Liner – Procurement Plan	SRWRA is lining the next part of its current landfill cell, known as Stage 10, to ensure continuous waste disposal operations at the site. The timely progression of the Stage 10 Liner project will accommodate future waste needs and support operational efficiency at our landfill facility.
Audit & Risk Committee – Terms of Reference	Following the adoption of the Authorities financial statements the Audit & Risk Committee review their performance and provide recommended changes to the Terms of Reference to the SRWRA Board for consideration.
Chief Executive Officers Information Report	The CEO provided a summary of recent key activities, including the planned recruitment of an additional independent member to the SRWRA Board, with the process set to commence shortly. SRWRA is also progressing with a financial viability study for an "EcoPark" to explore future uses of adjacent landholdings.
Risk Management Report	SRWRA provides quarterly risk management reporting to the Audit & Risk Committee and Board, this includes regular reviews of the SRWRA risk register and identification of new and emerging risks. Batteries pose a significant threat to both the landfill and resource recovery facilities. SRWRA is actively seeking technology to improve out of hours monitoring of the landfill.
City of Onkaparinga Correspondence – Large Scale Solar / Hybrid Plant Investigation	The CEO of the City of Onkaparinga has written to the SRWRA Board requesting the Board consider the City of Onkaparinga leading investigations into the use of SRWRA land for a large scale solar/hybrid plant, that would generate power for both SRWRA and the City of Onkaparinga. The Board supported the request to investigate the project and recommended that the Cities of Marion and Holdfast Bay be included in the project scope. The Board will consider the outcome of the investigation when it is presented and make further decisions at or after that time.

Item No: 14.2

Subject: **MINUTES – ALWYNDOR MANAGEMENT COMMITTEE- 31 OCTOBER 2024**

Summary

The minutes of the Alwyndor Management Committee meeting held on 31 October 2024 are provided for information.

Recommendation

1. That the minutes of the Alwyndor Management Committee meeting held on 31 October 2024 be noted.

RETAIN IN CONFIDENCE - Section 91(7) Order

2. That having considered Attachment 2 to Report No: 402/24 Minutes - Alwyndor Management Committee –31 October 2024 in confidence under section 90(2) and (3) (b) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of the Act orders that Attachment 2 be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.

Background

This report is presented following the Alwyndor Management Committee Meetings.

The Alwyndor Management Committee was established to manage the affairs of Alwyndor. The Council has endorsed the Committee's Terms of Reference and given the Committee delegated authority to manage the business of Alwyndor.

Report

The minutes of the meeting are attached for Members' information.

Refer Attachments 1 and 2

Budget

Not applicable

Life Cycle Costs

Not applicable

Strategic Plan

Enabling the people in our communities to live healthy, engaged and fulfilling lives.

Council Policy

Not applicable

Statutory Provisions

Not applicable

Written By: General Manager, Alwyndor

General Manager: Ms B Davidson-Park

Attachment 1

CITY OF HOLDFAST BAY

CITY OF HOLDFAST BAY

Minutes of the meeting of the Alwyndor Management Committee of the City of Holdfast Bay held in the Boardroom Alwyndor 52 Dunrobin Road Hove or via Audio-visual telecommunications on Thursday 31 October 2024 at 6.30pm.

PRESENT

Elected Members

Councillor Susan Lonie
Councillor Robert Snewin

Independent Members

Mr Kim Cheater- Chair
Ms Joanne Cottle
Mr John O'Connor
Prof Judy Searle (Teams)
Prof Lorraine Sheppard
Ms Trudy Sutton

Staff

Acting Chief Executive Officer – Ms Pamela Jackson
General Manager Alwyndor – Ms Beth Davidson-Park
Manager, Community Connections – Ms Molly Salt
Manager, Residential Services – Ms Natasha Stone
Chief Financial Officer– Mr Rafa Mirzaev
Proxy for Manager, People and Culture, Ms Sharyn Osborn
Executive Assistant – Ms Bronwyn Taylor

Guest: Mr John Booth – Align Advisors (Teams)

1. OPENING

The Chairperson declared the meeting opened at 6.30pm.

2. KAURNA ACKNOWLEDGEMENT

With the opening of the meeting the Chair stated:

We acknowledge the Kaurna people as the traditional owners and custodians of this land.

We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kaurna People today.

3. APOLOGIES

3.1 For Absence
Nil

3.2 Leave of Absence
Nil

4. DECLARATION OF INTEREST

Committee members were reminded to declare any interest before each item.
Attachment 1 Register of Interests
Action: Executive Assistant to send register for members to do a check and provide any updates. Noted The Chair's membership to Non-Executive Director to the Board of Australian Unity Limited had dropped out of document and will be reinserted.

5. CONFIRMATION OF MINUTES

Motion

That the Public and Confidential minutes of the Alwyndor Management Committee held on 26 September 2024 be taken as read and confirmed.

Moved by Cr Susan Lonie, Seconded by Ms Trudy Sutton **Carried**

6. REVIEW OF ACTION ITEMS

6.1 Action Items
Noted

6.2 Annual Work Plan
Noted

7. GENERAL MANAGER REPORT

7.1 General Manager Report (Report No: 20/24)

7.1.1 Provider Operations Report
The Manager Residential Services provided an update on the purpose and requirement of the report being that the governing body believes that Alwyndor has complied with its responsibilities under the Aged Care Act 1997 and the Aged Care Quality and Safety Commission Act 2018 for the last financial year and confirmed agreement for the Chair to sign the Declaration. Regarding the diversity question in the report, it was agreed to circulate to AMC members and include in the 2025 report.

7.1.2 AMC 2025 Meeting Schedule
2025 schedule noted and agreed.

Motion:

That the Alwyndor Management Committee:

1. **Note the Provider Operations Report and approve the Chair, Kim Cheater, to sign the Governing Body Declaration for Alwyndor.**
2. **Approve the 2025 Alwyndor Management Committee meeting schedule.**

Moved by Ms Joanne Cottle, Seconded by Ms Trudy Sutton **Carried**

8. GENERAL MANAGER REPORT – CONFIDENTIAL

8.1 General Manager Report – Confidential (Report No: 21/24)

Exclusion of the Public – Section 90(3)(d) Order

1. **That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager and Staff in attendance at the meeting in order to consider Reports and Attachments to Report No: 21/24 in confidence.**

2. **That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 21/24 on the following grounds:**

   d. **pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a third party of Alwyndor, in addition Alwyndor's financial position is reported as part of Council's regular budget updates.**

   In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

3. **The Alwyndor Management Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.**

Moved by Cr Susan Lonie, Seconded by Mr John O'Connor **Carried**

RETAIN IN CONFIDENCE - Section 91(7) Order

1. **That having considered Agenda Item 8.1 General Manager's Report (Report No: 21/24) in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Alwyndor Management Committee, pursuant to section 91(7) of that Act orders that the Attachments and Minutes be retained in confidence for a period of 3 years and that this order be reviewed every 12 months.**

Moved by Cr Susan Lonie, Seconded by Prof Lorraine Sheppard **Carried**

9. OTHER BUSINESS – Subject to the leave of the meeting

9.1 Culture Survey

The General Manager provided brief update on the results of the recent Culture Survey, noting these were positive and that she will present the results to the November AMC meeting.

Action: Present results of Culture Survey at the November meeting

9.2 AMC Deputy Chair

It was noted that at its meeting held on 22 October 2024 Council approved the appointment of Professor Lorraine Sheppard as Deputy Chair of AMC.

9.3 2025 Agendas

The Chair will send an email to members seeking their suggestions regarding next year's 'free agenda' meetings.

10. DATE AND TIME OF NEXT MEETING

The next meeting of the Alwyndor Management Committee will be held on **Thursday 28 November 2024** in the Boardroom Alwyndor, 52 Dunrobin Road, Hove or via Audio-visual telecommunications (to be advised).

11. CLOSURE

The meeting closed at 8.35pm.

CONFIRMED 28 November 2024

CHAIRPERSON

Item No: 15.1

Subject: **ITEMS IN BRIEF**

Summary

These items are presented for the information of Members.

After noting the report any items of interest can be discussed and, if required, further motions proposed.

Recommendation

That the following items be noted and items of interest discussed:

1. **Correspondence from the Hon Andrea Michaels MP**
2. **Glenelg Christmas Pageant 2024**
3. **Disability Champions Tour**

Report

1. Correspondence from the Hon Andrea Michaels MP

Administration received a letter from the Hon Andrea Michaels MP, Minister for Small and Family Business, congratulating Council on the Glenelg Ice Cream Festival winning the Silver Award in the Festivals and Events category at the 2024 South Australian Tourism awards. The South Australian Tourism Awards program, is delivered annually by Tourism Industry Council South Australia (TiCSA) with the support of the South Australian Tourism Commission, recognises business excellence and outstanding achievement in the state's tourism industry.

Refer Attachment 1

2. Glenelg Christmas Pageant 2024

On 24 November 2024 an estimated 33,000 people lined Jetty Road and Colley Terrace to witness the 2024 Glenelg Christmas Pageant.

Fittingly for the 70th year of the Pageant, there were 70 floats participating in 2024. Participating floats included: eight local schools, two kindergartens, 10 bands, 15 Local Floats (from within the City of Holdfast Bay), businesses (four Jetty Road Businesses), two Surf Lifesaving Clubs, 17 performance groups (dance, calisthenics, performing arts, aerobics, gymnastics) and 35 community groups.

The pageant included over 3,000 participants of which 1,900 were children aged 12 years or under.

Following the Pageant, 677 people visited Santa at the Bay Discovery Centre in Glenelg Town Hall. Christmas activities in Moseley Square included a Youth Maker Market, with the Sunset Markets taking place concurrently on Jimmy Melrose Park.

Jetty Road Mainstreet Committee are a major supporter of the Glenelg Christmas Pageant. In 2024 additional sponsorship was received from Wayville Hyundai.

3. Disability Champions Tour

A recent visit of Disability Champions to Holdfast Bay, funded by the Department of Foreign Affairs and Trade (DFAT), was held on Tuesday 26 November 2024. The purpose of the tour was to display Australia's best practices in disability inclusion to delegates from India, Nepal, Maldives, and Sri Lanka. This visit underlined the global impact and importance of our accessibility initiatives.

The tour commenced by welcoming delegates at Moseley Square, followed by a guided tour along Jetty Road to view the Transforming Jetty Road project and the Changing Places facility at Bouchee Walk. Thereafter, demonstrations of accessible beach equipment at Glenelg Beach and a visit to the newly upgraded amenities block at Seacliff showcased Council's commitment to accessible public spaces. The visit continued to Minda's inclusive Café and its new accessible Community Garden. Concluding the day with a visit to the Glenelg Library where discussions on accessibility innovations were held and finally on to Glenelg Community Centre for a discussion about our Tri-Council Disability Advocacy Network, emphasising collaborative efforts across the cities of Mitcham, Marion, and Holdfast Bay.

The day was not just a demonstration of Council initiatives but also a platform for mutual learning. The feedback from the delegates was highly positive, commending our collaborative approach and reminding Council of the ongoing journey towards enhanced community accessibility. This visit highlighted Holdfast Bay's leadership in accessibility and inclusion, reinforcing the effectiveness of our partnerships and the significant progress achieved while acknowledging the challenges ahead.

Those in attendance were inspired by the day's events, consolidating a commitment to advancing our accessibility initiatives.

Written By: Executive Support Officer

A/Chief Executive Officer: Ms P Jackson

Attachment 1

CITY OF HOLDFAST BAY

Hon Andrea Michaels MP

Government of South Australia

Minister for Small and Family Business

Minister for Consumer and Business Affairs

Minister for Arts

GPO Box 464
ADELAIDE SA 5001

T: (08) 7322 7060

(A2566567)

Ms Marnie Lock
2024 Glenelg Ice Cream Festival
24 Jetty Road
BRIGHTON SA 5048

Dear ~~Ms Lock~~ Marnie

I write to personally congratulate you and the team at 2024 Glenelg Ice Cream Festival as winners of the Silver Medal for Festivals and Events category at the 2024 South Australian Tourism Awards.

Winning this award amongst an outstanding line-up of finalists is a significant achievement.

South Australia is fortunate to have such high-quality businesses and venues which make a valuable contribution to our economy and lifestyle. Winning this award recognises the important role you play within our Tourism industry, contributing to its vibrancy and reputation for exceptional standards.

Once again, congratulations on your award.

Yours sincerely

Hon Andrea Michaels MP
Minister for Small and Family Business

18/ 11 / 2024

SOUTH AUSTRALIA

Item No: 15.2

Subject: **REVIEW OF ITEMS HELD IN CONFIDENCE**

Summary

An extensive review of all items held in confidence is being undertaken, in stages, under section 90(3) of the *Local Government Act 1999*.

The Confidential Items Review considers the nature of the information contained within the documents, the grounds on which it was originally held in confidence and the length of time the information can be kept confidential. Each item is reviewed individually, resulting in a determination as to whether the confidentiality order for each item is still current under the Act.

This report presents to Council a summary of standing confidential orders, as well as recommended actions (release/retain confidentiality) for review and decision.

This report recommends that 50 Confidential Items (reports and/or attachments and/or minutes) be released from confidence and 73 Confidential Items reviewed at this time should be retained in confidence.

Recommendation

That Council approves:

1. the Confidential Items presented as Attachment 1 to this report be released from confidence; and

2. the Confidential Items presented as Attachment 2 to this report be retained in confidence and included in future stages of the Confidential Items Review.

Background

Underpinning Council's commitment to transparent decision making is the principle that unless there is good reason, as defined by section 90(3) of the *Local Government Act 1999*, all of the material presented to, and discussed at Council as well as its decisions, should be publicly available.

It is recognised that Council will occasionally have cause to retain some items in confidence. It is also best practice that these decisions be reviewed regularly to determine the earliest opportunity to release information to the public, aiming to keep as few matters in confidence as possible.

Report

Civic Governance has completed an extensive review of 123 Confidential Items (including reports, attachments and minutes), liaising with relevant Managers, General Managers and the Acting Chief Executive Officer. The Acting Chief Executive Officer has delegated authority to release certain confidential items.

A summary of the 50 confidential items recommended for release by Council resolution is provided for Members' information.

Refer Attachment 1

A summary of the 73 confidential items recommended to be retained in confidence and included in future reviews is provided for Members' information.

Refer Attachment 2

Budget

Not applicable

Life Cycle Costs

Not applicable

Strategic Plan

Statutory compliance

Council Policy

Not applicable

Statutory Provisions

Section 90 (3) *Local Government Act 1999*
Section 91 (9)(a) *Local Government Act 1999*

Written By: Executive Assistant to the Acting Chief Executive Officer

A/Chief Executive Officer: Ms P Jackson

Attachment 1

CITY OF HOLDFAST BAY

Confidential Items Review – December 2024
Attachment 1 - Release

Meeting Date	Committee	Report Title	Document Reference	Documents to be released	Recommendation
25/07/2017	Council	Fee for Use of Council Land	235/17	Attachments 3 and 4	Release
10/10/2017	Council	Minutes - Alwyndor Management Committee - 19 September 2017	356/17	Attachment 2	Release
14/11/2017	Council	Minutes - Alwyndor Management Committee - 17 October 2017	409/17	Attachment 2	Release
28/11/2017	Council	New Catholic Primary School at Hove	436/17	Report, attachment and minutes	Release
28/08/2018	Council	Brighton Oval Complex - Redevelopment Contract Approval	294/18	Reports 4, 5 and 6 and minutes	Release
13/08/2019	Council	Synthetic Turf on Verges	310/19	Report, attachments and minutes	Release
10/12/2019	Council	Material Recovery Facility (MRF)	459/19	Report and attachments	Release
11/08/2020	Council	Confidential - Minutes – Audit Committee Meeting - 23 July 2020	232/20	Report, attachments and minutes	Release
07/10/2020	Audit	Waste Contract	312/20	Report, attachments and minutes	Release
27/10/2020	Council	Waste Contract	345/20	Report and Minutes	Release
27/10/2020	Council	Verge Management – Artificial Turf – Update	286/20	Report	Release
10/11/2020	Council	Kingston Park Kiosk	368/20	Report, attachment and minutes	Release
27/01/2021	Council	Minutes – Audit Committee – 16 December 2020	15/21	Report, attachments and minutes	Release
10/02/2021	Audit	Confidential Standing Items - February 2021	53/21	Attachment 2	Release
23/03/2021	Council	Chapel Plaza Road Closure	74/21	Attachment 5	Release
21/04/2021	Audit	Confidential Standing Items - April 2021	115/21	Attachment 3	Release
02/06/2021	Audit	Standing Items - April (June) 2021	162/21	Attachment 3	Release
13/07/2021	Council	Minutes – Audit Committee – 30 June 2021	220/21	Report and attachments	Release

Meeting Date	Committee	Report Title	Document Reference	Documents to be released	Recommendation
25/08/2021	Audit	Standing Items - August 2021	270/21	Attachment 4	Release
09/11/2021	Council	Request to remove significant tree in front of 10a Augusta St, Glenelg (Adjourned)	347/21	Report, attachments and minutes	Release
14/12/2021	Council	Adjourned Report - Request to Remove Significant Tree in Front of 10a Augusta Street, Glenelg	407/21	Report and attachments	Release
12/04/2022	Council	Kingston Park Kiosk - Final Concept Designs	104/22	Attachment 2	Release
24/05/2022	Council	Seacliff Plaza Amenities and Beach Access	151/22	Report and attachment 5	Release
09/08/2022	Council	Glenelg Town Hall – Commercial Area – Summer Pop Up	315/22	Report and minutes	Release
17/08/2022	Audit	Cyber Threats	346/22	Report, attachments and minutes	Release
23/08/2022	Executive	Kingston Park Kiosk Construction Funding	359/22	Report, attachment and minutes	Release
19/10/2022	Audit	Internal Audit Program Report	421/22	Attachment 2	Release
28/02/2023	Executive	Appointment of Qualified Independent Person	59/23	Attachments	Release
14/03/2023	Executive	Appointment of Qualified Independent Person	94/23	Report, attachments and minutes	Release
14/03/2023	Council	Commercial Licence Extension	72/23	Report and minutes	Release
15/03/2023	Audit	Internal Audit Program Report	77/23	Attachment 4	Release
26/04/2023	Council	Former Buffalo Site Design	140/23	Report, attachments and minutes	Release
09/05/2023	Council	Review of Service	152/23	Report, attachments and minutes	Release
12/09/2023	Council	Confidential - Minutes - Alwyndor Management Committee - 27 July 2023 - Attachment 2	282/23	Attachment 2	Release
18/10/2023	Audit	Internal Audit Program Report	333/23	Report, attachments and minutes	Release
28/11/2023	Council	Commercial Licence Extension	388/23	Report, attachments and minutes	Release
12/12/2023	Council	Somerton Park Tennis Club Lighting and Court Renewal	408/23	Report and minutes	Release
13/02/2024	Council	Event Activation	21/24	Report and minutes	Release

Meeting Date	Committee	Report Title	Document Reference	Documents to be released	Recommendation
27/02/2024	Council	Jetty Road Mainstreet Committee Independent Member Nominations	45/24	Report and minutes	Release
26/03/2024	Council	Procurement Policy Exemption	88/24	Report, attachments and minutes	Release
26/03/2024	Council	Items in Brief - Outstanding Council Actions - Attachment 4	70/24	Attachment 4	Release
27/03/2024	Audit	Procurement Policy Exemption	79/24	Report, attachments and minutes	Release
27/03/2024	Audit	Review of Service	81/24	Report, attachments and minutes	Release
09/04/2024	Council	Review of Service	102/24	Report, attachments and minutes	Release
09/04/2024	Council	Confidential Minutes - Audit and Risk Committee - 27 March 2024	95/24	Report, attachments and minutes	Release
23/04/2024	Council	Confidential Minutes - Audit and Risk Committee - 15 April 2024	127/24	Report, attachments and minutes	Release
14/05/2024	Council	Glenelg Football Club Lease and Licence	118/24	Report, attachments 1, 2 and 3 and minutes	Release
27/08/2024	Council	Confidential Minutes – Audit and Risk Committee	286/24	Report, attachments and minutes	Release
27/08/2024	Council	Glenelg Football Club Loan Update	289/24	Report and minutes	Release
10/09/2024	Executive	Appointment of a Qualified Independent Person for the Recruitment of the CEO	300/24	Report, attachments and minutes	Release

Attachment 2

CITY OF HOLDFAST BAY

Confidential Items Review – December 2024
Attachment 2 - Retain

Meeting Date	Committee	Report Title	Document Reference	Documents to be retained	Recommendation
28/07/2008	Executive	Annual Performance Review of the Chief Executive Officer	194/08	Attachment 1	Retain and review early in 2025
14/06/2016	Council	Glenelg Jetty Regeneration Project – Update	154/16	Report, attachments and minutes	Retain and review in 12 months
14/11/2017	Council	Brighton Pump Track Maintenance	415/17	Report, attachments and minutes	Retain and review in 12 months
28/11/2017	Council	Adjourned Report - Brighton Pump Track Maintenance	437/17	Report, attachments and minutes	Retain and review in 12 months
12/12/2017	Council	Adjourned Report - Brighton Pump Track Maintenance	445/17	Report, attachments and minutes	Retain and review in 12 months
12/12/2017	Council	Brighton Oval Complex - Business Case	449/17	Attachment 1	Retain and review in 12 months
02/06/2020	Council	Chief Executive Performance Review	153/20	Report, attachments and minutes	Retain and review early in 2025
09/06/2020	Council	Chief Executive Performance Review	157/20	Report, attachments and minutes	Retain and review early in 2025
23/06/2020	Council	Entertainment Activation	132/20	Report, attachments and minutes	Retain and review in 12 months
11/08/2020	Council	Urgent Business – Independent Investigation – Mayor Wilson	237/20	Report and minutes	Retain and review in 12 months
22/09/2020	Council	Late Contract Claim	276/20	Report and Attachments	Retain and review in 12 months
08/12/2020	Council	Brighton Beachfront Holiday Park – Master Plan	392/20	Report, attachments and minutes	Retain and review in 12 months
27/01/2021	Council	Beach Activation Agreement	17/21	Report and attachments	Retain and review in 12 months
16/03/2021	Executive	Remuneration Benchmarking Report - Chief Executive Officer	84/21	Report, attachments and minutes	Retain and review in 12 months
23/03/2021	Council	Community Centres Contribution Funding	80/21	Attachments	Retain and review in 12 months
23/03/2021	Council	Proposed Land Purchase and License Agreement	96/21	Report, attachments and minutes	Retain and review in 12 months
18/05/2021	Executive	Chief Executive Officer's Performance Review	157/21	Report, attachments and minutes	Retain and review early in 2025
25/05/2021	Executive	Chief Executive Officer's Performance Review	168/21	Report, attachments and minutes	Retain and review early in 2025

Meeting Date	Committee	Report Title	Document Reference	Documents to be retained	Recommendation
08/06/2021	Council	Unsolicited Proposal – Proposed Activation	197/21	Report, attachments and minutes	Retain and review in 12 months
27/07/2021	Council	Brighton and Seacliff Yacht Club - Proposed Facility Redevelopment	245/21	Attachment 3 and 4	Retain and review in 12 months
25/01/2022	Council	Code of Conduct Complaint	10/22	Report, attachments and minutes	Retain and review in 12 months
12/04/2022	Council	Glenelg Town Hall - Commercial Area	100/22	Report, attachments and minutes	Retain and review in 12 months
10/05/2022	Council	Minutes - Executive Committee - 26 April 2022	137/22	Report, attachments and minutes	Retain and review early in 2025
14/06/2022	Council	Legal Claim	199/22	Report and minutes	Retain and review in 12 months
26/07/2022	Executive	Performance Review - Chief Executive Officer	306/22	Report, attachments and minutes	Retain and review early in 2025
09/08/2022	Executive	Performance Review - Chief Executive Officer	320/22	Report, attachments and minutes	Retain and review early in 2025
09/08/2022	Council	Minutes – Executive Committee – 26 July 2022	324/22	Report, attachments and minutes	Retain and review early in 2025
17/08/2022	Audit	Cyber Threats	346/22	Report, attachments and minutes	Retain and review in 12 months
23/08/2022	Council	Commercial Activation, Spring 2023	316/22	Report and minutes	Retain and review in 12 months
23/08/2022	Council	Glenelg Foreshore Amusement Device	318/22	Report and minutes	Retain and review in 12 months
23/08/2022	Council	Jetty Road Masterplan Stage 2	327/22	Attachment 1	Retain and review early in 2025
23/08/2022	Council	Chief Executive Officer's Performance Review	349/22	Report, attachments 2, 3, 4 and 5 and minutes	Retain and review in early 2025
13/09/2022	Council	Legal Claim	383/22	Report, attachments and minutes	Retain and review in 12 months
11/10/2022	Council	Legal Claim	408/22	Report, attachments and minutes	Retain and review in 12 months
24/01/2023	Council	Jetty Road Masterplan Stage 2 Coastal Zone - Engagement of Design Services	10/23	Report and minutes	Retain and review early in 2025
14/03/2023	Council	Motion on Notice - Order of Australia Nomination - Councillor Lindop	85/23	Report and minutes	Must be retained until nominee is given award or advised was unsuccessful.
28/03/2023	Council	Executive Committee - Appointment of a Qualified Independent Person	83/23	Report, attachments and minutes	Retain and review in 12 months

Meeting Date	Committee	Report Title	Document Reference	Documents to be retained	Recommendation
28/03/2023	Council	Motion on Notice - Recission Motion - Order of Australia Nomination - Councillor Lindop	106/23	Report and minutes	Must be retained until nominee is given award or advised was unsuccessful.
11/04/2023	Council	Adjourned Report - Motion on Notice - Order of Australia Nomination - Councillor Lindop	126/23	Report, attachments and minutes	Must be retained until nominee is given award or advised was unsuccessful.
11/04/2023	Executive	Performance Review Process - Chief Executive Officer	116/23	Report and attachment	Retain and review early in 2025
09/05/2023	Council	Legal Claim	150/23	Report, attachments and minutes	Retain and review in 12 months
23/05/2023	Council	Jetty Road, Glenelg Masterplan Investment and Design Parameters	168/23	Report and attachment	Retain and review early in 2025
06/06/2023	Executive	2022/23 Performance Review - Chief Executive Officer	175/23	Report, attachments and minutes	Retain and review early in 2025
06/06/2023	Executive	Performance Review Process - Chief Executive Officer	192/23	Report, attachments and minutes	Retain and review early in 2025
13/06/2023	Council	Electrical Vehicle Charging	198/23	Report, attachments and minutes	Retain and review in 12 months
27/06/2023	Council	Electric Vehicle Charging	211/23	Report	Retain and review in 12 months
25/07/2023	Council	Performance Review – Chief Executive Officer	245/23	Report, attachments and minutes	Retain and review early in 2025
25/07/2023	Council	Confidential Minutes - Executive Committee Meeting - 27 June 2023	236/23	Attachment 2	Retain and review early in 2025
08/08/2023	Council	Glenelg Foreshore Activation	240/23	Report and minutes	Retain and review in 12 months
12/09/2023	Council	Beach Activation Licence Extension	297/23	Report and attachments	Retain and review in 12 months
24/10/2023	Council	Claim against Council	354/23	Report, attachments and minutes	Retain and review in June 2025
28/11/2023	Council	Jetty Road Masterplan Stage 2 – Project Initiation	397/23	Report, attachments and minutes	Retain and review early in 2025
12/12/2023	Council	Glenelg Town Hall - Commercial Area - Summer Pop Up	390/23	Report, attachments and minutes	Retain and review in 12 months
12/12/2023	Council	Code of Conduct	424/23	Report, attachments and minutes	Retain and review in 12 months
12/12/2023	Council	Jetty Road Masterplan Stage 2 - Design Procurement Exemption	409/23	Report and minutes	Retain and review early in 2025
23/01/2024	Council	Minutes - Jetty Road Mainstreet Committee - 13 December 2023	07/24	Attachment 2	Retain and review in 12 months

Meeting Date	Committee	Report Title	Document Reference	Documents to be retained	Recommendation
27/02/2024	Council	Winter Activation	46/24	Report, attachments and minutes	Retain and review in 12 months
27/02/2024	Council	Sharing the National Collections	48/24	Report, attachments and minutes	Retain and review in 12 months
12/03/2024	Council	Code of Conduct	65/24	Report, attachments and minutes	Retain and review in 12 months
26/03/2024	Council	Jetty Road Mainstreet Committee Minutes - 6 March 2024 - Attachment 2	71/24	Attachment 2	Retain and review in 12 months
27/03/2024	Council	Jetty Road Masterplan Construction Procurement Plan	80/24	Report, attachments and minutes	Retain and review early in 2025
02/04/2024	Council	Remuneration Tribunal Submission	93/24	Report, attachments and minutes	Retain and review in 12 months
09/04/2024	Council	Minutes - Executive Committee - 2 April 2024	96/24	Attachment 2	Retain and review in 12 months
09/04/2024	Council	Remuneration Tribunal Submission	97/24	Report	Retain and review in 12 months
23/04/2024	Council	Minutes - Jetty Road Mainstreet Committee - 3 April 2024	110/24	Attachment 2	Retain and review in 12 months
07/05/2024	Council	Chief Executive Officer - Remuneration Benchmarking	135/24	Report and attachment	Retain and review in 12 months
07/05/2024	Council	2023-24 Performance Review - Chief Executive Officer	134/24	Report and attachments	Retain and review early in 2025
14/05/2024	Council	Car Share	115/24	Report, attachments and minutes	Retain and review in 12 months
14/05/2024	Council	Glenelg Football Club Lease and Licence	118/24	Attachment 4	Retain and review in 12 months
18/06/2024	Council	2023-24 Performance Review - Chief Executive Officer	161/24	Report, attachments and minutes	Retain and review early in 2025
19/06/2024	Council	Transforming Jetty Road Draft City Zone Concept Plan	198/24	Report, attachments and minutes	Retain and review early in 2025
11/09/2024	Executive	Appointment of a Qualified Independent Person for the Recruitment of the CEO	300/23	Report, attachments and minutes	Retain and review early in 2025
11/09/2024	Council	City Zone Concept Plan	302/24	Report and minutes	Retain and review early in 2025

Item No: 15.3

Subject: **HERITAGE REVIEW UPDATE**

Summary

This report provides an update on the progress on the review as to whether a select group of properties from the Art Deco era in Holdfast Bay meet the statutory criteria for Local Heritage listing. In addition, this report recommends that the review be expanded to include other notable properties that also currently have no heritage status despite their documented historic significance. This will allow Council to submit a single but expanded Code Amendment to the Minister for Planning, creating a more efficient process and ensuring that a compelling number of properties are presented to the Minister for listing

Recommendation

That the scope of the current Art Deco Review is expanded to include properties provided in Attachment 2 to this report that upon investigation are considered to meet the criteria for Local Heritage listing under the Planning, Development and Infrastructure Act 2016 to inform a future Code Amendment.

Background

At its meeting held on 27 April 2021, Council resolved that Administration commence the process for undertaking an Art Deco Review to identify buildings of that architectural style within the city, which do not currently enjoy heritage protection (Resolution No. C270421/2278). Following a tender process, Hosking Willis Architects were engaged to undertake this work on Council's behalf. At its meeting held on 14 November 2023, Council endorsed 15 properties identified by Hosking Willis Architects for a future Code Amendment as Local Heritage Places (Resolution No. C141123/7602), with a further 11 properties having been nominated by Councillors since. Council Administration is in the process of having these additional 11 properties investigated by Hosking Willis Architects so that they can be merged with the 15 properties already investigated for a more complete suite of properties from the Art Deco era.

Report

The review of the select group of properties from the Art Deco era identified by Council through previous resolutions is progressing as planned, with the investigation of an additional 11 properties nominated since the time of those resolutions also tracking well. Attachment 1 to this report provides the details of properties already investigated and endorsed by Council, in addition to properties nominated since the Council resolution of 14 November 2023.

Refer Attachment 1

In mapping the next stages of the review, Administration's attention has been drawn to a number of other properties that have been investigated for heritage protection by past Councils but were not formally heritage listed at the time. In this regard, and considering the limited opportunities for councils to undertake heritage reviews, it may be opportune as part of this current process to re-visit the heritage merits of the properties that were historically documented as being worthy of heritage listing but which were deemed to not fulfill the statutory criteria at the time. With the passage of time, the importance of these properties may have been enhanced to the point where they now meet the criteria for heritage listing, whether by virtue of a heightened appreciation of the personalities associated with those properties or the inherent architectural style they display. A desktop assessment reveals that approximately 155 of these properties remain standing and in an uncompromised condition relative to the original assessments. Whilst these properties as a whole are not necessarily representative of the Art Deco period, they are nonetheless important to the broader history of Holdfast Bay. An unvetted listing of these properties is provided in Attachment 2 to this report.

Refer Attachment 2

It is therefore recommended that the current review be held over to allow for the consideration and inclusion of a number of other properties that have documented historic significance, but that do not enjoy protection afforded by a heritage listing. This would enable council to merge the already investigated properties with those additional properties deserving of consideration, allowing for the submission of a single but expanded Code Amendment to the Minister. This would provide a more efficient process for recognising the breadth of properties currently without protection, whilst ensuring that a compelling number of properties are presented to the Minister for listing.

In this regard, this report seeks Council's endorsement to expand the current review to include an additional number of properties for investigation, whilst reinforcing its commitment to a future Code Amendment process under the *Planning, Development and Infrastructure Act 2016* to formally recognise the already nominated properties from the Art Deco period as Local Heritage Places. This demonstrates that the Council remains committed to formally recognising properties of the Art Deco era, whilst also remaining responsive to new opportunities to recognise the city's heritage. Furthermore, a single Code Amendment represents a more cost-effective process when compared with a multi stage approach, although it will take longer to eventually have the properties of the Art Deco era formally listed.

In the event that the timing of an expanded Code Amendment process compromises the protection of the core properties from the Art Deco era identified in Attachment 1, a report will be brought to Council seeking prioritisation of the Art Deco era properties as initially planned, with a recommendation to continue with investigations for a separate Code Amendment for the balance of properties in Attachment 2.

Budget

The cost to commission the various reviews of Art Deco architecture was factored into the 2021-22 Annual Business Plan. Not all funds were expended, with the remaining funds carried forward in the 2024-25 Annual Business Plan for the funding of future stages.

Life Cycle Costs

There are no life cycle costs associated with the specific task of undertaking a review of Art Deco Heritage found in the City of Holdfast Bay.

Strategic Plan

Holdfast 2050+ Vision: Protecting our heritage and beautiful coast.

Council Policy

Not applicable

Statutory Provisions

Planning, Development and Infrastructure Act 2016

Written By: Manager Development Services

General Manager: Strategy and Corporate, Ms S Wachtel

Attachment 1

CITY OF HOLDFAST BAY

Properties Reviewed and Identified for Listing

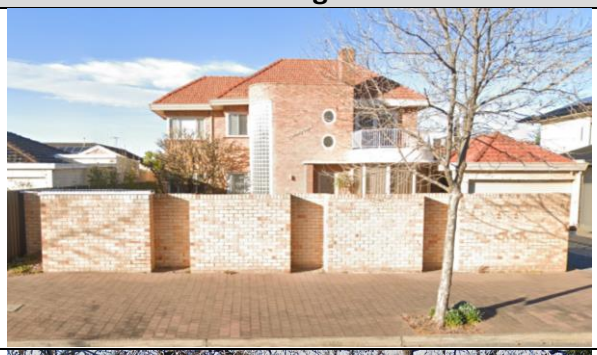
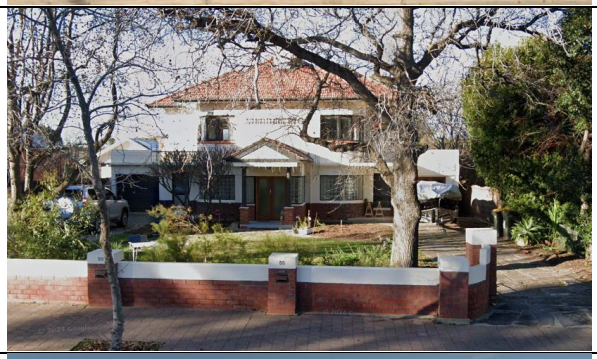
Type	Address	CT	Status	Image
Shops Residence	744-748 Anzac Highway Glenelg	5082/175	Not Listed	
Shop Residence	46 Jetty Road Glenelg	5029/973	Not Listed	
House	14 Williams Avenue Glenelg East	5350/277	Not Listed	
Shops	60-60B Broadway Glenelg South	5217/769	Not Listed	

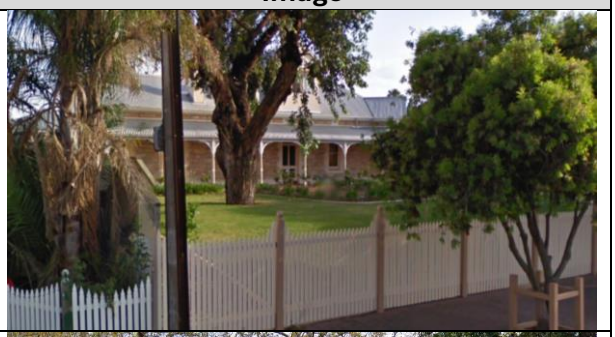
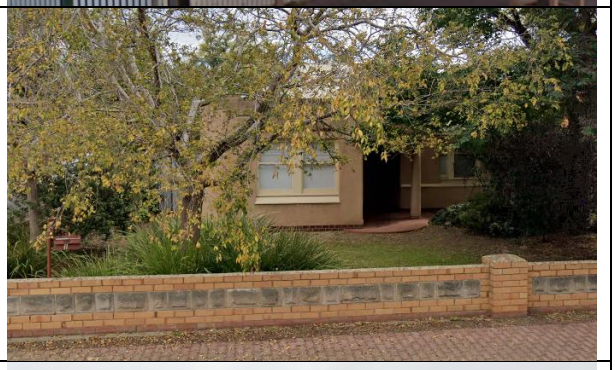
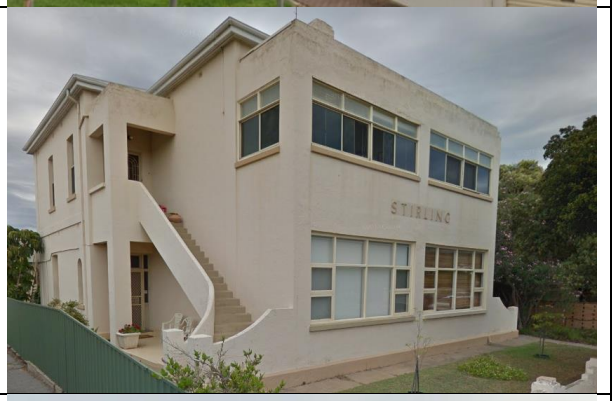
Type	Address	CT	Status	Image
House	27 Walkers Road Somerton Park	5394/416	Not Listed	
House	29 Walkers Road Somerton Park	5458/208	Not Listed	
House	31 Broadway South Brighton	5124/84	Not Listed	
Flats	8 Giles Avenue Glenelg	5016/314	Not Listed	

Type	Address	CT	Status	Image
House	33 Pier Street Glenelg	5512/975	Not Listed	
Flats	18A South Esplanade Glenelg	5044/312	Not Listed	
Maisonette	12 Maxwell Terrace Glenelg East	5053/375	Representative Building	
Church	22 Strathmore Terrace Brighton	6158/837	Not Listed	

Type	Address	CT	Status	Image
Church	65 Sturt Road Brighton	6178/26	Not Listed	
Church	50 Brighton Road Glenelg East	6136/245	Not Listed	
Church	290 Brighton Road North Brighton	5807/854	Not Listed	

Properties Currently Under Review for Possible Listing

Type	Address	CT	Status	Image
[1]House	61 Whyte Street, Somerton Park	5320/111	Not Listed	
[1]House	53 Whyte Street, Somerton Park (Strathmerton)	5504/882	Not Listed	
House	18 Esplanade, Somerton Park	5099/92	Not Listed	
[1]Flats	14 Malcolm Street, Glenelg East	5027/553	Not Listed	
[1]House	4 Malcolm Street, Glenelg East	5808/416	Not Listed	

Type	Address	CT	Status	Image
House	10 Turner Street, Somerton Park	5076/54	Not Listed	
House	1 Jeanes Street, Glenelg North	5586/130	Not Listed	
Flats	31 South Esplanade, Glenelg (Raleigh Flats)	5024/992	Not Listed	
Flats	2 Saltram Road, Glenelg (Stirling Flats)	5015/615	Not Listed	
[1]Maisonette	46-48 Walkers Road, Somerton Park	6265/227	Not Listed	

Type	Address	CT	Status	Image
House	70 Bath Street, Glenelg South	6257/11	Representative Building	

Attachment 2

CITY OF HOLDFAST BAY

Properties to be Considered for Review

Property Address	Suburb	Description and /or extent of listing	Current Status
6 Bindarra Road	BRIGHTON	House	Not listed
Commercial Road & Cedar Avenue	BRIGHTON	Rows of Pines	Not listed
3 Dunluce Avenue	BRIGHTON	House (former coach house)	Not listed
2 Elm Street	BRIGHTON	House (Reade)	Not listed
2 Jetty Road	BRIGHTON	Uniting Church Parsonage	Not listed
4 Jetty Road	BRIGHTON	House	Not listed
9 Old Beach Road	BRIGHTON	House	Not listed
14 Old Beach Road	BRIGHTON	St Jude's Rectory	Not listed
15 Old Beach Road	BRIGHTON	Church Offices	Not listed
28 Sturt Road	BRIGHTON	House	Demolished
25 Dunluce Avenue	BRIGHTON	House	Not listed
26 Dunluce Avenue	BRIGHTON	House	Not listed
20 Edwards Street	BRIGHTON	House	Not listed
48 Edwards Street	BRIGHTON	House	Not listed
20 Jetty Road	BRIGHTON	Brighton Library	Not listed
44 Folkstone Road	BRIGHTON	Club Rooms	Not listed
Beach Road	BRIGHTON	Pedestrian Subway	Not listed
466 Brighton Road	BRIGHTON	Hotel Brighton	Not listed
1 Dunluce Avenue	BRIGHTON	House 'The Olives'	Not listed
15 Jetty Road	BRIGHTON	House (Voules Brown)	Not listed
32 Jetty Road	BRIGHTON	Row of Olive Trees	Not listed
King Street	BRIGHTON	Red Flowering Gum Tree (Mawson)	Not listed
17 Old Beach Road	BRIGHTON	House (Sisters of Mercy Convent)	Not listed

Property Address	Suburb	Description and /or extent of listing	Current Status
83 Brighton Road	GLENELG	Holdfast Hotel	Not listed
2 College Street	GLENELG	Dwelling	2A Local Heritage listed (Coach House)
18 Colley Terrace	GLENELG	Bowling Alley (Former Cinema)	Demolished
22 Colley Terrace	GLENELG	Motel, Former Residence	Not listed
25 Colley Terrace	GLENELG	Dwelling	Not listed
11 High Street	GLENELG	Murphy House	Not listed
119 Jetty Road	GLENELG	Cinema	Demolished
Moseley Square	GLENELG	Courthouse	State Heritage listed
Moseley Square	GLENELG	Police Station	State Heritage Listed
21 Moseley Street	GLENELG	Trinity Church	Local Heritage listed
39 Partridge Street	GLENELG	Woodlands School (Law-Smith House)	Local Heritage listed
3-4 South Esplanade	GLENELG	Dwellings	Not listed
10, 12 Waterloo Street	GLENELG	St Peters School	Not listed
1-8/8 Giles Avenue	GLENELG	‘Retten’ Flats	Not listed
33-35 Partridge Street	GLENELG	Apartments	Not listed
Torrens Square	GLENELG	Fig Trees	Not listed
15 Giles Avenue	GLENELG	Dwelling & Former Stables	Not listed
7 Augusta Street	GLENELG	House	Not listed
25, 31 Byron Street	GLENELG	Houses	Not listed
4 College Street	GLENELG	Coach House	Not listed
17 Colley Terrace	GLENELG	House	Not listed
20, 20A Colley Terrace	GLENELG	Apartments	Not listed
26, 27, 28 Colley Terrace	GLENELG	Apartments	Not listed
32 Durham Street	GLENELG	House	Not listed

Property Address	Suburb	Description and /or extent of listing	Current Status
5 South Esplanade	GLENELG	House	Not listed
10-11 South Esplanade	GLENELG	Houses	Not listed
21 South Esplanade	GLENELG	House	Not listed
24 South Esplanade	GLENELG	House	Not listed
25 South Esplanade	GLENELG	Apartments	Not listed
2 Kent Street	GLENELG	House	Not listed
6 Kent Street	GLENELG	House	Not listed
7 Kent Street	GLENELG	House	Not listed
23 Maturin Road	GLENELG	House	Not listed
24 Maturin Road	GLENELG	House	Not listed
Moseley Square	GLENELG	Pier Hotel	Demolished
4, 6, 8 Jetty Road	GLENELG	Shops	Not listed
10, 12 Jetty Road	GLENELG	Shops	Not listed
14 Jetty Road	GLENELG	Shop	Not listed
16, 18, 20 Jetty Road	GLENELG	Shops	Not listed
22 Jetty Road	GLENELG	Shop	Not listed
24-30 Jetty Road	GLENELG	Hotel St Vincent	Not listed
1-3 Colley Terrace	GLENELG	Shops	Demolished
20 Moseley Street	GLENELG	House	Not listed
26, 30, 31, 32 Moseley Street	GLENELG	Houses	Not listed
34 Moseley Street	GLENELG	House	Not listed
36 Moseley Street	GLENELG	House	Not listed
40, 40A Moseley Street	GLENELG	Houses	Not listed
43, 45 Moseley Street	GLENELG	Houses	Not listed
47 Moseley Street	GLENELG	House	Not listed
3-9 Nile Street	GLENELG	Shops (formerly Houses)	Not listed
29, 31, 33 Nile Street	GLENELG	Halcyon Rest Home	Not listed

Property Address	Suburb	Description and /or extent of listing	Current Status
40, 40A Nile Street	GLENELG	Cottages	Not listed
8 Olive Street	GLENELG	Houses	Not listed
14, 16, 18 Partridge Street	GLENELG	Houses	Not listed
27 Partridge Street	GLENELG	House	Not listed
5 Pier Street	GLENELG	House	Not listed
19A, 23 Pier Street	GLENELG	Houses	Not listed
11 Saltram Road	GLENELG	House	Not listed
4, 6, 15 Sussex Street	GLENELG	Houses	Not listed
30 Sussex Street	GLENELG	Isola House	Not listed
29 Waterloo Street	GLENELG	House	Not listed
104 Brighton Road	GLENELG EAST	Dwelling	Not listed
Brighton Road	GLENELG EAST	Glenelg Air Raid Shelter	Listed as Part of Glenelg Oval
4 Malcolm Street	GLENELG EAST	House & Fence	Not listed
14 Malcolm Street	GLENELG EAST	Apartments	Not listed
1-3, 5-7 Pasquin Street	GLENELG NORTH	Attached Residences	Local Heritage listed
706-724 Anzac Highway	GLENELG NORTH	Houses & Shops	Not listed
750, 754 Anzac Highway	GLENELG NORTH	Shops	Not listed
5 Farrell Street	GLENELG SOUTH	Glenelg Community Hospital	Not listed
2 Weewanda Street	GLENELG SOUTH	House & Fence	Not listed
3 Weewanda Street	GLENELG SOUTH	House	Not listed
2, 4, 6, 8 Broadway	GLENELG SOUTH	Houses	Not listed
45-47, 49-51, 57 Broadway	GLENELG SOUTH	Shops (formerly Houses)	Not listed
67 Broadway	GLENELG SOUTH	House	Not listed
66, 68 Broadway	GLENELG SOUTH	Houses	Not listed
71 Moseley Street	GLENELG SOUTH	Deli (former Bakery)	Local Heritage listed

Property Address	Suburb	Description and /or extent of listing	Current Status
54, 86 Partridge Street	GLENELG SOUTH	Houses	Not listed
2 Pier Street	GLENELG SOUTH	House	Not listed
377 Brighton Road	HOVE	Vehicle Repair Workshop	Not listed
66-68 Downing Street	HOVE	Attached Cottages	Not listed
34-42 Shephard Street	HOVE	Houses (SAHT)	Not listed
Colton Avenue	HOVE	Mary Mount College (Former Brighton Boys Technical School)	Not listed
10, 12 Shephard Street	HOVE	Houses	Not listed
78 Stopford Road	HOVE	E C Gregory Recreational Reserve	Not listed
348 Brighton Road	HOVE	Funeral Parlour	Demolished
Addison Road	HOVE	Norfolk Island Pines	Not listed
4 Cygnet Terrace	KINGSTON PARK	House	Not listed
21 Burnham Road	KINGSTON PARK	House	Not listed
42-46 Kingston Crescent	KINGSTON PARK	House (Eastick)	Not listed
12-16 King George Terrace	NORTH BRIGHTON	Coach House	Not listed
12-16 King George Terrace	NORTH BRIGHTON	Galway Cottage	Not listed
12-16 King George Terrace	NORTH BRIGHTON	River Red Gums	Not listed
12-16 King George Terrace	NORTH BRIGHTON	Monkey Puzzle Pine & Norfolk Island Pine	Not listed
35 Somers Street	NORTH BRIGHTON	Solomit House	Not listed
3 Acacia Street	SEACLIFF	House & Outbuildings	Not listed
35-37 Wheatland Street	SEACLIFF	Attached Shops & Former Hall	Not listed

Property Address	Suburb	Description and /or extent of listing	Current Status
11 Young Street	SEACLIFF	House	Not listed
81 Marine Parade	SEACLIFF	House	Not listed
208 Esplanade	SEACLIFF	House ‘Windermere'	Not listed
33 Marine Street	SEACLIFF	House (Hamilton)	Not listed
89 Myrtle Road	SEACLIFF	House (Dallwitz)	Not listed
Portland Street	SEACLIFF	Pedestrian Subway	Not listed
33 Lamington Avenue	SEACLIFF PARK	Norfolk Island Pine (Seacombe House)	Not listed
16 Mann Street	SEACLIFF PARK	House	Not listed
222 Brighton Road	SOMERTON PARK	House & Former Bus Depot	Not listed
247-257 Brighton Road	SOMERTON PARK	Row of Six Attached Shops	Not listed
32A Scarborough Street	SOMERTON PARK	Military Police Company Complex	Not listed
25 Tarlton Street	SOMERTON PARK	House	Not listed
53 Tarlton Street	SOMERTON PARK	House	Not listed
3 Yarrum Grove	SOMERTON PARK	House	Not listed
7-9, 15-17 Angove Road	SOMERTON PARK	Three Pairs of Attached Houses	Not listed
7 Bickford Terrace	SOMERTON PARK	House	Not listed
73 College Road	SOMERTON PARK	House & Fence	Not listed
John Miller Reserve	SOMERTON PARK	Somerton Yacht Club	Not listed
Grantham Road	SOMERTON PARK	Hall and Kindergarten	Not listed
34C King George Avenue	SOMERTON PARK	Somerton Bowling Club	Not listed
30 Rossall Road	SOMERTON PARK	House	Not listed

Property Address	Suburb	Description and /or extent of listing	Current Status
18-20 Walkers Road	SOMERTON PARK	Semi-detached Houses	Not listed
38-40, 42-44, 46-48 Walkers Road	SOMERTON PARK	Three Pairs of Attached Houses	Not listed
53 Whyte Street	SOMERTON PARK	House (Strathmerton) & Fence	Not listed
61 Whyte Street	SOMERTON PARK	House	Not listed
65 Whyte Street	SOMERTON PARK	House	Not listed
77 Whyte Street	SOMERTON PARK	House	Not listed
Whyte Street	SOMERTON PARK	Electricity Box	Not listed
1 Ferris Avenue	SOMERTON PARK	House (Taplin)	Not listed
Esplanade	SOMERTON PARK	Sand Dunes	Not listed
12 Marine Street	SOMERTON PARK	House	Not listed
15 Marine Street	SOMERTON PARK	House	Not listed
20 Tarlton Street	SOMERTON PARK	Seaforth House	Not listed
56 Whyte Street	SOMERTON PARK	House	Not listed
36-42 Folkstone Road	SOUTH BRIGHTON	Olive Grove Relics	Not listed
45 Broadway	SOUTH BRIGHTON	Dover Kindergarten	Not listed
4 Gulf Parade	SOUTH BRIGHTON	House	Not listed
Broadway	SOUTH BRIGHTON	Mature Holm Oaks	Not listed

Item No: 15.4

Subject: **APPOINTMENT TO THE EXECUTIVE COMMITTEE VACANCY FOR THE BRIGHTON WARD**

Summary

The Executive Committee is a Council Committee established under section 41 of the *Local Government Act 1999* (the Act) to undertake the annual performance appraisal of the Chief Executive Officer (CEO).

Following the appointment of Councillor Fleming to Deputy Mayor, there is now a vacancy on the Committee for the Brighton Ward. This report seeks the appointment of a Brighton Ward Councillor to the Executive Committee, only for the duration that Councillor Fleming is the Deputy Mayor.

Recommendation

That Council appoint Councillor _____ to the Executive Committee to be the Elected Member for the Brighton Ward, for the duration that Councillor Fleming is the Deputy Mayor (Councillor Fleming to revert back to be the Brighton Ward Executive Committee member when her term as Deputy Mayor ends).

Background

The Executive Committee performs functions relating to the annual performance appraisal of the Chief Executive Officer. This includes:

a. to recommend to Council the form and process of the Chief Executive Officer's annual performance appraisal;
b. to undertake the annual performance appraisal; and
c. to provide a report and to make recommendations to Council on any matters arising from the annual performance appraisal.

The Executive Committee's authority extends to making recommendations to Council and it does not have any authority to make decisions in relation to the CEO's employment arrangements.

At its meeting on 13 December 2022 the Council made the following appointments to the Executive Committee for the duration of the Council term:

- The Mayor
- Deputy Mayor
- Councillor Lonie - Seacliff Ward
- Councillor Fleming - Brighton Ward
- Councillor O'Donohue - Somerton Ward

- Councillor Patton - Glenelg Ward

In July 2024, Councillor O'Donohue resigned from the Committee and Councillor Smedley was appointed as the Somerton Ward representative.

The Terms of Reference for the Executive Committee states:

"5. Membership of the Executive Committee comprises:

a. The Mayor;
b. The Deputy Mayor; and
c. Four other Elected Members being one from each Council ward, appointed by Council.

6. The Executive Committee must appoint a Qualified Independent Person to provide independent advice regarding the Chief Executive Officer's performance review."

Council adopted the Committee's Terms of Reference (C140223/7343) at its meeting on 14 February 2023.

Report

As Councillor Fleming has been appointed as the Deputy Mayor there is a vacancy on the Executive Committee for the Brighton Ward. Councillor Snewin or Councillor Venning may be appointed to the Executive Committee for the Brighton Ward, only for the duration that Councillor Fleming is the Deputy Mayor.

The Executive Committee typically meets on approximately four occasions in the first half of the calendar year.

No additional allowance is paid to the Elected Member representatives on the Committee.

Budget

There are no budget implications associated with this report.

Life Cycle Costs

There are no life cycle costs associated with this report.

Strategic Plan

Statutory compliance

Council Policy

Executive Committee Terms of Reference

Statutory Provisions

Local Government Act 1999, section 41

Written By: Executive Assistant to the General Manager, Strategy and Corporate

General Manager: Strategy and Corporate, Ms S Wachtel

Item No: 15.5

Subject: **PROCLAMATION DAY 2024**

Summary

Each year the City of Holdfast Bay holds a Proclamation Day Ceremony on 28 December, a civic function with historical significance for the entire state of South Australia.

The report summarises the plans for the 2024 event, which have been developed in consultation with Kaurna Elders and representatives.

Recommendation

That Council notes this report.

Background

Each year the City of Holdfast Bay holds a Proclamation Day Ceremony on 28 December at the Old Gum Tree Reserve, Glenelg North. This significant civic function is attended by several dignitaries, including Kaurna Elders, Her Excellency the Honourable Frances Adamson AC, Governor of South Australia, The Honourable Peter Malinauskas MP Premier of South Australia, Federal and Local Government representatives and Mayors/Elected Members from several South Australian LGAs.

Proclamation Day marks the arrival of Governor Hindmarsh and the reading of the Proclamation Document under the Old Gum Tree to the first European settlers of South Australia on 28 December 1836. The Day also recognises the colonial settlement of South Australia and the displacement this caused for Aboriginal South Australians.

King William IV provided clear instructions under the Letters Patent that the Aboriginal population of South Australia were to be recognised under the rule of law. When Governor Hindmarsh read the Proclamation Document, he advised those assembled to respect the laws and behave accordingly and spoke of the new Government's intention to ensure the rights of Aboriginal people were protected. History has shown that the intention of the Letters Patent was not followed and, in the decades, since, Aboriginal Australians have long called for an inclusive process of truth-telling about our joint histories and acknowledgement that the Letters Patent included a recognition of rights for Aboriginal people.

In recent years the City of Holdfast Bay Administration and Kaurna Nation have forged a partnership built on trust, respect and reconciliation with a focus to work together to deliver shared goals, projects and outcomes. The Proclamation and acknowledgment of the provisions set out in the Letters Patent for traditional owners remain close to the hearts of Kaurna Nation. Each year Administration works closely with Kaurna Nation to decide how Proclamation Day will be commemorated.

In 2023, Kaurna representatives, in collaboration with Firesticks, a national not-for-profit Indigenous network that aims to activate and increase the practice of cultural burning, lit several signal fires along the Holdfast Bay coast. This echoed the practice of their ancestors who would have lit signal fires to mark the arrival of the colonising ships. This cultural revival project, led by Kaurna and supported by Council, won the Excellence in Community Partnerships and Collaboration Award at the Local Government Professionals SA 23rd Annual Leadership Excellence Awards.

Report

The City of Holdfast Bay plans its annual Proclamation commemorations in close consultation with representatives of the Kaurna Nation. Planning includes a meeting of Kaurna and Council representatives with Her Excellency the Honourable Frances Adamson AC, Governor of South Australia, to determine the most appropriate way to commemorate the shared history and truth telling narrative of the Proclamation and Letters Patent.

As custodians of Country Kaurna Nation will host a small overnight camp at the Old Gum Tree Reserve, along with a ceremonial fire on 27 December 2024 with an invitation to be extended to residents and the community to come and meet and yarn with members of Kaurna Nation.

The official ceremony will commence with a smoking ceremony and Welcome to Country delivered by Kaurna Nation. As part of the proceedings the Governor will deliver a Proclamation Day address and read the Proclamation of South Australia as it was read in 1836. As a major State ceremony, addresses will also be given by the Mayor, Premier (or representative), and a representative nominated by Kaurna Nation. Collectively these speeches will speak to a shared theme of reconciliation, truth telling and the importance of the Letters Patent. The Mayor's speech will have an emphasis on celebrating what Kaurna and Council have collectively achieved in recent years through building a relationship of trust and genuine partnership.

The event also includes the presentation of the Governor of South Australia's Civic Awards for Schools, an annual program that provides the opportunity for young South Australians to develop their understanding of the role citizenship plays in a multicultural and democratic society.

While Kaurna Nation and Firesticks remain committed to the further development of the Signal Fires initiative, including an eventual expansion along the full length of the coast from Cape Jervis to Holdfast Bay, they have chosen to take a break in 2024. This allows time for them to engage with other coastal councils and the broader Kaurna community to develop a vision for how this initiative may grow into the future.

Budget

$37,100 has been allocated to Proclamation Day in the 2024-25 events budget. The budget was increased from 2023-24 to accommodate a potentially expanded Signal Fires element. As this will not proceed in 2024, a budget saving is likely.

Life Cycle Costs

Not applicable

Strategic Plan

Wellbeing: encouraging people to connect with country, place and each other.

Council Policy

Civic Functions, Awards, Ceremonies and Openings Policy

Statutory Provisions

Not applicable

Written By: Manager City Activation

General Manager: Community and Business, Ms M Lock

Item No: 15.6

Subject: **FEASIBILITY OF EXPANDING COMMUNITY SAFETY SERVICES**

Summary

This report is in response to a Motion on Notice (C121223/7628) raised at the 12 December 2023 Council meeting to review the City of Holdfast Bay's current community safety services and conduct a comparison with the City of Onkaparinga to the explore the feasibility of expanding services to improve public safety.

The findings reveal that there are some simple and inexpensive opportunities to collaborate with key stakeholders and maximise existing services to improve safety.

Recommendation

That Council:

1. **endorses an extension to community safety patrols, along Jetty Road Glenelg and Brighton by the beach patrol officer for a trial period from December 2024 until March 2025 inclusive. Thereafter a report to be prepared to Council on the extension of community safety patrols in 2025; and**

2. **notes that Administration meets regularly with key stakeholders to oversee community safety efforts citywide, which includes monitoring the performance of Council CCTV network, with a report to be prepared and presented to Council annually.**

Background

This report is in response to the following Motion on Notice (C121223/7628) raised at the Council meeting held 12 December 2023:

> *That Administration bring a report back to Council on the feasibility of expanding community safety services to include:*
>
> - *The establishment of a Community Safety Committee, with representation from various State Government Departments, local Service Providers, and key stakeholders that oversee the community safety efforts in the City of Holdfast Bay; and*
>
> - *Expand the current community safety service to include the monitoring of the City's CCTV network to identify community safety issues in real-time and coordinate responses by relevant bodies.*

The report should include the costs, benefits, risks and consultation required. Consultation should occur with the City of Onkaparinga on the model used for community safety.

Report

Feasibility of establishing a community safety committee

To prepare this report, Administration consulted with the relevant teams at the City of Onkaparinga to explore their Community Safey model which is outlined below.

Historically, the City of Onkaparinga managed their security through several monitoring companies with different lease agreements overseeing 120 buildings. This resulted in inconsistencies and inadequate security surveillance. There was no scope for preventative strategies for crime prevention across the city.

A decision was then made to consolidate security and bring under Council's control by employing two security officers and a team leader to manage the entire network. This allowed for a holistic and coordinated approach, linking all stakeholders to manage security and crime throughout the city.

Currently, the security team work closely with the following support agencies:

- Crimestoppers
- Child protection
- Housing SA
- Anglicare Australia
- Junction SA
- SA Police
- Shopping centre representatives
- Onkaparinga Staff of key areas e.g. Environmental Health Officers, youth workers and Community Safety.

Meetings are held every three to four weeks to discuss problem areas and specific known individuals or groups to share information to address current and/or emerging concerns. With the number of stakeholders involved, the challenge can be to find a mutually suitable time to meet.

In addition, an information sharing tool in the form of an excel spreadsheet is used to provide intel to stakeholders highlighting any area of concern.

The security team manages the City's CCTV network of 1,500 cameras, with approximately 30-50 cameras in each location. Approximately 50% of this network is shared online with SAPOL. The security team also deploy portable cameras for specific investigations when required. Surveillance is generally conducted after an incident has occurred or passively whilst officers are in the office. The security team are not resourced to actively monitor the network throughout the whole day.

The security team's focus is to proactively conduct safety audits on areas of concern. Strategies are then implemented with measures to try to deter crime.

Identified Comparison between Onkaparinga Council and Holdfast Bay

Onkaparinga Council	***City of Holdfast Bay***
Three security officers	• One night security officer 12hr shift • One Saturday night concierge service funded for patron safety, Moseley Square/ Colley Terrace, Glenelg
Community Safety Steering Committee meeting on a 3-4 weekly cycle throughout the year	• Newly introduced monthly meetings with SAPOL, Department of Human Services and Sonder. • Annual meetings with a particular focus e.g. Drowning Prevention meeting • Bi-monthly collaborations with local emergency relief providers, SAPOL, and Toward Home Alliance. This collective effort is crucial for supporting the most vulnerable and addressing both visible and hidden homelessness and hardship in Holdfast Bay. Council has developed a local services support resource map, which provides comprehensive information for community members, traders, and service providers.
No active monitoring of CCTV, only occasional (rare) and incidental passive monitoring. SAPOL do monitor on occasions when there is an incident	• No active monitoring of CCTV. • SAPOL do monitor on occasions when there is an incident

There are several committees in which Council Administration is represented as a key stakeholder with the Community Safety team actively participating in the following.

- Neighbourhood Watch groups
- A round table meeting to focus on homelessness and anti-social behaviour hosted by the Local Member for Morphett, Stephen Patterson MP (no longer active)
- SAPOL Operations debriefs i.e. ‘Safe Shores’ and ‘Jericho’
- Drowning Prevention group made up of multiple stakeholders with the focus on beach safety
- Ad hoc meetings with relevant stakeholders on specific matters with internal stakeholders and external parties.

Refer Attachment 1

In addition, the City of Holdfast Bay gathers community safety intelligence and contributes to keeping the community safe in the following ways:

General and weekend patrols

Officers patrol every day at key locations to monitor non-compliance across the city.

Night patrols

12-hour night patrol shifts who drive approximately 150 km across the city per night monitoring key areas and lock and unlock gates and toilets.

Supporting a concierge service

The City of Holdfast Bay funds one Saturday night per week for a security concierge service near the taxi rank. This ensures safety for patrons exiting the precinct aligning with licensed venue closures.

Enforcing legislation within Council's remit

SAPOL generally manage community safety with regards to crime prevention, however there are occasions where council's delegations can support SAPOL. For example, on rare occasions council has received reports regarding resident behaviour within registered Supported Residential Facilities. As council license these facilities, officers can work with the managers and offer support where appropriate.

Onkaparinga Council

In comparison, the City of Onkaparinga host regular meetings throughout the year with a slightly broader range of stakeholders. They provide patrols across the city, lock toilets and gates and introduce preventative strategies to improve community safety, conducted by the three security officers.

A cost / benefit / risk analysis was undertaken to assess the feasibility of establishing a community safety committee replicating Onkaparinga's model.

Refer Attachment 2

The analysis reveals there are significantly higher criminal offences recorded in the City of Onkaparinga in comparison to the City of Holdfast Bay, therefore justifying the breadth of stakeholders engaged and the expanse of the CCTV network and monitoring.

At the time writing this report, Administration identified the benefits over the summer season for a scheduled monthly committee, then becoming less frequent over the winter season, with the following stakeholders to oversee the community safety efforts:

Stakeholder	Remit / Area of coverage
South Australian Police (SAPOL)	Glenelg and Brighton representatives
Remote visitor outreach group (Department of Human Services)	Remote visitors support workers building relationships and connecting them to services. To provide an initial proactive role before matters escalate and SAPOL are called.
Sonder	Not for profit organisation helping people access services including those experiencing homelessness
City of Holdfast Bay Community Safety	Health and Safety areas
City of Holdfast Bay Library Servies	Identify customers who require support
City of Holdfast Bay Jetty Road Development Coordinator	Presenting information, concerns from local business
City of Holdfast Bay Community Services	Connecting people to services

Feasibility in expanding council CCTV service to include real-time monitoring and response

Council's CCTV network of 220 cameras is primarily used to identify highlighted issues and is not monitored throughout the day by staff. The infrastructure has had recent upgrades, with SAPOL having access to the network within the Glenelg precinct in order to actively monitor when required. On occasion when a serious incident has occurred, SAPOL have contacted Administration to monitor in real-time.

The City of Onkaparinga have a wider network, which is not actively monitored throughout the day. Their security staff may on rare occasions, passively observe issues in real-time and respond if needed. Most of the CCTV use for Administration is after an incident or to monitor emerging issues.

A cost / benefit / risk analysis was undertaken to assess the feasibility in expanding council CCTV service to include real-time monitoring and response.

The analysis found the benefits did not outweigh the additional costs - based on the current risks, at this stage.

Refer Attachment 3

Alternative solution

Council currently have a dedicated budget to cover beach patrols throughout the warmer months (September to March). These patrols are physically challenging for officers due to the soft sand terrain, requiring regular respite away from the beach. This presents an opportunity for the officer during periods of respite to undertake proactive patrols along both Jetty Road Brighton and Glenelg.

It is proposed an extension to the current community safety patrols, by the beach patrol officer be trialled for a period across peak season from December 2024 until March 2025 inclusive, increasing patrol frequency from three to four days per week.

This increased monitoring will serve as a deterrent and provide additional comfort to traders and patrons with our main shopping precincts.

Budget

Currently managed with operating budget for a three-day patrol

Life Cycle Costs

To be reviewed in one year

Strategic Plan

Wellbeing – safer environment for residents and visitors

Council Policy

Not applicable

Statutory Provisions

Not applicable

Written By: Manager of Community Safety

General Manager: Community and Business, Ms Lock

Attachment 1

CITY OF HOLDFAST BAY

Attachment 1

Committee and focus	Stakeholders
Neighbourhood Watch Groups (currently only Brighton and Marino / Kingston group) Discussing public safety concerns.	The local community, Manager Community Safety, and SAPOL
Stephen Patterson MP, Member for Morphett, round table meetings with the focus on Homelessness and Anti-Social behaviour Objective: Discuss homelessness and anti-social concerns within the Glenelg precinct **Note: This has discontinued**	• SAPOL • Administration • Sonder Outreach • SA Housing Trust • Bayside Village Centre Management • Jetty Road Mainstreet Committee • Correctional Services • Southern Mental Health Services
SAPOL Operations Jericho Objective: Focus on Glenelg precinct with dedicated patrols.	SAPOL and Administration
Drowning prevention group Focus on swimmer safety in Glenelg	• SAPOL • Administration • Department of Infrastructure and Trasport • Glenelg Surf lifesaving club • State Surf Lifesaving • State Emergency Services (SES) • Department for Environment and Water (DEW) • Department Infrastructure and Transport (DIT)
Informal email group Adhoc discussions and information sharing	• Sonder outreach group • Department of Human Services Remote visitor outreach group • SAPOL • City of Holdfast Bay Library staff, Community Wellbeing staff and Community Safety staff.

Attachment 2

CITY OF HOLDFAST BAY

Attachment 2

Cost / Benefit / Risk Assessment for introducing a Community Safety Committee

Options	Costs	Benefit
Current meeting program	No additional costs No central steering committee for community safety	The current meeting successfully contributes to improving community safety.
Monthly meetings in summer and quarterly/bimonthly meetings throughout the year	Negligible staffing costs	Central steering committee Additional meetings can be called for urgent matters
3 weekly meetings	More resource intensive for several staff to attend monthly however negligible if only during off peak season	Central steering committee Quicker actions to current safety matters.

Risk Assessment

Administration has reviewed reports from residents and patrol notes throughout the year to make a risk assessment. The assessment considered 3 weekly and quarterly meetings as options with no change to the risk rating, however 3 weekly meetings would be onerous on council's current recourses.

Onkaparinga council has considerably more crime and therefore helps justify the need to increase the frequency of meetings held.

Summary

There is benefit in introducing a regular community safety committee during peak season i.e. summer and then reducing to bi-monthly / quarterly during the colder months.

2023 Crime Data comparing The City of Holdfast Bay and The City of Onkaparinga Council:

Top crime types in Holdfast Bay:

Theft	952
Property damage	341
Assault and related offences	295
Burglary/Break and enter	223
Deception	81
Stalking, harassment and threatening behaviour	23
Abduction and related offences	11
Robbery	8
Blackmail and extortion	5
Dangerous and negligent acts endangering people	1

Top crime types in Onkaparinga:

Theft	4,252
Property damage	2,081
Assault and related offences	1,773
Burglary/Break and enter	825
Deception	410
Stalking, harassment and threatening behaviour	116
Robbery	45
Abduction and related offences	34
Blackmail and extortion	32
Dangerous and negligent acts endangering people	25
Homicide and related offences	6

Source http://www.redsuburbs.com.au viewed 5 July 2024

Attachment 3

CITY OF HOLDFAST BAY

Attachment 3

Cost Benefit Analysis

Administration have reviewed reports from residents and patrol notes throughout the year and are regularly reviewing the performance of Council's CCTV network which includes seeking feedback from SAPoL.

Monitoring options	Cost	Benefit
No active monitoring	Unable to see all community safety issues. Less reporting to SAPOL	Nil financial cost.
24/7 monitoring	$443,040* Only able to view current CCTV footage. Most crimes are not captured by these cameras. SAPOL not able to respond immediately.	All community safety activities observed. Increase reporting data logged with SAPOL which may increase resourcing The public and traders feel safer.
Day monitoring (9am – 5pm) Monday - Sunday	$147.680* Only able to view current CCTV footage. Most crimes are not captured by these cameras. Night crimes are missed	Some community safety activities are observed. Increase reporting data logged with SAPOL which may increase resourcing The public and traders feel safer.
Night monitoring (5pm – 2pm) Monday - Sunday	$147.680* Only able to view current CCTV footage. Most crimes are not captured by these cameras. Day crimes are missed	Some community safety activities are observed. Increase reporting data logged with SAPOL which may increase resourcing. The public and traders feel safer.
**Security contractor fees*		

Item No: 15.7

Subject: **2024 MAWSON OVAL REFERENCE GROUP ANNUAL REPORT**

Summary

This report provides an annual update on matters considered by the Mawson Oval Management Committee in the preceding 12 months (2024).

Recommendation

That Council notes this report.

Background

Under Section 8 of the Agreement between the City of Holdfast Bay and The Catholic Church Endowment Society Incorporated executed on 16 February 2004, a Management Committee has been created to monitor the performances of both Parties.

Section 8.7 requires for the Management Committee to, on at least one occasion in each year during the term of the agreement, provide a report concerning the matters considered by the Management Committee in the year immediately preceding.

Following the formation of the Reference Group in 2022, this continued through 2023, which included:

- Two Elected Member representatives: Councillor Snewin and Councillor Fleming, with Councillor Snewin nominated as Chair.
- Council Administration support provided by Ms Marnie Lock, General Manager, Community and Business.
- Representing McAuley School: Mr Sean Hill, Principal, Ms Cherise Round and Ms Yvette Agar, McAuley School Board representatives and Teresa Ragless, WH&S and Facilities, McAuley Community School.

The group continues to meet a minimum two times per year, alternating locations between the Council and school offices, within the requirements of the Terms of Reference (ToR). These meetings were held on 13 May and 21 October 2024.

Refer Attachment 1

Both parties have demonstrated positive engagement and acknowledged the importance of the close collaboration, agreeing that joint community statements when required would provide consistent, clear and united messaging, to inform and educate community stakeholders which includes parents, ratepayers and Mawson Oval user groups.

Report

During the year, the Committee considered the following:

Traffic Management surrounding McAuley Community School

Council's Traffic Team completed the implementation of a Koala Crossing on King George Avenue and enhancement of the 'Kiss n Drop' on Colton Avenue, to increase safety for young learners. In addition, council continues to monitor traffic flow of the surrounding streets, including King Street.

Koala Crossing King George Avenue

In 2023, the Committee discussed the safety of young learners crossing King George Avenue. Council resolved to construct a koala crossing on King George Avenue to improve safety. These works were completed and operational in January 2024. With the current Principal conducting yard duty to maintain traffic flow at 'Kiss and Drop' locations, this crossing has resulted in a reduction in the concerns previously raised by staff, community, parents and guardians. Regular SAPOL and Council's Community Safety Officer patrols have also occurred to improve driver behaviors.

Colton Avenue

Traffic concerns raised in 2022 were discussed with traffic management options examined to alleviate the pressure around Colton Avenue, especially at peak school drop off and pick up times. Community consultation was undertaken seeking feedback on converting Colton Avenue to one way. The community response was to not procced with the one-way option. Council then looked at alternative options, which resulted with adjusting the 'kiss n drop' model while providing additional short-term parking.

The changes were implemented from the commencement of the school year. Council's Community Safety Officers regularly patrol the area, coupled with the current Principal on yard duty at peak times, traffic flow has successfully improved. The sentiment received overall from the community and residents appears positive.

King Street

King Street traffic congestion and parking issues were regular items for discussion. Community consultation of nearby residents of King and Alfreda Streets has been completed. Council's Traffic team is still working through strategies to improve property access for residents. In addition, Council is working closely with Emergency Services, to ensure adequate access for emergency vehicles to travel through during peak times.

Mawson Oval Maintenance and Management

The maintenance and management of Mawson Oval is a standing agenda item, where the Committee discussed several items, including:

Management of external clubs to the school outside school hours

Discussion to refine and clarify responsibilities between Council and McAuley School in terms of engagement / responses to external clubs outside school hours for the exclusive use of the oval.

Oval Maintenance

The school has purchased a lawn mower and employ two grounds men to maintain oval.

Mawson Oval animal waste management

Following feedback received regarding increased levels of animal waste on the oval after hours, Council regularly inspected the oval to ensure adequate signage and animal waste bags are clearly visible and in place. This also included Community Safety Officers conducting intermittent patrols to enforce compliance.

Renewal process of the soccer nets and usage monitoring

Due to high usage of the soccer nets, new nets were purchased. These nets are used by the school and community outside of school hours. There is consideration and discussion in relation to replacing the nets twice a year due to increased usage by the community.

Shared Use Agreement

It was noticed that the number of sporting clubs regularly using the oval after hours has increased. Council will monitor usage and consider whether an additional Mawson Oval shared use agreement with third parties is required, akin to the current arrangement with the Warradale Cricket Club.

Tree inspection around Mawson Oval

Following an enquiry made directly to the Local Government Association (LGA) from Catholic Education South Australia regarding tree inspections, a request was received from the school and actioned by Council's Arborist to conduct an inspection to determine any immediate risks with trees situated on Mawson Oval. In addition, the Arborist has engaged an external contractor to conduct an independent inspection of all Mawson Oval trees. At the time of writing this report council is awaiting confirmation, due to high demand for arborist services.

Playspace

McAuley School continues to report to Council directly on any matters pertaining to playground maintenance via the School's WHS Coordinator. Council commissioned an independent playspace audit, which was completed in August 2024 with the previous inspections conducted in August 2023 and July 2022. All audits were completed by Kidsafe and a copy shared with McAuley School.

Budget

All expenditure is contained within existing operational budgets.

Life Cycle Costs

Renewal projects are contained within the long-term financial forecasts.

Strategic Plan

Wellbeing - Good health and economic success in an environment and a community that supports wellbeing.

Council Policy

Not applicable

Statutory Provisions

Not applicable

Written By: General Manager, Community and Business

General Manager: Community and Business, Ms M Lock

Attachment 1

CITY OF HOLDFAST BAY

TERMS OF REFERENCE

MCAULEY COMMUNITY SCHOOL & CITY OF HOLDFAST BAY

REFERENCE GROUP

TABLE OF CONTENTS

1 BACKGROUND AND MISSION

1.1 Background

McAuley Community School and the City of Holdfast Bay recognise that by working together, the community of Holdfast Bay and the broader community will benefit from shared understandings and knowledge.

1.2 Scope

McAuley Community School & the City of Holdfast Bay will work together to engage and communicate to facilitate a greater understanding of projects, shared use of facilities and opportunities that directly develop the City as a welcoming, safe and active community.

2 GOALS

The goal is for the McAuley Community School and the City of Holdfast Bay to work together to improve community wellbeing for residents and visitors utilising open space and public realm.

3 OBJECTIVES

By working together the McAuley Community School and City of Holdfast Bay Reference Group will support the City of Holdfast Bay to:

- Engage stakeholders to support the ongoing development of the City as a welcoming, safe and active community.
- Engage stakeholders to create a healthy, creative and connected community.
- Engage stakeholders to connect the community with the City's natural environment.
- Engage stakeholders to support the creation of a diverse and resilient local economy.
- Engage stakeholders to support the development of a lively, safe community that celebrates its past to build for the future.

4 MEMBERSHIP

McAuley Community School and City of Holdfast Bay Reference group will consist of:

- Two Elected Members from the City of Holdfast Bay
- Up to two staff members from the City of Holdfast Bay
- Two Senior Representatives from McAuley Community School, to include the Principal or Principal's delegate and a representative from the School Board

The City of Holdfast Bay will Chair the meeting and be responsible for collating the agenda for each meeting.

4.1 Attendance Requirement

Where a member is unable to attend a meeting they may send an apology and/or a proxy.

4.2 Membership

The inaugural members from the City of Holdfast Bay are:

- the General Manager, Community and Business. Other staff will be invited to attend as appropriate.

6 MEETINGS OF MEMBERS

6.1 Frequency

Meetings will be held at least twice a year and thereafter the frequency will be assessed and will be scheduled as required.

Meetings can also be cancelled if there are no items to discuss as deemed by the chair.

6.2 Agenda

The Agenda will be circulated to working group members via the McAuley Community School prior to the meeting. Both McAuley Community School and the City of Holdfast Bay can contribute items for discussion to the agenda.

6.3 Record of Meetings

A record of each meeting will be made and circulated to each member of the Reference Group. They are for information only and do not constitute formal minutes and are not for public distribution.

7 COSTS

The costs of each meeting will be met by the City of Holdfast Bay.
The meetings will be held at the City of Holdfast Bay Civic Centre unless otherwise agreed.

8 WORKING GROUPS

From time to time the Reference Group may agree that a working group will be developed to support the work of the Reference Group.

9 REPORTING

From time to time the General Manager Community and Business may provide a report to Council on progress of the Reference Group.

Item No: 15.8

Subject: **SUBMISSION TO THE REVIEW OF THE EPA ENVIRONMENT PROTECTION (WASTE TO RESOURCES) POLICY 2010**

Summary

The South Australian Environment Protection Authority (EPA) is reviewing the *Environment Protection (Waste to Resources) Policy 2010* (W2R EPP). This Policy provides the regulatory framework for South Australia's waste management objectives. Issues and opportunities for policy reform and potential policy measures have been provided in a discussion paper released by the EPA. Feedback to the discussion document has been invited. The EPA has advised that there will be further consultation on the review of this Policy.

A draft submission is attached for Council's endorsement.

Recommendation

That Council endorses the submission provided in Attachment 2 to the EPA's *Environment Protection (Waste to Resources) Policy 2010.*

Background

The EPA adopted the Waste to Resources Policy (W2R EPP) in 2010. The policy provides the regulatory basis for South Australia's Waste Strategy. In September 2024 the EPA released a discussion paper (Attachment 1) as an initial stage of consultation for the review of the Policy and has requested feedback on key policy areas. A feedback form with guiding questions and a short survey have been provided by the EPA for feedback. The EPA has advised that there will be further consultation on the review of the Policy.

Refer Attachment 1

Report

The EPA is undertaking consultation on the W2R EPP inviting submissions up until 20 December 2024. The contents of the policy, and proposals in the discussion document, impact on the council and its community.

The Current Policy

The current objective of the policy is:

> *to achieve sustainable waste management by applying the waste management hierarchy consistently with the principles of ecologically sustainable development set out in section 10 of the [Environment Protection] Act.*

The policy includes statements on:

- the prohibition of the disposal of certain types of waste directly to landfill
- a requirement for waste to be treated prior to disposal to landfill
- requirements for a weekly waste collection for metropolitan councils
- enhancing resource recovery
- illegal dumping and unauthorised stockpiling control
- risk management requirements for any person who transports waste
- defines when waste ceases to be waste
- EPA considerations when determining matters in relation to development applications or licence applications/renewals
- industry specific waste management codes of practice
- requirements for medical wastes
- treatment or disposal methods for medical wastes.

Elements of the Review

The EPA has stated the objective of this review of the W2R EPP is to:

- modernise South Australia's approach to the regulation of resources and wastes; and
- enable the development of a more circular economy.

The key policy review areas the EPA have included in the discussion document are:

1. supporting the transition to a circular economy
2. avoiding waste generation
3. maximising resource recovery
4. supporting a strong market for recovered resources
5. protecting the environment and human health from waste pollution
6. circular economy metrics, reporting and transparency.

The City of Holdfast Bay implemented a weekly food and garden organics (FOGO)/ fortnightly general (landfill) waste collection, as the standard residential service, in 2022. A weekly general waste collection has been provided alongside this service due to legislative requirements of the W2R EPP. This matter has not been included directly in the EPA's discussion document.

As presented to the Council previously, those on the weekly FOGO collection have significantly higher levels of diversion, compared with those that have a weekly landfill collection and a fortnightly FOGO collection. A weekly FOGO collection addresses the first three policy review areas proposed by the EPA. Council is currently required to provide a weekly landfill service for any household that requests it, reducing the potential positive impact of the service. This matter has been included in the submission (Attachment 2), and the submission urges the EPA to make changes to address this inefficiency.

Refer Attachment 2

Responses to relevant guiding questions from the survey have also been included in the submission.

It is intended that Council officers will provide a submission into all stages of consultation on this policy review.

Budget

Not applicable

Life Cycle Costs

Not applicable

Strategic Plan

Our Holdfast 2050+ strategic plan. Sustainability: A city, economy and community that is resilient and sustainable, specifically the objective to become a carbon-neutral council by 2030; the 2030 aspirational goal of 'The amount of waste sent to landfill has reduced by 75% on 2020 levels' and the 2050+ aspirational goal of 'We send zero waste to landfill'.

Council Policy

Waste Management Policy

Statutory Provisions

Environment Protection (Waste to Resources) Policy 2010

Written By: Environment Officer (Waste and Sustainable Living)

A/General Manager: Assets and Delivery, Mr B Blyth

Attachment 1

CITY OF HOLDFAST BAY

Beyond recycling: Moving SA towards a circular economy

A review of the Environment Protection (Waste to Resources) Policy 2010

ENVIRONMENT PROTECTION AUTHORITY

EPA.SA.GOV.AU

Beyond recycling: Moving SA towards a circular economy

A review of the Environment Protection (Waste to Resources) Policy 2010

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September 2024

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The author thanks all stakeholders for their input during the preparation of this discussion paper.

EPA FOR RECONCILIATION

The EPA acknowledges and respects the Aboriginal peoples of South Australia as the first peoples and nations of this State. We recognise them as the traditional custodians of land and waters in South Australia and that their spiritual, social, cultural and economic beliefs are of ongoing importance today. We recognise that they have made, and continue to make, a unique and irreplaceable contribution to the State.

Artwork: 'Caring for Country', courtesy of Arrernte man Scott Rathman, for the EPA.

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Message from the Minister

South Australia has long been a leader in resource recovery and waste management and has led the way on addressing problematic single-use plastic products. As we continue on our pathway to a net zero carbon future, we must move away from the linear economy where we take, make and waste materials, and accelerate our transition to a more circular economy.

To address climate change and reduce our reliance on raw natural resources, we need to look at how to reduce the amount of waste that's generated and ensure that we are recovering high quality recyclable materials and keeping these materials circulating within our economy. We also need to look at how we can further support end markets for these recovered materials. Protecting our environment and human health from problematic wastes, chemicals of concern, and from illegal dumping are also essential components of a healthy and sustainable future.

The choices that we make today affect everyone's tomorrow.

This discussion paper is being released to explore the issues and potential policy solutions that will help us transition to a more circular economy. It is the first step in seeking broad feedback on an appropriate regulatory approach for these complex issues.

The SA Government seeks your thoughts on these important issues so that we can work together for a safe and sustainable future.

Susan Close MP

Minister for Climate, Environment and Water

Message from the Presiding Member

As South Australia's independent regulator, the Environment Protection Authority (EPA) is responsible for ensuring that all reasonable and practicable measures are taken to protect, restore and enhance the quality of SA's environment having regard to the principles of ecologically sustainable development. Supporting and enabling our transition to a circular economy is an essential part of this, and a priority for the EPA. This is reflected in the EPA's *Corporate Plan 2024-25,* which identifies the review of the *Environment Protection (Waste to Resources) Policy 2010* as a priority activity, to support our transition to a circular economy.

The EPA's approach to managing environmental challenges is to engage and collaborate with communities and industry, and work together to identify the right pathway to achieve the best outcome. Through consultation on this discussion paper, the EPA wishes to explore how, as an environmental regulator, we best continue to protect our environment while supporting more innovative and sustainable practices and driving our transition to a more circular economy.

Your consideration of these issues and input into this review will help the EPA to modernise our regulatory approach and ensure that it meets the needs of South Australia as we look to the future.

Ms Catherine Cooper

Presiding Member
Board of the Environment Protection Authority

Executive summary

The *Environment Protection (Waste to Resources) Policy 2010* (W2R EPP), through the *Environment Protection Act 1993* (EP Act), provides the regulatory underpinning for South Australia's waste management objective and actions identified under South Australia's *Waste Strategy and the National Waste Policy Action Plan*. The establishment of this ambitious regulatory framework in 2010 enabled improved waste management and resource recovery practices, including diverting resources from landfill, placing SA at the forefront of resource recovery in Australia.

Since the commencement of the W2R EPP, significant changes have occurred in the waste and resource recovery sector that warrant a review of the policy. This review provides an opportunity to consider policy initiatives that contribute to the South Australian Government's commitments to a circular economy and achieving zero net emissions by 2050. Transitioning to a circular economy is vital to addressing climate change, as 45% of global emissions come from the way we produce and consume.

A circular economy is an economic model designed to prioritise sustainability, resource efficiency, and waste reduction. As we grow our circular economy, we will improve and sustain our environment, increase our wellbeing, and grow our economic prosperity in a sustainable way. A contemporary and effective regulatory framework can strengthen implementation and enforcement, give regulatory certainty for investment, and drive the development of a circular economy.

The key policy review areas that this discussion paper is seeking to explore are:

1. Supporting the transition to a circular economy.
2. Avoiding waste generation.
3. Maximising resource recovery.
4. Supporting a strong market for recovered resources.
5. Protecting the environment and human health from waste pollution.
6. Circular economy metrics, reporting and transparency.

The purpose of this discussion paper is to engage stakeholders and South Australians more broadly on the issues and opportunities that this review presents. Your feedback will inform the development of a new Circular Economy and Waste Policy that will incorporate the existing W2R EPP (including amended provisions) and new circular economy provisions arising from this review. Once drafted, the draft policy will be released for further public consultation prior to being finalised.

The EPA invites you to contribute to the review by responding to any or all of the policy options considered in this paper and answering the specific consultation questions.

1 Introduction

1.1 Global outlook

In 2015, world leaders adopted the *2030 Agenda for Sustainable Development* and its 17 Sustainable Development Goals (SDGs) at a historic United Nations (UN) summit. The SDGs are a global blueprint for prosperity for people and the planet.

The *2022 UN Sustainable Development Goals Report* found that:

> Unsustainable patterns of consumption and production are root causes of the triple planetary crises of climate change, biodiversity loss and pollution. These crises, and related environmental degradation, threaten human well-being and achievement of the Sustainable Development Goals.
>
> If we continue on the prevailing development pathway, the Earth's finite capacity will be unable to sustain the livelihoods of current and future generations. Transforming our relationship with nature is key to a sustainable future.
>
> As the world develops strategies for sustainable recovery from the pandemic, governments and all citizens should seize the opportunity to work together to improve resource efficiency, reduce waste and pollution, and shape a new circular economy (United Nations, 2022, p.50).

1.2 Transitioning to a circular economy

South Australia (SA) is transitioning to a circular economy in order to improve and sustain our environment, increase our wellbeing, and grow our economic prosperity in a sustainable way.

A circular economy is an economic model designed to prioritise sustainability, resource efficiency, and waste reduction. It aims to move away from the traditional linear economic model of 'take-make-dispose' and instead seeks to create a closed loop system where resources are kept in use for as long as possible, with their value preserved and waste minimised.

In a circular economy we design out waste and pollution, keep products and materials in use for as long as possible (requiring less raw materials), and regenerate natural systems. Waste avoidance, reuse and recycling are maximised while raw material extraction and landfilling are minimised. Transitioning to a circular economy requires a transformation in our ways of producing and consuming, to gradually de-couple economic activity from finite resource consumption.

The circular economy transition is also vital to addressing climate change, as 45% of emissions produced globally come from the way we produce and consume. The 2017 report, *Creating Value – The potential benefits of a Circular Economy in South Australia,* estimated that a circular economy could create an additional 25,700 jobs by 2030 and reduce greenhouse gas emissions by 27% compared to a 'business as usual' scenario in SA (Lifecycles, EconSearch, Colby Industries & University of Queensland, 2017). This equates to 7.7 million tonnes of CO_2 equivalent (Lifecycles et al., 2017). By adopting more circular solutions and enhancing opportunities for recycling, repair, reuse, and remanufacturing, we can achieve better economic, social, and environmental outcomes for SA.

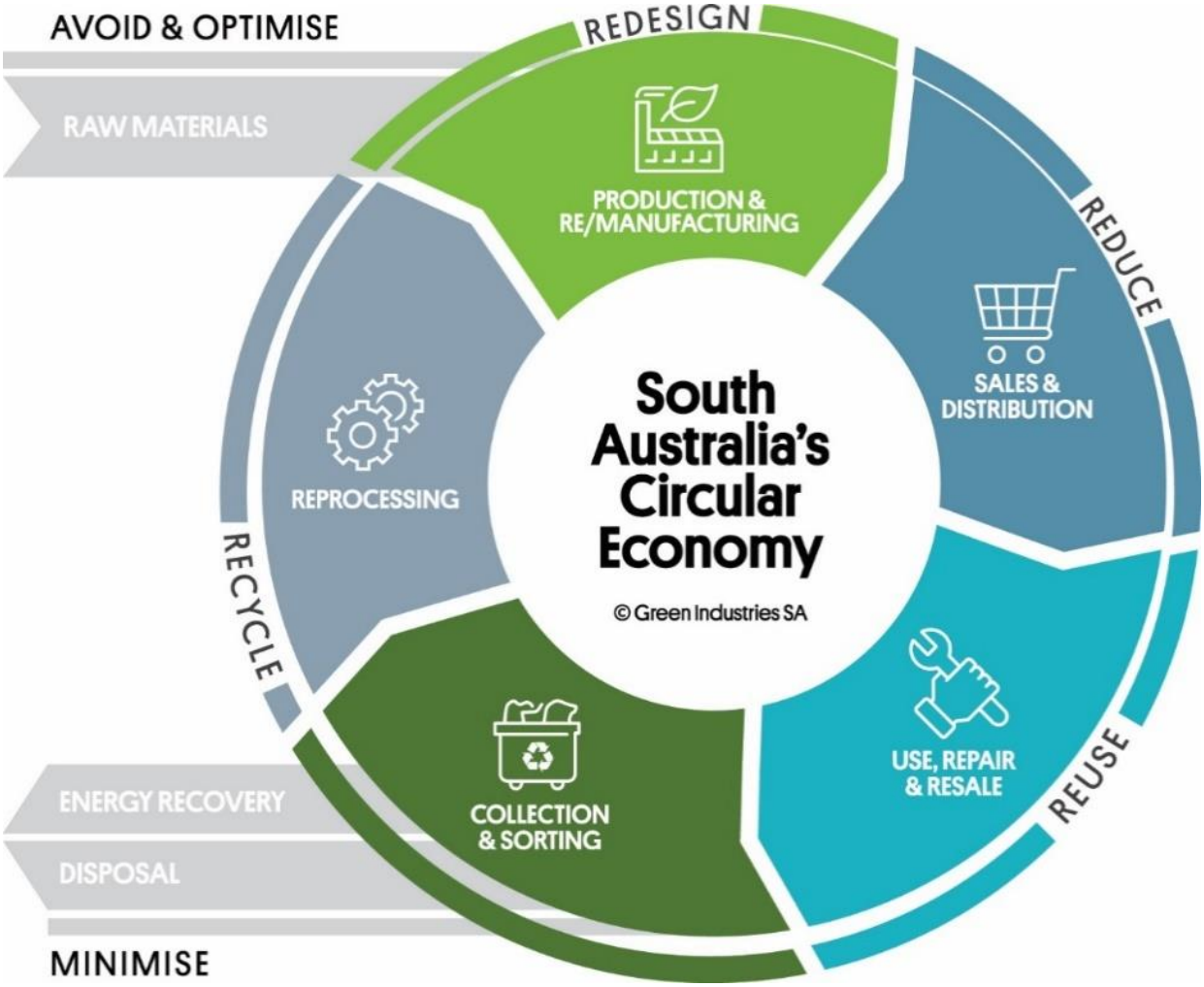

Figure 1 South Australia's circular economy (source: Green Industries SA)

> In our current economy, we take materials from the Earth, make products from them, and eventually throw them away as waste – the process is linear. In a circular economy, by contrast, we stop waste being produced in the first place.
>
> Ellen MacArthur Foundation 2024

2 Purpose of this paper

The purpose of the discussion paper is to invite your contribution to the review by seeking your views on:

- the effectiveness of the *Environment Protection (Waste to Resources) Policy 2010* (W2R EPP)
- the issues and opportunities that have been outlined in this discussion paper
- anything else that should be considered relating to waste, resource recovery and circular economy in SA.

The discussion paper has been developed through a process of reviewing and identifying issues, barriers and opportunities relating to the current W2R EPP, changes within the resource recovery and waste sector, and addressing the imperative to transition to a circular economy. Through this process, input was received from a wide range of stakeholders including state government, local government, resource recovery and waste industry, academics and subject experts, and the not-for-profit sector.

The information provides context for the issues under consideration. Further detail may be disseminated at the public meetings to be conducted during consultation.

The EPA invites you to contribute to the review, including responding to the questions identified in this paper.

2.1 How to participate

Invitation to comment

Your feedback and ideas will help inform government consideration of possible changes to the W2R EPP.

You may agree, disagree, or comment on the various issues discussed in this paper, or with the proposed policy measures identified to address these issues.

You may also suggest alternative policy measures or more appropriate ways to address these issues.

Additionally, you can make an important contribution by identifying other opportunities to improve SA's approach to resource recovery and waste management, aligned with supporting a circular economy.

To enable full consideration of your feedback and ideas, please comment on the consultation questions (located in the blue boxes in this document) and provide reasons for your comments, supported by relevant information and/or data.

Comments or written submissions can be provided via:

- YourSAy survey
- Email to: epawastepolicy@sa.gov.au
- Mail to: Environment Protection Authority
  Attention - W2R EPP Review
  GPO Box 2607 Adelaide SA 5001

Include your name, position, organisation and contact details (telephone number, email, and postal address) with your submission.

The deadline for comments and submissions is **5pm Friday 20 December 2024**.

Tips for written submissions

- List points so that issues raised are clear.
- Where possible, refer to the appropriate section or question in this discussion paper for each point.
- If you are responding to different sections of this discussion paper, keep these distinct and separate, so there is no confusion as to which section you are considering.
- Attach any factual information you wish to provide and give details of the source.
- Include a summary of your submission.

Quick survey

If you're unable to provide comment via a written submission or responding to the YourSAy survey, you may prefer to take our quick survey which will take approximately 10 minutes to complete.

Click here to take our quick survey.

2.2 Information about your submission

Submissions will be treated as public documents, unless received in confidence subject to the requirements of the *Freedom of Information Act 1991* and may be quoted in full or part in subsequent EPA reports. If you do not want the public to read your answers, please write 'confidential' on your submission.

A summary of feedback will be prepared and released publicly. Subject to the outcomes of this consultation process, further consultation with business, industry and other parties may be undertaken prior to the release of a draft Environment Protection Policy and the formal consultation on the draft policy.

3 Why are we reviewing the policy

Since the commencement of the W2R EPP in 2010, there have been significant changes that warrant a review of the policy. This includes government commitments to a circular economy and net zero emissions, as set out in *South Australia's Waste Strategy 2020–2025, South Australia's Food Waste Strategy 2020–2025*, *National Waste Policy Action Plan 2019*, *South Australian Government Climate Change Action Plan 2021–25*, and *Climate Change Role Statement* (EPA). The Australian Government is also committed to the United Nations SDGs.

Applying the principles of a circular economy is the central theme of both the *SA Waste Strategy* and the *National Waste Policy 2018*. Additionally, the Objects of the EP Act were updated in 2017 and incorporated a new Object 'to promote the circulation of materials through the waste management process and to support a strong market for recovered resources' which is yet to be referenced in an EPP.

The Objects of the Act were amended again by Parliament in 2023, adding in climate change mitigation and adaptation, and clarifying the EPA's role in addressing climate change. Consideration of policy objectives and measures to support SA's transition to a more circular economy and achieve net zero emissions, are key aspects of this review.

In addition to the above commitments, as the scope and ambition in resource recovery has increased over time, significant new and emerging waste management issues have arisen. A contemporary and effective regulatory framework can strengthen implementation and enforcement, give regulatory certainty for investment, and drive the development of a circular economy.

4 Background and context

4.1 International context

2030 Agenda for Sustainable Development

In 2015 United Nations (UN) Member States, including Australia, adopted 17 goals (Figure 2) with a 15-year plan under the 2030 Agenda for Sustainable Development.

Figure 2 United Nations Sustainable Development Goals (source: United Nations 2016a)

Goal 11, *Sustainable cities and communities* is about making cities inclusive, safe, resilient, and sustainable. One target is "by 2030, reduce the adverse per capita environmental impact of cities, including by paying special attention to air quality and municipal and other waste management" (United Nations, 2016b).

Goal 12, *Responsible consumption, and production*, commits signatories to "making fundamental changes in the way that our societies produce and consume goods and services" (United Nations, 2016c). The targets include:

- By 2030, achieve the sustainable management and efficient use of natural resources.
- By 2030, halve per capita global food waste at the retail and consumer levels and reduce food losses along production and supply chains, including post-harvest losses.
- By 2030, substantially reduce waste generation through prevention, reduction, recycling and reuse.
- Promote public procurement practices that are sustainable, in accordance with national policies and priorities.

The *2022 Sustainable Development Goals Report* identifies key areas under this goal that need to be addressed, including:

- Reducing our growing reliance on natural resources through "increased resource efficiency, circularity measures and overall efforts to de-materialise economic growth".
- Reducing food loss and waste to help deliver on the Global Methane Pledge to which Australia is a signatory [Department of Climate Change, Energy, the Environment and Water (DCCEEW) 2022a].

Goal 13, *Climate Action*, requires urgent action to combat climate change and its impacts, in order to limit warming to 1.5 degrees Celsius. One of the targets is to "integrate climate change measures into national policies, strategies, and planning" (United Nations, 2016d).

4.2 Australian context

The Commonwealth Government is responsible for a national framework for waste and resource recovery, which recognises our obligations under international agreements. The legislative framework for this is established through the *Recycling and Waste Reduction Act 2020* (Cth).

The Commonwealth Government has developed a national waste policy and corresponding action plan as well as a food waste strategy, which are briefly outlined below. This review intends to consider policy measures that support the principles and targets set out in these national documents, in conjunction with the state strategies and action plans which are covered in the following section.

Additionally, the Agreed Communiqué from the Environment Ministers Meeting (EMM) on 9 June 2023 states "Ministers reiterated their commitment to transition Australia from a 'take, make, waste' economy toward a more resilient and regenerative circular economy that maximises the value of materials and minimises waste and pollution" (DCCEEW, 2023a).

National Waste Policy 2018: Less waste, more resources

The *National Waste Policy 2018* provides a framework for collective action by businesses, governments, communities and individuals until 2030. It sets out five overarching principles underpinning waste management in a circular economy. These include:

1 avoid waste

2 improve resource recovery

3 increase use of recycled material and build demand and markets for recycled products

4 better manage material flows to benefit human health, the environment, and the economy

5 improve information to support innovation, guide investment and enable informed consumer decisions.

National Waste Policy Action Plan 2019

The *National Waste Policy Action Plan 2019* sets out targets and actions to implement the National Waste Policy 2018. Some of these include:

- reducing the total waste generated in Australia by 10% per person by 2030
- achieving an 80% average recovery rate from all waste streams by 2030
- significantly increasing the use of recycled content by governments and industry
- phasing out problematic and unnecessary plastics by 2025

- halving the amount of organic waste sent to landfill by 2030
- making comprehensive, economy wide and timely data publicly available to support better consumer, investment and policy decisions.

The plan complements and supports the implementation of better waste management and circular economy plans by state and territory governments, local government, business and industry.

National Food Waste Strategy 2017

The *National Food Waste Strategy 2017* provides a framework to support collective action towards halving Australia's food waste by 2030, aligning with and contributing towards global action under Goal 12, *Ensure sustainable consumption and production patterns*.

4.3 South Australian context

The regulation and management of waste and resource recovery is primarily the responsibility of the state government. The *Environment Protection Act 1993* (EP Act) establishes the primary legislative framework for this, while the *Green Industries SA Act 2004* requires Green Industries SA (GISA) to develop a waste strategy for the State every five years, and sets out what is to be included in the strategy. Further detail can be found in section 5 Legislative framework.

South Australia's Waste Strategy

South Australia's Waste Strategy 2020-2025 sets out SA's targets for waste reduction and waste diversion from landfill. The targets include:

- zero avoidable waste to landfill by 2030[1]
- waste generation target of 5% reduction per capita on a 2020 baseline.

It also sets 2025 waste diversion targets for metropolitan waste by waste sector:

- 75% for municipal solid waste (MSW) waste
- 90% for commercial and industrial (C&I) waste
- 95% for construction and demolition (C&D) waste.

For non-metropolitan waste, the 2023 target was for regional waste management plans to be in place for all SA regional local government areas and/or regional city clusters and setting regionally appropriate and progressive waste diversion targets.

[1] Zero avoidable waste to landfill equates to the diversion of all waste from landfill where it is technologically, environmentally, and economically practicable to do so. "Unavoidable' waste refers to wastes for which no other current treatment is available including (but not limited to) asbestos, toxic and quarantine waste".

Table 1 **Summary of SA's waste targets** (source: adapted from Green Industries SA, 2020)

Overall targets				
2025	5% reduction in per capita waste generation from a 2020 baseline			
2030	Zero avoidable waste to landfill by 2030			
Metropolitan waste targets				
	% diversion household bin system	% diversion all MSW	% diversion C&I	% diversion C&D
2023	60%	65%	85%	90%
2025	70%	75%	90%	95%
Non-metropolitan waste targets (all source streams)				
2020	Maximise diversion to the extent practically and economically achievable			
2023	Regional Waste Management Plans are in place for all South Australian regional local government areas and/or regional city clusters and set regionally appropriate and progressive waste diversion targets			

The *SA Waste Strategy* identifies actions to assist SA to reach these targets and contribute to the development of a circular economy – so that we can realise the best or full value from products and materials produced, consumed, and recovered in the state. This review will consider policy measures to support the Waste Strategy and achieve each of the identified targets.

South Australia's Food Waste Strategy

Food waste is a growing problem in Australia, and around the world. While many people experience food insecurity and hunger, edible food is being discarded to landfill. Food waste also impacts our natural resources and when in landfills, produces methane, a potent greenhouse gas (28 times more potent than carbon dioxide).

The Food Waste Strategy, *Valuing Our Food Waste: South Australia's strategy to reduce and divert household and business food waste (2020–2025)*, sets out the policy measures and behavioural change actions and support for industry to address the estimated 230,000 tonnes of food waste sent to landfill each year in SA and contribute to national and global targets to reduce food waste. This review will consider how these policy measures and actions can be enabled through regulation and programs, to help tackle food waste in the state.

South Australian Government Climate Change Action Plan 2021–2025

The *Climate Change Action Plan 2021–2025* sets out key objectives and government-led actions to reduce greenhouse gas emissions in SA by more than 50% from 2005 levels by 2030 and achieve net zero emissions by 2050. One of these key objectives is to develop a more circular economy (Department for Environment and Water [DEW], 2020).

5 Legislative framework

5.1 Environment Protection Act 1993

The EP Act provides the regulatory framework to protect SA's environment, including protection from pollution and waste. The Objects of the Act sets out the underlying purpose of the legislation, which includes:

- promoting the principles of ecologically sustainable development
- ensuring that all reasonable and practicable measures are taken to protect, restore and enhance the quality of the environment having regard to the principles of ecologically sustainable development and the need for climate change adaptation and climate change mitigation
- ensuring that, as far as is reasonably practicable, measures are taken to prevent, reduce, minimise and, where practicable, eliminate harm to the environment:
  - by programs to encourage and assist action by industry, public authorities and the community aimed at pollution prevention, clean production and technologies, climate change adaptation, climate change mitigation and resource recovery
  - by programs to encourage and assist industry, public authorities and the community to apply the waste management hierarchy
  - by regulating, in an integrated, systematic, and cost-effective manner:
    - activities, products, substances and services that, through pollution or production of waste, cause environmental harm
    - the generation, storage, handling, treatment, transfer, transportation, receipt or disposal of waste and other pollutants.
- ensuring that, as far as is reasonably practicable, measures are taken to promote the circulation of materials through the waste management process and to support a strong market for recovered resources:
  - by programs to encourage and assist industry, public authorities and the community to engage in resource recovery
  - by regulating resource recovery; and
  - by regulating the handling, storage, treatment, transfer, transportation, receipt, or disposal of waste or other matter.
- co-ordinating activities, policies, and programmes necessary to prevent, reduce, minimise or eliminate environmental harm, address climate change adaptation and climate change mitigation and ensure effective environmental protection, restoration and enhancement
- applying a precautionary approach to the assessment of risk of environmental harm and climate change and ensure that all aspects of environmental quality affected by pollution and waste (including ecosystem sustainability and valued environmental attributes) are considered in decisions relating to the environment
- requiring persons engaged in polluting activities to progressively make environmental improvements (including reduction of pollution and waste at source) as such improvements become practicable through technological and economic developments.

5.2 Environment Protection (Waste to Resources) Policy 2010

The W2R EPP, which commenced in 2010, provides the regulatory underpinning for SA's waste management objective, such as those outlined in the SA Waste Strategy, and promotes resource recovery and good waste management. In particular, the W2R EPP:

- requires the EPA to consider the waste management objective in its decision making
- defines when material ceases to be waste
- provides for improved regulation of illegal dumping and inappropriate stockpiling
- prescribes resource recovery processing requirements for most metropolitan Adelaide waste
- prescribes waste which are banned from disposal to landfill (such as e-waste)
- requires persons to comply with specified requirements and guidelines when handling and disposing of waste, including listed waste and medical waste
- requires the EPA to take into account specified guidelines when assessing environmental authorisations and development applications for waste depots.

6 Review objective

The objective of this review is to support a circular economy in SA, through a contemporary and effective regulatory framework that:

1 contributes to the reduction in the rate of climate change by limiting, reducing, or preventing greenhouse gas emissions through:
   - reducing consumption of natural resources
   - reducing the generation of waste
   - informing the consideration of greenhouse gas emissions in regulatory decisions relating to waste and resource recovery.

2 promotes the safe and appropriate circulation of materials through the waste and resource recovery process

3 practically applies the waste management hierarchy to facilitate the highest value circular reuse, repair and recycling of materials by industry, public authorities and the community

4 supports a strong market for recovered resources.

7 Key policy review areas

Key area 1: Supporting the transition to a more circular economy

SA is transitioning to a circular economy in order to improve and sustain our environment, increase our wellbeing, and grow our economic prosperity in a sustainable way. We need to replace the unsustainable 'take–make–waste' linear economy with circular, restorative approaches where waste is minimised.

The three key principles of a circular economy are:

1 Reduce – design out waste and pollution.

2 Preserve – keep products and materials in use and at their highest possible value.

3 Regenerate – regenerate natural systems and natural capital.

Reduce

Adopting more circular solutions requires us to move beyond resource recovery and recycling and place an emphasis on waste prevention. We need to prolong the lifespan of products by designing products to be long lasting and repairable, allowing for easy maintenance, upgrades, and reuse. The goal is to extend the lifespan of products and minimise the need for constant replacements. The focus is on reducing waste generation at the source rather than relying solely on end-of-life solutions. It is also at this point these environmental pollutants, such as forever chemicals, can be designed out of products so that these are prevented from entering the economy.

Preserve

Products also need to be designed so that they can be easily disassembled, in order for materials and components to be recovered and recycled or repurposed into new products or materials. This helps to reduce the demand for new raw materials and reduces the amount of waste going to landfill.

In addition to keeping products and materials in use longer, in a circular economy these recovered materials are to be used at their highest possible value. An example of highest value reuse would be a glass bottle being recovered and becoming another glass bottle. A lower order, or lower value reuse would be for this glass bottle to be crushed and reused in road base.

The term 'highest value', sometimes used interchangeably with 'highest order', is relative to the waste management hierarchy and applies the second principle of a circular economy, being to keep products and materials in use, either as the original intended product, or second to that as components or raw materials for new products. It relates to material resource efficiency but also the greenhouse gas emissions impact of the intended use or reuse of that product or material.

To ensure that the recovery of end-of-life products and materials is maximised, effective waste and resource collection systems and practices need to be in place, alongside efficient recovery, and recycling processes. In addition to maximising how much is collected, improvements in this area can also upgrade the quality of the recycled material that is produced.

Regenerate

Circular economies help regenerate natural systems through establishing more sustainable practices. This includes reducing demand on new raw materials, putting organics back into soils rather than in landfill, and reducing greenhouse gas emissions to mitigate climate change.

7.1 Broadening the policy objective

The current objective of the W2R EPP – termed the 'waste management objective' – is "to achieve sustainable waste management by applying the waste management hierarchy consistently with the principles of ecologically sustainable development set out in section 10 of the Act" (clause 7).

Circular economy

Since the W2R EPP commenced in 2010, the EP Act has been amended to add an Object to ensure that measures are taken "to promote the circulation of materials through the waste management process and to support a strong market for recovered resources"[2].

The waste management objective of the EPP needs to be broadened in order to address this new Object of the Act and effectively capture and support circular economy activities.

Looking to the *Green Industries SA Act 2004*, in which the principles of the circular economy are defined, it states that:

> the principle of the circular economy is a reference to an economic model that contemplates the production of goods and services:
>
> i by a reduced reliance on virgin materials; and
>
> ii on the basis of continuously functioning utility and an extended lifecycle; and
>
> iii in a manner that eliminates, as far as is reasonably practicable, waste or pollution, or harm to the environment.

Climate change mitigation

In 2023 the Parliament of South Australia again amended the Objects of the EP Act to add climate change mitigation and adaptation, clarifying the EPA's role in addressing climate change (Parliament of South Australia, 2023). The South Australian Government's Climate Change Actions document sets out the actions being taken by government to tackle climate change and identifies the EPA's role in this. The EPA is the lead Agency for Action 2.1Deliver a stronger regulatory framework to reduce waste and encourage greater reuse of materials to support a circular economy (DEW, 2022).

Greenhouse gases (GHG) can be emitted through all stages of a product's production as well as its end-of-life. The embodied carbon of a product is halted if its lifespan is extended through product design that extends durability, and through other waste prevention activities such as reuse, reselling, refurbishing, and repairing. Once a product enters end-of-life management process – waste collection, recovery, and recycling – additional GHG emissions are generated to collect, sort, recycle and remanufacture the feedstock into new products. Additionally, once waste is deposited in landfill, further GHG can be produced.

While a key benefit of a circular economy is the resulting reduction in GHG emissions, there can be circumstances where carbon benefits may not be achieved. An example of this is where the GHG emissions generated by transporting recovered resources long distances to a materials recovery facility (MRF) outweigh the carbon benefits of keeping these resources out of landfill. Factoring climate change mitigation into EPA regulatory decision-making on waste and resource recovery matters will help achieve optimal outcomes for the environment.

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2 *Environment Protection Act 1993*, section 10(1)(b)(iaa)

Policy options being considered

Circular economy objective

To reflect the evolution away from the traditional take-make-dispose approach of a linear economy, towards a focus on waste prevention and 'material management', it is proposed that the objective of the EPP be broadened to include a circular economy objective and incorporate circular economy principles. The objective and principles will underpin the activities required to facilitate the continued circularity of materials in the economy such as:

- preventing environmental harm and protecting human health by designing out waste and pollution
- reducing the use of, and dependence on, raw (virgin) materials
- avoiding waste generation by practically applying a waste management hierarchy
- keeping resources in use and circulating by addressing resource inefficiency, e.g., improving resource recovery through activities such as separation of wastes at the source of generation, and requiring recovered materials to be used for their highest value reuse
- regenerating natural systems through ecologically sustainable practices.

These concepts and related supporting measures are expanded on in later sections.

Climate change mitigation objective

It is proposed that the EPP objective also be broadened to include a climate change mitigation objective[3]. This will ensure that climate change is factored into EPA regulatory decision-making on matters relevant to this amended EPP, alongside the waste management objective and circular economy objective.

It should be noted that the existing provisions under clause 7(2) of the W2R EPP that set out other principles to achieve the objective of the EPP (e.g., promoting best practice and accountable waste management, effective reporting systems, and promoting environmental responsibility and involvement in waste avoidance, waste minimisation and waste management) are consistent with the proposals above and can be retained.

QUESTIONS

7.1 Broadening the policy objective

1 Do you agree that 'circular economy' should be an objective of the W2R EPP? If not, please explain your reasons.

2 Do you agree that 'climate change mitigation' (i.e., limiting, reducing, or preventing greenhouse gas emissions) should be an objective of the W2R EPP? If not, please explain your reasons.

3 Are there other objectives for this W2R EPP that should be considered?

[3] Climate change mitigation means limiting, reducing, or preventing greenhouse gas emissions.

7.2 Expanding the waste management hierarchy

Current South Australian legislation references the waste management hierarchy which is a widely recognised framework that establishes a preferential order of waste management options to reduce and manage waste. The activities at the top of the hierarchy have the highest environmental benefit.

In SA, the EP Act defines the 'waste management hierarchy' as:

> … a reference to an order of priority for the management of waste in which:
>
> a avoidance of the production of waste; and
>
> b minimisation of the production of waste; and
>
> c reuse of waste; and
>
> d recycling of waste; and
>
> e recovery of energy and other resources from waste; and
>
> f treatment of waste to reduce potentially degrading impacts; and
>
> g disposal of waste in an environmentally sound manner,
>
> are pursued in order with, first, avoidance of the production of waste, and second, to the extent that avoidance is not reasonably practicable, minimisation of the production of waste, and third, to the extent that minimisation is not reasonably practicable, reuse of waste, and so on[4].

This is depicted in Figure 3.

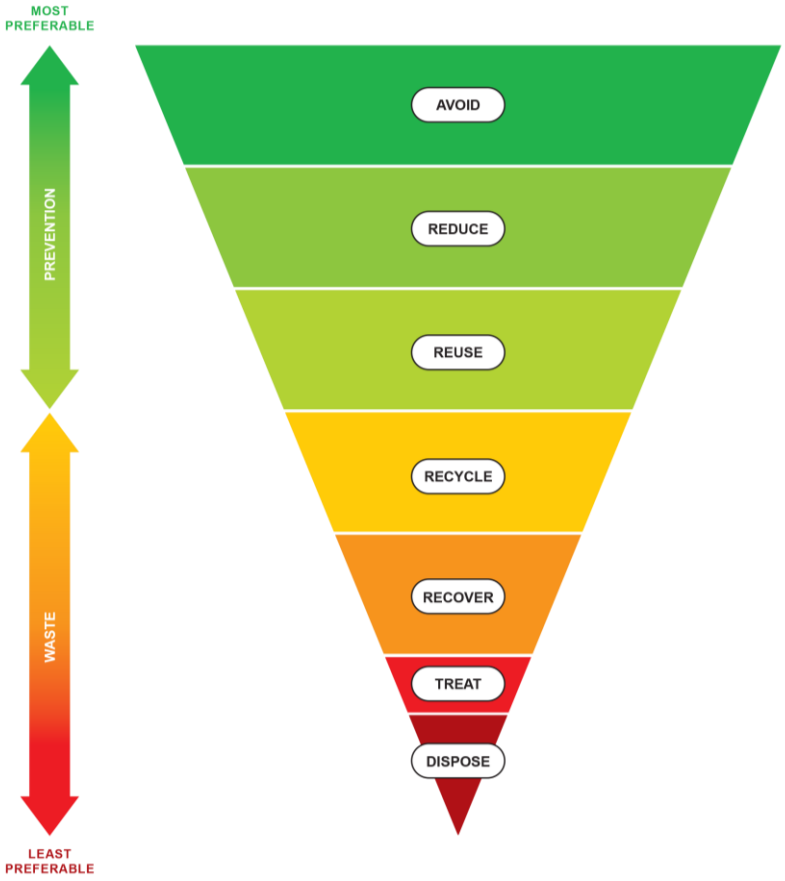


Figure 3 SA waste management hierarchy

4 *Environment Protection Act 1993*, section 4B

The top three levels of the waste management hierarchy – avoid, minimise (or reduce) and reuse – are considered as waste prevention activities which are any deliberate actions taken that keep an item, component or material in use and stop it from entering a waste management facility or system.

These activities are distinct from the activities of recycling or resource recovery, that divert waste from landfill after the items have entered a waste management process, by returning them back to the economy for further use. The W2R EPP focuses mainly on the management of wastes and the recovery of resources, which are lower order activities in the hierarchy.

By contrast, a circular economy hierarchy (also represented as the 10R's) is a concept that goes beyond waste management, emphasising sustainable resource management and the circular flow of materials. It expands on the traditional waste management hierarchy by placing more focus on waste avoidance activities, reducing the need for consumption in the first place, and keeping materials in circulation for as long as possible before needing to recycle or dispose them. The circular economy hierarchy takes a more holistic approach and acts to embed circular concepts across the economy.

Below is an example of how the activities or tiers of the waste hierarchy can be expanded to incorporate circular economy principles and activities (Figure 4).

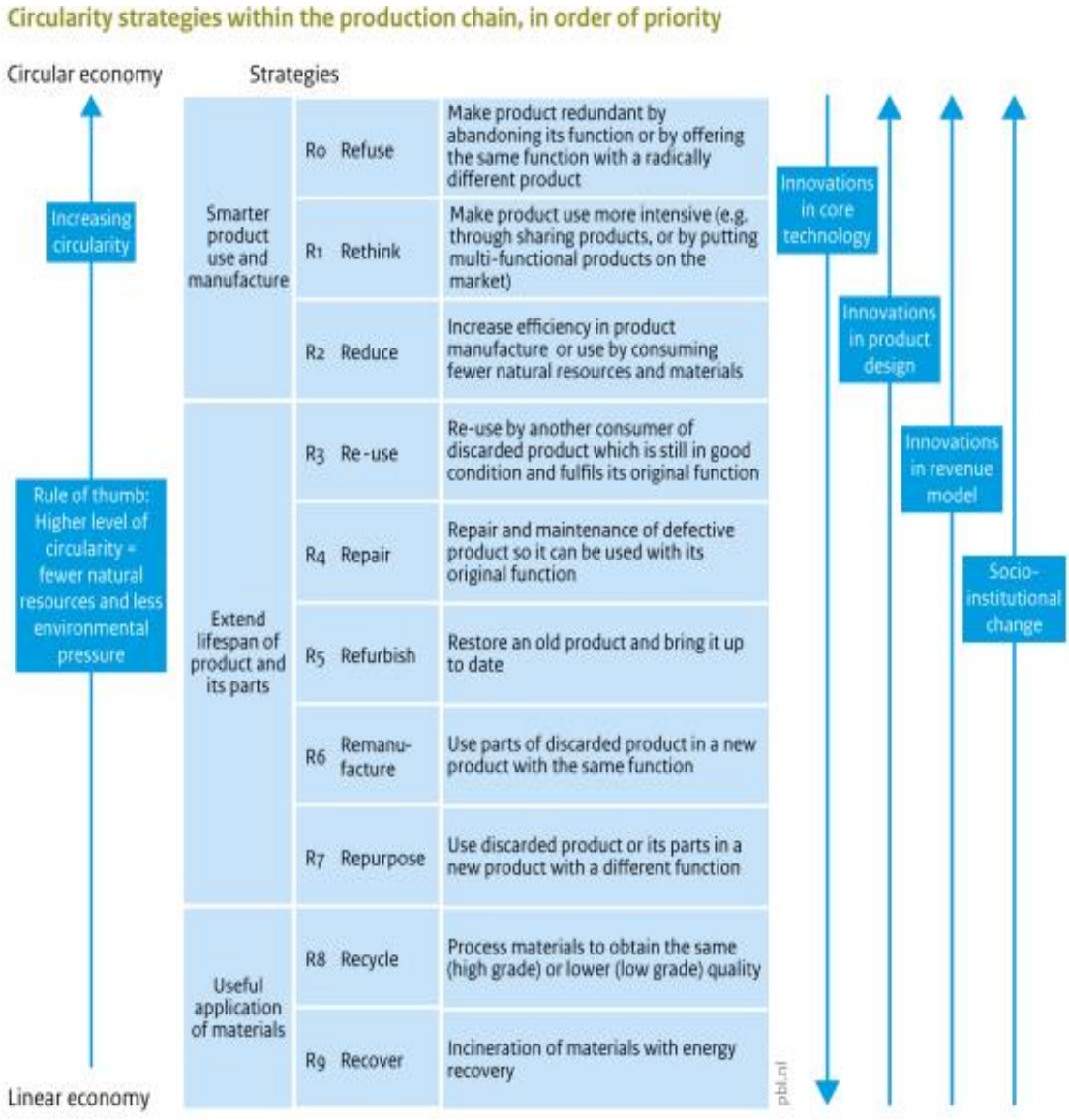


Figure 4 Circularity strategies within the production chain, in order of priority
(source: PBL Netherlands Environmental Assessment Agency, 2017)

Work has already taken place in Australia to expand on the traditional waste hierarchy to add a range of waste prevention activities. Figure 5 is one such example. This expanded hierarchy gives greater prominence to waste prevention activities, and also distinguishes more clearly between them.

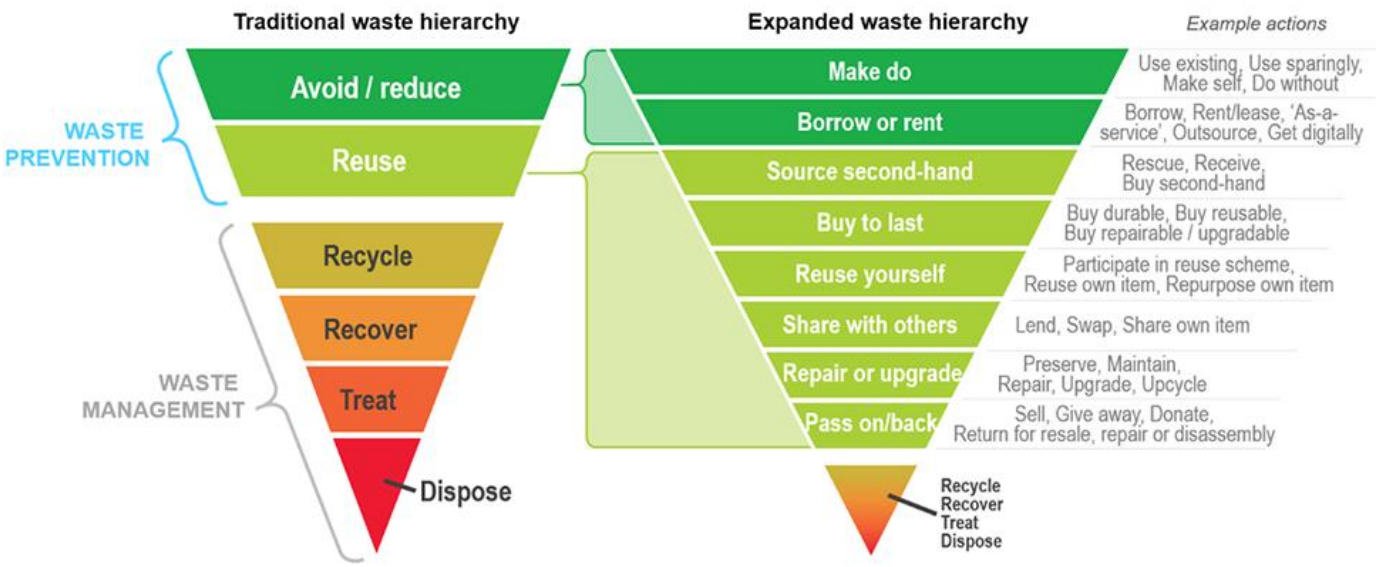


Figure 5 Expanding the waste hierarchy (source: DCCEEW, 2022b.)

Another expanded version of the traditional waste hierarchy has been developed by Charitable Recycling Australia (see Figure 6). This Resource and Waste Hierarchy reinforces the differences between waste and resources and highlights the priority of the 'Use' phases before 'Waste' phases. It also includes descriptions to clarify understanding and to encourage implementation of highest and best use.

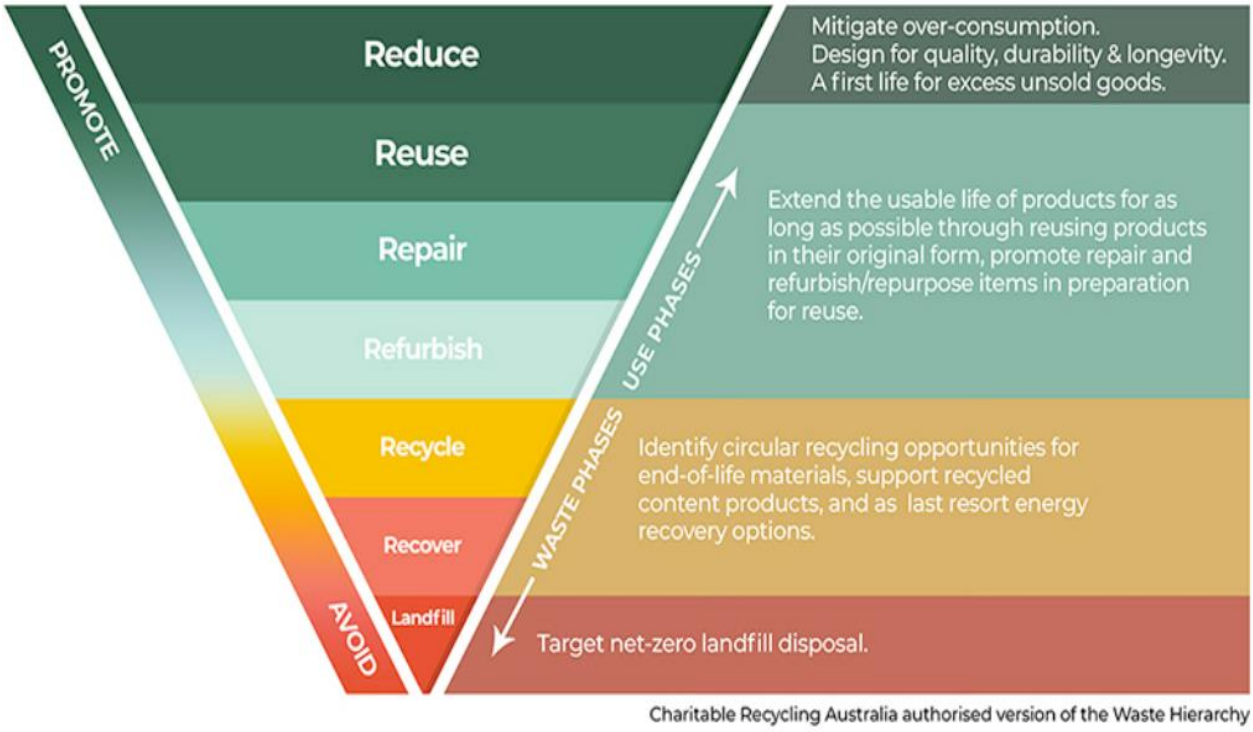


Figure 6 Charitable Recycling Australia's Resource & Waste Hierarchy – highest and best use (source: Charitable Recycling Australia website, 2024)

Policy options being considered

In order to ensure better alignment between the waste management hierarchy and circular economy principles, consideration is being given to expanding on the current waste management hierarchy and providing additional guidance on how the hierarchy is to be applied in a practical way. Through this we will be able to drive better material flow, enhance circularity and improve environmental outcomes.

An expanded waste hierarchy would have broader application and assist in prioritising waste prevention activities over waste and resource recovery activities.

The waste hierarchy could be revised to distinguish between reuse and high-value recycling (i.e., activities that keep items or materials in use for as long as possible) from low-value reprocessing, referred to as 'downcycling', such as recyclable materials processed into a lower value form such as glass into road base.

Given that disposal is minimised in a circular economy, the waste hierarchy could also be revised to distinguish between activities that are circular (i.e., keeping items or materials in use) from activities that are non-circular (i.e., end-of-life activities such as energy recovery through incineration of waste, once off use activities such as operational use of recovered materials within a waste facility or landfill, treatment prior to disposal, and disposal to landfill).

Table 2 below sets out the activities and outcomes sought relevant to each tier of a proposed expanded hierarchy, to better define the hierarchy and give it more practical application.

QUESTIONS

7.2 Expanding the waste management hierarchy

1 Do you have any comments on the proposed expanded SA waste management hierarchy set out in Table 2 and depicted at Figure 7 (below)?

Table 2 Proposed expanded SA waste management hierarchy

Circular economy principle	Waste management hierarchy tier	Actions/outcomes sought
ACTIVITIES THAT PREVENT OR REDUCE WASTE GENERATION		
Source prevention of waste/more resource efficient product design, manufacture and use		
Eliminate waste and pollution	**AVOID** Avoidance of the production of waste	**Refuse:** avoid over-consumption of products; make product use more intensive; use existing; use sparingly; do without; make it yourself **Redesign:** design products to need fewer material inputs and fewer material types; to eliminate problematic or hazardous materials, inputs or components that cause environmental harm; to reduce packaging; to increase shelf life through improved food packaging and labelling **Increase resource efficiency in production:** consume fewer raw natural resources and materials and reduce waste in product manufacture; avoid food waste; repurpose food scraps without processing for animal feed, repurpose food scraps into other products **Avoid surplus food and goods:** reduce the volume of surplus food generated; donate edible surplus food to food redistribution charities; ensure a first life for excess unsold goods
Extend lifespan of products and its parts/keeping items in use/retain value and function		
Keep products in use for as long as possible	**REDUCE** Minimisation of the production of waste	**Redesign:** design for quality, durability and longevity; design for service; design for product reuse and repair **Borrow or rent:** borrow; rent/lease; 'product as a service'; outsource; get digitally **Buy to last:** buy durable, reusable, repairable, upgradable
	REUSE Reuse of waste	**Reuse yourself:** participate in reuse scheme; reuse own item, repurpose own item, repair own item **Reuse by another/share with others:** reuse by another consumer of discarded product to fulfil its original function, eg rescue, receive, source, buy second hand; lend, borrow, swap, share own item; sell, give away, donate; return for resale, repair or disassembly **Repair:** repair and maintenance of defective product so it can be used for its original function **Refurbish or upgrade:** restore an old product to bring it up to date, preserve, upcycle **Re-manufacture:** Use parts of discarded product into a new product with the same function

ACTIVITIES THAT DIVERT WASTE FROM LANDFILL AFTER ITEMS HAVE ENTERED THE WASTE MANAGEMENT PROCESS		
Keeping materials in use/beneficial application of recovered materials to regenerate natural systems		
Keep materials in use and at their highest value	**RECYCLE** Recycling of waste	**Redesign:** design products for material recovery **Support markets for recycled products and recovered materials:** produce, sell or buy products that are recyclable; sell, buy and use recycled content products; identify circular recycling opportunities for use of end-of-life products or materials, at their highest value **Recover:** recover clean end-of-life recyclable material streams through source segregation and separate collections **Repurpose:** use discarded products or its parts in a new product with a different function, at their highest value **Reprocess:** reprocess recyclable materials for use as a secondary raw material for new products, at their highest value
Keep materials in use	**DOWNCYCLE** Downcycling	**Downcycle:** reprocessing of recyclable materials into a lower value form such as glass into road base
Regenerate natural systems	**RECOVER** Recovery of energy and other resources from waste	**Energy recovery from resource recovery:** anaerobic digestion of recovered organic matter to generate biogas with residual digestate for beneficial use in application to land
ACTIVITIES THAT ARE NON-CIRCULAR		
Non-circular	**RECOVER** Recovery of energy and other resources from waste	**One-off use:** one-off use, such as operational use of recovered materials within a waste facilityor landfill **Energy recovery from waste disposal:** for example incineration (including refuse derived fuel); pyrolysis; gasification; landfill gas capture; anaerobic digestion to generate biogas with residual waste disposed to landfill; bioreactor landfill that produces biogas for electricity generation with digestate remaining in landfill cell
	TREAT Treatment of waste to reduce potentially degrading impacts	**Treat:** treatment of waste to reduce potentially degrading impacts **Use of contaminated materials:** recovery and use of materials classified as contaminated for operational reuse within an engineered landfill cell (such as intermediate waste soils as cover)
	DISPOSE Disposal of waste in an environmentally sound manner	**Dispose:** Disposal of waste in an environmentally sound manner

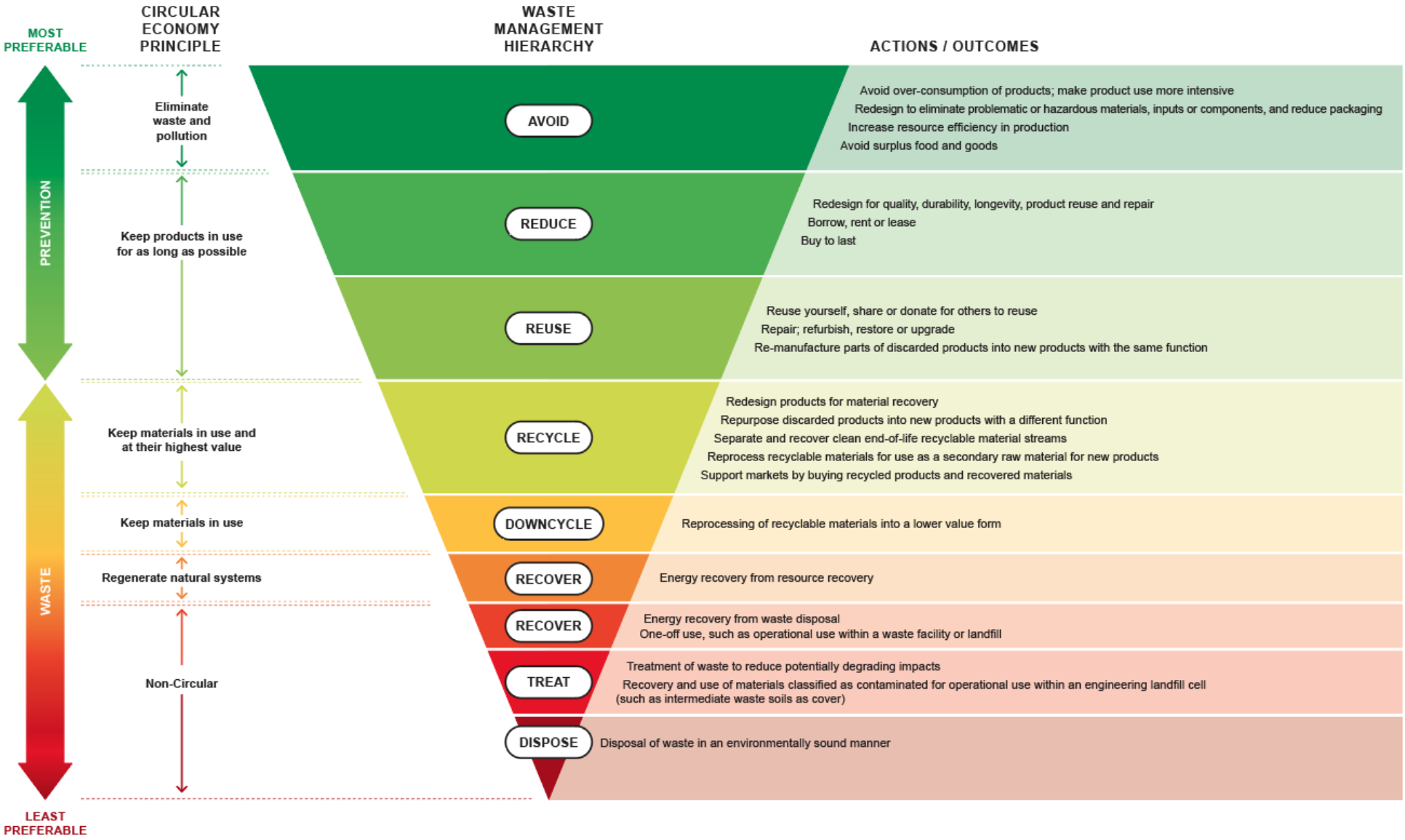


Figure 7 Proposed expanded SA waste management hierarchy

7.3 Managing resources to preserve value

A circular economy seeks to create a closed loop system where resources are kept in use for as long as possible, with their value preserved and waste minimised. In a closed loop, used products come back to the manufacturer and components or materials are used again to produce new products of the same type.

Applying circular economy principles includes recognising that there are various forms of resource recovery, some of which keep resources in use for longer than others and represent a higher value reuse.

For example, in its pure form glass is infinitely recyclable. Glass recycled into further glass products (such as glass bottles recycled into more glass bottles) represents a closed loop of recycling. This is the highest value recycling for glass and is the most preferable in a circular economy.

Glass which is crushed and incorporated into another product such as road base, is considered downcycling. While the road base maybe be recovered and reused again, the glass is no longer recoverable and infinitely recyclable as in closed loop recycling. This hierarchy of recovery is demonstrated in Figure 8.

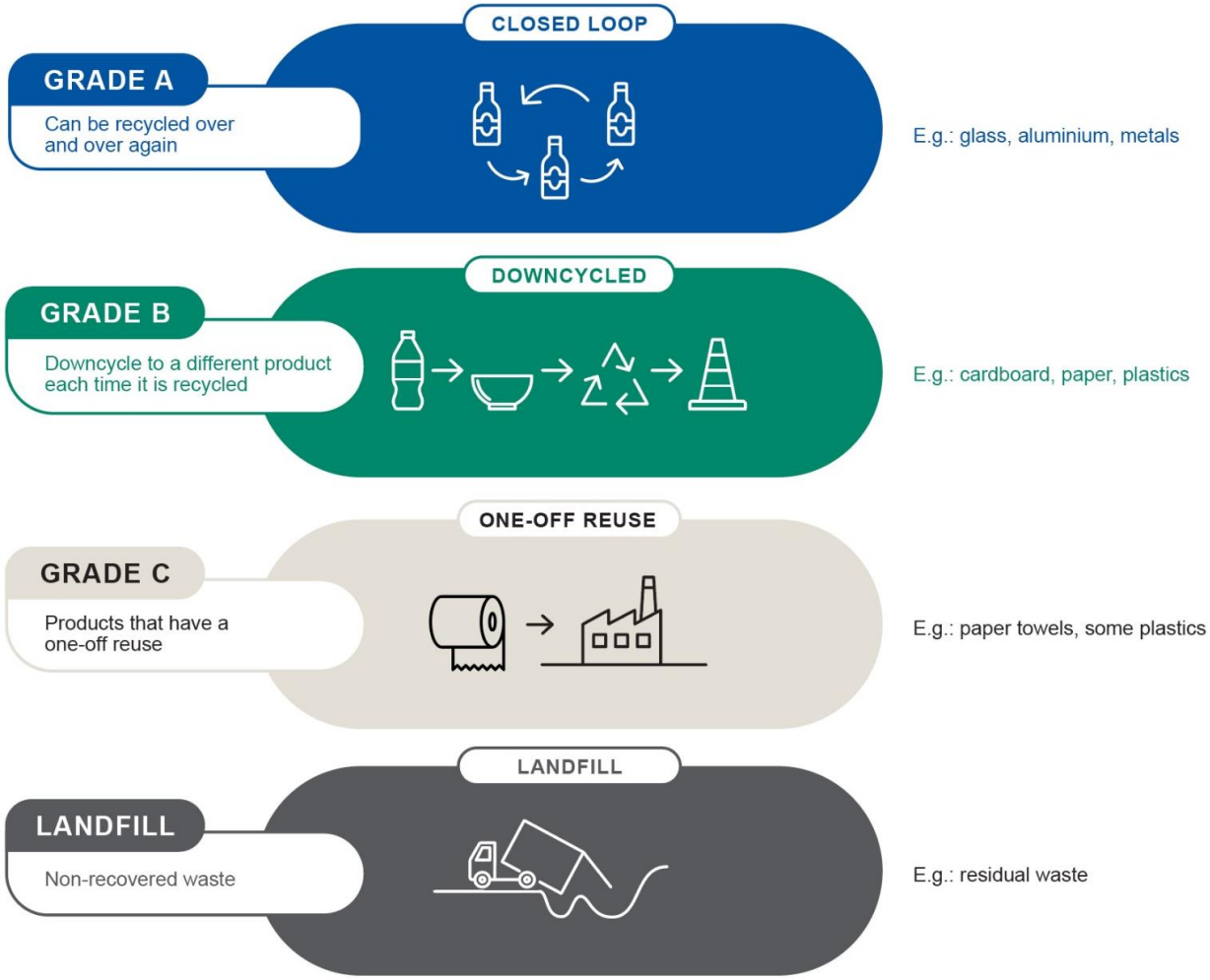


Figure 8 Material grades and flows

The lowest value form of recycling is reprocessing waste or resources into material with only a one-off use, such as when resources are manufactured into fuel for energy production (i.e. refuse derived fuel). In this example, once the fuel is used, the material no longer exists in that form.

Another example is when materials are used on site at landfill depots, such as organics derived from residual municipal solid waste (MSW) for landfill capping. When materials are used operationally, they typically become non-recovered waste (see Fig 8) because they never leave the landfill site and no longer circulate

within the economy. There is a high risk of these options effectively becoming a convenient form of disposal while avoiding the waste levy. This ultimately undermines upstream source segregation and higher value resource recovery. The existing waste management hierarchy reflects this approach in that it places 'reuse of waste' above 'recycling of waste', and 'recycling of waste' above 'recovery of energy and other resources from waste'. However, there is opportunity to provide further detail in the EPP to support clear and consistent regulatory application of these principles across the full waste management process.

For example, source segregation is an important prerequisite to supporting effective closed loop recycling, but application of the existing waste management hierarchy (section 7.2) on its own might not offer sufficient grounds to require source segregation of waste by licensees, or as a prerequisite to approving a resource recovery proposal.

Currently, it is common for resources to be recovered but not used for their highest value reuse. Products are often made of different combinations of material types, and as waste becomes more mixed in nature, the costs of processing the waste to separate out valuable resources increase. This can result in a preference for downcycling which is a process of converting materials into new materials of lesser quality and reduced functionality.

Where further resources are able to be recovered from residual waste and downcycled into products with a legitimate use (preventing landfilling and saving virgin materials which may otherwise be used), this is a positive outcome. However, this should not be performed in preference to source segregation and processing which could result in a higher value reuse. For example, manufacturing mixed glass cullet with no other reuse option into road base is a positive outcome, but not if the practice undermines incentives to source separate glass to recycle back into glass products.

Similarly, once materials have been aggregated for recycling, they should be reused for their most beneficial purpose. There is a risk of materials aggregated for recycling being blended with other waste to dilute contaminants and produce useable low-grade materials, particularly within landfills. For example, in relation to organics, the SA Waste Strategy 2020-2025 identifies a priority action to "restrict use for operational purposes at landfills, organic materials that have been aggregated for recycling" (p.31). This reflects the need to ensure that these recovered materials are used at their highest value, which is to be composted and returned to soil.

Why action is needed

By embedding new circular economy concepts into the EPP, alongside an expanded waste management hierarchy, we can support the ambition of keeping resources in use for as long as possible and preserving their value. This will provide clarity and certainty to businesses about what is required to support achieving the best circular outcomes possible in each situation. It will also enable the EPA to make regulatory decisions which better support the highest value reuse of materials, preventing avoidable downcycling and one-off recovery of resources, and thereby supporting a more circular economy.

Policy options being considered

Consideration is being given to incorporating new concepts into the EPP to give practical effect to circular economy principles in EPA regulatory decision-making, such as:

Highest value reuse

The term 'highest value', (sometimes used interchangeably with 'highest order'), is relative to the waste management hierarchy and applies the second principle of a circular economy – to keep products and materials in use, either as the original intended product, or second to that as components or raw materials for

new products. It relates to material resource efficiency but also the greenhouse gas emissions impact of the intended use or reuse of that product or material.

As outlined above, there are various forms of reuse and recycling, some of which keep resources in use for longer than others. The revised EPP could be amended to reflect this and prescribe an intention for regulatory decisions to support the 'highest value reuse' for materials.

This could enable the EPA to reject proposals where there are other more preferable higher value options available for those materials.

Beneficial use or reuse

Currently the W2R EPP focuses on minimising the risk of environmental harm from a proposed reuse. This is particularly relevant in the application of low-grade waste derived materials to land. However, this may mean that it is only necessary to demonstrate that the material is inert. One way to improve assessment of potential reuse may be to consider whether it has benefit. For example, whether the material is in fact a beneficial growing medium for plants as opposed to a material which is simply inert, if that is the intended use.

In this context, 'beneficial use' or 'beneficial reuse' relates to the outcome being a net environmental benefit, i.e., contributing to environmental sustainability and resource efficiency. It aligns with the circular economy principles of reducing waste and pollution, keeping resources and materials in use and at their highest possible value, and regenerating natural systems and natural capital. It does not refer to economic or financial benefits.

Prevent dilution

There are instances where source separated recovered materials or virgin materials (particularly soil) are blended with mixed wastes in order to dilute contaminants and produce a useable low-grade material.

Section 3.6 of the *Standard for the production and use of Waste Derived Fill* (WDF Standard) states that 'dilution is not a suitable waste management approach and is not supported by the EPA'. However, this concept is not currently prescribed more broadly.

The EPP could be amended to clearly prescribe that dilution of contaminants in order to avoid regulatory controls or legislated requirements is not an accepted waste management approach.

Source separation

The EPP could be amended to support the concept of source separation. This would oblige the EPA to require that low-value reuse proposals (such as the manufacture of fuels for energy from waste production) must only use waste that has already been subject to source separation.

Treatment for resource recovery

Treatment for resource recovery is not a new concept, as the W2R EPP already requires that waste or other matter produced in specified areas be subject to treatment for resource recovery prior to disposal to landfill (clause 11). However, the EPP could be amended to require that low-value reuse proposals (such as the manufacture of fuels from waste for energy production) must only use waste that has already been subject to treatment for resource recovery. This requirement is consistent with current EPA decision-making practices and the EPA Thermal energy from waste (EFW) activities position statement, but its inclusion would provide additional clarity.

QUESTIONS

7.3 Managing resources to preserve value

1 If the concept of highest value use or reuse is defined and incorporated into the EPP to inform decision making, how general or prescriptive should it be, and why? Please explain your reasons.

   a Should a reuse proposal be rejected if there is a higher value reuse option available for that material?

   b What mechanisms should be considered when thinking of maximising higher value reuse of materials?

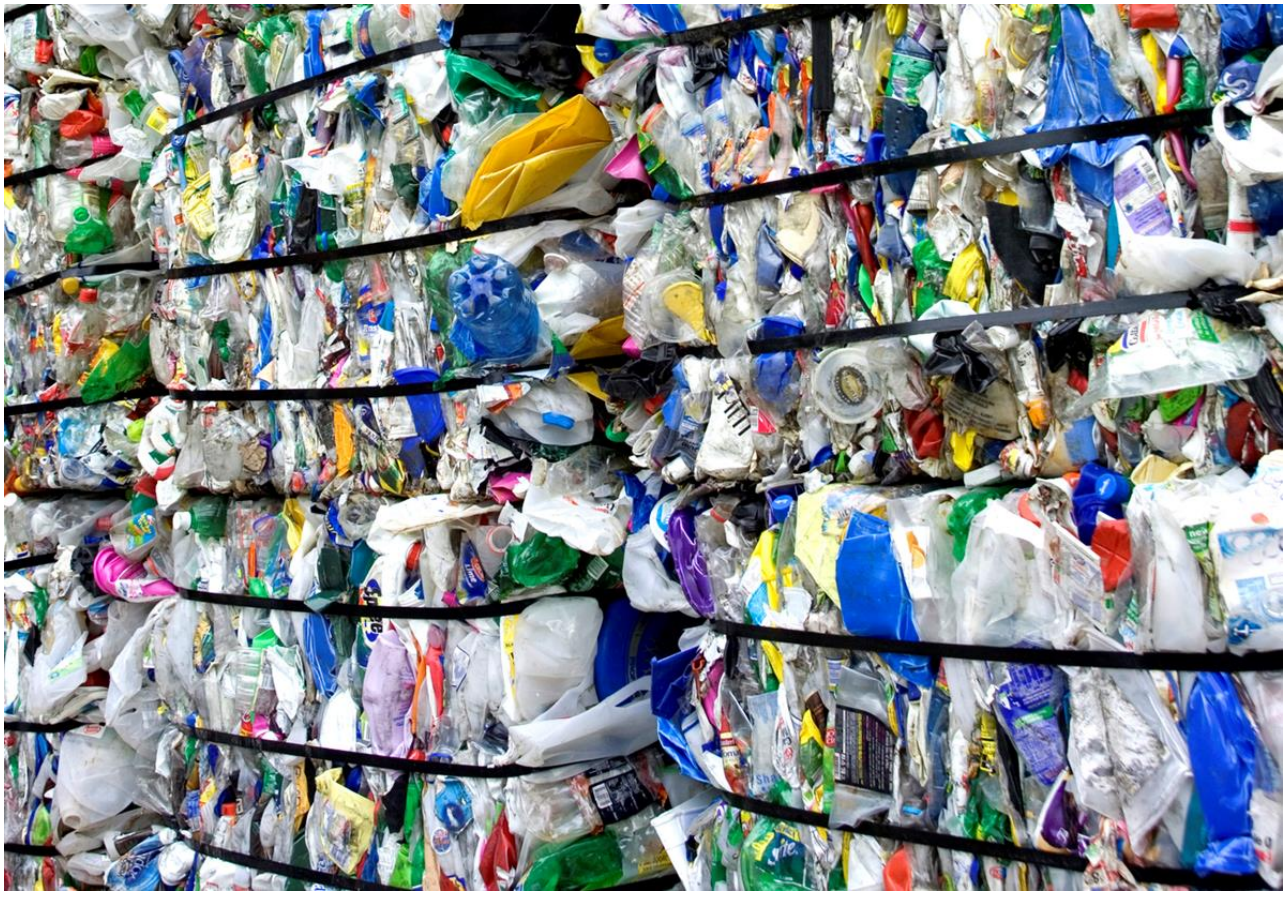
   c How can SA businesses and organisations (e.g., waste food generators and organic processors) contribute to higher value reuse of materials like organics? Should specific regulations or incentives (e.g., waste levy) be mandated to encourage their higher value reuse?

2 Do you agree that proposals to reuse waste derived materials should be required to demonstrate that it is a beneficial and genuine reuse, in addition to not posing a risk of environmental harm or undermining resource recovery markets? Please explain your reasons.

3 If dilution of waste with other materials (source separated recovered materials or virgin materials) is prohibited, are there any situations where diluting waste with other materials should be acceptable, and what are these?

4 If source separation of waste is incorporated into the EPP as a requirement, who should this requirement apply to? Please explain your reasons.

5 What additional concepts could be introduced to support the practical application of circular economy principles?



7.4 Defining waste

How we define waste is pivotal for a number of reasons. Waste needs to be dealt with in certain ways and can pose a risk to both the environment and human health if not managed or disposed of correctly. Making sure that our regulatory regime effectively addresses these matters is a goal of the EPP update. Further to this, as we progress in our transition to a circular economy and aim to keep products and materials in circulation as long as possible through reuse, repair, and recycling, we need to also define the point at which recovered materials within the waste management process are no longer waste, but can be safely reused for beneficial purposes, become a valuable product, or become feedstock material for a new product.

Getting this definition right has implications for the state ambition to become a more circular economy, supporting resource recovery, providing regulatory certainty to support investment, encouraging innovation, and ensuring a consistent and level playing field for industry. It also has implications for waste being treated through the waste management process and the waste management hierarchy and determines when and what the solid waste levy applies to.

Current definitions of waste

Waste is defined in section 4 of the EP Act as:

> … any discarded, dumped, rejected, abandoned, unwanted or surplus matter, whether or not intended for sale or for purification or resource recovery by a separate operation from that which produced the matter, whether or not of value.

Pursuant to section 4 of the EP Act, the definition of waste may be extended or limited by regulation or environment protection policy. As such, clause 4(1) of the W2R EPP declares that certain material is not 'waste' if:

a it constitutes a material that meets specifications or standards published, or approved in writing, by the Authority; or

b in the absence of such a specification or standard, it constitutes a material that is ready and intended for imminent use without the need for further treatment to prevent any environmental harm that might result from such use.

Clause 4(1)(a) of the W2R EPP provides that material ceases to be 'waste' if it meets the requirements of an approved specification or standard which play a critical role in managing potential risks of environmental harm or harm to human health from reuse of waste. In the absence of a relevant standard, material may cease to be waste by virtue of clause 4(1)(b) based on market acceptance and environmental suitability.

Given the changing nature of waste management and resource recovery in SA, and with standards and specifications in place since the W2R EPP commenced in 2010 (e.g., *Standard for the production and use of Waste Derived Fill*), it is timely to review clause 4 and particularly the assessment criteria under clause 4(1)(b) to provide greater certainty regarding the definition of waste and to support circular economy principles.

The assessment of new resource recovery proposals, such as those requiring a new approved standard or specification under clause 4, is increasingly complex and resource intensive for the EPA, with other waste and resource recovery activities potentially cross subsidising the more complex aspects of new resource recovery proposals. Adequate resourcing of this function for the EPA is critical to ensuring effective implementation of the W2R EPP, and any future Circular Economy EPP, in support of SA shifting towards a more circular economy, and in supporting the resource recovery industry in providing timely assessment of new and innovative resource recovery proposals.

Why action is needed

Action is needed to ensure effective application of a risk-based approach to regulating waste, where potential risks to environment and human health are appropriately managed, while also ensuring that the reuse of low-risk waste-derived materials is not hampered by unnecessary regulation.

Policy options being considered

The EPA is looking to establish a risk-based approach to waste regulation where higher risk waste types are regulated and required to meet a standard or specification and the lowest risk waste types are not regulated. Consideration is also being given to whether a cost-recovery model should be adopted by the EPA for the assessment of new resource recovery proposals such as those requiring a new standard or specification under clause 4, to ensure that this important and complex function is adequately resourced.

QUESTIONS

7.4 Defining waste

1 Should waste only cease to be waste if it complies with an approved EPA standard or specification? If so, what would be the benefits and costs of this approach? If not, why?

2 What waste-derived materials are currently in use which do not have an approved EPA standard or specification under clause 4(1)(a) of the W2R EPP?

3 Which wastes or waste materials containing harmful chemicals or contaminants are high risk and should be captured by regulation?

4 What principles, or combination of principles, should be used in determining whether material is waste (aside from when it meets an approved EPA standard or specification)?
For example,
- it is being reused for a purpose consistent with the product or material's original intended purpose
- it is intended for imminent use for beneficial purposes
- it has genuine market value
- there is no potential for environmental harm
- there is no potential for harm to human health

Please explain your reasons.

a How should 'genuine market value' be defined or determined?
b How should 'beneficial use or reuse' be defined or determined?

5 What materials would benefit from greater clarification regarding the status of 'waste'?

6 Should the EPA adopt a cost-recovery model for the assessment of new resource recovery proposals? Please explain your reasons.
a Are there other cost recovery options which could be implemented?
b What barriers might need to be addressed when adopting a cost-recovery model for the assessment of new resource recovery proposals?

Key area 2: Avoiding waste generation

According to the South Australian *Circular Economy Resource Recovery Report 2022–23* (CERR Report), SA generated 5.16 Mt of waste during that year – an increase of 5.7% from 2021–22. This equates to 2,785 kg of waste generated per person, an increase of 4% since the previous year and an increase of 29% since 2003–04. While per capita resource recovery efforts have improved by 72% over this same period, we need to focus more effort on preventing waste from occurring in the first place (Green Industries SA, 2024).

The *National Waste Policy Action Plan 2019* has set a target to reduce total waste generated in Australia by 10% per person by 2030. The current *Waste Strategy 2020–2025* has a target to reduce per capita waste generation by 5% from a 2020 baseline. SA has consistently failed to meet the targets for reducing waste generation set in consecutive SA Waste Strategies[5], having only achieved a 1.4% reduction in per capita waste generation between 2015 and 2020, falling short of the target of 5% reduction from a 2015 baseline. For the current target, we have achieved a reduction of just 0.5% between 2020 and 2023 (Green Industries SA, 2024).

Why action is needed

Avoiding or reducing waste generation is an objective in both state (EP Act) and Commonwealth legislation (*Recycling and Waste Reduction Act 2020*). However, current policies and practices tend to focus on end-of-life management rather than on avoidance of waste generation through prolonging the use of products in their intended form. While resource recovery and recycling are essential parts of a circular economy, we need to give preference to upstream interventions that assist with removing products from the end-of-life pathway. Strategies that extend the lifetime of products help preserve the economic value embedded in products and materials, slow down resource flows, and reduce waste and environmental impacts.

According to the European Commission (2024), up to 80% of a product's environmental impact is determined in the design phase. Ideally, all products, from fast-moving consumer goods to long-term assets, should be designed, accessed, and used in ways that eliminate waste and pollution.

Products need to be designed to maximise the lifespan of the product and for end-of-life management. Currently however, many products are designed for obsolescence rather than for repair, reuse, disassembling and recycling. Additionally, the use of composite or problematic material, including chemicals of concern, in product design limits recyclability and exacerbates the problem.

Packaging is another area that requires change. We need to eliminate unnecessary packaging and ensure that packaging is designed to be recovered, reused, recycled and reprocessed safely. Harmful chemicals and other contaminants in packaging need to be designed out.

The image below, (see Figure 9), was developed by RSA Great Recovery, a UK project that looked at the challenges of waste and the opportunities of a circular economy through the lens of design, recognising that good design plus consideration of the system as a whole, are pivotal in the transition to more circular systems (RSA, 2016a). They identified the different paths a product can take in order to be designed for circularity. This is expressed through the four models in the image, with the order of priority starting with the inner loop (design for longevity) and extending outwards to the fourth loop (design for material recovery).

[5] GISA is responsible for developing SA-wide waste strategies every five years, with the first strategy released in 2011–15.

Figure 9 Four design models for circular economy (source: RSA 2016b)

The *National Waste Policy 2018* sets out five principles, the first being to 'Avoid waste', through the following:

- Prioritise waste avoidance, encourage efficient use, reuse, and repair, and
- Design products so waste is minimised, they are made to last and we can more easily recover materials.

The SA *Waste Strategy 2020–2025* sets out priority actions for waste avoidance including:

- Supporting reuse and repair for further waste avoidance, and
- Promoting design of products and components to increase reparability, durability, upgradability, and recyclability to design out waste.

Reuse and repair

Reuse and repair of products contributes to waste avoidance by extending the life of products and thereby increasing their utility. 'Reuse' refers to the reallocation of products or materials to a new owner or purpose without the need for reprocessing or remanufacturing (but may include repair, maintenance, or cleaning). Examples of these activities include the use of sharing platforms, donations to charities and repair hubs.

'Reuse' is a higher-level activity than 'recycle' on the waste management hierarchy. Policies that support the growing reuse and repair sector will reduce reliance on recycling, divert material from landfill, reduce greenhouse gas emissions, and encourage responsible consumer behaviours. Reuse and repair activities are more labour intensive than recycling or landfill activities and so prioritising reuse and repair activities over recycling and disposal has the added benefit of creating more jobs (Gaia, 2021; Raillard, 2021).

To ensure that products can be reused and repaired, they first need to be designed for durability and repairability. These requirements, among others, can be achieved through mandating product stewardship requirements in regulation.

7.5 Product stewardship requirements

Product stewardship is an approach to environmental protection that promotes a holistic and responsible approach to product management, aiming to minimise environmental impacts, conserve resources, and create a more sustainable and circular economy.

Australia's Product Stewardship Centre of Excellence (2021) explains product stewardship as:

> … a concept and set of approaches based on the idea that those involved in designing, manufacturing and selling products should accept responsibility for ensuring they do not have adverse impacts on the health of humans and environments. This includes impacts across the lifecycle of the products, from the extraction of materials, the way products are used, and how they are managed at End of Life (EoL).

Figure 10 Product stewardship circular economy (source: DCCEEW, 2023b)

Examples of good product stewardship are when companies:

- design their products for easier recycling
- limit the harmful chemicals and other contaminants their products contain
- ensure systems are in place for source separation and collections of recyclable materials
- use more recycled materials and less resources to manufacture their products

Additionally, consumers should be made aware that there are recycling options for the products they use.

At the Environment Ministers Meeting (EMM) on 9 June 2023, Ministers agreed that:

> … for the first time, Australia will mandate obligations for packaging design as part of a new packaging regulatory scheme based on international best practice and make industry responsible for the packaging they place on the market. This scheme will also regulate out harmful chemicals and other contaminants in packaging. To support food waste recycling Ministers agreed that a timeline will be set to remove contaminants from compostable food packaging (DCCEEW, 2023a).

Arising from the EMM on 10 November 2023, it was confirmed that "the Federal government will step up as the new regulator of packaging standards" (DCCEEW, 2023c). Their communiqué stated that:

> Strengthened regulation will drive investment, minimise waste and support circular economy outcomes, industries and jobs. Better packaging design makes it easier to reduce waste, and to reuse, recycle or compost packaging waste. Creating demand for recycled content will also increase recycling rates.

At the June 2023 EMM there was also agreement to progress several approaches including:

> … accelerating product stewardship efforts including by developing a framework to guide interjurisdictional efforts and drive action on problematic products. This framework will support national efforts to regulate packaging, solar panels and electrical equipment and support jurisdictions to progress reform in relation to particular products.

This framework was then agreed upon at the November 2023 EMM.

One of the priority actions under the SA *Waste Strategy 2020–25* is to "advocate for national solutions to problematic wastes such as packaging and hazardous wastes and consider state-based solutions if required" (Green Industries SA, 2020).

Looking to other jurisdictions, NSW has already established a legislative framework to enable the NSW EPA to take action at a state level under the *Plastic Reduction and Circular Economy Act 2021*. The objects of the Act include:

- to promote and support the principles of a circular economy
- to support material circularity through design, production, use, reuse, collection, recycling, reprocessing and end-of-life management
- to ensure responsibility for products across their life cycle.

The Act provides for the NSW Minister to *ban* unnecessary or problematic plastic items, and to prescribe *design standards* for an item for environmental, human health or economic reasons, and lists a number of possible reasons. It also lists what a *design standard* may contain as a requirement, for example the type or amount of materials or substances that must or must not be included in the item, or the way in which the item must be designed, constructed or manufactured[6].

The Act also provides for the Minister to prescribe "a requirement (a *product stewardship requirement*) for the stewardship of the life cycle of a regulated product, including the development, design, creation, production, assembly, supply, use or reuse, recovery, recycling or disposal of the regulated product" and to

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6 See *Plastic Reduction and Circular Economy Act 2021* (NSW), section 8 for more information.

set targets[7]. The Act then sets out a comprehensive list of matters that can be prescribed as a *product stewardship requirement*, such as "the use or re-use of recycled materials", "the longevity of a product", and "the ability of a product to be recycled, composted, repaired, processed, re-processed or re-used", among others.

Policy options being considered

While a national approach to product stewardship is preferable, the NSW legislation sets out a broad framework and establishes powers for the state to take action if required. SA could consider a similar approach to NSW. To be clear, this is not a proposal to establish new state-based product stewardship schemes.

QUESTIONS

7.5 Product stewardship requirements

1 Should SA establish a product stewardship legislative framework to enable action to be taken at the state level for certain products/items? Please explain your reasons.
   - Should these actions include product *bans*, *design standards* and/or *product stewardship requirements*, and why?
   - What specific requirements could be included in a list of potential *product stewardship requirements*?
   - What should be included as a reason for a *design standard*?

2 Is there an alternative approach for action to be taken to address problematic products at the state level, in the absence of a national solution? Please outline.

3 Are there specific problematic items, materials or products (e.g., that contain hazardous materials) that should be considered for regulation at the state level, either through a *ban*, *design standard* or *product stewardship requirement*? Please list and explain why.

Consideration of specific problematic items

If a product stewardship legislative framework were to be established in SA, the following items could be considered for regulation, either through a *ban*, *design standard* or *product stewardship requirement*.

7.5.1 Tethered single–use drink bottle lids

Due to their size and nature, single-use plastic drink bottle lids are often disposed of improperly and, as litter, they pollute our environment. They are also challenging from a material recovery and recycling perspective and can cause contamination in recycling streams.

An option for addressing this is for a *design standard* to be applied to single-use plastic bottles requiring that the lid be tethered to the bottle. Tethered lids for single-use plastic drink bottles are designed with the intention of remaining attached to the bottle.

[7] See *Plastic Reduction and Circular Economy Act 2021* (NSW), section 13 for information about how regulations may prescribe requirements and specify targets.

This will reduce the chance that the lid will be littered and increase the chance that the lid will remain with the bottle during the collection process (via the container deposit scheme or council collected co-mingled recycling kerbside bins) and during the sorting process at the MRF. If the materials used in both the plastic bottle and the lid are designed to facilitate recycling, this would increase the amount of materials that can be both recovered and recycled. When the entire bottle, including the lid, is more likely to be recycled, this promotes the recycling loop and reduces demand for raw materials to produce similar products, thereby supporting the circular economy.

This proposal is in line with the NSW Environment Protection Authority's (NSW EPA) proposal to introduce *design standards* for tethered lids and is aligned with the European Union where this requirement will come into effect in 2024 (NSW EPA, 2023).

QUESTIONS

7.5.1 Product stewardship requirements | Tethered single–use drink bottle lids

1 Should a *design standard* requiring single-use plastic bottles to have tethered lids be considered? Why or why not?

2 Should the *design standard* also require that the materials used in the plastic lid and bottle are designed for recyclability in Australia?

7.5.2 Plastic microbeads

Microbeads are pieces of manufactured plastic less than 5 mm in diameter, that are used in products for a variety of reasons, often for their abrasive or exfoliant properties. They are problematic as they do not degrade or dissolve in water and are not captured by most wastewater treatment systems due to their tiny size. When washed down the drain they can end up in our waterways and oceans. Plastic microbeads persist in the environment and have a harmful effect on marine life, environment, and human health. The most effective way to reduce their impact is to stop them from entering the environment in the first place by preventing their production and supply.

A national voluntary industry phase-out of microbeads commenced in 2016. The Agreed Communiqué from the Environment Ministers Meeting (EMM) on 15 April 2021 identified microbeads in personal health care products as one of eight 'problematic and unnecessary' plastic products types for industry to phase out nationally by 2025 (DCCEEW, 2021). NSW then proceeded to ban the supply of certain rinse-off personal care products containing microbeads from 1 November 2022 under their *Plastic Reduction and Circular Economy Act 2021*. They are now proposing a phase out of plastic microbeads in cleaning products that are washed down the drain (NSW EPA, 2023). This follows Queensland and Western Australia introducing bans on microbeads in cleaning products from 1 September 2023.

SA could follow suit and phase out the use of microbeads in rinse-off personal care products and cleaning products that are washed down the drain.

QUESTIONS

7.5.2 Product stewardship requirements | Plastic microbeads

1 Do you agree that the use of microbeads in rinse-off personal care products and cleaning products that are washed down the drain should be phased out? If not, why not?

2 What would be an appropriate timeframe for *bans* on these products to commence, and why?

7.5.3 Plastic microfibres

Microfibres are tiny pieces of plastic, usually made from polyester or nylon, which make up microfibre products such as cleaning cloths and clothing. Every time these synthetic products are washed, strands of microplastics (less than 5 mm in diameter) in the form of microfibres are released and flushed down the drain. Like microbeads, they do not degrade and end up in our waterways and oceans. They can also contain toxic chemicals that are added to textiles during the manufacturing process.

The use of microfibre filters on washing machines is one option for reducing the amount of microfibres being flushed down the drain. In Australia, the *National Plastics Plan 2021* aims to "work with the textile and whitegoods sectors on an industry-led phase-in of microfibre filters on new residential and commercial washing machines by 1 July 2030". In 2020 France passed a law requiring that all new washing machines be fitted with a microfibre filter by January 2025.

SA could consider a *design standard* requirement for new residential and commercial washing machines sold in SA to be fitted with a microfibre filter.

QUESTIONS

7.5.3 Product stewardship requirements | Plastic microfibres

1 Should there be a *design standard* for new residential and commercial washing machines that are sold in SA requiring that they be fitted with a microfibre filter? Why or why not?

7.5.4 CCA treated timber posts

One problematic waste type which may be considered for a product stewardship regulatory approach is timber treated with copper chromium arsenic solution (CCA; commonly known as 'permapine'). Several industries within SA – particularly viticulture, but also building and aquaculture – use CCA treated timber. An economically and environmentally sound disposal technology for this waste timber is currently not available in SA and with growing quantities of CCA timber waste being generated, stockpiles of these timber posts have developed.

As detailed in the *EPA Waste management guideline for CCA timber waste*, when CCA treated timber becomes wet it can produce a leachate that contains the heavy metals arsenic (As), chromium (Cr) and copper (Cu). Stockpiling CCA treated timber may increase the potential for leachate to contaminate soils and groundwater. Stockpiling also poses a fire risk and combustion of CCA timber releases toxic gases and toxic residual ash. Currently, the EPA recommends that sites generating CCA timber waste should develop site-specific waste management plans to ensure that it is managed safely and appropriately (SA EPA, 2016).

To address these issues, a restriction on the use of CCA treated timber in SA could be considered. A restriction would likely apply to the use of CCA timber in viticulture only, allowing CCA timber to continue to be used for other outdoor uses such as telegraph poles, fencing, landscaping and other domestic uses. This could be done through the issuing of an approval or through a Standard which restricts who can use CCA treated timber. Another option could be to impose a *product stewardship requirement* for the producers of CCA treated timber to develop solutions to address the end-of-life stage of their products in order to prevent environmental harm.

QUESTIONS

7.5.4 Product stewardship requirements | CCA treated timber posts

1 Should the use of CCA treated timber be restricted or regulated? If so, should this apply to viticulture only or to other uses also? Please explain your reasons.

2 Should producers of CCA treated timber be required to develop solutions to address the end-of-life stage of their products in order to prevent environmental harm? Please explain your reasons.

7.5.5 Liquid paperboard beverage containers

Waste management providers have identified that there is currently a lack of options for recycling liquid paperboard beverage containers (both aluminium-lined and non aluminium-lined) in SA. Non aluminium-lined liquid paperboard containers are manufactured from paperboard with layers of plastic and are used to package fresh beverages and foods. Aluminium-lined liquid paperboard containers have an additional layer of aluminium foil and are used for long-life products such as long-life milk. The aluminium-lined material has limited reprocessing options and waste management providers are mostly disposing of it to landfill. The non aluminium-lined material also has limited reprocessing options.

For this reason, some states (e.g., Tasmania) and some councils in Western Australia and Victoria advise their residents to place the aluminium-lined containers directly in kerbside general waste bins and not the recycling bin. Others are not publicly communicating that the containers are being separated out at material recycling facilities for disposal to landfill. In SA there appears to be mixed messaging on this matter.

It is noted that brand owner Tetra Pak (producers of aluminium-lined liquid paperboard cartons) has funded the development of a purpose-built facility in NSW that receives end-of-life products such as Tetra Pak and other liquid paperboard, for recycling into building materials or paper and cardboard products such as boxes, paper towels and tissues (Tetra Pak, 2022).

While the recycling pathway for liquid paperboard beverage container waste that is generated in SA is limited, a *product stewardship requirement* that requires these products to be more easily recycled could be considered.

QUESTIONS

7.5.5 Product stewardship requirements | Liquid paperboard beverage containers

1 While there are limited pathways for liquid paperboard beverage container waste generated in SA to be recycled, should these containers be subject to a *product stewardship requirement* to ensure they are more easily recycled and more circular? Please explain your reasons.

7.6 Edible food donations

Food waste is a significant issue in SA, as it is in many parts of the world. The United Nations Environment Programme's (UNEP) Food Waste Index ranks Australia as the 10th most wasteful country in the world (UNEP, 2021). Nationwide, we waste 7.6 million tonnes of food every year at a cost of $36.6 billion per year to the economy (Food Innovation Australia Limited [FIAL], 2021).

The problem of food waste arises at various stages of the food supply chain, including production, processing, distribution, and consumption. Through the food supply chain including manufacturing, distribution, wholesale and retail, 2.06 million tonnes of food are wasted. An additional 1.47 million tonnes of

food waste are generated by the hospitality sector and institutions (FIAL, 2021, pg12). At the same time, according to the *Foodbank Hunger Report 2023*, 3.7 million households in Australia experienced moderate to severe food insecurity in 2023, representing 35% of the population (Food Bank, 2023). The report found that in SA, the level of food security has decreased from 71% in 2022 to 63% in 2023, exacerbated by increased cost of living pressures.

Adopting an edible food donation policy will ensure that unsold edible food from sections of the commercial and industrial sector is being used at its highest value use, which is to feed those in need. Food donated for redistribution delivers a social return on investment of $23 per kilogram. For every tonne (1,000 kg) of food that is not wasted to landfill, the equivalent of 2.1 tonnes of CO_2 emissions is avoided (DCCEEW, 2023d).

Looking at how this issue is being addressed elsewhere, France was the first jurisdiction to pass food donation legislation. From 2017 supermarkets in France with a floor size of at least 400 m^2 have been required to establish contracts with charitable organisations to donate their surplus unsold edible food for redistribution. A lesson can be taken from France's experience of this new law, which saw the creation of an issue of oversupply to the food charities who were not initially equipped to deal with the additional donations. Ensuring that the necessary infrastructure and logistical arrangements are in place to support this type of legislative requirement is essential.

In 2016, in an effort to reduce emissions of short-lived climate pollutants, Californian legislation *SB 1383: State Organics Law* established goals to reduce the amount of compost materials disposed to landfills by 75% by 2025 and to rescue at least 20% of edible food currently disposed for human consumption by 2025 (CalRecycle, 2024a). Commencing in January 2022, this law requires some food service businesses to donate the maximum amount of edible food they would otherwise dispose, to food recovery organisations. The businesses captured include those who typically have more produce, fresh grocery, and shelf-stable foods to donate, specifically wholesale food vendors, food service providers, food distributors and grocery stores and supermarkets with a floor space of over 10,000 square feet (929 m^2). Commencing on 1 January 2024, this requirement extends to additional businesses of certain sizes, including hotels, restaurants, health facilities, state agency cafeterias, large venues and events, and local education agencies with on-site food facilities (CalRecycle, 2024b).

For the Californian legislation, edible food is defined as "food intended for people to eat, including food not sold because of appearance, age, freshness, grade, size, surplus" and includes (but not limited to) "prepared foods, packaged foods and produce" (CalRecycle, 2024c). Food donations must meet the relevant food safety requirements.

Closer to home, the NSW EPA has proposed to mandate that large supermarkets report on surplus food donations to food rescue organisations from 1 July 2025 (NSW EPA, 2021; 2024b).

Policy options being considered

Consideration is being given to preventing certain businesses from disposing of unsold edible food and requiring that these businesses instead donate these foods to food rescue charities. Edible food and beverages from manufacturing and production, including mislabelled products and product overruns, which are suitable for food donation could also be captured.

Note that food that is not suitable for donation or surplus to a charity's needs would need to be redirected for animal feed or source segregated for food waste collection.

The businesses captured by this requirement could be identified by various criteria (or a combination of), such as:

- Businesses that generate over a certain threshold amount of food waste (e.g., large supermarkets)
- Business type (e.g., food manufacturers or food retailers)
- Business floor plan size (e.g., supermarkets exceeding 400 m^2)
- Location (e.g., Metropolitan Adelaide or major regional centres).

In addition to which businesses this requirement would apply to, how we define 'unsold edible food', i.e., what is included and what is not included, is also important to determine. Commencement of this requirement could be set at a date that would enable the necessary supporting systems, agreements, infrastructure, and capacity to be established.

QUESTIONS

7.6 Edible food donations

1 Do you agree that food waste generating businesses should be required to donate unsold edible food to food rescue charities or recipient agencies? If not, please outline why.

2 What criteria should be used to determine which businesses this would apply to?

   a Business type: what type of food waste generating businesses should be captured?
   b Businesses that generate over a certain threshold amount of food waste: what should this threshold be and should this threshold be reduced over time to capture additional food waste generating businesses?
   c Business floor plan size: should this apply only to businesses over a certain size?
   d Location: what areas should this requirement cover, (i.e., metropolitan Adelaide, regional centres, all regional areas) and why?
   e Other criteria: what else should be considered?

3 What is the optimal timeframe for this proposed requirement to commence and why?

4 How should ‘unsold edible food’ be defined? In other words, what edible foods should be included or not included in this proposed requirement?

5 What would be the implications for current food rescue models arising from the implementation of a mandatory food donation policy?

6 What is the extent that existing systems, infrastructure, and capacity would need to change to enable businesses and charities to implement an unsold edible food donation policy?

7 What are the opportunities arising from this proposed policy?

8 What are the challenges or barriers for this proposed policy and how can these be addressed?

9 What needs to be in place to support the success of this proposed policy?

10 Do you have alternative views on how unsold edible food may best be redirected?

Key area 3: Maximising resource recovery

The review of the W2R EPP seeks to promote waste management and resource recovery practices which support a circular economy, where resources are kept in use for as long as possible with their value preserved and where waste is minimised. This includes managing resources in a manner that supports highest value reuse and recycling, for example, through source separation of material types to enable closed loop recycling (i.e., recycling glass products back into glass products). Where possible, closed loop recycling should be supported over downcycling, where materials are recycled into a low value mixed product with limited use over time. See section 7.3 - Managing resources to preserve value for an explanation of the concepts of source separation, closed loop recycling and downcycling.

While SA has long been a leader in resource recovery, there is more that can be done to improve our recycling rates and resource efficiency and ultimately reduce our impact on the environment.

Circular Economy Resource Recovery Report 2022–23

The *Circular Economy Resource Recovery Report 2022–23* produced by Green Industries SA (GISA), presents the findings from a survey of SA's resource recovery sector for the 2022–23 financial year. The report includes data on reuse, recycling, and energy recovery, as well as the environmental, social and financial benefits that the sector provides. The data measures SA's waste generation, landfill diversion and resource recovery, including progress against targets defined in South Australia's *Waste Strategy 2020–2025*. Progress against the targets is set out in the table below.

Table 3 **Summary of state waste targets and progress achieved in 2022–23**
(source: adapted from CERR Report, Green Industries SA, 2024)

Topic	Target	Progress
Landfill diversion	Zero avoidable waste to landfill by 2030	SA disposed about 914 kt of waste to landfill in 2022-23, an increase from 885 kt in 2021-22.
Waste generation	5% reduction in waste generation per capita from a 2020 baseline	Waste generation per capita showed a 4% increase in 2022-23 compared to 2021-22. The long-term trend is downward.
Metropolitan diversion	Diversion by 2023:	Diversion rates achieved by metropolitan SA in 2022-23:
	MSW 65%	MSW 62%
	C&I 85%	C&I 76%
	C&D 90%	C&D 97%

This data shows that more needs to be done to improve diversion rates for the municipal solid waste (MSW) and commercial and industrial (C&I) waste streams, in order to meet the diversion targets as set in the South Australian *Waste Strategy 2020–2025*.

The SANKEY diagram (Figure 11), adapted from the CERR Report, depicts the flow of SA's recovered resources by waste stream and material stream, the volumes of each and the destination for processing of these resources.

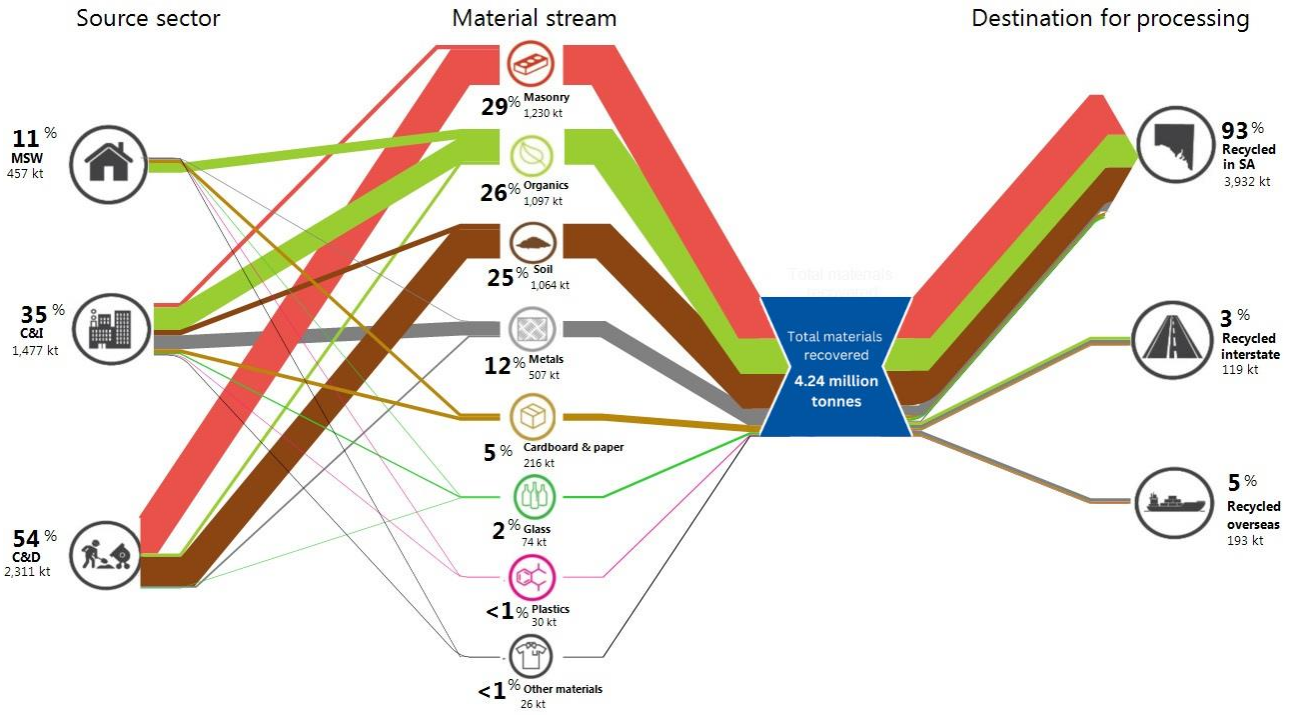

Figure 11 Resource recovery, including energy recovery, in SA during 2022–23, by material, source stream and destination, not including e-waste or material reused
(source: adapted from CERR Report, Green Industries SA, 2024)

The report identified that SA recovered about 4.24 million tonnes of material in 2022–23 from an estimated 5.16 million tonnes of waste generated, equating to 82.3% recovery rate of all materials (up from 81.9% in 2021–22). Disposal to landfill increased with 914,000 tonnes of waste landfilled in 2022–23 compared to 885,000 tonnes in 2021–22.

The table below shows the rates of recovery and disposal to landfill by source waste stream in 2022–23 according to the CERR Report. The report shows that the estimated recovery rate for construction and demolition (C&D) waste was the highest in 2022–23 at 97%, followed by C&I at 75% then MSW at 57%, bringing the total recovery rate for 2022–23 to 82%.

Table 4 South Australian recovery and landfill disposal by source stream in 2022–23
(source: adapted from CERR Report, Green Industries SA, 2024)

Sector	Recovery		Landfill disposal		Recovery rate
	kt	% of total	kt	% of total	
MSW	457	11%	347	38%	57%
C&I	1,476	35%	494	54%	75%
C&D	2,311	54%	73	8%	97%
Total	**4,244**	-	**914**	-	**82%**

A new partitioning method of the landfill split by waste streams was used to determine these results. The method is based on the findings of an audit conducted at several C&I transfer stations in 2022 in which materials were weighed to determine waste composition and tonnages. The EPA mass balance reporting data supplemented these results to produce a more accurate method than the previous model, which used an older landfill audit that relied on volumetric estimates and assumed densities.

Mass balance reporting

Since 2021, waste depots that receive over 20,000 tonnes of waste per annum have been required to report mass balance data to the EPA. Mass balance reporting monitors the movement of waste (material flows) to and from waste depots throughout the state, and tracks stockpiling of materials. While mass balance data captures only 15% of EPA licensed waste depots, it represents 77% of total tonnages of the material flows across SA. The additional 23% of tonnages from the waste depots that are not required to report is calculated based on estimated tonnages relating to each waste depot's licensed activity level. The mandatory reporting requirements, coupled with the data analytics, ensure that this data is rigorous.

Mass balance data shows that the average landfill diversion rate for the 2022–23 financial year was 81%. Within the 81% diverted from landfill, 59% comprised recovered resources while the remaining 22% was allocated equally for waste depot operational use on-site (11%) and stockpiling[8] (11%). Of the 59% of the recovered resources, 55% was recycled and 4% was used for energy from waste (i.e., refuse derived fuel) purposes. Furthermore, 78% of the 11% of materials used operationally during this financial period were used for capping or interim cover within landfill cells.

Although mass balance data indicates that stockpiling across the industry remains stable, there is a large volume of material stockpiled across the industry, with 5.03 million tonnes of material currently stockpiled. The majority of the stockpiled material is from the C&D waste stream, with 58% of all material stockpiled being waste fill (i.e., clean soil).

Table 5 South Australian resource recovery and landfill disposal, mass balance data 2022–23

Material fate	% of total
Disposed to landfill	19%
Recycled	55%
Incinerated for energy from waste	4%
Used onsite for operational use	11%
Stockpiled	11 %

Currently mass balance reporting requirements do not provide a breakdown by waste stream or material type for waste disposed to landfill. This additional information, if required, would give more rigour to reporting on the end fates of the different waste streams and provide useful data to better understand material flow. This is discussed further under section 7.15.

[8] It is important to note that stockpiling is interim and not indicative of end fates of materials.

Circular Economy Resource Recovery Report data and mass balance data

While the data from the CERR Report and mass balance reporting show recovery (i.e., diversion from landfill) rates of 82% and 81% respectively for the 2022–23 year, it is important to note that the mass balance data figure includes resources that are incinerated for energy recovery, resources that are used for operational use on-site by waste depots, as well as resources that are stockpiled[9]. What remains after these are deducted is the percentage of the recovered resources that are sent for recycling and reprocessing. It is these materials that continue to circulate in the economy and contribute to a growing circular economy.

It should be noted that the 2022–23 CERR Report has incorporated the mass balance data collected by the EPA in addition to other data sources, which has provided a fuller picture of SA's waste and resource recovery. If the provision of MSW data from local government were to be a mandatory requirement rather than being provided on a voluntary basis to GISA as it currently is, this would lead to further improvements in data collection and subsequent reporting back on waste and resource recovery trends and outcomes in SA. This is discussed further in section 7.16.

Why action is needed

In a circular economy, waste is seen as leakage from the economy. To stop this leakage and prevent valuable recyclable materials ending up in landfill or used for a lower value purpose, we need to improve the way we sort, segregate, collect and process waste and recyclable materials.

Source separation

We know that source separation (the separation of waste as close as possible to the point of generation), results in higher-quality recovered resources than a single bin system that relies on downstream processing technology to subsequently separate out the various materials. Ensuring that we have clean, source separated feedstock across all waste streams will mean that we can deliver uncontaminated feedstock for high-value recycling.

The challenges and opportunities to address this goal are explored further below for two waste and recycling streams – MSW and C&I – with a separate section on food waste.

Contamination

When people and businesses dispose of waste or materials in the wrong bin, less resources are recovered. Additionally, materials being diverted for recycling or composting can become contaminated and more waste is sent to landfill than is necessary. When recyclable and organic materials become contaminated, this impacts the quality of the feedstock and potentially how it can be used. Contamination is an issue for co-mingled recycling bins as well as organics bins, imposing additional processing costs on the receiving materials recovery facilities (MRFs) and composting facilities and their customers, impacting on the quality of the recovered materials and subsequent value of output products. Significant contamination can lead to recyclables being disposed to landfill.

[9] Note that CERR Report data excludes some resources that are used for operational purposes within landfills (consistent with methodology used in the National Waste Report), where mass balance data includes these.

What is happening elsewhere?

Australia

In New South Wales, it is proposed that councils provide food and garden organics kerbside collection services to all households from 1 July 2030 (NSW EPA, 2021; 2024b). Additionally, large food waste generating business will be required to source separate food waste for recycling from 1 July 2025 (NSW EPA, 2024a; 2024b).

Mandatory separation of commonly recyclable materials and organic waste is also planned for Victoria, through *Recycling Victoria: A new economy*, where new rules are expected to come into effect by 2025 for businesses that are not eligible for kerbside collection systems (Department of Environment, Land, Water and Planning, 2020).

In late 2023 the Australian Capital Territory (ACT) passed the *Circular Economy Act 2023*. This new legalisation provides for a regulation to be made requiring businesses to reduce the amount of waste they produce through preparing a plan to reduce waste, keeping records, and reporting on compliance with the waste reduction plan. It also provides for a regulation to be made for businesses to sort their waste and dispose of it in a stated way.

The regulations, which are currently going through public consultation, will prevent businesses from disposing recyclable waste produced by the business to landfill. It lists recyclable waste as aluminium cans, trays, and foil; cardboard; glass bottles and jars; liquid paperboard cartons; paper; rigid plastic bottles and containers with lids removed; and steel cans.

The draft regulation also prevents food waste produced by food businesses from being disposed to landfill. Additionally, the regulation includes a requirement for food businesses to prepare a waste reduction plan that identifies where food waste is produced, how much is wasted, ways to reduce the waste and to monitor the effectiveness of the plan and to regularly review and update it if necessary. Food businesses are defined as supermarkets, cafes or restaurants, clubs, hotels, or bars that sell food and businesses that sell takeaway food but excluding businesses conducted by not-for-profit entities or volunteers.

Europe

Scotland's *Waste (Scotland) Regulations (2012)* require every business operating in Scotland to separate their waste for recycling. Food businesses are required to ensure the separate collection of food waste produced by the business. The law initially excluded business that produced less than 50 kg of food waste per week for the first two years after it commenced (2014–15). In 2016 the second phase commenced, and the threshold was reduced from 50 kg to 5 kg per week. By capturing additional food waste generators this has increased the recycling of food waste. The *Landfill (Scotland) Regulations 2003* were also amended to prohibit the acceptance of 'biodegradable municipal waste' at landfills, as of 2021.

Ireland's *Waste Management (Food Waste) Regulations 2009*, which commenced in 2010, require all major producers of food waste to source segregate food waste generated on their premises, prevent contamination, and ensure it is collected and sent for recycling by composting (or another approved recycling process) or treated on site in an authorised composting unit. These regulations impose obligations on the "shops, supermarkets, public houses, state buildings, restaurants, cafés, bistros, wine bars, hot food outlets, canteens in office buildings, hotels, B&Bs, guest houses, hospitals, nursing homes, schools, colleges, train stations, marinas, and airports" (FoodWaste.ie, 2012). Businesses that produce less than 50 kg of food waste per week can seek an exemption from these requirements.

In Wales, from April 2024, all businesses, charities, and public sector organisations are required to sort their waste for recycling (Welsh Government, 2024). The following materials are required to be separated for collection, collected separately, and kept separate from each other and not subsequently mixed:

- food – for any premises that produce more than 5 kg of food waste a week
- paper and card
- glass
- metal, plastic and cartons
- unsold textiles
- unsold small waste electrical and electronic equipment.

This is coupled with a ban on sending food waste to sewer, wood waste to landfill, and separately collected waste going to incineration and landfill.

North America

In Canada, the City of Vancouver and the Metro Vancouver Regional District have banned food scraps from disposal as garbage since 2015. All food scraps need to be recycled and businesses must have a food waste diversion plan. The amended law required each county and city to prepare and submit to the department a countywide integrated waste management plan.

In the USA, a number of states have enacted food waste regulation. In Connecticut, covered food waste generators including supermarkets, resorts, conference centres, commercial food wholesalers and distributors, industrial food manufacturers or processors must separate and divert food waste to an organic processing facility if they are within 20 miles (32 km) of a facility and generate over 104 tonnes per year of food waste.

Vermont set up the same scheme in 2014 (104 tonnes per year and within 20 miles of an organic processing facility) but reduced the threshold to 52 tonnes per year in July 2015 with further reductions each year until 2020, when all food waste had to be separated.

In Massachusetts, 'commercial organic material' is banned from entering solid waste disposal streams. Food waste generating entities (other than households) that generate more than 1 tonne of food and vegetative material waste a week must either donate, process on site, or send the waste to compost, anaerobic digestion, or animal feed facilities.

Since 2016, Californian law *AB 1826: Mandatory Commercial Organics* required businesses that generated more than 8 cubic yards (4.2 m^3) of organic waste per week to arrange for organic waste recycling services. This reduced to 4 cubic yards (2.1 m^3) in 2017, then from 2019, businesses that generated 4 cubic yards or more of solid waste per week were also required to arrange for organic waste recycling services*. In 2016, in an effort to reduce emissions of short-lived climate pollutants, Californian legislation *SB 1383: State Organics Law* established goals to reduce the amount of compost materials disposed to landfills by 75% by 2025 and to rescue at least 20% of edible food currently disposed for human consumption by 2025 (CalRecycle, 2024a). This law commenced in 2022 and requires the provision of organic waste collection services to all residents and businesses and for the recycling of these organic materials.

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* Assembly Bill No. 1826, an Act to add Chapter 12.9 to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

7.7 Municipal solid waste

In 2022–23 South Australian households generated a total of 697,000 tonnes of waste for kerbside collection by local government, with 535,000 tonnes of this being generated in the Adelaide metropolitan area out of which 53.6% was recovered, while in regional SA the rate was 43.6%, adding up to a total recovery rate of 51.2%. Breaking this down by materials saw 32.7% organics and 18.5% recyclables recovered, with 48.8% being disposed to landfill.

Table 6 **Materials collected from household at kerbside and recovery rate in 2022–23**
(source: adapted from CERR Report, Green Industries SA, 2024)

Region	Collected at kerbside (kt)				Recovery rate (%)
	Residual	Recycling	Organics	Total	
Metro	248	100	187	535	53.6%
Regional	91	30	41	162	43.6%
SA	340	129	228	697	51.2%

There are many factors that influence both waste generation and recovery rates, including economics, location and type of residence, weather, demographics, household awareness/education, consumption trends and behaviours as well as kerbside bin services.

The *Local Government Act 1999* requires South Australian councils to provide services to residents such as household waste and recycling collection and disposal services. Some South Australian councils have established waste management authorities to provide these services, while others provide these services directly or through private waste contractors.

According to the CERR Report 2022–23, about 99% of South Australian households live in a council area that provides a general waste bin service, 97% have a recycling service and 91% have an organics service.

In metropolitan Adelaide, 94% of households have a three-bin system (general waste, co-mingled recyclables, and organics). All 19 metropolitan councils offer a three-bin service, however three of these only provide an organics bin on request and one council provides an organics bin to around two-thirds of its households (mostly Adelaide Hills township households).

Waste collection in regional SA is more variable. Approximately half of the councils offer a three-bin service with many offering this service only to townships. While there is reasonable consistency for a large percentage of the population, different models of kerbside services can impact on people's waste and recycling disposal. Having a consistent three-bin system will provide more familiarity and convenience for households which can help improve how they separate their waste and recyclables and place them into the correct bins for kerbside collection.

Food waste

In Australia 30% of food waste is generated in the home. In other words, one in five bags of household groceries are discarded. This equates to 2.5 million tonnes per annum, costing the economy $319.3 billion and the average household $2,000–2,500 per year (Australian Bureau of Statistics [ABS], 2017). Sadly, 70% of wasted food is still edible (FIAL, 2021).

Despite our efforts in SA to recycle food waste via food organics and garden organics (FOGO) waste collection services, it is estimated that 230,000 tonnes of food organics are still disposed to landfill each year (Green Industries SA, 2021a). In metropolitan Adelaide, waste audits of municipal solid waste have shown that 40% of the waste sent to landfill by households is food waste. Across the state, an average of 11% of household food waste is recovered through organics kerbside collection bins with an average rate of diversion from landfill for organics of 54% (Green Industries SA, 2021b).

SA's Waste Strategy 2020–2025 sets targets for diversion from landfill, including a target of 75% diversion for MSW (70% from household bin systems) and 90% diversion from C&I streams by 2025. The *Food Waste Strategy, Valuing our Food Waste – South Australia's strategy to reduce and divert household and business food waste 2020–2025* details the food waste prevention and diversion actions required to enable these targets to be achieved.

Recognising the environmental impact, Australia has pledged its commitment to the United Nations Sustainable Development Goal of reducing global food waste generation by 50% at the retail and consumer levels. Efforts to reduce food waste not only help address environmental concerns but also contribute to mitigating greenhouse gas emissions. Food waste sent to landfill is responsible for 3% of Australia's emissions annually, excluding the embodied energy and resources from the production of the wasted food (DCCEEW, 2024). Every kilogram wasted generates the equivalent of 2.1 kg in CO_2 emissions (DCCEEW, 2023d). By preventing food waste and diverting it from landfill through strategies such as food rescue and redistribution, as well as recovery through source segregated systems for composting, the associated greenhouse gas emissions can be significantly reduced. For example, if 70% of household food waste currently sent to landfill was diverted, it would realise over 100,000 tonnes CO_2-e reductions annually ongoing.

There are also economic benefits to be gained from diverting food waste away from landfill. Sending food waste to composting facilities creates an additional 6.1 full-time equivalent jobs per 10,000 tonnes of waste compared to landfill. By taking action to reduce food waste generated and recover unavoidable food waste for return back into the food production cycle and to regenerate soils, SA has the opportunity to continue to lead nationally in organics management, recovery and processing to market standards.

Applying the waste management hierarchy and circular economy principles, to ensure that food is used at its highest value, the first preferred reuse is for surplus edible food to be donated to food rescue charities so that it can be redistributed to those in need. This is addressed in section 7.6.

Second to this is for food waste to be recovered and used as animal feed or sent for composting to eventually return to and regenerate soil. This requires the management and separation of food waste at its source, to prevent contamination and ensure a high quality recycled organic end product.

These actions will help deliver the highest value outcomes for food waste.

Multi–unit dwellings

Waste segregation and collections from multi-unit dwellings (MUDs) can be problematic where the necessary waste management infrastructure and/or access for conventional waste collection compactor vehicles is inadequate. Ideally all new MUD constructions should provide the necessary infrastructure and space for the sorting, segregation and collection of co-mingled recyclables, organics and general waste. Providing these services and making it convenient for residents to sort and segregate their waste is essential. This requires consideration at the design stage and through planning and development approval processes, which is governed by the Planning and Design Code under the *Planning, Development and Infrastructure Act 2016*. Where developments have not included adequate planning and implementation of effective waste and recycling segregation and collection systems, long-term management and cost impacts for councils and residents arise.

Regional resource recovery and waste management

Under the SA *Waste Strategy 2020-2025*, the 2023 target for non-metropolitan waste was for regional waste management plans to be in place for all regional local government areas and/or regional city clusters, and the setting of regionally appropriate and progressive waste diversion targets. According to the 2020 *Regional SA Waste and Resource Recovery Background Report* prepared for the Legatus Group (Central Local Government Region regional subsidiary which represents 15 member councils), there are some common challenges facing regional councils. These challenges include the size of their council areas; distances to processing, disposal and markets; high transport costs; and high disposal and processing costs due to low volumes of materials (Rawtec, 2020). Contamination in co-mingled recycling and organics bins, illegal dumping and the informal management of waste on properties are also issues. Problematic wastes arising from agricultural sources such as CCA treated timber posts and plastic wrap, are another challenge.

Opportunities for regional councils include developing regional resource recovery infrastructure, including composting capability, arising from improved recovery and collections of organics waste, and upgrading transfer stations and resource recovery facilities to deliver increased source separation and efficiency for managing materials.

Resource recovery and waste management in remote Aboriginal and unincorporated outback communities

Waste and resource recovery services in the unincorporated or out-of-council areas of SA face a range of unique challenges due to a number of factors. A common factor is their remoteness, which when coupled with a lack of local waste and resource recovery infrastructure and capacity, means that if recyclable

materials are collected locally, they need to be transported long distances to an appropriate resource recovery facility. This creates significant transport costs (and greenhouse gas emissions) for materials that may have low commercial value as well as challenging end markets (e.g., tyre waste). Even for materials with higher commercial value (e.g., metals) or for hazardous wastes that are required to be managed in a particular way (e.g., asbestos), the challenging road conditions pose difficulties for waste transporters. Finite funding and resources for waste and resource recovery services and programs are also common factors.

CASE STUDY - City of Holdfast Bay

In July 2022, following a trial of 1,000 households, the City of Holdfast Bay changed their default residential kerbside waste collection schedule to a weekly organics collection with fortnightly general waste collection and fortnightly recycling collection (on alternate weeks). To ensure compliance with the W2R EPP, the City of Holdfast Bay allows residents to opt out of the new sustainable kerbside service model and retain the old service model of weekly general waste collection with organics and recycling collections on alternate fortnights.

A council-wide kerbside audit conducted in May 2023 showed that the new sustainable service model is achieving 83% diversion from landfill compared to the old service which is achieving only 50% diversion from landfill (Rawtec, 2023). Council-wide, this equates to a diversion rate of 69%. Compared to their 2021 audit, which showed a landfill diversion rate of 60%, the 2023 result is a significant improvement.

Contamination rates of organics bins has remained at acceptable levels across the three audit groups (1% to 3%). It was also found that very little organics contaminated the co-mingled recycling bins across the three residential groups, indicating that the change in the organics bin collection frequency would not impact the composition of the co-mingled recycling bins.

The 2023 audit also found that the general waste bins of all three groups had high proportions of unrecovered resources (52% to 66%) with most of this being suitable for the organics bin. However, a comparison between the proportions of loose food placed in the general waste bins showed that the ‘Old Service’ had 22% loose food and multi-unit dwellings had 21%, whereas the new ‘Sustainable Service’ had only 14%.

Why action is needed

South Australia’s kerbside performance demonstrates that a step-change is needed to achieve the *Waste Strategy 2020–2025* target of 70% diversion by 2025 for MSW household bin systems in Metropolitan Adelaide, zero avoidable waste to landfill by 2030, and improve waste diversion in regional SA. Providing consistent and convenient kerbside collection services across metropolitan Adelaide, increasing kerbside collections services (and associated infrastructure) in regional SA, and implementing kerbside bin systems that optimise diversion of organics and recyclables, will help to achieve this target. Also, by supporting households to separate their waste and recyclable materials and place these into the correct bins, we can reduce contamination which will improve the quality of the recovered resources.

It should be noted that an outcome of the Environment Ministers’ Meeting on 9 June 2023 was that “a national roadmap will be developed for staged improvements to the harmonisation of kerbside collections, taking into account circumstances of metropolitan, regional and remote communities for Ministers to consider in 2024” (DCCEEW, 2023a).

South Australian Waste Strategy 2020–2025

The *SA Waste Strategy* identifies priority actions for the MSW waste stream, including the following:

- Increase material diversion rates through provision of the three-bin system, including a minimum service to all households:
  - fortnightly collection of co-mingled recyclables
  - fortnightly collection of organics, including food waste.
- Reduce the amount of recyclables and organics (including food) in red/blue bins.
- Increase the recovery of recyclables in yellow bins.
- Increase the recovery of organics and food waste in the green bin and processed in accordance with *Australian Standard AS 4454 – Composts, Soil Conditioners and Mulches.*
- Ensure all kerbside bins are compliant with *Australian Standard AS 4123.5 – 2008 Mobile waste containers* as soon as practicable (through replacement and in-field bin maintenance) before 2030, with a review to be undertaken by 2025.
- Encourage the uptake of segregated organics collection systems, including potential for legislative reform to increase the recovery of this material for processing into soil improvement products.

Policy options being considered

7.7.1 Household waste

Given that a key area for improvement in council kerbside bin collection systems is food waste, policy measures to improve the collection and recycling of food waste and reduce waste going to landfill are being considered. While over 80% of South Australian households currently have access to kerbside collected organics bins, the provision of organics bins and collection services for all residential premises in metropolitan Adelaide and inner regional SA would enable all residents in these areas to separate and recycle their food waste, garden organics and other compostable materials.

To address this, the EPA is investigating mandating a three-bin kerbside collection system, with a staged approach to implementation.

Stage 1 Metropolitan Adelaide

We are seeking feedback on the following potential alternative options:

Option 1: The three-bin system could apply to councils whose geographic area falls wholly within the metropolitan Adelaide boundary. This would in effect exclude Adelaide Hills Council whose local government area falls partly within and partly outside the metropolitan Adelaide boundary, noting that this does not prevent it from providing a three-bin service to all or part of its area.

Option 2: The three-bin system could be required to be provided to all residential premises within the urban areas of metropolitan Adelaide.

Option 3: The three-bin system could be required to be provided to all residential premises within the metropolitan Adelaide boundary.

To identify the optimal policy outcome, we are seeking further information to assist in determining the value in extending a three-bin system mandate to rural properties within the metropolitan Adelaide boundary. For example, residential premises in urban areas are more likely to utilise the organics bin for vegetation disposal in addition to food waste due to the size of the property, whereas residential premises in rural areas may have greater scope to dispose of vegetation and food waste onsite. Further information on the waste disposal habits and likely use of an organics bin for food waste on rural residential premises (within the metropolitan Adelaide boundary) is being sought to help determine the value of including such properties within the scope of any future proposed mandate.

It is noted that multi-unit dwellings that are serviced by private contractors or local government, may require site-specific plans for three-bin waste and recycling segregation and collection services (particularly for existing housing stock) in order to meet this requirement.

We are also seeking feedback from metropolitan councils who have undertaken trials aimed at increasing diversion from landfill and improving resource recovery outcomes, including rolling out the Sustainable Kerbside Service model (i.e., switching the kerbside collection frequency of general waste bins with the organics (FOGO) bins, to provide households with a weekly organics collection service and a fortnightly general waste collection service). Feedback on the results of these trials and what can be learned from them will assist in identifying any additional policy measures that will help increase diversion from landfill and improve resource recovery outcomes.

Stage 2 Large regional centres and townships

The second stage could extend the three-bin system requirement beyond those areas included in the first stage, to capture additional local government areas, townships and large regional centres where local processing capacity is available. The appropriate areas and timeframe for this to commence will need to be identified and feedback is sought on this.

QUESTIONS

7.7.1 MSW | Household waste – metropolitan Adelaide, large regional centres and townships

1 If a requirement to provide a standardised three-bin system (recyclables, organics, and general waste) to all residential premises, in particular metropolitan Adelaide areas, was mandated, which councils or which areas should this apply to and why?

2 Should a requirement to provide a standardised three-bin system to all residential premises in metropolitan Adelaide apply to multi-unit dwellings serviced by private waste contractors?

- If so, what needs to be considered?
- If not, what should the requirement be?

3 If separate collections for recyclables or organics, whether by council or private waste contractors, are unable to be provided due to lack of access or infrastructure, should this trigger a requirement for the waste collected to be treated for resource recovery prior to disposal to landfill?

4 What additional areas, townships, or regional centres should be included in Stage 2 and when should this stage commence? Please explain your reasons including whether there is current or planned local processing capacity.

5 What can be learned from the results of local government trials (and council-wide rollouts) aimed at increasing diversion from landfill and improving resource recovery outcomes, including changing the default residential kerbside waste collection service to a weekly organics collection with fortnightly general waste collection and fortnightly recycling collection?

6 Are there other policy measures that could support enhanced resource recovery outcomes through any or all of the following:

- consistency in kerbside services
- source segregation and collections
- reduction in contamination of recyclable and organic waste bins.

7.7.2 Outer regional and rural areas

No policy measures have been identified at this stage. Feedback is sought to help identify options for outer regional and rural collection service provision, recognising that for some of these areas a three-bin system may not be suitable and other options that enable residents to participate in recycling and diversion of organics may need to be considered. This information will help determine the value of mandating any particular service models.

QUESTIONS

7.7.2 MSW | Household waste – Outer regional and rural areas

1 How might waste and resource recovery collection services in outer regional and rural areas be modified to achieve cost-effective improvements in rates of resource recovery and diversion of organics? Please explain your reasons and the area that your response relates to.

2 What are the barriers to improving resource recovery outcomes in outer regional and rural areas? Please explain your reasons and the area that your response relates to.

3 What are the opportunities for these areas that may arise from improved resource recovery outcomes (e.g., new local enterprises, skills development, job creation)? Please explain your reasons and the area that your response relates to.

7.7.3 Remote Aboriginal and unincorporated outback communities

No policy measures have been identified at this stage and it is recognised that a one-size-fits-all approach is unlikely to be effective. Feedback is sought to help identify sustainable long-term solutions to assist communities to achieve improved waste management and resource recovery outcomes and reduce the impact of waste on the environment and communities while honouring cultural values and connection to Country.

QUESTIONS

7.7.3 MSW | Household waste – Remote Aboriginal and unincorporated outback communities

1 What are the challenges and/or barriers to achieving improved waste management and resource recovery outcomes in remote Aboriginal and outback communities?

2 How might these challenges or barriers be addressed?

3 Are there opportunities that could be explored that facilitate cost-effective resource recovery (e.g., using reverse logistics/backloading to utilise the space in the food trucks returning to Adelaide empty)?

4 Are there opportunities to develop local skills and create jobs?

5 What support would assist communities in the management of waste and the recovery of valuable materials for recycling? Please specify the community or area that your response relates to.

7.7.4 Standardisation of waste bins

In SA currently, some councils use red lids for their general waste kerbside bins, while others use blue lids. Across SA 67.5% of dwellings have bins with red lids and 32.5% of them are blue. Having a kerbside bin system with non-standardised bin lid colours can create confusion within the community, especially for residents who move between council areas. It also makes statewide communications and education on which bin to use more difficult. See these images from the Which Bin education campaign.

Figure 12 Which Bin resources www.whichbin.sa.gov.au (source: Green Industries SA)

Australian Standard AS4123.7–2006 *Mobile waste containers, Part 7: Colours, markings, and designation requirements* specifies colours, markings, and designation requirements for mobile waste containers with two wheels and capacity up to 400 L for lifting devices (kerbside collection bins) as well as other mobile waste containers with capacities up to 1,700 L. The aim of the Standard is to enhance the maximum resource recovery by providing guidance on colours and markings for various elements of the waste stream. The colour designations for lids for kerbside waste bins are listed in this table.

Types of material	Designated lid colour
Garbage / general waste	Red
Green waste / organics	Lime Green
Recyclables	Yellow

Consideration is being given to whether SA should require adherence to the *Australian Standard AS4123.7–2006 Mobile waste containers, Part 7: Colours, markings, and designation requirements* in relation to colour designation for two-wheel containers with a capacity up to 400 L (i.e., kerbside collection bins). Compliance with this standard could be achieved by councils through existing in-field maintenance, bin replacement programs or rollouts, within a specified period of time, with the commencement of this requirement being set at a future date (e.g., 2030).

QUESTIONS

7.7.4 MSW | Standardisation of waste bins

1 What is a reasonable approach and timeframe for standardising the colour of kerbside collection bin lids in compliance with *the Australian Standard AS4123.7–2006 Mobile waste containers, Part 7: Colours, markings and designation requirements*?

7.8 Commercial and industrial waste

Another significant opportunity for improvement in resource recovery in SA is in the commercial and industrial (C&I) sector. C&I waste makes up a significant part of the total waste generated in SA, generating 1.5 million tonnes of waste and recyclables. Figure 13 depicts the volumes of waste generated in the C&I sector in 2022, by waste or material stream and the destinations of these wastes or materials.

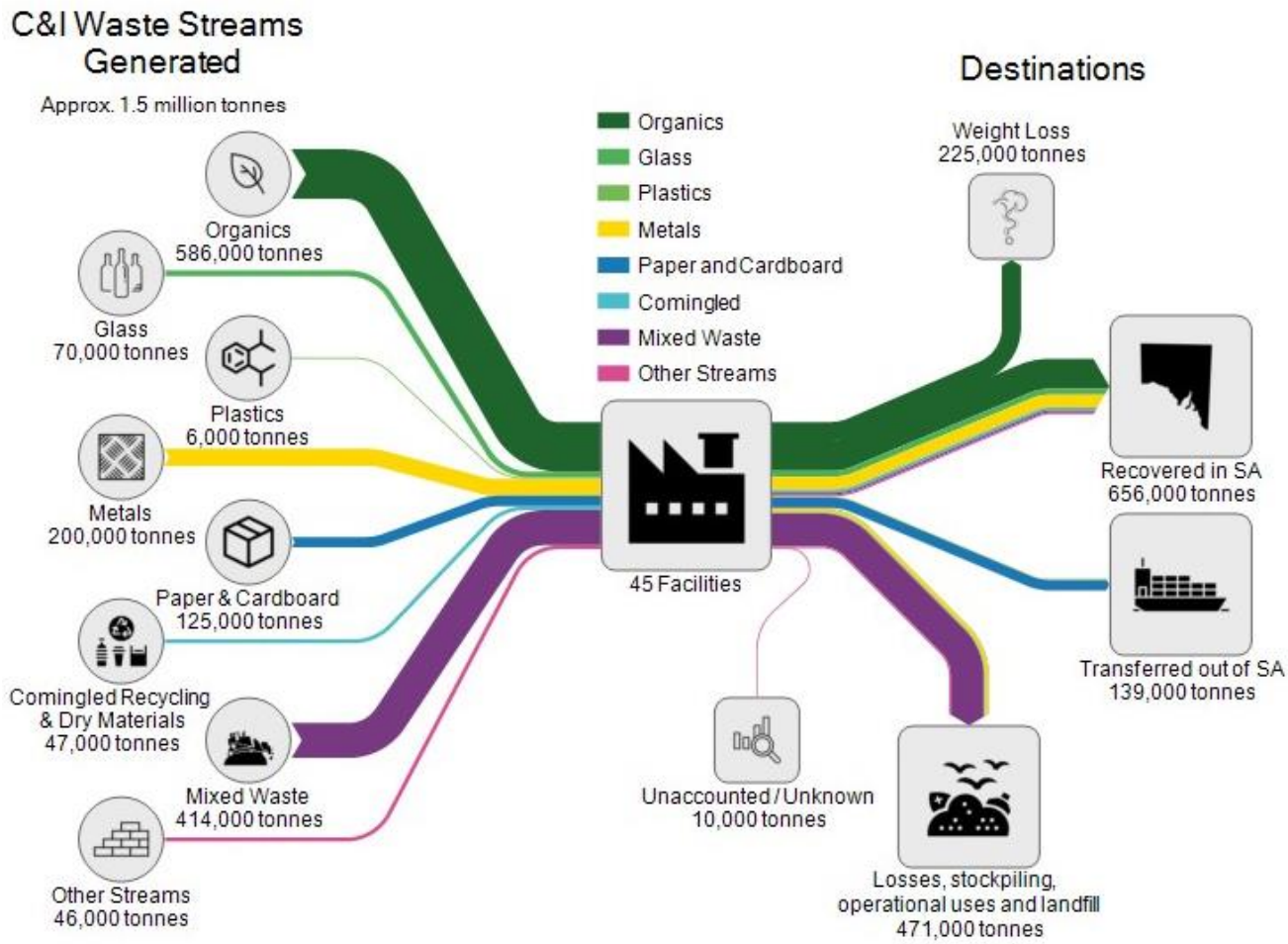

Figure 13 C&I waste streams from generation to disposal/reprocessing location
(Source: Rawtec, 2022)

In 2022, GISA commissioned a physical audit of C&I waste with the results published in a report titled *C&I Waste Audit of Metropolitan South Australia* (Rawtec, 2022). The audit was conducted to assist understanding of the composition of the mixed C&I waste (general waste and dry general waste streams) at the point of waste generation. A total of 8,457 kg of waste was audited across samples from 50 C&I waste trucks and the audit results were weighted with consideration to the net weight of the truck which the sample was taken from and the total incoming tonnes of C&I waste at each audit site. The weighted audit results found that the following six streams emerged as the biggest components of mixed C&I waste:

- 18.9% paper and cardboard
- 18.8% food waste (loose and packaged)
- 13.6% plastic films
- 13.1% wood (treated and untreated)
- 8.5% non-recyclable plastic/expanded polystyrene
- 7.2% textile materials.

The C&I sector generates over 400,000 tonnes of mixed waste per annum that is sent to landfill, even though much of it could be recovered and reused, recycled or composted if separated at the source.

The type and volume of waste and recyclable materials varies between business depending on the type and size of the business. While a restaurant or food manufacturer would likely generate larger volumes of food waste, a warehouse with packaging and storage would likely generate greater volumes of plastics and cardboard. Due to these differences, systems to optimise source separation, storage, and collection need to be tailored to the needs of the business.

While resource recovery rates can be improved across the sector, there are barriers that some businesses experience, including space restrictions, difficulties introducing service or frequency changes within existing contracts, proximity to resource recovery infrastructure, and a perception that there is cost, and effort involved in sorting and separating waste outweighs the benefits.

Another challenge for the C&I waste stream is how we ensure that the materials collected in co-mingled recycling bins are used for recycling and not for a lower-value purpose (under the waste management hierarchy) such as energy from waste, which is an end destination for these materials. When businesses separate and present their recyclables for collection, they have a legitimate expectation that these recyclables will be sent for recycling. Unfortunately, this does not always occur. Many of these services are provided to customers as a recycling service with expectations that C&I recycling is being sent to MRFs for sorting, equivalent to household co-mingled bin. Coupled with a lack of transparency about the end fates of these recyclables, i.e., where they go and what happens to them, this means that businesses are not always able to make informed decisions about what happens with their recyclables. A policy option to address the lack of transparency is set out under section 7.15.

A further challenge arises from the varying levels of demand for recycled materials and products. This reflects the current situation where local markets for recovered resources are still developing, capacity and infrastructure is being built, and investor confidence in the circular economy is still growing. As a result, some of these recovered resources are currently being sent overseas for reprocessing. Supporting the development of strong local markets for recovered resources is essential to keeping materials circulating in the economy and to close the loop.

Food waste

About 26% of C&I waste is food waste. For cafes and restaurants this figure is up to 60% and for the broader hospitality sector it is around 40%. The C&I Waste Audit estimates businesses collectively dispose of 86,300 tonnes of loose and packaged food waste annually (Rawtec, 2022). This presents a significant opportunity for intervention to ensure that food waste is used at its highest value through prevention actions and source segregation of this material to enable this to be achieved.

In addition to minimising waste going to landfill and the associated greenhouse gas emissions, by minimising food waste, businesses can reduce their expenditure. The *Business Case for Reducing Food Loss and Waste* presents a strong case for industry to invest in food waste prevention activities. International data from 1,200 sites across 700 companies in 17 countries indicated that nearly every site had a positive return on investment, with half seeing a 14-fold or greater return on investment (Champions, 2017).

Why action is needed

Action is required to improve the rate of resource recovery to ensure that these valuable materials continue circulating, reducing the demand for raw materials, and decreasing greenhouse gas emissions.

Separating waste at the point of generation combined with separate collections of recyclable materials, will help ensure these valuable materials are recovered, minimising material losses and the likelihood of contamination from other wastes. Keeping the recovered materials separate, by preventing separately collected resources from being combined with other collected waste streams, will help maintain their quality. The higher the quality of the recovered resource, the higher will be the quality of the final end-product.

While the W2R EPP already bans aggregated recyclables from being disposed to landfill, mixed recyclables collected from the C&I sector are sometimes disposed of straight to landfill due to contamination with other waste, and sometimes sent for use as alternative fuel (energy from waste), despite an expectation from businesses that these are being recycled. By expanding the material types that are subject to source separation and collections, this will help reduce contamination and lead to improved recovery rates and higher-quality recovered materials for recycling. Preventing separately collected recovered resources from being disposed to landfill, will also ensure that these resources continue circulating as intended.

Policy options being considered

7.8.1 Source separation and collections of co-mingled recyclables

The EPA is investigating mandating the separation and collection of certain recyclable wastes or materials generated by the C&I sector. In addition to separating and collecting food waste, this could include the separation and collection of the same types of materials that are accepted in the co-mingled recycling (yellow lid) kerbside collection bins, such as:

- paper and cardboard
- glass bottles, jars, and containers (non-deposit items)
- empty drink cans and bottles
- metal cans and non-ferrous metal
- aluminium foil
- hard plastic items, plastic trays and pots, and plastic food containers.

By keeping the types of recyclable wastes or materials that can be deposited into C&I collected co-mingled recycling bins consistent with MSW kerbside collected co-mingled recycling bins, this will help avoid confusion and maximise resource recovery.

This potential mandate could be phased in over time, commencing initially with larger waste generators and limited to geographic areas where the necessary collection infrastructure and processing capacity currently exists or can reasonably be scaled up in time for the commencement of such a requirement. It could then be extended to additional, smaller waste generators once the waste and resource recovery industry has further expanded its collection and processing capacity, and end markets for the recovered resources are available.

Feedback is invited on the idea of mandating source separation and collections of co-mingled recyclables in the C&I sector, and what recyclable materials should be included. Ideas are also sought to help identify the most appropriate criteria to define the organisations or businesses that should be captured by any future proposed mandate, for example:

- type of organisation/business
- size of organisation/business
- volume of waste generated per annum
- Proximity to resource recovery infrastructure.

Additionally, feedback is sought on which larger waste generators (e.g., supermarkets, food courts, large sporting venues etc) should initially be included and appropriate commencement date, and an appropriate timeframe for smaller waste generators to be added later.

QUESTIONS

7.8.1 C&I | Source separation and collections of co-mingled recyclables

1 For South Australian businesses and organisations that do not have access to council collected kerbside bins, what recyclable materials should be required to be separated for resource recovery collection? For example:
   - food waste
   - organics (such as garden waste from commercial operators)
   - paper and cardboard
   - glass bottles, jars, and containers (non-deposit items)
   - empty drink cans and bottles
   - metal cans and non-ferrous metal
   - aluminium foil
   - hard plastic items, plastic trays and pots, and plastic food containers

2 Should all South Australian businesses or organisations be required to separate their recyclable materials for collections, and if not why, who should be and why?

3 If a mandate for separation and collections of recyclables were to be phased in over time, which businesses or organisations should be included in the first phase and what are the criteria that would help identify them? For example:
   - type of organisation/business
   - size of organisation/business
   - volume of waste generated per annum
   - proximity to resource recovery infrastructure

4 If a mandate for separation and collections of recyclables were to be phased in over time, which businesses or organisations should be included in the second phase and what are the criteria that would help identify them?

5 What would be appropriate timeframes for each phase to commence, and why?

6 What are the barriers (e.g., space, infrastructure) that businesses or organisations might need to address to enable source separation and collections?

7 What support might businesses or organisations need to implement this requirement?

8 What are the opportunities created by this requirement (e.g., shared infrastructure, precincts)?

7.8.2 Source separation and collections of food waste

To minimise food waste, reduce the amount of food waste being sent to landfill and the associated greenhouse gas emissions, and to increase recovery of food waste for composting, the EPA is looking into potential options for mandating food waste separation and collection for businesses and organisations that generate food waste. This policy measure is in line with action being taken in both NSW and Victoria.

This requirement could be phased in over time, to enable food waste generators to set up systems for segregating food waste, and for the waste and resource recovery industry to further expand their collection and processing activities. This could commence first for larger food waste generators such as large supermarkets, food manufacturers, hospitals, residential facilities, large event or sporting venues, large cafes

and restaurants, and food courts etc and then extend to smaller ones, as has been done in other jurisdictions. Businesses or organisations could be classified according to the amount of food waste they generate within a given period of time, which would determine when this requirement would commence for them.

Alternatively, businesses or organisations could be classified according to the size/capacity of their general waste bins, which reflects the volume of waste they send to landfill. This second option would provide an incentive to reduce the overall amount of waste being disposed to landfill, in order to be under the threshold for this requirement. The threshold could then be reduced over time, providing additional incentive to reduce the generation of waste and increase the rate of recovery of recyclable materials. Like the previous option, this type of staged approach would help build up the collection efficiencies and cost-effectiveness of source separated food waste services. It would also provide time for businesses to put systems in place to reduce their food waste generation and for the waste and resource recovery industry to further expand their collection and processing activities.

To ensure that the collected food waste does not end up in landfill, a food waste recycling requirement would need to be coupled with a ban on disposing to landfill any aggregated organics that have been collected for recycling (see proposal under section 7.10). Together this will have a significant effect on reducing how much food waste is generated, as well as increasing source segregated quantities that can be used to improve soil health and reduce greenhouse gas emissions through avoiding food waste being landfilled.

QUESTIONS

7.8.2 C&I | Source separation and collections of food waste

1 Should the separation and collection of food waste for businesses that generate food waste be mandatory? Please explain your reasons.

2 How should ‘food waste’ be defined? In other words, are there particular foods or types of foods (e.g., packaged food, food processing wastes) that should be included or not included in this proposed requirement?

3 Which businesses/organisations should be given the priority for applying the threshold requirement? Should the criteria for businesses/ organisations to be included in the mandate be determined by the quantity of food waste or the amount of general waste they generate?

4 What should the thresholds be for:

- large food waste generators?
- small food waste generators?

5 Should this requirement apply to:

- Metropolitan Adelaide only?
- Metropolitan Adelaide and major regional centres where collections and processing capacity are in place?

6 Should this be extended to other parts of SA through a phased-in approach?

7 If mandatory separation and collection of food waste was phased in over time, commencing first for large food waste generators and then extending to smaller food waste generators, what would be the appropriate timeframes for each phase to commence?

8 What other options should be considered?

9 Do you have alternative views on how to divert food waste from landfill?

7.8.3 Business waste reduction plans

To support a reduction in waste generation and improved circularity at a business or organisation level, the EPA is seeking feedback on whether businesses or organisations should be required to prepare a plan to:

- reduce their waste generation by practically applying the waste management hierarchy
- provide for source separation and collection of their waste and recyclable materials (where source separation of co-mingled recyclables and/or food waste is already a requirement)
- keep records on how they are complying with their waste reduction plan, with these records to be made available to the EPA upon request.

We are also seeking feedback on whether this should apply broadly, or only to businesses or organisations who meet certain criteria. For example, the criteria could consider business type, waste material type, volume of waste being generated, or some other measure. Alternatively, the requirement could be limited to those businesses or organisations who are mandated to source separate and collect either co-mingled recyclables and/or food waste.

QUESTIONS

7.8.3 C&I | Business waste reduction plans

1 Should South Australian businesses and organisations be required to prepare waste reduction plans? If not, why?

2 Should this apply to all South Australian businesses and organisations? If not, who should be excluded and why?

3 What are the opportunities relating to this approach?

4 What are the barriers that need to be considered?

5 Do you have other ideas on how the EPA could require producers of waste to identify opportunities to reduce and reuse waste?

7.8.4 Prohibiting the recombining of separately collected materials

Consideration is being given to prohibiting the re-combining of waste and resource recovered materials that have been collected separately. An example of this is where co-mingled recyclables are collected separately, but then combined with dry general waste, contaminating the recyclable materials which then impacts on the ability for these to be recycled into high-quality recycled products. Another example is the combining of separately collected high quality organics with waste collected from a general C&I waste collection or kerbside collected general waste (whether subsequently treated or not), effectively downgrading the resulting combined material so that it is unsuitable for repurposing into high-quality compost for agricultural use.

The intention of this policy measure would be to ensure that the recovered materials can be reused at their highest value by preventing deliberate contamination and the subsequent downgrading of the material's value and use.

QUESTIONS

7.8.4 C&I | Prohibiting the recombining of separately collected materials

1 Do you agree that the recombining of waste and resource recovered materials that have been collected separately should be prohibited? Please explain your reasons.

2 Are there any situations where this prohibition should not apply? Please outline and explain your reasons.

7.8.5 Public place recycling and organic waste bins

Consideration is being given to whether recycling bins and organic waste bins should be required to be provided in public places. Providing organic waste bins will support the recovery of food and any food-contaminated certified compostable serviceware at public locations, and providing recycling bins will help prevent recyclable materials being sent to landfill. While taking action to improve diversion of these materials from landfill, we also need to prevent or minimise contamination in these bins in order to ensure that the recovered material is of high value and results in quality end-products.

QUESTIONS

7.8.5 C&I | Public place recycling and organic waste bins

1 Do you agree that recycling and organic waste bins should be provided in public places? Please explain your reasons.

2 Should the materials in public place recycling or organic waste bins be prohibited from disposal to landfill? If so, should there be any exceptions to this? Please explain your reasons.

7.8.6 Event and venues recycling and organic waste bins

Consideration is also being given to whether recycling and organic waste bins should be required to be provided for all major events and large venues. Aligned with action being taken on single-use plastics, this will support the recovery of food and any food-contaminated certified compostable serviceware at these locations, and help prevent recyclable materials being sent to landfill, supporting circular outcomes. Events and venues requiring certified compostable service ware, alongside next phases of single-use plastics bans coming into place will support this measure.

QUESTIONS

7.8.6 C&I | Event and venues recycling and organic waste bins

1 Should three-bin systems be provided at all major events and large venues?

7.8.7 Resource recovery treatment for public place bins

Under clause 11 of the W2R EPP, waste or other matter is required to be treated prior to disposal to landfill. ‘Treatment’ in this instance includes treatment for resource recovery. This requirement is limited to certain areas specified under Schedule 2, and Schedule 3 lists wastes or matter that is excluded from this.

The current EPP excludes waste collected by a council from bins located in public places (clause 1(f) of Schedule 3) from the requirement for resource recovery treatment. There is currently no differentiation between public general waste bins and public bins for recyclables or organics. This means that even when recycling and/or organics bins are provided in public places, they are not required to be treated for resource recovery.

It is proposed that the only public place bins that are excluded from the requirement for resource recovery treatment are council collected general waste bins where the council also provides separate bins for recyclable waste and/or organic waste. This requirement could be limited to certain areas, for example metropolitan Adelaide, and would exclude wastes listed under Schedule 3.

This will prevent materials disposed in recycling bins or organics bins from being sent directly to landfill. It will also encourage councils to provide recyclable waste and organic waste bins in public places as general waste bins on their own will require resource recovery treatment.

QUESTIONS

7.8.7 C&I | Resource recovery treatment for public place bins

1 Should public place general waste bins require treatment for resource recovery prior to disposal to landfill where recycling and organic waste bins have not been provided?

7.8.8 Requirement for treatment of waste prior to disposal to landfill

In order to support the transition to a circular economy, it is essential that valuable recyclable materials are not lost through disposal to landfill. As referred to earlier, the requirement for waste or other matter to be treated for resource recovery prior to disposal to landfill is limited to certain areas specified under Schedule 2 of the W2R EPP. Currently the only area that is specified is metropolitan Adelaide, and so waste produced outside of metropolitan Adelaide is not required to be treated for resource recovery prior to landfill.

Since the commencement of the EPP, waste and resource recovery services, capacity and infrastructure have developed in regional areas, enabling improved resource recovery and diversion from landfill. While recognising the barriers relating to the distance that recovered resources may be required to be transported to receive treatment, in order to maximise resource recovery in other parts of SA, consideration is being given to extending the specified area beyond metropolitan Adelaide. Extending the area that clause 11 (resource recovery requirements) applies to will increase recovery of recyclable materials.

QUESTIONS

7.8.8 C&I | Requirement for treatment of waste prior to disposal to landfill

1 Should the requirement for waste or other matter to be treated prior to disposal to landfill be expanded beyond metropolitan Adelaide?

2 If so, what areas should be included?

3 What might be the barriers to implementing this requirement in areas beyond metropolitan Adelaide, how might these be overcome, and what support might be needed?

4 What would be an appropriate timeframe for the commencement of this requirement in the area(s) identified?

7.8.9 Standardising bins to Australian Standard AS4123.7–2006

Australian Standard AS4123.7–2006 *Mobile waste containers, Part 7: Colours, markings, and designation requirements* specifies colours, markings, and designation requirements for mobile waste containers with capacities up to 1,700 L. The aim of the Standard is to enhance the maximum resource recovery by providing guidance on colours and markings for various elements of the waste stream.

Consideration is being given to whether adherence to the Australian Standard AS4123.7–2006 in relation to colour designation for four-wheel containers with a capacity of between 500 L and 1,700 L, should be required in SA. Compliance with this standard could be achieved within a specified period of time, with the commencement of this requirement being set at a future date.

The colour designations are set out in Table 7.

Table 7 Colour designation under Australian Standard AS4123.7–2006

Types of material	Body	Lid
Garbage/general waste	Dark green or black	Red
Paper/cardboard	Dark green or black	Blue
Green waste/organics	Dark green or black	Lime green
Recyclables	Dark green or black	Yellow
Metal cans	Dark green or black	Light grey
Food waste	Dark green or black	Burgundy
Clear glass	Nature green	White
Brown glass	Nature green	Brown
Green glass	Nature green	Nature green
Mixed glass bottles	Nature green	Yellow
Plastics	Dark green or black	Orange
Office paper	Blue	Blue
Electronics	Dark green or black	White
Clinical and related – incineration*	Yellow	Orange
Clinical and related – technologies other than incineration*	Yellow	Yellow
Cytotoxic*	Purple	Purple
Radioactive*	Red	Red
*Appropriate hazard warnings shall be affixed Note: Where the bin body is metal it may remain neutral or galvanised.		

QUESTIONS

7.8.9 C&I | Standardising bins to Australian Standard AS4123.7–2006

1 What is a reasonable approach and timeframe for standardising the colour of C&I mobile waste bins in compliance with the *Australian Standard AS 4123.7–2006 Mobile waste containers, Part 7: Colours, markings, and designation requirements*?

Supporting markets for recovered resources

Supporting the development of strong local markets for recovered resources is an essential part of our transition to a circular economy. This is explored in detail in the next section, Key Area 4.

Key area 4: Supporting a strong market for recovered resources

In 2019, section 10 of the EP Act was amended to add an Object to ensure that measures are taken "to promote the circulation of materials through the waste management process and to support a strong market for recovered resources"[10].

This review provides an opportunity to consider how the EPP can secure this Object of the Act by promoting the circulation of materials (discussed earlier) and by supporting a strong market for recovered resources.

The problem/opportunity

To help our transition to a circular economy, we need to develop markets for the materials that are collected and recycled, as well as the products that use them. There is little value in collecting recycled materials if there is no end market for them. Instead, this leads to stockpiling of these resources or disposal to landfill, neither of which is a desirable outcome.

The key to successfully implementing a circular economy lies in increasing the demand and value of recyclable materials and products produced from recycled content (Green Industries SA, 2020). Requiring products to include recycled content will stimulate demand for recycled materials and thereby boost their market. Mandating it can lead to economies of scale which will help the market further increase products with recycled content. This requires collaborative effort by the state, local government, businesses, and consumers. For example, one way local government could support the increase in demand for recycled materials would be by requiring councils to utilise recovered organics for landscaping purposes. In the absence of end markets for these materials and products, the demand for raw materials will continue, impacting on the environment and contributing to higher greenhouse gas emissions, water and energy use, and more waste production.

Feedback is sought on what mechanisms or tools should be used to help stimulate the market for recycled materials.

Why action is needed

We need to close the loop. Governments and industry can play an important role in generating demand for local recyclable and recycled materials and recycled-content products. Increasing demand for these recycled materials and products can help attract investment in local remanufacturing, drive innovation and support the transition to more sustainable business models and practices.

A key target of the *2019 National Waste Policy Action Plan* is to significantly increase the use of recycled content by governments and industry. The *SA Waste Strategy 2020–2025* also identifies the need for an increase in market demand for recyclable materials and recycled content products to help create market opportunities for new, sustainable products made from recycled materials.

7.9 Circular procurement

Embedding circular principles into procurement policies is one way to help boost demand for circular solutions and support local markets for recycled materials and recycled-content products.

Circular procurement is an approach to purchasing works, goods and services that accelerate the transition to a more circular economy by prioritising the purchase of products and services with circular attributes.

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10 *Environment Protection Act 1993*, section 10(1)(b)(iaa)

Circular procurement policies can require consideration of durability, reparability, upgradability, reuse, recyclability (including the ability to be disassembled at end-of-life), and the use of recycled materials in procurement decisions. They can also consider reduction in consumption, resource efficiency, reduction of hazardous substances, avoidance of goods made from problematic materials, amount of waste, and the type and amount of packaging. Supplier 'take-back' requirements at a product's end-of-life can also be part of a circular procurement policy.

Other considerations can include prioritising local suppliers and businesses who have adopted circular practices or are certified sustainable businesses. This can promote the growth of local economies, encourage circular or sustainable practices, and reduces transport-related emissions.

Circular procurement builds on sustainable procurement practices which consider broad sustainability factors like energy consumption, greenhouse gas emissions, water use, water quality impacts, and impact on natural habitat. Circular procurement adds additional elements and looks to close the loop on material use.

The role of public procurement

Public procurement is widely recognised as a key driver in the transition towards a circular economy. Public authorities are large consumers and through their procurement practices can play a critical role in the transition to a circular economy. By using their significant purchasing power to choose sustainable goods, services and works, they can make an important contribution to sustainable consumption and production. This helps provide market certainty for circular products and services and supports industry to develop, innovate and invest in the circular economy activities.

The South Australian Government in its 2023 *South Australian Economic Statement*, notes that as a significant purchaser and employer, 'it can meaningfully shape outcomes through its procurement policies, with $8.5 billion in goods and services purchased each year'. It goes on to explain:

> Government can shape and even co-create markets through associating key outcomes with procurement - whether that be local content or sustainability metrics. We can also drive innovation through our procurement activities, leveraging government purchasing power to develop new products or methods of production (Government of South Australia, 2023, p.21).

CASE STUDY - SA Local Government Association circular procurement pilot project

The Local Government Association's (LGA) *Buying it Back* project was a pilot project where councils worked together to use their buying power to increase the demand for recyclable materials. The aim of this project was to improve the sustainability of waste management practices, make recycling more viable and reduce councils' waste management costs. The project was a step towards developing local markets for recyclable materials in Australia and establishing a circular economy.

Looking abroad, in 2017 the European Commission published the document *Public Procurement for a Circular Economy – Good practice and guidance* (2017). This was developed to action the 2015 *EU Action Plan for the Circular Economy,* which recognised public procurement as a key driver in the transition towards a circular economy (European Commission, 2015). The guide refers to incorporating circular principles into existing procurement policies and practices. One way to do this is to apply a hierarchy, based on the traditional waste hierarchy, to prioritise potential actions.

By way of example, the Government of Wales has adopted a sustainable procurement hierarchy to guide their procurement decision making (WRAP Cymru, 2021). This hierarchy has been designed to exemplify best practice in sustainable procurement rather than being a definitive method.

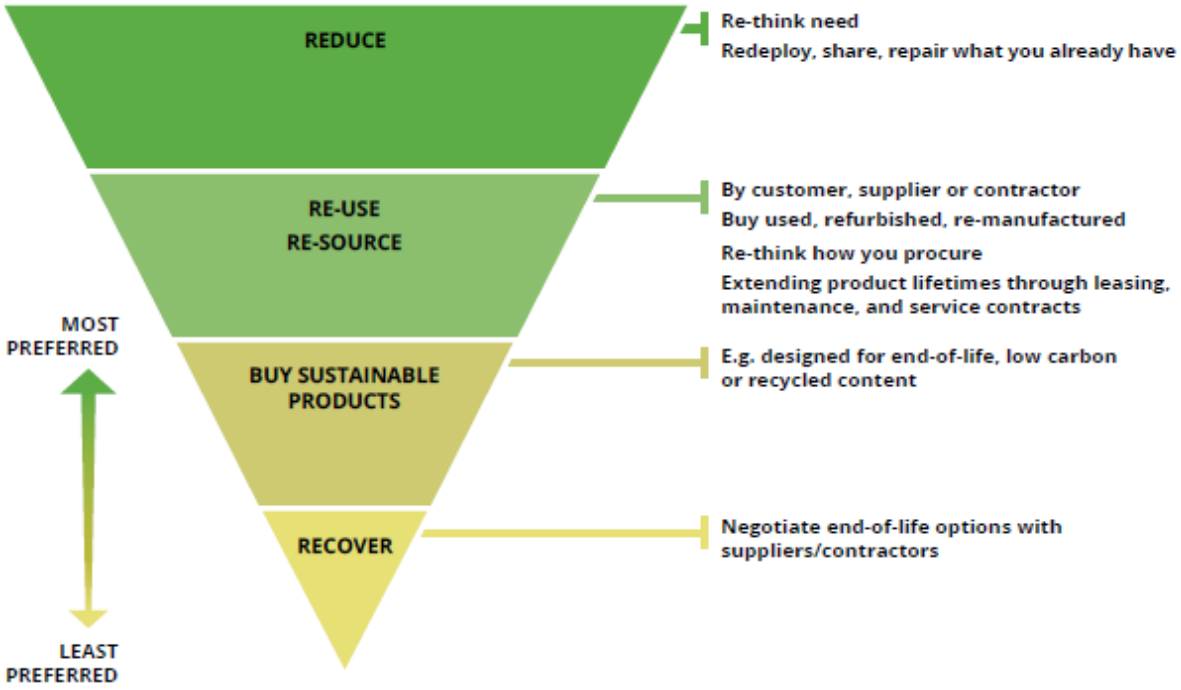

Figure 14 Wales's Sustainable Procurement Hierarchy (Source: WRAP Cyrmu, 2021)

Closer to home, the NSW Government is requiring departments to preference products that contain recycled content during procurement and to report annually on the use of recycled content in state government procurement and its associated impact on emissions and waste reduction (NSW EPA, 2021). All NSW Government-owned and leased buildings over 1,000 m^2 will also be required to obtain and publish a National Australian Built Environment Rating System (NABERS) Waste Rating by 2026.

In SA, the *Waste Strategy 2020–2025* sets out a number of priority actions to progress sustainable procurement practices. This includes investigating and identifying legislative and policy measures. Additionally, the *Circular Economy in South Australia's built environment – Action Plan (2023),* which sets out key actions required for driving a circular economy in the built environment, recommends that circular economy requirements in procurement processes for infrastructure and capital works projects be mandatory (Green Building Council of Australia, 2023, p.39). It proposes a phased implementation over time commencing with major projects (>$50 million). It also proposes that Infrastructure Sustainability (IS) and Green Star ratings should also be considered as these tools have circular economy principles, metrics and reporting embedded.

South Australian Government

Sustainable procurement is being progressed across state government, with the introduction of agency level sustainable procurement policies (e.g., Department for Infrastructure and Transport) and through various agency level projects and trials. Current whole-of-government policies, guidelines and resources that can be used to support agencies in sustainable procurement include the Green Procurement Guideline and the GISA Circular Procurement Knowledge Hub. A collaborative project by GISA, the Department for Environment and Water, and Procurement SA is being progressed to develop an evidence base for sustainable public procurement best practice and applicable policy options in the SA context. This piece of work will inform SA Government ESG Procurement Strategy currently being developed by Procurement SA.

Policy options being considered

Consideration is being given to whether South Australian public authorities should be required to adopt a whole-of-government circular procurement policy or alternatively embed circular economy principles and considerations into their public procurement decision making.

Principles to guide circular procurement decision making could include:

- A requirement to apply a circular procurement hierarchy to all procurement decisions
- Certain criteria or considerations, including their prioritisation, such as:
  - reusing existing assets or materials
  - procuring products as a service (e.g., from providers that incorporate take-back, reuse, repair, refurbishment and recycling as part of their business model)
  - life cycle assessments to evaluate the environmental impact of products and services over their entire life cycle, from raw material extraction to disposal
  - product durability and lifespan
  - repairability
  - ability to be disassembled
  - recyclability
  - recycled content
  - preference for products and materials that have an identified end-of-life use
  - avoidance of products made with hazardous substances or problematic materials
  - type and amount of packaging
  - agreements with suppliers to take responsibility for packaging, or to take back the goods at their end-of-life
  - preference for suppliers who participate in an accredited product stewardship scheme
  - support for local businesses
  - support for accredited sustainable businesses.

Additionally, a circular procurement policy could set:

- minimum standards or requirements, e.g., a minimum requirement for packaging to contain at least 50% recycled content
- physical or descriptive requirements which specify characteristics of the goods or service, such as a product must be repairable or recyclable
- mandatory requirements, such as meeting a certain level of Infrastructure Sustainability (IS) rating, Green Star Rating, or National Australian Built Environment Rating System (NABERS) Waste Rating
- performance requirements, such as requiring a certain percentage of waste to be diverted from landfill
- targets for performance against certain criteria to encourage continual improvement
- measurement and reporting requirements, such as requiring suppliers to report on certain sustainability performance indicators to enhance transparency or requiring public authorities to report on their performance against mandatory requirements and/or progress towards circular procurement targets.

QUESTIONS

7.9 Circular procurement

1 Should there be a South Australian whole-of-government circular procurement policy, or sustainable procurement policy that incorporates circular economy principles?

– If so, should this be mandatory and regulated by the EPA?

2 Should a requirement for government reporting of performance against adopted circular procurement standards, criteria, or targets, be regulated by the EPA?

3 Should a circular procurement policy also be mandated and regulated by the EPA for industry/business?

If yes, should this be limited to businesses over a certain size? If so:

a What size business should this apply to?

b What would be an appropriate reporting mechanism for businesses?

c What is a reasonable lead time for businesses to commence and undertake this requirement?

4 What collaborative actions by government, industry and the community should be prioritised to grow sustainable markets for recycled materials and products?

5 How can SA incentivise markets that extract the highest value from recovered materials?

a What incentives could be implemented to encourage SA councils and businesses to use recycled content?

7.10 Prohibited landfill waste

The *National Waste Policy Action Plan 2019* commits all governments to developing 'a common approach to restrict the disposal of priority products and material in landfill, starting with lithium-ion batteries, materials collected for the purpose of recycling, and e-waste'.

The W2R EPP lists all prohibited landfill wastes in SA (Schedule 4). These wastes were included on the basis that there were established resource recovery options for those materials or that they posed a risk of environmental harm if disposed of directly to landfill.

This review provides an opportunity to consider additional wastes to prohibit from disposal to landfill and to provide additional clarity on what is covered under Schedule 4.

Priority products

Each year, the Federal Minister for Environment (currently Minister for Climate Change, Energy, the Environment and Water) releases a list of priority products and materials that need urgent product stewardship action. By doing so, the Minister is signalling that regulatory measures may be considered for these items if industry does not act.

The 2022–23 Priority List (DCCEEW, 2022b) included:

- photovoltaic systems
- electrical and electronic products
- oil containers.
- child car seats
- clothing textiles
- problematic and unnecessary single-use plastics
- mattresses
- plastics in healthcare
- end-of-life tyres.

The Minister's Priority List for 2023-24 (DCCEEW, 2023e) includes:

- clothing textiles
- tyres
- plastics in health-care products in hospitals
- mattresses
- child car seats

A number of products on the 2022–23 list are not on the 2023–24 list as the federal government is progressing regulating these due to insufficient progress made by industry. The items include photovoltaic systems, electrical and electronic products, problematic and unnecessary single-use plastics, and oil containers (DCCEEW, 2023b).

Why action is needed

To keep valuable materials circulating through the economy, we need to ensure that items or materials that have a pathway for resource recovery and recycling are prevented from being disposed to landfill. Banning these materials from landfill encourages the development of recycling, reprocessing, and recovery industries, which in turn creates jobs and economic activity. It also reduces the environmental impact of landfilling certain wastes, such as food and organic waste, which generate methane, a potent greenhouse gas, when decomposing in a landfill.

From a circular economy perspective, when considering the appropriateness of banning particular items from landfill for the purpose of resource recovery, we need to consider the existence of, or the development of infrastructure and collection systems, the reprocessing capacity, and whether there are off-take markets for the recovered materials. In the absence of these, unintended consequences of banning certain items from landfill, such as stockpiling, may occur.

Additionally, items that pose a risk of environmental harm if disposed of directly to landfill should be considered for prohibition. Banning problematic items or environmentally harmful wastes from landfill can encourage those who produce these items, or generate these wastes, to prioritise higher order actions under the waste management hierarchy, such as waste avoidance, designing for circularity, reuse, repair, and resource recovery.

Policy options being considered

Recoverable materials

The following items are being considered for inclusion in the list of prohibited landfill wastes due to the existence, or development, of resource recovery options for these items. A phased-in approach to prohibition from landfill for these items can be adopted to allow for the development of collection systems, resource recovery and reprocessing infrastructure, and end markets.

7.10.1 Aggregated organics

Currently under Schedule 4 of the W2R EPP, a landfill ban applies to "vegetative matter aggregated for resource recovery and collected by a council by a kerbside waste collection service operated as a separate collection service for such waste". In other words, food and organic waste that has been put out for kerbside collection in the green organics bin, cannot be disposed to landfill (other than for biosecurity reasons, e.g., fruit fly). This ban however does not extend to other organic matter such as garden waste from commercial operators, segregated organics from business and events, and segregated food waste from the food service industry.

7.10.1 Aggregated organics

Currently under Schedule 4 of the W2R EPP, a landfill ban applies to "vegetative matter aggregated for resource recovery and collected by a council by a kerbside waste collection service operated as a separate collection service for such waste". In other words, food and organic waste that has been put out for kerbside collection in the green organics bin, cannot be disposed to landfill (other than for biosecurity reasons, e.g., fruit fly). This ban however does not extend to other organic matter such as garden waste from commercial operators, segregated organics from business and events, and segregated food waste from the food service industry.

A priority action of the Waste Strategy 2020–2025 is to "pursue regulatory interventions to ensure that all organic materials that have been aggregated for recycling are prohibited from direct disposal to landfill". To address this priority, it is proposed that all organic matter aggregated for recycling be prohibited from disposal to landfill.

QUESTIONS

7.10.1 Prohibited landfill waste | Aggregated organics

1 Should organic matter that has been aggregated for recycling be prohibited (banned) from disposal to landfill in SA?

2 Is there capacity for additional organic materials recovered from the C&I sector to be received and processed by composting facilities or is a delay in commencement of this proposed ban required to enable additional capacity to be developed?

7.10.2 Clothing textiles

Australia generated 780,000 tonnes of textile waste in 2018–19, with clothing making up approximately 32% of this waste. Only 3% was recycled and the rest was disposed to landfill. In 2019–20 Australia exported 93,058 tonnes of worn clothing (DCCEEW, 2022c). The complex mix of fibre types and chemicals in commonly used clothing textiles makes them difficult to separate and recycle, and discarded clothing can pollute the environment through the release of hazardous chemicals.

A National Clothing Product Stewardship Scheme for clothing textiles, *Seamless*, launched in June 2023, aims to reduce the environmental impact of clothing through its life cycle, including through product design improvements related to durability, reparability, reusability and/or recyclability of clothing. While the scheme is currently a voluntary scheme, the communiqué from the Environment Minister's Meeting on 10 November 2023 made it clear that "if voluntary product stewardship doesn't work, government will regulate" (DCCEEW, 2023c).

While many Australians buy second-hand clothing, there are no formal collection services other than mainly through charities and their 'op' shops. Some of the clothing given to these charities is unsuitable, leaving the charities to manage this as waste. To support resource recovery and recycling of unwearable textile clothing, the Product Stewardship Scheme will support the development of collection systems, which will then provide the feedstock for new products to be manufactured from recycled textiles. These collection services will need to complement charitable donations (for clothing that can be reused) and not replace them, as reuse as second-hand clothing is a higher value beneficial reuse option than recycling.

To provide textile recycling businesses with regulatory certainty about the availability of this recovered material, consideration is being given to banning these items from landfill. To enable the development of the systems, infrastructure, capacity and end markets needed to support textile recycling activities, the commencement of a ban on textile clothing could be set at an appropriate future date.

QUESTIONS

7.10.2 Prohibited landfill waste | Clothing textiles

1 Should unwearable clothing textiles be prohibited (banned) from disposal to landfill in SA?

2 What is the current or planned capacity for clothing textile recycling and reprocessing within SA, and what markets exist for this recycled material?

3 What are the opportunities if unwearable clothing textiles were prohibited from disposal to landfill in SA?

4 What are the risks if clothing textiles were prohibited from disposal to landfill in SA?

5 If clothing textiles were to be prohibited from disposal to landfill, when should this commence?

Other items

The following items are being considered for dual reasons – risk of environmental harm due to containing hazardous materials, and resource recovery as they also contain valuable materials.

7.10.3 Batteries

The only batteries that are currently listed as prohibited landfill waste under Schedule 4 of the W2R EPP are lead acid batteries. Other types of batteries such as commonly used single-use alkaline batteries are not banned from landfill.

A total of 728 million handheld batteries (i.e., all batteries under 5 kg) were sold in Australia in 2021, representing 99% of all batteries sold, equating to 14% of batteries sold by weight. This represents an increase of 309 million (7,260 tonnes) compared to sales in 2018. In 2021 South Australians purchased 47,820 single-use batteries and 3,820 rechargeable batteries, with a combined weight of 14,040 tonnes (Battery Stewardship Council, 2023a).

Batteries are problematic in that they can catch fire, contaminate waste and recycling infrastructure, and leach toxic chemicals into the environment. They also pose a risk of environmental harm if improperly disposed, leaking toxic materials such as lead, mercury, and cadmium into the environment. Li-ion batteries in particular are known to cause waste fires, fires in waste collection vehicles and explosions in recycling facilities.

Another reason for keeping them out of landfill is that they contain valuable materials and if recycled, up to 95% of a battery's components can be turned into new batteries or used in other industries. B-Cycle, a national industry-led product stewardship scheme for batteries was launched by the Battery Stewardship Council in February 2022 with collections commencing in February 2023. The scheme provides easily accessible collection points and facilitates the recycling of loose and handheld batteries, batteries that are not embedded inside a product, button batteries and rechargeable batteries, to recover materials for reuse.

The Battery Stewardship Council's 2023 *Battery Market Analysis* report observed that of the 2,240 tonnes of batteries collected in Australia in 2021, 76% of total batteries were mechanically shredded and the battery materials were supplied to domestic materials markets such as plastics recyclers, metal recyclers, and downstream material processers. Another 11% of the material recovered was exported to global materials markets (Battery Stewardship Council, 2023a).

It is proposed that all batteries that are covered by the B-Cycle product stewardship scheme (loose batteries, consumer electronics, power tool batteries, button batteries, e-bikes and portable energy storage) be included in the list of prohibited landfill waste. Consideration is also being given to additional battery types that are yet to be included in a product stewardship scheme including battery energy storage systems and electric vehicle batteries.

Single-use alkaline batteries

The Battery Stewardship Council's 2023 *Battery Market Analysis* report found that alkaline batteries represented the largest share of battery sales by number with over 570 million batteries sold in 2021. It also identified that alkaline batteries represented the largest share of recycled batteries by battery type with 1,300 tonnes of alkaline batteries recycled in 2021 (Battery Stewardship Council, 2023a).

In September 2022 Nyrstar announced that their Port Pirie site would become the first B-Cycle accredited recycler to recover commodity grade quality metals from single-use alkaline batteries for local and international markets (Nyrstar, 2022). They have since become accredited, which provides a pathway for resource recovery for these items in SA.

Button cell batteries

Button batteries, also known as zinc air batteries, cell batteries or coin batteries, are flat, round single cell batteries that are used in everyday devices such as car keys, watches, power tools, hearing aids and children's toys. Sales of these batteries in Australia totalled over 34 million in 2021 making them the fourth largest share of battery sales (Battery Stewardship Council, 2023a). They are recyclable and included in the B-Cycle product stewardship scheme.

QUESTIONS

7.10.3 Prohibited landfill waste | Batteries

1 Should single-use alkaline batteries be prohibited (banned) from disposal to landfill in SA, and when should this commence?

2 Should button cell batteries be prohibited from disposal to landfill in SA, and when should this commence?

3 Are there any other batteries that should be prohibited from disposal to landfill in SA? What are these and why? (Note that Lithium-ion batteries are discussed in the next section)

7.10.4 Lithium-ion batteries

The growth in demand for energy storage technology has created a growing Lithium-ion (Li-ion) battery waste problem. Li-ion batteries are the predominant battery type used in electric vehicles, battery energy storage systems and portable consumer electronics. The 2023 *Battery Market Analysis* report found that Li-on batteries are the second largest share of battery sales in weight, with just over 26,000 tonnes of batteries sold in 2021 and the third highest in number of batteries sold (just over 38 million). Statistics have shown that Li-ion battery waste is growing by 20% per year and could exceed 136,000 tonnes by 2036. Only 10% of Australia's Li-ion battery waste was recycled in 2021, compared with 99 per cent of lead acid battery waste (Zhao, Ruether, Bhatt, & Staines, 2021). This presents an opportunity to significantly increase the amount of Li-ion batteries that are recycled by ensuring they are collected safely and not disposed to landfill.

Under Schedule 4 of the W2R EPP, a waste that is classified as a 'hazardous waste' is a prohibited landfill waste. 'Hazardous waste' is defined in the EPP as "listed waste having a characteristic described in schedule A list 2 of the *National Environment Protection (Movement of controlled waste between States and Territories) Measure"* (NEPM Movement of Controlled Waste). Li-ion batteries contain lithium, an alkali metal, which is a Listed Waste under Schedule 1, Part B of the EP Act 1993, and has a characteristic described in the NEPM Movement of Controlled Waste.

Battery energy storage systems

Battery energy storage systems (BESS) are systems that provide stationary energy storage using rechargeable batteries and are used to power homes and businesses. The batteries used in residential battery energy storage systems are predominantly Li-ion batteries with a small amount of lead acid batteries being used for larger-scale storage systems.

In 2021, 10,000 BESS batteries were sold in Australia and it is expected that the size of this market will grow over the next 25 years with tonnages projected to grow between 10% and 40% each year until 2030 (Battery Stewardship Council, 2023a).

The Australian Government's discussion paper, *Wired for change: Regulation for small electrical products and solar photovoltaic system waste* is consulting on whether energy storage batteries should be included in their proposed product stewardship regulatory scheme covering small-scale solar photovoltaic systems (DCCEEW, 2023h).

Electric vehicle (EV) batteries

With strong growth in sales of electric and hybrid-electric vehicles, electric vehicle (EV) batteries are a growing waste stream. The Battery Stewardship Council's 2023 Battery Market Analysis report projected that stocks of EV batteries will reach 600,000 tonnes in 2030 and over 4 million tonnes by 2050.

The National Electric Vehicle Strategy outlines the Federal Government's commitment to supporting an EV circular economy to help mitigate the environmental impacts of EV production and EV waste. Additionally, it states that:

> The Government will undertake research to inform an EV and other large format battery recycling, reuse and stewardship initiative. This will consider end market demand for materials derived from these batteries, to reduce waste, grow jobs, and support emerging Australian industries. (DCCEEW, 2023f, pg. 25).

The Battery Stewardship Council is considering establishing a product stewardship scheme for EV batteries with consultation through a discussion paper that was released in 2023 (Battery Stewardship Council,2023b)

Notwithstanding that Li-ion battery waste may already be captured as hazardous waste through existing legislation, in the same way that lead acid batteries are, specifically listing Li-ion batteries in the EPP (as lead acid batteries are similarly listed) will provide clarity and remove doubt that these items are banned from landfill.

Under clause 12(2) of the W2R EPP it is an offence to place hazardous waste in a bin for collection or transport for disposal at a landfill depot. This includes kerbside collection general waste bins. Given the safety risks associated with the incorrect disposal of Li-ion batteries, it is proposed that this be extended to all kerbside collection bins, i.e., adding co-mingled recycling (yellow lid) bins and food organics and garden organics (FOGO green lid) bins.

QUESTIONS

7.10.4 Prohibited landfill waste | Lithium-ion batteries

1 Noting that Li-ion batteries are prohibited from disposal to landfill in SA, what is needed at the state level to support their safe recovery and provide a pathway for recycling at their end-of-life?

2 Noting that it is an offence to place Li–ion batteries in kerbside collection general waste bins (bins designated for disposal to landfill), should this be extended to include all kerbside collection waste bins (i.e., to include co–mingled recycling and food organics and garden organics bins)?

3 Are there any Li-ion batteries that are not already included or proposed to be included in a national product stewardship scheme (other than electronic medical devices and vapes that are considered a biohazard)?

4 Should SA consider establishing a state-based product stewardship scheme, in the absence of effective action being taken at the national level? Please outline your reasons.

7.10.5 E-waste

E-waste is a rapidly growing waste stream. Australia generated 511,000 tonnes of e-waste in 2019 with over $430 million worth of valuable materials contained within the e-waste being discarded to landfill (DCCEEW, 2023h). E-waste contains hazardous materials that pose a risk to the environment and human health, as well as valuable materials such as gold, copper, nickel, silicon, and lithium, which need to be recovered.

Currently the W2R EPP prohibits computer monitors and televisions, whitegoods, and electrical or electronic equipment from being disposed to landfill.

This review provides an opportunity to clarify what is covered under the existing ban and to look at expanding the list of items banned.

It also provides an opportunity to align with the proposed national e-waste stewardship regulation as outlined in the Australian Government's discussion paper *Wired for change: Regulation for small electrical products and solar photovoltaic system waste* which proposes to cover small electrical and electronic equipment found in homes and small businesses weighing up to 20 kg (DCCEEW, 2023h). The scheme proposes to include embedded batteries in these products, but not loose batteries (e.g., AA and AA batteries) which are covered under the B-cycle product stewardship scheme discussed above.

Solar PV systems

Solar photovoltaic (PV) systems comprise Australia's fastest growing electronic waste stream. As of 2020, Australia had 20.8 gigawatts of installed solar capacity. In 2019, PV and battery storage system waste was estimated at around 3,500 tonnes. By 2030 this is expected to increase 18-fold to around 62,000 tonnes (DCCEEW, 2022b).

Solar PV systems were included in the Federal Environment Minister's Priority List for the first time in 2016–17 (DCCEEW, 2016). The listing includes solar panels, inverter equipment and system accessories, for domestic, commercial, and industrial applications.

Components of PV systems may contain hazardous substances which can leach into the environment if disposed to landfill. While PV systems contain many recoverable materials of value, the complexity of these systems creates challenges for the full recovery of valuable materials.

In 2023 the Australian Government released a discussion paper *Wired for change: Regulation for small electrical products and solar photovoltaic system waste,* to consult on their intention to regulate waste from small solar photovoltaic systems (up to 100 kW) and small electrical and electronic products through a product stewardship scheme (DCCEEW, 2023h). In Victoria, solar PV panels are already included in their e-waste landfill ban, which came into effect in 2019.

The inclusion of small solar PV systems on the South Australian list of prohibited landfill wastes could support this proposed product stewardship scheme by ensuring that these items are recovered for recycling and not sent to landfill.

QUESTIONS

7.10.5 Prohibited landfill waste | E-waste

1 What additional e-waste items should be included in the existing prohibition (ban) on disposing e-waste to landfill in SA?

2 Should small solar PV systems be included in the definition of e-waste?

7.10.6 Wind turbine blades

Like solar energy, wind energy is an important part of Australia's renewable energy transition but also a significant source of future waste that needs to be addressed. Wind farms are currently built for a lifespan of 20–30 years with some existing Australian wind farms reaching their end-of-life in the next 5–15 years. While turbine parts can be recycled more easily, the materials used in wind turbine blades (carbon and glass fibre composites) are more challenging and currently do not have a clear pathway for recycling or an end market for the recovered materials. As a result, they mostly end up in landfill.

In Europe, four countries – Austria, Finland, Germany, and the Netherlands – have banned wind turbine blades from disposal to landfill, with more countries expected to follow suit. A landfill ban can help drive changes to design and promote more sustainable approaches to end-of-life wind turbine blades.

If wind turbine blades were to be banned from disposal to landfill in SA, a delay in commencement of the landfill ban would provide time for the research and development of recycling options and reprocessing capacity. It would also provide time for legislative harmonisation with other Australian jurisdictions to ensure that the waste problem is not just transported interstate.

QUESTIONS

7.10.6 Prohibited landfill waste | Wind turbine blades

1 Should wind turbine blades be prohibited (banned) from disposal to landfill in SA?

2 What are the potential risks associated with prohibiting wind turbine blades from being disposed to landfill?

3 What are the opportunities arising from prohibiting wind turbine blades from being disposed to landfill and how can these opportunities be utilised?

4 If wind turbine blades were to be prohibited from disposal to landfill, when should this commence, and why?

7.10.7 Mattresses

Approximately 1.8 million mattresses are discarded every year in Australia. Of these, 40% go straight to landfill and up to as much as 60% of the rest also ends up in landfill. In addition to creating a risk of subsidence and taking up a lot of space, disposing of mattresses to landfill results in valuable resources being lost from the economy. Mattresses contain plastics (synthetic fibres), textiles, polymers (such as foams), steel and some contain timber. Currently mattress recyclers are able to recover around 75% of these materials. As a result, mattresses have been included on the Federal Minister's 2022–23 Priority List for product stewardship (DCCEEW, 2022b). The Minister has warned that the Australian Government will move to regulate if industry participation in the voluntary Australian Bedding Stewardship Scheme does not increase (DCCEEW, 2022d).

The Australian Bedding Stewardship Scheme is an industry led stewardship scheme which aims to reduce the number of end-of-life mattresses going to landfill (Australian Bedding Stewardship Council, 2024). Supporting the scheme by banning mattresses being disposed to landfill can assist by requiring an end-of-life solution other than landfill. Capacity for recycling of mattresses exists in SA and can be easily scaled up in response to additional demand arising from a ban to landfill.

The Australian Capital Territory (ACT) has banned mattresses from landfill since 2010, and Queensland is considering the same. Banning these from landfill in SA, alongside a requirement for recovery of a minimum percentage of materials (e.g., 50%), would ensure that recyclable materials are recovered to the fullest extent possible.

QUESTIONS

7.10.7 Prohibited landfill waste | Mattresses

1 Should mattresses be prohibited (banned) from disposal to landfill in SA?

2 Should there be a minimum level requirement for resource recovery for mattress recycling, and if so, what should that be?

3 If mattresses were to be prohibited from disposal to landfill, when should this commence?

7.10.8 Child car seats

It is estimated that 200,000 child car seats are disposed of each year in Australia. While they are an essential safety requirement, they have a relatively short lifespan. However, up to 80% of child car safety seat components can be recycled (DCCEEW, 2022e).

Child car seats were first included on the Minister's Priority List in 2022–23 which called for industry to "establish a stewardship scheme to manage the disposal, collection and recycling of unwanted child car seats and improve design consistent with circular economy principles" (DCCEEW, 2022f). Since then, trials have confirmed the recyclability of car seats and identified changes in materials used to manufacture seats. An industry-led voluntary national stewardship scheme for these products is being considered.

If a national stewardship scheme for child car seats is established, this could be supported at the state level by banning these products from being disposed to landfill.

QUESTIONS

7.10.8 Prohibited landfill waste | Child car seats

1 Should child car seats be prohibited from disposal to landfill in SA?

2 What are the opportunities arising from prohibiting child car seats from being disposed to landfill in SA?

3 What are the potential risks associated with prohibiting child car seats from being disposed to landfill?

4 If child car seats were to be prohibited from disposal to landfill, when should this commence?

7.10.9 What else

QUESTIONS

7.10.9 Prohibited landfill waste | What else

1 Are there any other priority products or materials that should be prohibited from disposal to landfill? Please outline what these are, the rationale and a suitable timeframe.

Key area 5: Protecting the environment and human health from waste pollution

When people fail to dispose of waste in the correct manner or in the correct place, it can cause harm to our environment and to human health. It is for these reasons, as well as the imperative to recover valuable resources, that waste disposal is tightly regulated.

7.11 Unlawful disposal of waste

Under the W2R EPP (clause 10) only a limited range of options are acceptable for the disposal of waste. In all other cases, disposal is unlawful, and penalties apply.

The W2R EPP does allow, under clause 10(1)(f) and 10(3), for a person to dispose of waste to land that they own or occupy, or to the land of another with consent of the owner or occupier, provided it does not cause:

- environmental harm affecting water
- site contamination
- environmental nuisance
- unstable geotechnical conditions
- an infestation of vermin, rodents, or pests
- a fire hazard
- is not into a sinkhole in a karst environment.

This is intended to be consistent with, but narrower than, the defence against polluting one's own land under section 84(1)(c) of the EP Act.

Enforcement

There are several aspects of the current provisions which, in practice, are difficult to enforce.

1 Clause 10(1)(f) of the W2R EPP allows disposal of waste "to land owned or occupied by the person". The occupier of the land may be quite distinct from the owner of the land, who may take umbrage with ultimately being left with the liability of waste disposed to their land.

2 Establishing that the owner or occupier gave consent for the disposal can be a matter of debate in terms of what was permitted for disposal and to what extent.

3 Establishing what has been disposed of after the fact and whether it poses harm to waters, a risk of site contamination, or geotechnical stability generally requires expensive excavation and/or testing.

Often, construction and demolition waste is disposed of under this clause for the purposes of filling land. The *Standard for the production and use of Waste Derived Fill* (WDF Standard) outlines information and processes required by the EPA to support the reuse of wastes as fill, including construction and demolition waste. Typically, the EPA requires licensees to comply with the WDF Standard when filling land, however unlicensed sites are not required to comply with it by virtue of clause 10 of the W2R EPP.

Licensing

Clause 10(1)(f) of the W2R EPP does not affect environmental, licensing or other requirements under the EP Act. Therefore, the landowner or occupier could still be guilty of conducting a waste depot without a licence (under section 36 of the EP Act). The EP Act prescribes 'waste disposal' as an activity of environmental significance, which includes "the conduct of a landfill depot, being a depot, facility or works for the disposal of

waste to land". Whether disposal to land in fact constitutes a 'depot, facility or works' can be difficult to establish in practice. Even taking money for the disposal of waste to land (particularly in the case where it is being used to fill land) does not necessarily deem the activity as the operation of a depot.

Since 2010 the waste levy (and hence waste depot gate fees) has increased substantially from $26 per tonne to $161 per tonne (for 2024–25). As a result, the financial incentive to receive and dispose of waste without a licence can be significant. This undermines legitimate waste management operators and efforts to establish a circular economy in SA.

Policy options being considered

There are a range of possible amendments which could be considered to address these matters:

1 Removing clause 10(1)(f) of the W2R EPP altogether, noting that section 84(1)(c) of the EP Act provides a defence against polluting your own land.

2 Amending clause 10(1)(f) of the W2R EPP to:

   1. only allow disposal of waste generated on your own land,
   2. provide a quantitative threshold for the amount of waste which can be received, and/or
   3. specify the types of waste that are allowable.

3 Linking the offence for disposal to own land to the person having accepted the waste for a fee or reward.

4 Only allowing disposal to land with permission of the landowner (not the occupier). This may include defining that permission must be in writing and must define that waste type and amount to which it relates.

5 Explicitly excluding certain waste types from disposal to a person's own land, such as waste banned from disposal to landfill.

QUESTIONS

7.11 Unlawful disposal of waste

1 In what circumstances is it appropriate for a person to dispose of waste to their own land without a licence?

2 In what circumstances is it appropriate for a person to dispose of waste to land with permission of the landowner and without a licence?

3 Are there specific types of waste that should always be allowed to dispose to your own land? If so, please list and explain the reasons.

4 Are there specific types of waste that should never be allowed to dispose to your own land? If so, please list and explain the reasons.

5 Given the existence of standards, such as the WDF Standard which define when material ceases to be waste, is it still necessary or appropriate for unlicensed sites to receive and dispose of waste to land?

7.12 Contaminants and chemicals of concern

While materials and products that are not readily or safely able to be recirculated within the economy are still being produced, there will continue to be a need for these wastes to be managed safely and effectively.

Clause 19 of the W2R EPP prescribes that the EPA must have regard to the respective national environmental management plans (NEMP) for hexachlorobenzenes (HCBs), organochlorine pesticides (OCPs) and polychlorinated biphenyls (PCBs) prepared under the *National Strategy for the Management of Scheduled Waste* when determining matters in relation to environmental authorisations and development authorisations.

In 2018 (and updated in 2019), Environment Ministers endorsed a NEMP for perfluoroalkyl and polyfluoroalkyl substances (PFAS). The PFAS NEMP establishes a practical basis for nationally consistent environmental guidance and standards for managing PFAS contamination. The plan has been developed by all jurisdictions and recognises the need for implementation of best practice regulation through individual jurisdictional mechanisms. It represents a how-to guide for the investigation and management of PFAS contamination and waste management.

As part of implementing the PFAS NEMP, the EPA published the *PFAS in waste soils interim guideline*.

Why action is needed

Consideration should be given to how the W2R EPP can address emerging contaminants and chemicals of concern in a timely manner. There are significant delays and resource implications to addressing each new contaminant or chemical of concern as they emerge.

Policy options being considered

There may be opportunity for the W2R EPP to be amended to address chemicals of concern as they are added to national or international agreements, such as the *Stockholm Convention* or the *National Strategy for the Management of Scheduled Wastes*.

QUESTIONS

7.12 Contaminants and chemicals of concern

1 Are there aspects of the PFAS NEMP which could be useful to incorporate explicitly into the EPP?

2 Would it be appropriate for the EPP to incorporate emerging chemicals as they are added to national or international agreements, such as the Stockholm Convention or the National Strategy for the Management of Scheduled Wastes?

7.13 Greenhouse gas emissions from landfill

Degradation of putrescible waste in a landfill generates methane, carbon dioxide and other trace gases that pose potential hazards to site safety, human health, and the environment. Generation of landfill gas can continue for tens of years after placement of the waste and is intricately linked to leachate management.

Landfill emissions are approximately 50% carbon dioxide and 50% methane. Methane has 21 times the effect of carbon dioxide on the greenhouse effect and related climate change. Approximately 704 kilotonnes of CO_2 equivalent was emitted from South Australian waste disposal sites in 2022 (DCCEEW 2023g). The installation of landfill gas management systems offers the potential to capture and burn landfill gases, reducing greenhouse gas emissions to the atmosphere.

Currently, the *Environment Protection Regulations 2023* allow for the environment management component of a landfill's licence fee to be reduced where the licensee satisfies the EPA of the existence of a leachate and landfill gas management system that complies with the EPA guideline *Environmental management of landfill facilities*. For landfills receiving over 100,000 tonnes, this is a reduction of 30 fee units per annum ($25,980 for 2023–24 financial year), a substantial component of a landfill's licence fee.

This guideline outlines the EPA's expectations for the control and management of landfill gas in order for licensees to meet their general environmental duty under section 25 of the EP Act. Site-specific requirements are then imposed via licence condition, which may include a requirement for active landfill gas capture rather than passive gas collection (refer to the guideline for explanation of the difference). While licensees must have landfill gas management strategies in place, it is not standard practice to require licensees to capture landfill gas.

It is recognised that SA is in a unique position with low waste volumes, vast regional areas, and a dry climate in comparison to other Australian jurisdictions. As a result, currently operational sites may never have sufficient gas volumes or flow of gas to warrant active extraction or energy production investments.

It is noted that the Emissions Reduction Fund enables credits to be claimed for landfills gas capture. The fund has a regulatory additionality requirement, and credits cannot be claimed for activities which are required by law (such as requirement via licence condition).

Why action is needed

Greenhouse gas emissions from landfills can be reduced through the installation of active landfill gas capture systems on capped cells.

Policy options being considered

In order to incentivise landfill gas capture, consideration is be given to providing further or differential reductions in licence fees for waste depots that capture emissions produced in landfill. This could include a higher fee reduction for active gas collection systems and a lesser reduction for passive gas collection systems.

Another option would be to provide a reduction or rebate on the solid waste levy for waste depots that capture emissions produced in landfill.

QUESTIONS

7.13 Greenhouse gas emissions from landfill

1 Does the current reduced licence fee for landfill gas capture offer a sufficient incentive?

2 Are there other factors acting as a disincentive for final capping and installation of landfill gas capture systems?

3 Would a waste levy reduction or rebate be an appropriate tool to incentivise landfill gas capture? How should this be applied?

It should be noted that an EPP to address climate change is also being developed and that policy options raised here may ultimately be included in that EPP rather than in a new circular economy and waste EPP.

7.14 Medical waste

Clauses 16, 17 and 18 of the W2R EPP set out the requirements for the management of medical waste. This includes:

- Providing that medical waste produced in the course of a prescribed activity must, as soon as reasonably practicable, be placed in a prescribed container, collected and transported appropriately.
- Setting out expectations for the collection, storage, and disposal of medical waste by councils, hospitals and pharmacies.
- Prohibiting the disposal of medical sharps through kerbside waste collection.

This review provides an opportunity to consider whether these provisions require updating or amending in order to ensure that medical wastes in managed and disposed of safely and that human health is protected.

Policy options being considered

No policy changes have been identified at this time. Stakeholders are invited to raise any issues for consideration.

QUESTIONS

7.14 Medical waste

1 Are there any clauses in Division 2 relating to the management of medical waste that are problematic?

2 Are there any additional matters that the EPP might address relating to the management of medical waste?

Key area 6: Circular economy metrics, reporting and transparency

It is said that 'you can't manage what you don't measure'. While measurements of the linear economy are well established, we now need a framework that enables us to measure and track our progress as SA transitions to a circular economy. Measuring where we are now, identifying where we want to be within a defined timeline, and tracking progress towards this, can help show the areas that are progressing well, as well as the areas where attention is required in terms of policy reform, investment, behaviour change or other. Data is key to the successful transition to a circular economy and knowing how we are tracking can help accelerate our progress.

Ideally, a circular economy measurement framework would be developed, adopted, and coordinated nationally, across all levels of government and jurisdictions, so that data is harmonised and can be compared across states and territories, as well as across reporting periods within jurisdictions. At this point there is no agreed national framework.

Why action is needed

While the South Australian government already collects particular circular economy data, it is largely focused on materials at their end-of-life using traditional waste management indicators such as diversion from landfill and resource recovery rates[11]. This data alone is not sufficient to measure progress towards circularity. Circular economy indicators for higher level activities in the waste management hierarchy (e.g., rates of repair, reuse, and re-manufacturing) are not yet being measured or reported. Also, more detailed data could be collected about waste generation, resource recovery, and the end point of materials, to track material flows at a more granular level.

While a holistic circular economy measurement framework goes beyond the Objects of the EP Act, and beyond the scope of an EPP, this review provides an opportunity to consider what additional indicators or metrics would contribute towards tracking the state's progress in the areas of waste generation, waste avoidance, resource recovery and material flow. This additional information will help inform the development of future policy and regulatory measures so that they are targeted effectively. It will also enable us to better track performance and progress towards circularity and the targets in current and future SA waste strategies.

Policy options being considered

7.15 Circular economic metrics

To keep products and materials in use at their highest utility and value and for the longest possible duration, we need to track how materials are circulating and where they are being lost from the economy. To track material flow through the economy, we need to improve the monitoring, measurement and reporting of waste and resource recovery across all sectors from the point of generation through to the final destination point of reuse or recycling.

QUESTIONS

7.15 Circular economy metrics

1 What additional metrics would help measure the state's progress in the areas of waste avoidance, resource recovery and material flow?

[11] The EPA collects mass balance reporting data from waste depots and GISA collects data relating to the Circular Economy Resource Recovery Report (see Key Area 3 for more information)

7.16 Waste depot reporting

Public reporting

To improve transparency for users of waste and recycling services, in order that they can know how their waste and recyclables are managed, the EPA is considering requiring waste recovery facilities, waste reprocessing facilities, and waste disposal facilities to publicly report, at a facility level, on certain information. This could include information on materials accepted and processed, recovery and recycling rates, diversion outcomes and end fates of materials. This would allow users of these services to consider performance outcomes when selecting their preferred waste contractors and resource recovery facilities, enabling informed decisions as businesses adopt more circular business practices.

The public reporting could be done via the waste depot's own website and in accordance with an EPA-issued standard (to ensure consistency of data across reporting entities). While annual auditing of this data could be done in-house in the first instance, it may be appropriate for the EPA to have the authority to require the waste depot operator to verify this data through independent auditing, where necessary, to ensure accuracy.

Reporting on the waste depot's own website would enable waste depot operators to explain what the information means and the context for the performance outcomes. Consideration can be given to how to achieve this reporting outcome while recognising that some business information may be commercially sensitive. Feedback on this matter is sought.

Since 2021, waste depots that receive over 20,000 tonnes of waste per annum have been required to report mass balance data to the EPA. Mass balance reporting monitors the movement of waste (material flows) to and from waste depots throughout the state, and tracks stockpiling of materials.

Regulation 68 of the *Environment Protection Regulation 2023* provides detail on the "sharing of information with other persons or bodies" related to mass balance reporting data. This regulation enables the EPA to share mass balance reporting data with Green Industries SA or any State or Commonwealth agency. Mass balance reporting data as provided by the EPA is used in Green Industries SA's annual Circular Economy and Recycling Report (CERR report). Regulation 68 also permits the EPA to share "statistical or other data that is not of a commercially sensitive nature or that could not reasonably be expected to lead to the identification of any person to whom it relates".

Noting that mass balance reporting data is included in the CERR report, and the confidentiality provisions under section 121 of the EP Act, feedback is sought on whether the EPA should publicly publish any mass balance reporting data on its website and how often such data should be reported.

End fates of waste or materials

Mass balance reporting data is essential to our understanding of what is happening with waste generation, material flows, stockpiling and rates of diversion from landfill within our state. However, there are some data gaps, that if addressed would provide a fuller picture and help inform regulatory policy and programs to support a circular economy.

Currently, mass balance reporters are required to report monthly on material stream (i.e., C&I, C&D, MSW) and types:

- received at the site
- transported from the site
- remaining stockpiled on site

- used on site
- disposed on site (landfill facilities only)

In relation to material received, reporters must also specify whether the material was received from within the Adelaide metropolitan region (metro), or from outside the Adelaide metropolitan region (non-metro), in alignment with metro and non-metro waste levy rates. When material is transferred out of the waste depot, reporters must specify:

- if it is material recovered as a result of resource recovery processes (resource recovery), or is being transported to another waste depot for further treatment (transferred)
- whether it is to be transported to a place within the State, interstate or overseas.

Since there is currently no requirement to report on the precise location material has been received from or transferred to, there is no requirement for reporting on where materials are received from or being sent to (other than that the material has been transferred or has been sent for resource recovery). This can lead to double counting of waste when looking at the data at a statewide level, particularly where material is transferred between waste depots undertaking mass balance reporting.

Requiring an extra level of information on where the materials have been received from and where the materials are sent once they leave the facility, will help remove double counting, enable better tracking of material flow, and provide data on the end fates of materials (e.g., sent for recycling or reprocessing at certain facilities). As an example, this could include reporting the licence number for materials sent to another licensed site, or an ABN for a business that is not licensed by the EPA.

Additionally, for waste or materials being received from or being sent overseas, there is no requirement currently to specify the country that the materials are sent to. This additional information would assist in providing a greater understanding of material flows at the international level.

Consideration is being given to requiring additional information for mass balance reporting data and feedback is invited on which information would be readily available or easily able to be included, in order to provide a fuller picture of our growing circular economy.

Mass balance reporting

While mass balance data captures only 15% of EPA-licensed waste depots, it represents 77% of total tonnages of the material flows across SA.

Under the Environment Protection Regulations, mass balance reporting applies to any waste depot receiving over 20,000 tonnes of waste per annum. However, the EPA can direct any facility receiving between 5,000 and 20,000 tonnes per annum to participate in mass balance reporting. The EPA can also prescribe material types in the Standard which anyone receiving must provide mass balance reporting data on.

Feedback is sought on reducing the current minimum mass balance reporting threshold to enable a greater number of facilities to be included into mass balance reporting and offer the state valuable data to support policy reforms and grants programs. Alternatively, feedback in sought on whether there are particular materials or types of waste depot which represent a key aspect of understanding material flows in the circular economy and should be included in mass balance reporting.

Waste tracking – Lithium-ion batteries

Under the *Environment Protection (Movement of Controlled Waste) Policy 2014* (MCW EPP), certain high-risk wastes are required to be tracked when transported into, within or out of SA. The waste consignor (producer), transporter and receiving facility all have obligations to ensure these wastes are properly tracked.

The MCW EPP implements requirements of the National Environment Protection (Movement of Controlled Waste between State and Territories) Measures (NEPM) in South Australia. The NEPM regulates the tracking requirements for hazardous waste transported between South Australia and other states and territories. As Li-ion batteries are not listed in Schedule A (List 1) of the NEPM, nor are lithium or lithium compounds, they are not required to be tracked. Rather, only a consignment authorisation is required to be completed to transport Li-ion batteries interstate.

Other high risk battery types, such as lead-acid batteries and nickel-cadmium batteries are included in waste tracking requirements. Mandating the tracking of Li-ion batteries will enable the state to monitor the material flows of these batteries and implement regulatory measures for their proper end-of-life management. Feedback is sought on whether Li-ion batteries should be tracked given that they can exhibit characteristics that are listed in Schedule A (List 2) of the NEPM.

It is noted that interjurisdictional agreement would be required to implement this policy change across jurisdictions.

Landfill depots

Like the data gaps in mass balance reporting, there is also a data gap with the current requirements for waste levy reporting. Currently the EPA receives data on total tonnages that are disposed to landfill, but this is not broken down by waste stream or types. While the particular waste stream or type may be able to be ascertained through mass balance reporting data, where available, this can be very difficult for complex landfill depot sites.

Understanding the waste streams and types being disposed of would assist in identifying further opportunities for resource recovery, which could be targeted by future policy reforms and grants programs, as well as enable more accurate auditing of reporting for waste levy liability purposes.

This review provides an opportunity to explore whether this gap in our knowledge can and should be addressed by an amendment to waste levy reporting requirements.

QUESTIONS

7.16 Waste depot reporting

1. Should waste depots be required to report certain information on a public facing website, to enable users of their services to consider performance outcomes when selecting their preferred waste contractors and resource recovery facilities?

   a Should this include all waste recovery facilities, waste reprocessing facilities, and waste disposal facilities? Please explain your reasons.

   b What information should be reported publicly for each of the waste depot types:

   - waste recovery facilities
   - waste reprocessing facilities
   - waste disposal facilities

   c Should this information be reported annually or more frequently?

   d Should this information require independent auditing?

   e What are the barriers (e.g., commercially sensitive information), to this policy measure and how might these barriers be addressed?

2. Noting the confidentiality provisions in Section 121 of the *Environment Protection Act 1993* and that mass balance reporting data is currently included in the CERR report, should the EPA publish any of this data on its website in order to increase transparency? Why, or why not?

   a How often should this data be reported?

3. Is the current mass balance reporting threshold of 20,000 tonnes per annum the right threshold required for providing mass balance reporting data? Please explain your reasons.

4. Are there particular materials or types of waste depots currently not captured in mass balance reporting that should be included? Please specify.

5. Should mass balance reporting be extended to include reporting on where materials are coming from, and being sent to, including end fates of wastes and materials, to provide a fuller picture of material flows in SA and nationally?

6. What specific information should be included in the reports to clarify the end fates of recyclables and organics?

7. What mechanisms should SA implement to create more transparency around the end fates of recyclables and organics? What challenges or barriers are there?

8. Should lithium-ion batteries be included in intra and inter-state waste tracking requirements?

9. Should waste levy reporting be extended to include detail on waste streams and material types being disposed to landfill?

7.17 Reporting by local government

7.17.1 Reporting on kerbside waste collection performance

Currently, all SA councils report to the Local Government Grants Commission (LGGC) annually on certain information relating to kerbside collection services. This data is then provided back to councils by the LGGC, but there is a delay of up to 12 months before it's compiled and available for others to use. This same information is also provided to GISA.

In addition, metropolitan Adelaide councils voluntarily provide data directly to GISA annually. However, there are delays in GISA receiving data for non-metropolitan councils, leading to the data being up to two years old when it is received. These delays lead to difficulties in accurately determining the effectiveness of the GISA programs that are aimed at improving waste avoidance and resource recovery, especially when combined with the evolving nature of kerbside collection systems. Being provided with up-to-date and timely data will assist GISA in making informed decisions to target its programs and support most effectively.

To achieve this, a requirement for reporting by local government on household waste generation and resource recovery performance is being considered. This data will provide an accurate and timely circular economy metric for local, state and federal governments. Currently councils only receive information on diversion or resource recovery rates from their contracted MRFs if it is required under their contract. Receiving this data will assist councils to communicate with their residents about kerbside system performance and enable conversations about how to reduce household waste generation, reduce contamination and improve recycling rates.

In addition to providing local communities with data about their own waste, this reporting will enable benchmarking across councils. Benchmarking has potential to help councils identify gaps in their kerbside system performance and uncover opportunities to improve by learning from their peers. It will also provide up-to-date reporting on kerbside collections for the National Waste Report.

The information required to be reported could include:

- tonnes per kerbside bin stream
- landfill diversion rates
- contamination rates by bin type
- waste and recycling service cost per household
- changes to waste service contracts/arrangements for all waste and resource recovery services
- receipt of and stockpiling of problematic items or materials (e.g., CCA treated posts)
- end fates of materials (unless this is already provided through additional mass balance reporting as outlined in section 7.15)
- kerbside waste collection bin audit findings.

QUESTIONS

7.17.1 Reporting by local government | Kerbside waste collection performance

1 Should local government be required to report on household waste generation and resource recovery performance, in order to provide an accurate and timely circular economy metric for all levels of government?

   a What information should be required to report and why?

   b How frequently should local government be required to report, i.e., monthly, or quarterly?

2 Should local government be benchmarked or ranked publicly on the basis of their kerbside performance? Why or why not?

7.17.2 Standardising kerbside waste collection bin audits

To add to the policy proposal above, consideration is being given to establishing a standardised audit methodology for kerbside waste collection bin audits.

Kerbside waste collection bin audits are important for understanding the composition of waste and resources in kerbside bins. This information assists local government and state government to understand household waste management behaviour and practices and develop targeted programs and policies to improve kerbside resource recovery outcomes.

Most metropolitan and regional councils conduct kerbside waste collection bin audits on a regular basis, ranging between every two to four years. However, there is a lack of consistency with audit methodologies adopted across councils, and consequently, audit results are difficult to compare across councils. A requirement for local governments to conduct audits using consistent audit methodology and frequency will help to standardise practices, ensure quality data provision, and enable comparison of results across councils.

QUESTIONS

7.17.2 Reporting by local government | Standardising kerbside waste collection bin audits

1 Should kerbside waste collection bin audit methodologies be standardised to ensure consistency and enable comparison of results across councils? What are the opportunities and barriers to this policy option?

2 For councils undertaking kerbside waste collection bin audits:

   a what audit methodologies are currently used and what range of waste types are covered? Do they measure and reflect householder behaviour and if so, how?

   b should any other measures be reported through kerbside collection waste bin audits, e.g., bin placement at kerbside, number and relative fullness of the bins presented for collection? What are the impacts of including additional measures in the audits?

3 How frequent should a kerbside waste collection bin audit be undertaken and why?

7.17.3 Publishing waste management plans and performance outcomes

Consideration is being given to requiring local governments to publish their waste management plans and strategies and to report on kerbside waste collection performance and related circular economy outcomes on their websites. This information will assist households to better understand what is happening in their local council area and support education initiatives.

7.17.4 Publishing waste contract tendering information publicly

A proposal to make waste contract tendering information public is also being considered, and feedback is being sought on whether councils should take the environmental, social and governance (ESG) principle into account when awarding waste contracts in order to enhance reporting on kerbside system performance.

QUESTIONS

7.17.3 Reporting by local government | Waste management plans and performance outcomes

1 Should local governments be required to publish their waste management plans and strategies on their websites? Please explain your reasons.

2 Should local governments be required to publish kerbside waste collection performance outcomes and related circular economy outcomes on their websites? Please explain your reasons.

   a what information should be included in this online reporting?

   b should this information include results of kerbside waste bin audits?

   c when and how often should this information be updated?

3 Should the tendering of local government waste contracts be required to be public information in SA? What are the benefits and/or potential barriers of making this information accessible to the public?

4 What specific details of the tender should be made public (e.g., criteria for selection, contract terms etc)? In what format should this information be presented to ensure clarity and accessibility for the general public?

5 What are the challenges associated with integrating ESG into waste contracts? How can these challenges be addressed?

7.18 Transparency in waste levy component of service fees and charges

In addition to there being a lack of transparency about what happens to recyclable materials after they are collected, there is also a lack of transparency in the information provided by the waste and resource recovery industry to their customers about the waste levy component of fees and charges. This is reflected in the fact that customer invoices for waste services generally do not set out the amount of the invoice that directly relates to the solid waste levy fee that is incurred in providing that service.

In order to increase transparency for users of these services, the EPA is seeking views on whether landfill depots should disclose the component of fees and charges on their invoices that specifically relate to the payment or incurring of a solid waste levy expense.

QUESTIONS

7.18.1 Transparency in waste levy component of service fees and charges

1 Should operators of landfill depots be required to disclose the waste levy component of fees and charges on customer invoices? Please explain your reasons.

2 Should a requirement to disclose the waste levy component of fees and charges on customer invoices extend to other waste and resource recovery operators? If so, who should it apply to and why?

8 Additional questions

QUESTIONS

1 Are you impacted by the current W2R EPP? Please describe how you are impacted and what effect this has.

2 Do you have any feedback on the current South Australian regulatory framework for resource recovery and waste management?

3 Are there any other policy measures that would help increase waste avoidance, improve resource recovery, and support a circular economy?

4 Are there any other comments you would like to make in response to the discussion paper?

9 Next steps

Following consultation on this discussion paper, the EPA will consider the submissions and publish a consultation summary and response.

The feedback received will then inform the preparation of a new draft EPP. As required by section 28 of the EP Act, the draft EPP will be released, along with detailed explanatory information, for further public consultation. The process for that stage is depicted in Figure 15.

Figure 15 Steps to develop environment protection policies

Glossary

Alternative fuels	Any combustible material which is not a traditional fossil fuel such as coal, gas, diesel or petroleum coke. This includes refuse derived fuel.
Aluminium-lined liquid paperboard containers	Containers manufactured from paperboard with layers of plastic and an additional layer of aluminium foil which are used for long-life products such as long-life milk.
Beneficial use or reuse	The outcome of the use or reuse of a product or material being a net environmental benefit, i.e., contributing to environmental sustainability and resource efficiency.
Biodegradable	Capable of being decomposed by the action of biological processes.
Biogas	A renewable gas created by the anaerobic digestion of organic matter (or materials).
CCA treated timber	Copper chrome arsenate treated timber - timber that has been treated by a chemical preservative containing compounds of copper, chromium and arsenic.
Circular economy	A circular economy is an economic model designed to prioritise sustainability, resource efficiency, and waste reduction. It aims to move away from the traditional linear economic model of 'take-make-dispose' and instead seeks to create a closed loop system where resources are kept in use for as long as possible, with their value preserved and waste minimised. It is based on three principles: design out waste and pollution; keep products and materials in use (ideally at their highest and best value); and regenerate natural systems.
Circular procurement	An approach to purchasing works, goods and services that accelerate the transition to a more circular economy by prioritising the purchase of products and services with circular attributes.
Climate change mitigation	Limiting, reducing or preventing greenhouse gas emissions.
Closed loop recycling	Material from a product system is recycled in the same product system and is of the same quality and functionality as the original material.
Construction and demolition (C&D) waste	Solid waste arising from the construction, demolition or refurbishment of buildings or infrastructure, but does not contain municipal solid waste, commercial and industrial waste, listed waste, hazardous waste or radioactive waste.
Commercial and industrial (C&I) waste	Solid waste arising from commercial, industrial, government, public or domestic premises (other than municipal solid waste), but does not contain listed waste, hazardous waste or radioactive waste.

Co-mingled recycling kerbside bins	Yellow lidded kerbside bins for co-mingled recyclables collected by council.
Compost	Pasteurised material resulting from the controlled microbiological transformation of compostable organic waste under aerobic and thermophilic conditions for not less than six weeks.
Compostable organic waste	The biodegradable component of the waste stream that is of biological origin but does not contain any listed waste, radioactive waste or hazardous waste.
Composting	The controlled process whereby compostable organic wastes are pasteurised and microbiologically transformed under aerobic and thermophilic conditions for a period not less than six weeks, including the pasteurisation phase.
Container deposit scheme	A litter control and waste management system for beverage containers through a regulatory scheme for the protection of the environment, which prohibits the sale or supply of beverages in certain containers in the state unless approved by the EPA and are returnable to retailers and collection depots for a refund.
Contaminants/contamination	Waste that ends up in streams where it does not belong and affects the processing and recycling of that material.
Design standard	A requirement or requirements for the design of items prescribed for environmental, human health or economic reasons.
Disposal	Final stage in the management of waste, which includes: • treatment of waste prior to disposal • incineration of waste, with or without energy recovery • deposit of waste to land or water • discharge of liquid waste to sewer • permanent, indefinite or long-term storage of waste.
Dispose	To dispose of waste, including the deposit of waste and causing or allowing waste to be disposed or deposited.
Diversion	Diverting waste from landfill for other uses.
Downcycling	Downcycling is the process of breaking down material to make something new but of a lower quality and functionality than the original product. This can be due to contamination or natural degradation over time.
Energy recovery	Processes through which wastes are collected, sorted and processed to recover energy in usable form, for example process heat, steam or in electricity generation.
Environment Ministers Meeting	Comprises the Commonwealth Minister for the Environment and the Environment Minister from each Australian state and territory.

Environment protection policy (EPP)	A legislative tool provided for under the *Environment Protection Act 1993*. EPPs can be made for any purpose directed towards securing Objects of the Act. This may include setting out requirements or mandatory provisions that will be enforceable under the Act.
E-waste	Waste electrical and electronic equipment which is dependent on electric currents or electromagnetic fields in order to function (including all components, subassemblies and consumables which are part of the original equipment at the time of discarding).
Feedstock	Raw material used to manufacture products. Material varies depending on what is being produced.
Food organics and garden organics (FOGO)	Combined food organics and garden organics collections.
Food organics/food waste	Food that does not reach the consumer or reaches the consumer but is thrown away. Food waste can be generated by households or industry, and includes food processing waste, out of date or off specification food, meat, fruit and vegetable scraps.
Garden organics / garden waste	Organics derived from garden sources such as grass clippings and tree prunings. Also known as green organics or green waste.
Generator (of waste materials)	A C&I or C&D generator of waste materials to either landfill or recovery fates.
Green organics kerbside bins	Green lidded kerbside bins for food organics and garden organics collected by council.
Green waste	The vegetative portion of the waste stream arising from various sources including waste from domestic and commercial premises and municipal operations.
Greenhouse gases	Gases, including carbon dioxide and methane, that trap heat in the earth's atmosphere, affecting weather and climate patterns.
Hazardous waste	Listed waste having a characteristic described in schedule A list 2 of the *National Environment Protection (Movement of controlled waste between States and Territories) Measure*.
Highest value use/reuse	The highest achievable outcome for the use or reuse of products or materials, according to the waste management hierarchy and the second principle of a circular economy (to keep products and materials in use at their highest value). This relates to material resource efficiency and also the greenhouse gas emissions impact of the intended use or reuse of that product or material. An example of highest value reuse is a glass bottle being recovered for reuse as another glass bottle.
Incineration	The thermal destruction of waste for the primary purpose of disposal, with or without recovery of energy.

Kerbside collection general waste	The segregated portion of municipal solid waste – kerbside bin collection consisting of the residual waste after source separation from organic waste and recyclable waste.
Kerbside collected recyclable waste	The segregated portion of municipal solid waste – kerbside bin collection consisting of dry recyclable materials including beverage containers, paper, cardboard, plastics, glass and metals.
Kerbside waste collection	Waste collected by local councils from residential properties, including rubbish, mixed recyclables, food organics and garden organics, and glass, but excluding hard waste.
Landfill	A waste disposal site used for the controlled deposit of solid waste onto or into land.
Mass balance reporting	Mass balance reporting monitors the movement of waste (material flows) to and from waste depots throughout the state, and tracks stockpiling of materials. Waste depots receiving over 20,000 tonnes of solid waste per annum (or otherwise directed by the EPA) are required to report monthly to the EPA on quantities of waste or other matter: • received at the site • transported from the site • remaining stockpiled on site • used on site • disposed on site (e.g., by landfill or incineration).
Material flows	The way materials pass through production, distribution and use processes in an economy.
Materials recovery facility	A facility that receives waste or matter for sorting, aggregating, compacting, baling or packing prior to its transfer elsewhere for lawful reuse.
Methane	A colourless, odourless, flammable gas CH_4. Methane has 28 times the effect of carbon dioxide on the greenhouse effect and related climate change.
Metropolitan Adelaide	The part of the South Australia within the boundary of Metropolitan Adelaide as defined in the *Development Act 1993*.
Microplastics	Pieces of manufactured plastic (less than 5mm in diameter) that are used in products for a variety of reasons, often for their abrasive or exfoliant properties.
Municipal solid waste (MSW)	Solid waste arising from mainly domestic but also commercial, industrial, government and public premises including waste from council operations, services and facilities that is collected by or on behalf of the council via kerbside collection, but does not contain commercial and industrial waste, listed waste, hazardous waste or radioactive waste.

Non-circular	Activities that are a pathway to end-of-life for products or materials as opposed to keeping them circulating in the economy.
Organic waste	Wastes derived from material that was once living, excluding petroleum-based materials.
PFAS	Per- and poly-fluoroalkyl substances.
Photovoltaic solar panels	Devices which are used to absorb the sun's rays and convert them into electricity.
Product	An article, material or substance that is manufactured or refined for sale.
Product stewardship	A concept and set of approaches based on the idea that those involved in designing, manufacturing and selling products should accept responsibility for ensuring they do not have adverse impacts on the health of humans and environments. This includes impacts across the lifecycle of the products, from the extraction of materials, the way products are used, and how they are managed at end-of-life.
Product stewardship program/scheme	Product stewardship schemes support the environmentally sound management of products and materials over their life. This includes at the end of their useful life. These arrangements may be voluntary, mandatory, or co–regulatory (arrangements between government and industry).
Prohibited landfill waste	Schedule 4 of the W2R EPP lists all prohibited landfill wastes in SA. These wastes are prohibited from being disposed to landfill on the basis that there are established resource recovery options for these materials or that they pose a risk of environmental harm if disposed of directly to landfill.
Public place recycling	Recycling facilities found in public areas, such as parks, reserves, transport hubs, shopping centres and sport and entertainment venues that allow the community to recycle when away from home.
Raw materials	Materials sourced through primary resource extraction that have not previously been processed or used in the creation of products.
Recovered materials	Waste materials separated, sorted or processed for the purposes of waste reuse, recycling or energy recovery.
Recovery	A process that extracts materials or energy from the waste stream.
Recycle/recycling	To treat materials so that new products can be made from them. A set of processes (including biological) for converting recovered materials that would otherwise be disposed of as wastes into useful materials and or products. The following definitions apply: a Closed loop recycling: recycling process in which the reclaimed output is used as an input to the same product system. b Open loop recycling: recycling process in which the reclaimed output is used as an input to another product system.

Recycled materials	Material that has been reprocessed from recovered (reclaimed) material by means of a manufacturing process and made into a final product or into a component for incorporation into a product.
Recycling stream	The component of the waste stream that is separated from waste intended for disposal, which is then sorted and recycled.
Refuse derived fuel	A fuel material produced from specific wastes that are otherwise destined to landfill and which will not cause harm to the environment or human health when used to beneficially replace or supplement a fossil or other standard commercial fuel in an industrial process. Refuse derived fuel is required to be produced to meet an approved standard as issued by the EPA. See Refuse derived fuel standard.
Repair	Altering a product or material to correct damage or fault, maintaining its use.
Reprocessing	Processing of recovered materials to make raw materials for use in making new products or direct use.
Residual waste	Residual material that remains after any source separation or reprocessing activities of recyclable materials or garden organics.
Resource recovery	Activities through which wastes are collected, sorted, processed (including through composting), and/or converted into raw materials for use in a production system. For data reporting purposes, the quantity of waste allocated to the fate 'resource recovery' is the sum of the quantities allocated to waste reuse, recycling and energy recovery.
Resource recovery rate	The quantity of waste that is prevented from going to the landfill for use in another way, divided by the quantity of waste generated.
Resource recovery treatment	Treatment for resource recovery as defined in clause 3 of the *Environmental Protection (Waste to Resources) Policy 2010*.
Reuse	Reallocation of products or materials to a new owner or purpose without reprocessing or remanufacture, (but may include repair, maintenance or cleaning).
Single use	Designed to be used once and then disposed of.
Source separation	Physical sorting of the waste at the point of generation into specific components suitable for resource recovery from the residual component.
Three-bin system	A council kerbside bin collection system which provides three bins for: 1. general waste, 2. co-mingled recyclables and 3. food and garden organics.
Transfer station	A depot for the reception and aggregation of waste streams prior to their transport to another depot or location for further sorting, resource recovery or disposal.

Virgin materials	Raw materials that have not previously been processed or used in the creation of products.
Waste	Waste is defined in section 4 of the EP Act as: ‘any discarded, dumped, rejected, abandoned, unwanted or surplus matter, whether or not intended for sale or for purification or resource recovery by a separate operation from that which produced the matter, whether or not of value’.
Waste and resource recovery industry	This is inclusive of business and organisations involved in collecting, sorting, processing, trading, transporting and disposing of waste.
Waste avoidance	Preventing waste generation, including through design of products and changing consumer behaviour to preference durable, reusable and reparable products. Also referred to as waste prevention or waste minimisation.
Waste depot	Any depot, facility or works as described in Schedule 1 Part A clause 3 of the EP Act. This includes waste disposal depot, material recovery facility, transfer station, waste reprocessing facility or composting depot.
Waste generation	The process of producing waste. For data and reporting purposes, waste generation is the sum of the quantities of waste taken to waste management facilities or added to on-site stockpiles. Measures of the total amount of waste generated include the waste we recycle as well as the waste we send to landfill.
Waste management hierarchy	Reference to an order of priority for the management of waste in which avoidance, minimisation, reuse, recycling, recovery of energy and other resources, treatment of waste to reduce potentially degrading impacts, and disposal of waste in an environmentally sound manner are pursued in that order.
Waste levy	A waste levy is payable to the EPA on solid or liquid waste disposed of by landfilling, incineration or via liquid waste depot (i.e., disposal at licensed waste disposal depots under the EP Act).
Waste prevention	Any deliberate action taken that stops an item, component or material from entering a waste management facility or system.
Waste streams	The flow system for the cycle of waste from its source to the recovery, recycling, or ultimate disposal of the waste.
Waste treatment	The treatment of waste in some way as described below- a to recover material from the waste that may be reused or recycled; or b to recover energy or other resources from the waste; or c to prepare the waste for further treatment to recover material from the waste that may be reused or recycled or to recover energy or other resources from the waste; and includes, but is not limited to, sorting, shredding, crushing, compacting or packaging the waste.

Abbreviations

ACT	Australian Capital Territory
As	arsenic
BESS	battery energy storage systems
C&D	construction and demolition
C&I	commercial and industrial
CCA	copper chromium arsenic
CERR Report	Circular Economy Resource Recovery Report
CO_2	carbon dioxide
CO_2-e	carbon dioxide equivalent
Cr	chromium
Cth	Commonwealth
Cu	copper
EoL	end-of-life
EPA	South Australian Environment Protection Authority
EP Act	*Environment Protection Act 1993*
EMM	Environment Ministers' Meeting
EPP	environment protection policy
ESG	environmental, social, and governance
E-waste	electronic waste (discarded electrical and electronic devices)
FOGO	food organics and garden organics
GHG	greenhouse gas
GISA	Green Industries SA
HCBs	hexachlorobenzenes
kg	kilogram
kW	kilowatt
LGA	Local Government Association of South Australia

Li-ion	lithium-ion
mm	millimetres
MRF	materials recovery facility
MSW	municipal solid waste
MUDs	multi-unit dwellings
NEMP	National Environmental Management Plan
NSW	New South Wales
OCPs	organochlorine pesticides
PCBs	polychlorinated biphenyls
PFAS	perfluoroalkyl and polyfluoroalkyl substances
PV	photovoltaic
SA	South Australia
SDGs	Sustainable Development Goals
W2R EPP	*Environment Protection (Waste to Resources) Policy 2010*
WDF Standard	Standard for the production and use of Waste Derived Fill

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A BETTER ENVIRONMENT *FOR THE* HEALTH, WELLBEING *AND* PROSPERITY *OF* ALL SOUTH AUSTRALIANS

ENVIRONMENT PROTECTION AUTHORITY

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Attachment 2

CITY OF HOLDFAST BAY

CITY OF
HOLDFAST BAY

28 November 2024

Environment Protection Authority, Attention: W2R EPP Review
GPO Box 2607
ADELAIDE SA 5001
Via email – epawastepolicy@sa.gov.au

Dear W2R EPP Review,

EPA WASTE POLICY REVIEW

Thank you for the opportunity to provide input into the review of the South Australian Environment Protection Authority (EPA) Waste to Resources Policy 2010.

Priority matter

The City of Holdfast Bay (CoHB) has provided by default a weekly food organics and garden organics (FOGO) collection and a fortnightly general kerbside waste collection to residential properties since 2022. We call this model the 'sustainable service'. This service has had a positive impact on the proportion of diversion materials and a reduction in waste to landfill (Figure 1). Currently diverting around 64% of our total kerbside collection, compared to the South Australian metropolitan kerbside diversion of 53.6%[1].

However, being required by the current EPA policy to provide a weekly general kerbside waste collection alongside our 'sustainable service' leads to mixed and complicated messaging, inefficiencies in collection logistics and staff time, unnecessary greenhouse gas emissions, and limits potential diversion.

The CoHB kerbside audits conducted in 2023 show that residential total waste generation is similar between the two services (Figure 2). However, the *general waste* generation *of* our 'sustainable service' is significantly lower than the 'old service' (weekly landfill, fortnightly FOGO) *general waste generation,* 2.9 kg/hh/wk compared to 8.8 kg/hh/wk. The sustainable service *FOGO generation* was significantly higher than the old service *FOGO generation,* 10.5 kg/hh/wk compared to 5.0 kg/hh/wk (Figure 2).

As reported in the 'South Australia's Kerbside Waste Performance State & Regional Report 2021-22', 30-40% of the contents of general waste bins is food waste. Our own kerbside waste audits conducted in 2023 showed that bins on both services comprised high levels of food waste and

[1] EPA. (2024). *Beyond recycling: Moving towards a circular economy: A review of the Environment Protection (Waste to Resources) Policy 2010.* Environment Protection Authority.p55.

recyclable items combined. If these items were removed the demand on the general waste bin would vastly reduce.

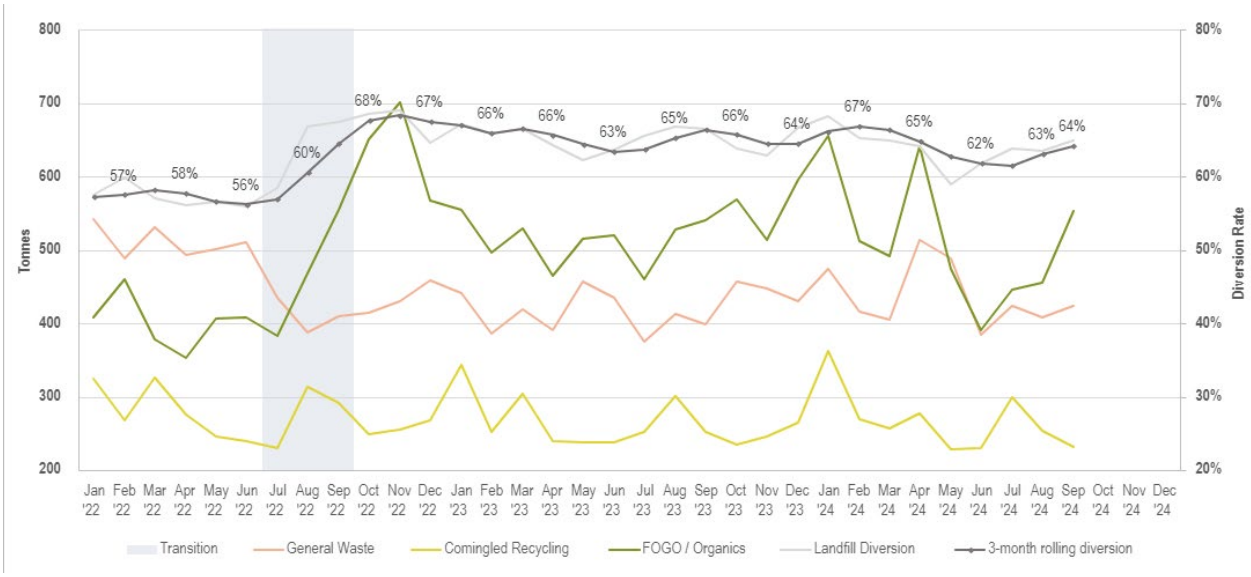


Figure 1 Monthly tonnes and landfill diversion.

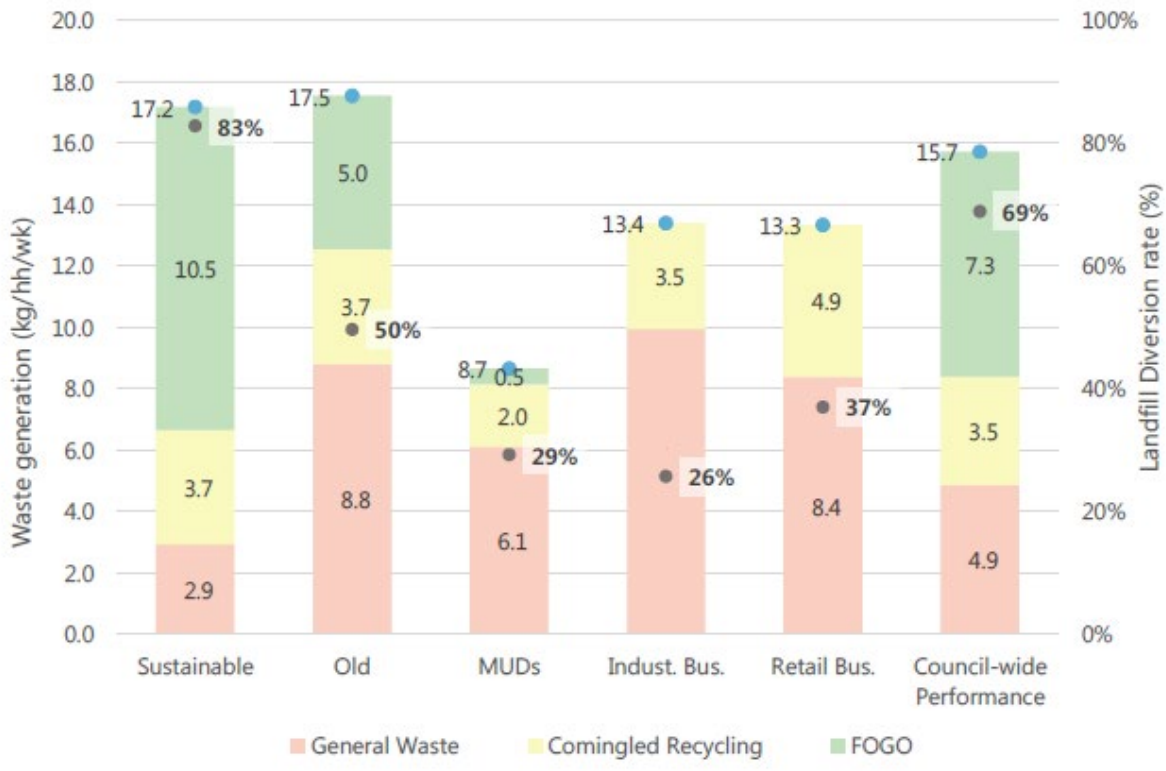


Figure 2: Average waste generation and diversion of Sustainable Service, Old Service, MUDs, Industrial Business, and Retail Business audit samples, against the council-wide performance (weighted average)[2].

[2] Rawtec. City of Holdfast Bay: 2023 Kerbside Audit Report. July.

The City of Holdfast Bay urges the EPA to revoke Part 3 Clause 10(2) of the current policy being "In order to facilitate the proper management of waste that is to be collected under subclause (1)(b), a metropolitan council must provide a weekly general kerbside waste collection service (other than for recyclable waste or vegetative matter) in respect of residential premises within its area".

This policy statement hinders the ability to achieve the existing or the proposed objectives of the Policy, nor achieve the National Waste Action plan target to recover 80% of all waste by 2030. This is an anomaly across the country with only South Australian policy having such a requirement, and hence does not provide national consistency.

At a minimum, the EPA should put in motion a Regulatory Impact Assessment to consider options to address the problem of organics in landfill and overall waste quantity to landfill.

CoHB is committed to continuing to provide alternative arrangements to those in our community with genuine needs (e.g. large families, those with family members in nappies). However, a weekly general waste collection is not appropriate as a default, and does not align with local, state, national or international environmental targets.

A fortnightly landfill collection does not cause a public health or public nuisance – especially given that food and garden organic waste is collected on a weekly basis.

General statements

While many of the proposals in the EPA's discussion document are positive in regard to achieving the proposed outcomes, and are agreed to in principle, there is insufficient transparency of timeframes and where cost and responsibility will lie in relation to the proposals to provide definitive support or otherwise on many of the proposals. It is understood that there will be additional consultation in the review of this policy, and we look forward to additional detail being provided at that point.

We are concerned with the potential impact of some of the proposals on small businesses in our area, in particular our food businesses, which have recently delivered on the changes required under the plastic legislation at four times the cost of previous packaging options. Many businesses in our area want to do the right thing with regard to their waste, but due to costs, resourcing, and/or lack of space, choose not to, or are unable to do so. An enabling approach with regard to diversion and food donations, including push and pull levers, is seen as more appropriate for small business. Involving businesses in a consultation format that meets the needs of business must be included in the next round of consultation.

Potential impacts of the proposals on local councils also need to be made clear. For many councils, budgets and resources are already stretched.

The changes proposed by the EPA are comprehensive. Prioritising actions by highest impact is recommended along with allocating additional state funding or resources to support implementation and achieving the outcomes.

Responses to Key Policy Review Areas

Key Policy Review Area 1: Supporting the transition to a circular economy.

Objectives

We agree that the objectives be broadened to incorporate reduction in the consumption of materials, waste prevention, and material management. Recognising the role of waste in greenhouse

gas emissions, this policy should strongly link to the government's objectives on climate change mitigation.

In addition, more traditional waste management objectives, such as preventing environmental and human harm and protecting human health, should be included.

Expanding the Waste Hierarchy

The proposed expanded hierarchy is supported. Providing a hierarchy within the policy provides direction for decision making. Clarifying the role of composting in the hierarchy would be beneficial.

Managing Resources to Preserve Value

In principle CoHB agree with the proposal that maintaining items at their highest value contributes to the proposed objectives. There are potentially considerable financial implications for existing services and infrastructure if, as proposed in the survey, a reuse proposal be rejected if there is a higher value option available for that material. Practical consideration must be taken into account in relation to timeframes, local processing availability and cost. The lifecycle impact of not being able to access recycled products, such as glass fines for road base, should also be considered.

Key Policy Area 2: Avoiding Waste Generation

The City of Holdfast Bay supports development of a state-based product stewardship legislative framework including standards for the design, manufacturing and selling of products to reduce waste generation, improve durability and recyclability of products, and enable better conservation of materials and resources in a circular economy.

We support aligning packaging regulations with broader environmental goals such as waste reduction, increased recycled content, increased recyclability, transparent labelling, and producer responsibility, among other circular economy principles.

Extended producer responsibility (EPR) addresses some of the challenges of managing kerbside waste collection. Under current systems, local government shoulders the requirements to collect, sort, and process packaging waste from households. Councils are required to educate the community on mixed material packaging, misleading labelling and hard-to-recycle products. An EPR provides a fairer approach by transferring this responsibility to the producers, ensuring those who place items on the market are accountable for its entire lifecycle, from design to disposal, and in turn improve design to take disposal or circularity into account.

Plastic Microbeads and Microplastics.

CoHB has a number of gross pollutant traps on our major stormwater outlets, used to trap items brought to the coast by stormwater. However, these only trap items that are larger than 5 mm in size, which excludes microplastics. We agree that the removal of microplastics from the environment and addressing at source is required. This should include the requirement to address microfibres by having a federal requirement for all washing machines sold in Australia to have a system/filter for removal of these, and we urge the state to continue to advocate for this change.

Edible food donations

In principle, food waste generating businesses should donate unsold edible food, given the necessary community infrastructure, and an enabling regulatory framework. Has research been conducted as to the current level of donations and the willingness and readiness for business to donate food? This

information would inform this policy item. Consideration needs to be given to the size, capability and readiness of business and community infrastructure, and food safety and liability.

We are concerned that additional requirements and liability could fall onto small business without adequate support. We do not support making this mandatory for small businesses without appropriate and sustainable support structures in place.

Given that food rescue organisations are generally voluntary organisations, consideration should be made to the long-term viability of the organisations, adequate infrastructure and the ability to manage increasing quantities of food. Support to do so, will be intrinsic in the success of this approach.

If the EPA determines to mandate food donations, then prioritisation should consider:

- Volume of food waste generated: businesses that exceed a certain waste threshold.
- Operational capacity: the business's ability to manage donations, including storage.

In addition, the following factors should be considered:

- Safety and quality standards - Establishing guidelines for food safety and quality to ensure that donated items are safe for consumption, including best practices for handling and storage.
- Logistical capacity – Evaluate businesses' and community organisations ability to store and transport donated food.
- Staff training and awareness - Require training for staff and volunteers on food donation protocols. This training should also align with the Food Act 2001 and Food Safety Standards, or Primary Production and Processing (PPP) Standards.
- Adequate lead time is required for businesses to integrate the new requirement into their operational cycles.
- Collaboration with businesses - Stronger partnerships between food businesses and rescue organisations may be required. This could involve creating formal agreements and coordinated systems for regular donations.
- Adequate resourcing of a third-party to support businesses and food rescue organisations.

Defining unsold edible food for the proposed requirement should involve specifying what types of food is included and excluded, to achieve clear understanding by business, to ensure that only safe and appropriate foods are included in the donation requirements, whilst minimising the health risks associated with food past its use-by dates or contaminated items.

Key Policy Area 3: Maximising Resource Recovery

Municipal Solid Waste

A council-provided three bin system is available to all COHB rateable properties including business, organisations and most multi-unit dwellings where development applications have not precluded a service.

Requiring all residential properties, including those serviced by private contractors, to have a three-bin system is agreed to in principle. However, practical consideration is required as some properties do not have adequate access for collection or space for multiple bins. Such a requirement needs to be considered at the development application stage. Poorly planned developments can lead to

practical challenges with a three-bin system in terms of storage space and access. Greater requirements need to be applied at the development stage to enable sufficient, suitable and practical waste storage to make it manageable for residents to use the three-bin system.

In addition, flexibility is required for councils to be able to remove bins where there is ongoing contamination or misuse. Some residents may choose not to have three bins on site due to space or preferring on-site composting as an alternative to an organics collection.

Other policy measures that could support enhanced resource recovery include: supporting market options that reduce consumption of waste materials (e.g. refillable milk taps); identifying and supporting strong markets for currently unrecyclable items (e.g. Tetra Pak); and, supporting bans on soft plastics. These would also have a positive effect on simplifying messaging to households.

With regard to standardisation of waste bins. The City of Holdfast Bay bin lids are already consistent with the national standard on bin lid colours. Consistency supports state messaging and reduces confusion for residents moving between council boundaries. However, it is acknowledged that the cost for councils to swap over the lids is significant. Manageable timeframes need to be considered, along with whether this is a high priority for achieving the policy outcomes.

Commercial and Industrial (C&I) Waste

All businesses within the CoHB area are eligible for a council-provided three-bin service for 'domestic-type waste'.

It is agreed that C&I waste is to be tackled and is the responsibility of the business. In principle, it is agreed that all businesses and organisations be required to separate their recyclable materials for collection. However, solutions need to be practical and affordable. For consideration are the barriers to achieving this for business, including:

- Space for bins for businesses with a limited footprint. Greater consideration is required at the development and planning stage for adequate waste storage.
- Cost of diversion, which will be passed on to consumers.
- Regularity of food waste collection to meet demand and environmental regulatory requirements.
- Staff turnover and the need for ongoing training and communications.
- Clear communication as to what is or is not required needs to be provided, along with adequate time to implement changes.
- More regular collections may have a noise impact for neighbouring residents.
- Education and capacity-building.

Prioritisation should include:

- Prioritised waste streams.
- Volume of waste generated.
- Adequate lead time for businesses to integrate the new requirement into their operational cycles.
- Availability of services and collections.

Business waste reduction plans are a useful tool for building understanding of waste streams, developing action plans, building understanding of local solutions and measuring change. If these were to be mandated this process would need to include resourcing of a third party to support the

development of plans, regular support for business, input into local solutions, and enforcement, or at a minimum reviewing the plans. Business waste reduction plans require time, dedicated staff, building of skills, knowledge and operational practices and upskilling of cleaning companies. The implementation of plans requires sourcing solutions and additional costs for services. As stated above, business must be consulted as to the feasibility of these proposals.

Public Place Recycling and Organic Waste Bins

CoHB has three public place organics bins with provision for container deposit scheme bottles for informal collection. Diversion bins in public places can be fraught with contamination issues. It would be inappropriate currently to prohibit materials in the recycling and organics bins going to landfill that contain above certain levels of contamination.

These bins, as currently designed, have a very large footprint, which limits viable locations within public spaces. Smaller designs that differ from standard public litter bins would require a bespoke collection, leading to additional costs. Public place recycling/organics do provide for consistency between behaviours at home and in the public space, allows for messaging on bins, and supports the shift to compostable packaging. An additional and approach, which aligns with the proposed circular economy objectives of this policy is to promote and enable reusables in the public realm.

Key Policy area 4: Supporting a strong market for recovered resources

Waste should be prohibited to landfill considering the following:

- Risk to human health, infrastructure and the environment in the transportation and landfilling of the waste stream.
- Existing and accessible options for collection / recycling or disposal of these 'prohibited' wastes.
- Non-renewable resources.

It is not clear in the consultation who will enforce the regulation and who would be liable. It is not practical to identify the source of items entering landfill once collected from the kerbside.

Key area 6: Circular economy metrics, reporting and transparency

In regard to local government reporting, CoHB is happy to provide reporting on those areas where data is available and collected, including kerbside wastes, disposal and diversion. Annual reporting on tonnages is appropriate, aligning with existing reporting for the Local Government Association, EPA, and annual reports.

CoHB currently conducts a kerbside audit every 2 years. Benefits of this timeframe includes identifying trends and emerging concerns. If a more intensive method is prescribed then this timeframe needs to extended. A longer timeframe between kerbside audits would allow for proposals based on audit findings to be identified, funded, delivered and then evaluated.

Consistency of method across kerbside audits is valuable. However, consideration should be made as to potential additional costs of methods above what is currently procured by each council. In addition, a required change in method will impact on comparison over time. Our audit report has been attached for your information.

We disagree on benchmarking council wastes against each other due to variance in demographics and available resources. However, taking an approach such as the Sustainable Development Goals reporting, which reports on relative change across a number of metrics, could be valuable.

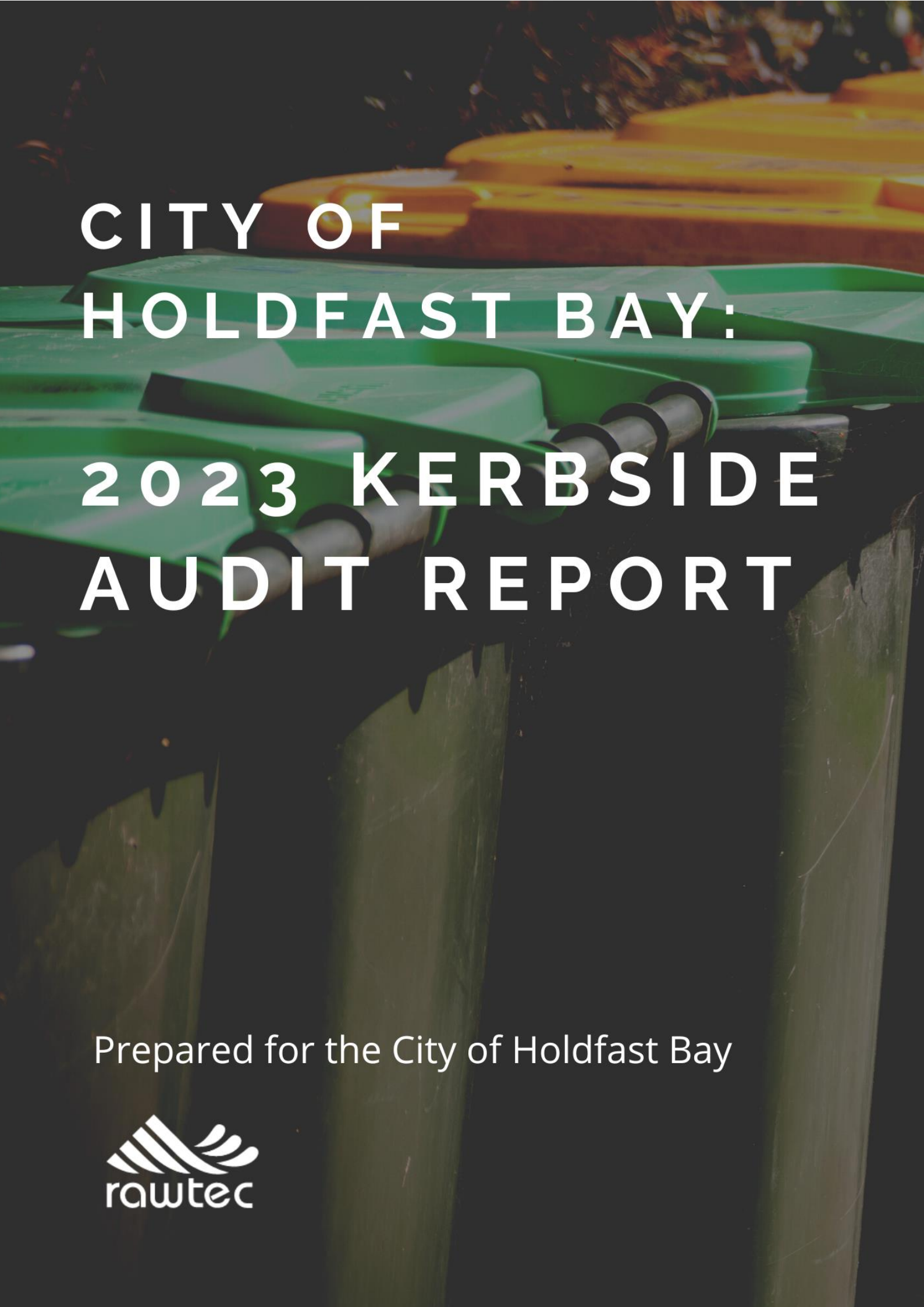
CoHB does not have a standalone waste plan or strategy. All council adopted plans, strategies and policies are already presented on the council's website. Waste performance outcomes are not currently published on our website but we have no issues with providing this information.

In relation to the proposal of the tendering of local government waste contracts be required to be public information, CoHB does not consider this to be appropriate under this policy. All tenders are advertised with Tenders SA and so are visible to all registered parties. Sustainability factors are included in our tender evaluation criteria.

Thank you for the opportunity to contribute to the review. If you have any further questions please contact Nadine Ord, Environmental Officer at mail@holdfast.sa.gov.au or 8229 9999.

Yours sincerely

Amanda Wilson
Mayor



CITY OF HOLDFAST BAY:

2023 KERBSIDE AUDIT REPORT

Prepared for the City of Holdfast Bay

rawtec

Document verification

Date	Version	Title	Prepared by	Reviewed and approved by
10 July 2023	Final	City of Holdfast Bay: 2023 Kerbside Audit Report	L De Garis, M Rawson	M. Rawson

Acknowledgement

Rawtec acknowledges the Kaurna people as the traditional custodians of the Adelaide Plains, the land in which we live and work. We pay our respects to elders, past, present, and emerging.

CONTENTS

Executive Summary

The City of Holdfast Bay (CoHB) is a metropolitan South Australia local government area (LGA) of approximately 38,000 people. The LGA covers 14 square kilometres southwest of the Adelaide CBD. It is mostly residential, with some retail and light industrial areas. CoHB provides kerbside waste, food and garden organics (FOGO) and recycling services to residential properties. In the past two decades, the council has increased the number of multi-unit dwellings (MUDs) within its borders. This trend is due to continue in future years.

In July 2022, CoHB changed the default residential waste collection schedule to weekly FOGO collections with alternating fortnightly General Waste and Comingled Recycling collections. This rolled out in stages over three months with large MUDs remaining on the previous collection schedule.

Residents were offered the option to 'Opt Out' of the new service schedule free of charge, or to upsize the General waste and Comingled Recycling bins if they were to stay on the new collection schedule. Consequently, CoHB is left with three different residential groups of waste collections:

- **Sustainable Service**: Those residents accepting of the change in waste collection schedule
- **Old Service**: Those residents that initially tried the new waste collection schedule, but decided to return to the old collection schedule
- **MUDs**: Large apartment buildings that never initially changed waste collection schedule.

Kerbside audits have typically taken place biennially, with the most recent audit in 2021. Rawtec was engaged to conduct a kerbside bin audit and provide insight into the waste and recycling behaviours and practices of service entitled properties (SEPs) in CoHB. Dynamic 3E completed the physical audit in May 2023 on cone and quartered samples. This high-level report summarises findings from the audit of all five audits in CoHB. This is a high-level report only, intended to provide key information and data.

The five groups audited covered a wide range of the SEPs in the council.

	Proportion of Council	Waste Streams	Collection Schedule	Bin Size
Sustainable Service	60%	General Waste	Fortnightly	140L
		Comingled Recycling	Fortnightly	240L
		FOGO	Weekly	240L
Old Service	19%	General Waste	Weekly	140L
		Comingled Recycling	Fortnightly	240L
		FOGO	Fortnightly	240L
MUDs	16%	General Waste	Weekly	140L
		Comingled Recycling	Fortnightly	240L
		FOGO	Fortnightly	240L
Industrial Businesses	1%	General Waste	Weekly	140L
		Comingled Recycling	Fortnightly	240L
Retail Businesses	4%	General Waste	Weekly	140L
		Comingled Recycling	Fortnightly	240L

Table 1: Summary of results from the 2023 Audits.

	Landfill Diversion (%)	Food Efficiency (%)	Com. Recycling Contamination Rate (%)	FOGO Contamination Rate (%)	Waste Generation (kg/hh/wk)
Sustainable Service	83%	62%	15%	1.1%	17.2
Old Service	50%	13%	15%	2.5%	17.5
MUDs	29%	7.0%	12%	0.4%	8.7
Industrial Businesses	26%	-	20%	-	13.4
Retail Businesses	37%	-	3.6%	-	13.3
Council-wide	**69%**	**34%**	**14%**	**1.2%**	**15.7**

Data highlights from the 2023 CoHB Audit:

Estimated Residential waste generation per week:

- 4.7 kilograms of general waste per household
- 3.5 kilograms of comingled recycling per household
- 7.7 kilograms of organics per household

Council-wide estimated landfill diversion of 69 percent council-wide landfill diversion.
The Sustainable Service model had:

- 83 percent landfill diversion
- 62 percent food efficiency

Meanwhile, the Old Service model had:

- 50 percent landfill diversion
- 13 percent food efficiency

MUDs performed poorly, but this was expected:

- 29 percent landfill diversion
- 7 percent food efficiency

Compared[1] to the 2021 Audit:

- Overall residential waste generation increased (11.3 to 15.9 kg/hh/wk)
- FOGO generation increased (4.1 to 7.7 kg/hh/wk)
- General waste generation increased marginally (4.5 to 4.7 kg/hh/wk)
- Landfill diversion increased by 11 percentage points (60 percent to 71 percent)
- Food efficiency increased (17 percent to 37 percent)

[1] Comparing the 2023 Residential Performance

Key opportunities

Several opportunities were identified as pathways for Council to increase landfill diversion and reduce disposal costs. The three key opportunities identified were:

- Consider pathways to encourage residents to switch from the Old Service to the Sustainable Service and barriers to opting out.
- Develop and implement alternative models with MUDs to increase food recovery using FOGO bins.
- Investigate organic waste services (potentially Opt in) within the Retail Business district.

Summary

The implementation of the Sustainable Service (Weekly FOGO) has delivered as significant step change improvement for the City of Holdfast in both diversion from landfill and food waste recovery. This performance is the best of any Council in South Australia, as far as we are aware. There are further opportunities to build on this success with both kerbside serviced MUDs and SUDs on the Old Service (Fortnightly FOGO).

Audit details

These audits were completed as part of the City of Holdfast Bay's (CoHB) biennial audits, with a focus on the difference in waste generation between residential SUDs, MUDs, and businesses. In July 2022 CoHB introduced a staged roll-out of a new 'Sustainable Service' model to all residential SUD households. This was treated as a default service, with the option for residents to 'opt-out' back to the Old Service model for free. These two services differed in their collection patterns and were sampled separately.

Table 2: Collection Frequency and Fortnightly Provision for SUDs in CoHB

	Sustainable Service	Old Service
Collection Frequency	• 140L General Waste: Fortnightly • 240L Comingled Recycling: Fortnightly • 240L FOGO: Weekly	• 140L General Waste: Weekly • 240L Comingled Recycling: Fortnightly • 240L FOGO: Fortnightly
Fortnightly Provision	 Total Volume per Fortnight: 860L	 Total Volume per Fortnight: 760L
Proportion of the Council	**60%**	**19%**

MUDs were defined as ten or more units on a single residential property, and due to a different waste profile, were excluded from the Sustainable Service roll-out. MUDs vary in the number of bins available per unit. These residents are on the Old Service model and were sampled separately.

Two business districts were also sampled, one with predominantly industrial businesses, and the other with retail businesses. Both business districts do not have access to a FOGO service.

Table 3: Collection Frequency and Fortnightly Provisions for MUDs and businesses audited in CoHB

	MUDs	Industrial Businesses	Retail Businesses
Collection Frequency	• Residual waste: Weekly • FOGO: Fortnightly • Comingled recycling: Fortnightly	• Residual waste: Weekly • Comingled recycling: Fortnightly	• Residual waste: Weekly • Comingled recycling: Fortnightly
Fortnightly Provision*			
Proportion of the Council	**16%**	**1%**	**4%**

** Number of bins and sizes provided differ between each SEP, these graphics represent how often each waste stream is collected.*

The five audit groups were audited over a two-week period from 16 May 2023 to 2 June 2023. The Sustainable Service and Old Service audit groups were taken from the same collection of streets in Brighton, while the MUDs audit group was collected from buildings across Glenelg and Glenelg South. The two business districts were defined as the light industrial area of Somerton Park (Industrial Business audit group), and the retail and shopping precinct of Jetty Rd, Glenelg (Retail Business audit group).

We sampled all the waste streams from all five audit groups. We collected varying numbers of bins for each sample, as detailed in Table 4 below.

Table 4: Number of bins collected for each audit group by stream

Audit Group	General Waste	Comingled Recycling	FOGO
Sustainable Service	204	100	300
Old Service	147		105
MUDs	137	103	19
Industrial Businesses	184	117	N/A
Retail Businesses	100	93	N/A
Total Bins	**772**	**413**	**424**

The streets were chosen to reflect an area of the council which had been performing well overall, and we chose streets on an east-west cross-section to account for different socio-economic factors, whilst keeping it simple for the collection vehicle. More information on the areas chosen for each audit group is in Appendix 1 – Further Audit Information.

We recorded the net weights of these samples, and 'Cone and Quartered' the total sample down to a sample of 200-300 kg to be physically audited.

'Cone and Quartering' is a sampling method for piles to reduce the size of the sample without introducing systematic bias. In these audits, the collection truck unloaded the waste, where an excavator or front-end loader cut the pile into quarters. We removed two diagonal quarters and merged the remaining two quarters to create a new, smaller pile. We completed this process as many times as needed to get a sample of 200-300 kg.

Dynamic 3E audited the 200-300 kg samples, and weighed against 17 categories, some of which are contaminants, listed in Appendix 2 – Audit categories.

This audit method allowed us to take the largest representative sample for a SA council audit that we are aware of, and through the five audit groups, allowed us to provide a weighted, council-wide average for CoHB for the first time.

Residential Audit Results

2.1. Waste generation and kerbside diversion

Figure 1 provides the estimated waste generation (kilograms per household per week or kg/hh/wk) by stream and overall, and the landfill diversion rate[2] for all three residential audit samples.

Key findings include:

- Sustainable Service general waste generation is significantly lower than the Old Service FOGO generation (2.9 to 8.8 kg/hh/wk)
- Sustainable Service FOGO generation was significantly more that the Old Service FOGO generation (10.5 to 5.0 kg/hh/wk). It is noted that the audit occurred in Autum.
- Total waste generation is similar between the Sustainable Service and the Old Service (17.2 to 17.5 kg/hh/wk)
- Despite low FOGO generation (likely due to a lack of garden waste), MUDs Landfill Diversion is high (42%)
- Council-wide Landfill Diversion is dependent on the high Landfill Diversion achieved by Sustainable Service households (68% Council-wide, 83% Sustainable Service)

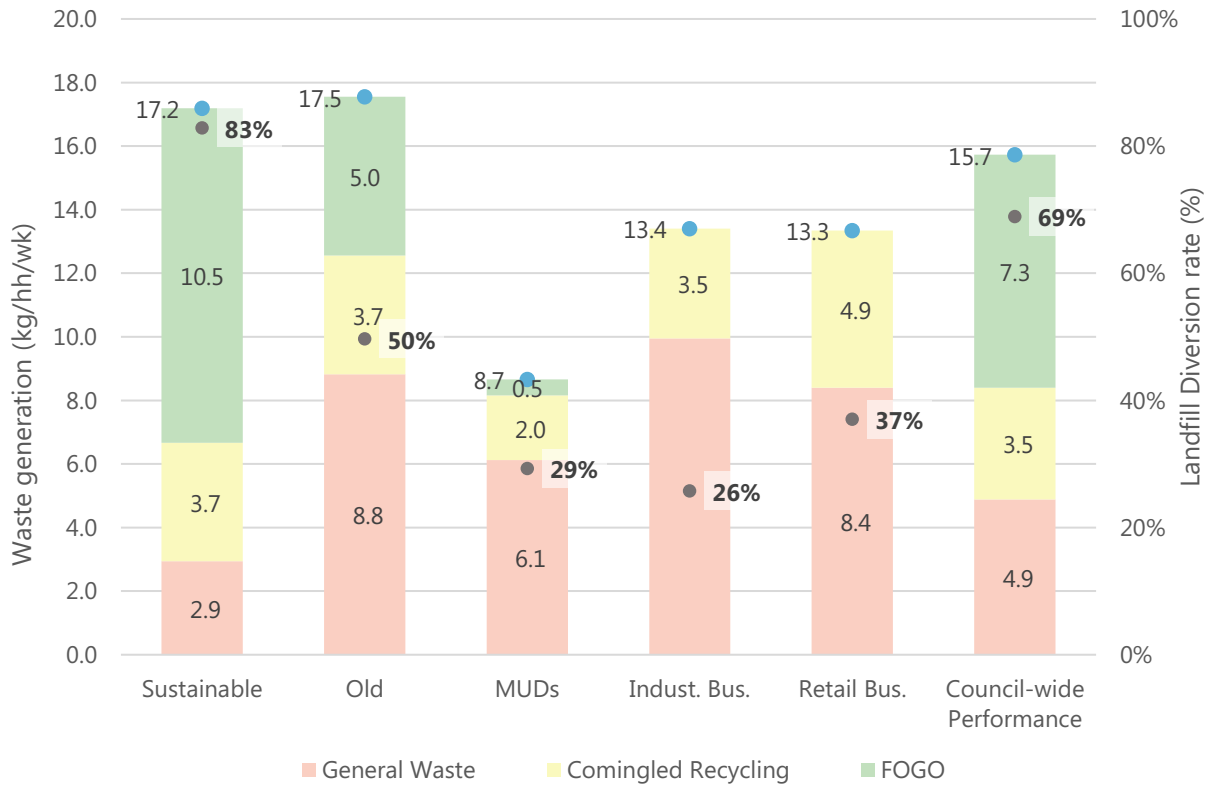


Figure 1: Average waste generation and diversion of Sustainable Service, Old Service, MUDs, Industrial Business, and Retail Business audit samples, against the council-wide performance (weighted average).

[2] Diversion rate is the proportion of materials discarded into comingled and organics bins out of all materials disposed.

2.2. Bin composition

2.2.1. General waste bin composition and unrecovered resources

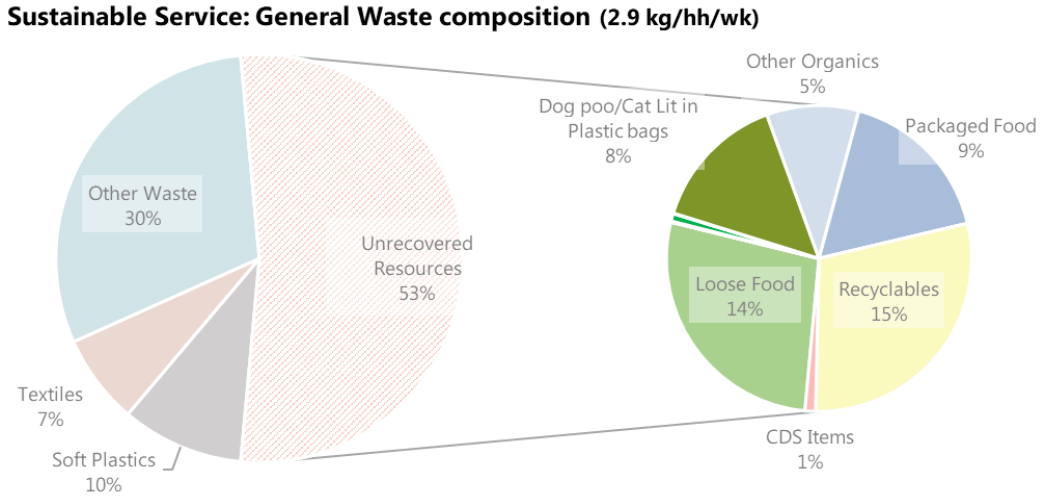


Figure 2: Sustainable Service General Waste bin composition (% weight)

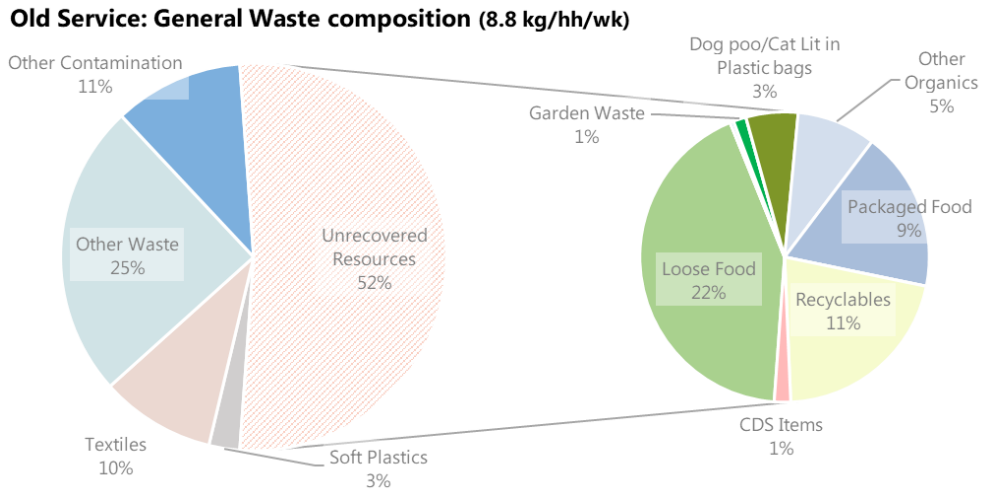


Figure 3: Old Service General Waste bin composition (% weight)

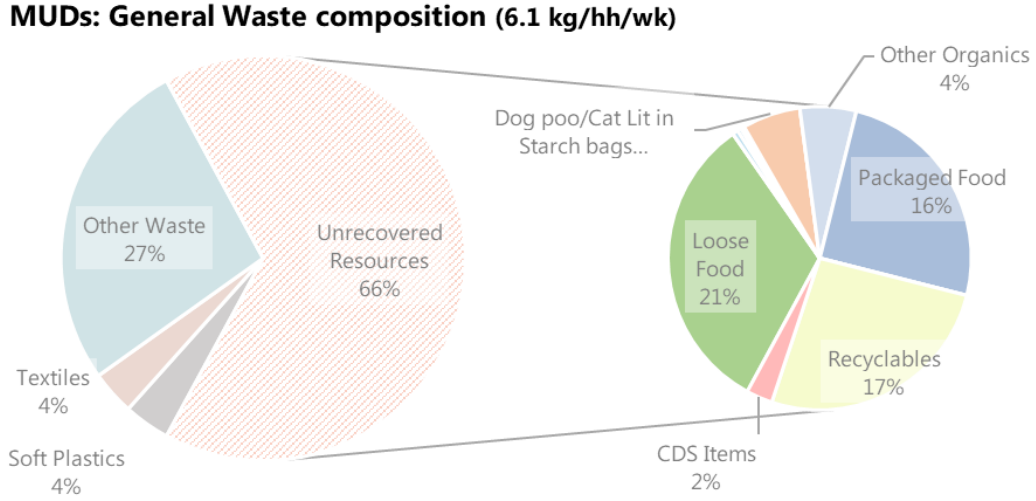


Figure 4: MUDs General Waste bin composition (% weight)

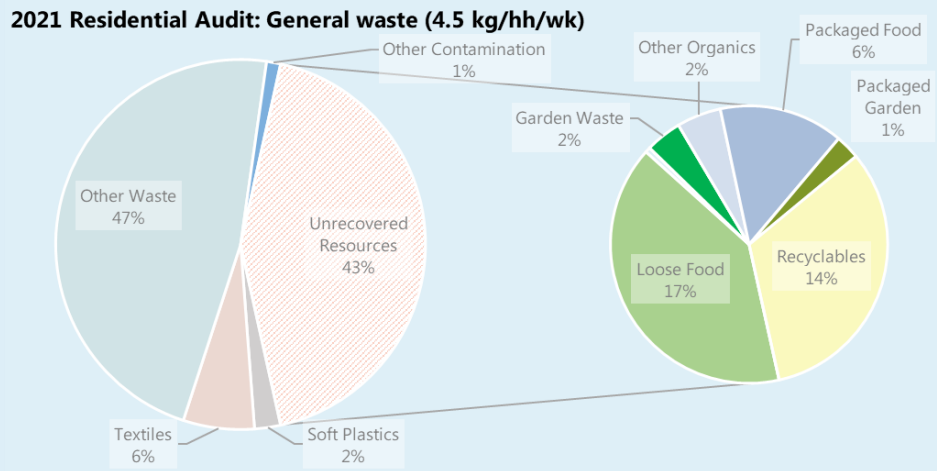


Figure 5: 2021 Audits Residential General Waste bin composition (% weight)

The composition between the three audit samples is relatively similar. All three have very high proportions of unrecovered resources (52 percent to 66 percent), of which most is suitable for the FOGO bin (37 percentage points to 47 percentage points).

There are large differences in total general waste generation rates. The Sustainable (Figure 2) and Old Services (Figure 3) vary a lot (2.9 to 8.8 kg/hh/wk), and MUDs (Figure 4) have a lower generation rate (6.1 kg/hh/wk). In terms of kg/hh/week of recoverable resources still available in general waste, there is significantly less from the households on the Sustainable Service compared to the Old Service. This is due to the significantly lower generation rates of general waste from Sustainable Service households.

Loose food placed in the general waste bin is also of note. The Old Service and MUDs have similar proportions (22 and 21 percent), while the Sustainable Service is lower at 14 percent. Total food (loose and packaged) and other organics makes up 42 percent of the MUD general waste bin.

Compared to the 2021 Audits (Figure 5), composition remains similar. Unrecovered resources still account for around half (43 percent in 2021), of which a large portion is suitable for the FOGO bin (28 percent in 2021).

Figure 6 below shows the relative general waste generation rates between the three residential audit samples and the previous 2021 Audit. Key findings include:

- Sustainable Service households generate the least general waste (2.9 kg/hh/wk).
- Not accounting for unrecovered resources, Old Service General Waste generation is greater than Sustainable Service or MUDs General Waste generation (4.2 kg/hh/wk compared to 1.4 kg/hh/wk and 1.3 kg/hh/wk respectively)
- MUDs total organics in general waste is 2.86 kg/hh/wk
- Total general waste generation is similar to the 2021 Audit, while the unrecovered resources percentage increased (2021 Audit: 43 percent, 2023 Residential Performance: 55 percent)

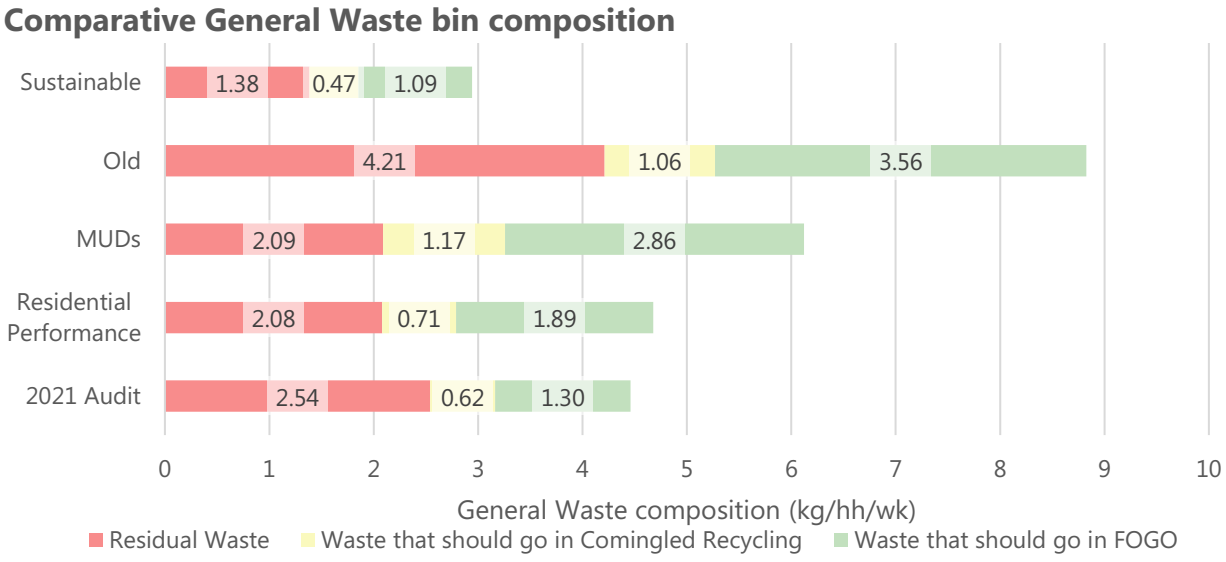


Figure 6: Comparison of residential general waste generation rates, showing the contaminant generation rates by suitable waste stream

The bin inspections completed give a distribution of general waste bin fullness displayed in Figure 7. Key findings include:

- All residents will likely use their general waste bin, regardless of frequency, as most bins are greater than 50% full (70% of Sustainable Service, 76% of Old Service, and 82% of MUDs)
- Sustainable Service residents are the most likely to underfill (<50%) their general waste bins (30%), despite having half the fortnightly volume compared to the other residential groups
- Almost half of all MUD general waste bins (48%) are completely full (>95%).

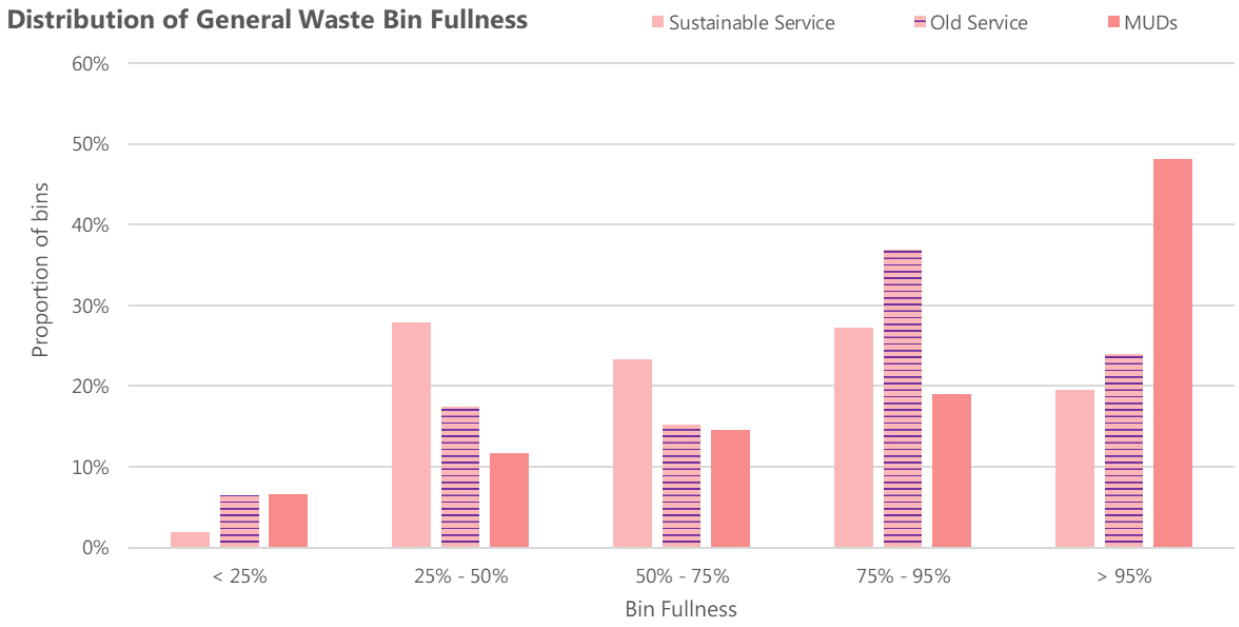


Figure 7: General Waste bin fullness distribution across all three residential streams according to bin inspection data

2.2.2. Comingled recycling bin composition and contamination

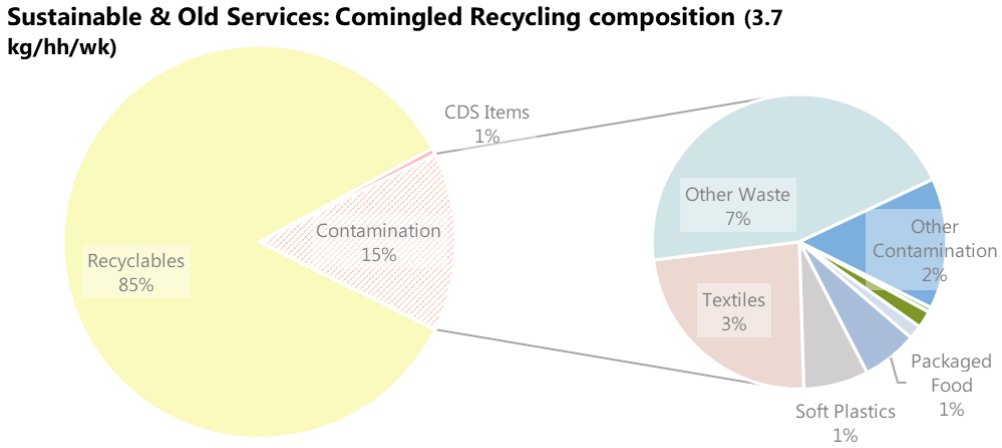


Figure 8: Sustainable and Old Service (SUDs) Comingled Recycling bin composition (% weight)

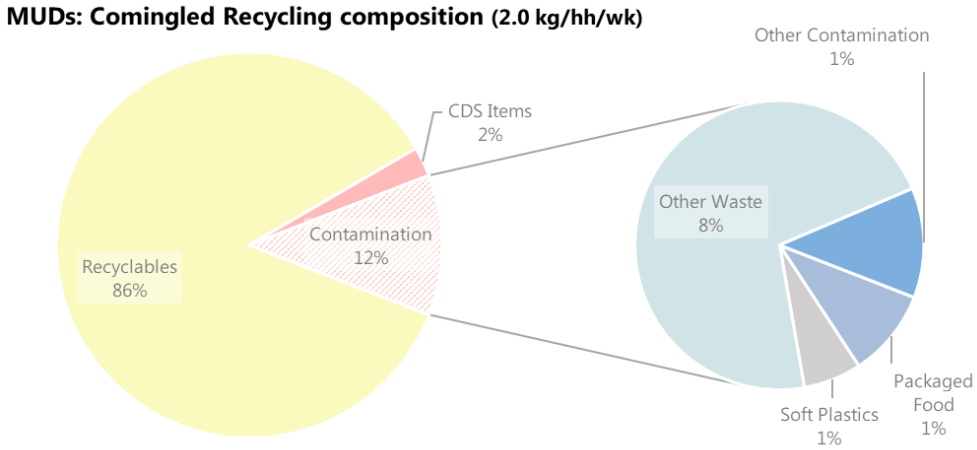


Figure 9: MUDs Comingled Recycling bin composition (% weight)

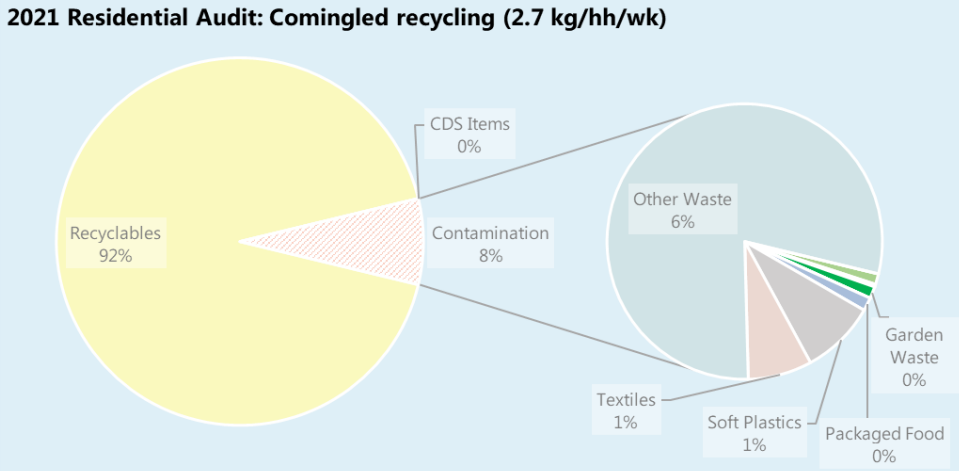


Figure 10: 2021 Audits Comingled Recycling bin composition (% weight)

Comingled recycling bin composition and generation was very similar between the Sustainable and Old Service models according to previous audits (opt-in trial audits and opt-out trial audits). As such, only one comingled recycling audit was completed for SUDs (Figure 8), collecting a combination of Sustainable Service and Old Service households.

Contamination between the SUDs and the MUDs (Figure 9) was high (15 per cent and 12 percent). The contamination was mostly containing of waste suitable for the general waste bin (13 percent and 10 percent), while FOGO suitable material comprised 1-2 percent of each sample.

The major difference between the SUDs and the MUDs comingled recycling is the generation rate, where SUDs generate almost double the comingled recycling of MUDs (3.7 kg/hh/wk and 2.0 kg/hh/wk).

Similar results are presented when comparing to the 2021 Audit (Figure 10). There is an increase in contamination and waste generation (compared to SUDs), however the composition of the contamination remains constant.

Figure 11 shows the composition of all three comingled recycling bins against the 2021 Audit results. Key findings include:

- Very little organics contaminates the comingled recycling bin across all three residential groups, indicating that the change in FOGO bin collection frequency would not impact the comingled recycling bin composition.
- Residual waste suitable for the general waste bin remains a key issue in the comingled recycling bins across all three groups. The maximum contamination rate accepted by most MRFs is 10%.
- Both usage of and contamination in the comingled recycling bin have increased since the 2021 Audits

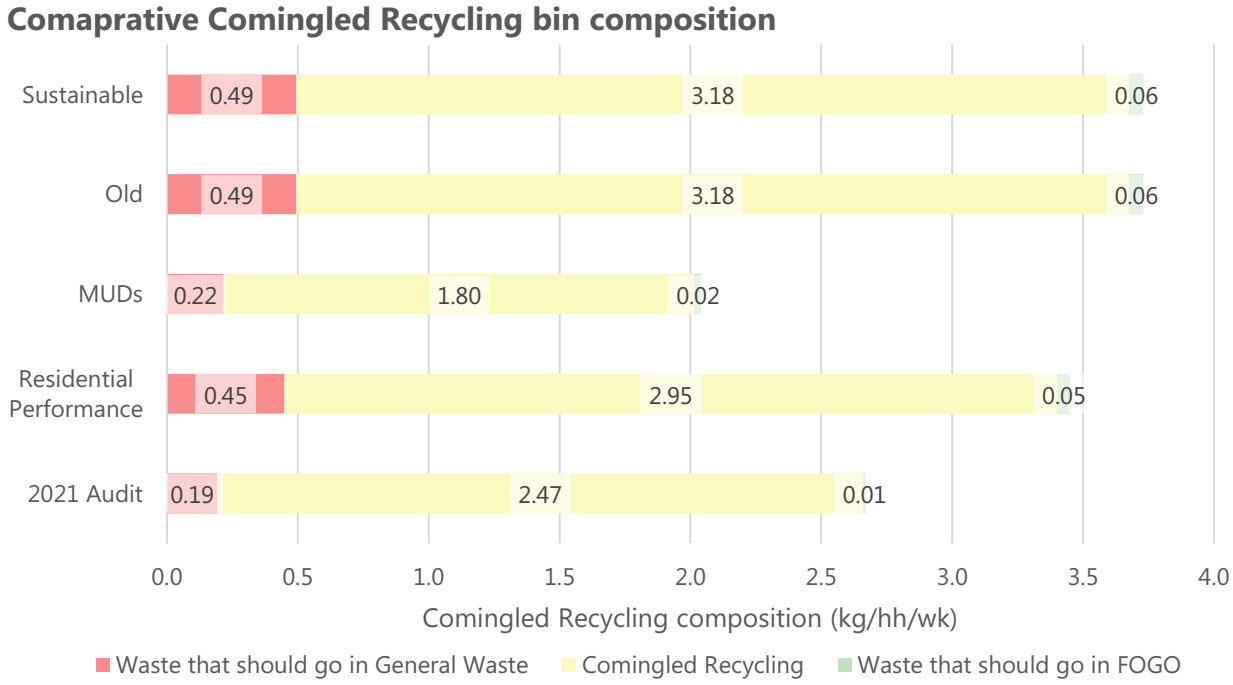


Figure 11: Comparison of residential comingled recycling generation rates, showing the contaminant generation rates by suitable waste stream

The bin inspections completed give a distribution of comingled recycling bin fullness displayed in Figure 12. Key findings include:

- All residents are likely to use their comingled recycling bin to its full capacity, as most bins are greater than 75% full (63% of Sustainable Service, 55% of Old Service, and 75% of MUDs)
- Over half of all MUD comingled recycling bins (52%) are completely full (>95%).
- Very few residents from any group underuse (<25%) their comingled recycling bins (5% of Sustainable Service, 4% of Old Service, and 8% of MUDs)

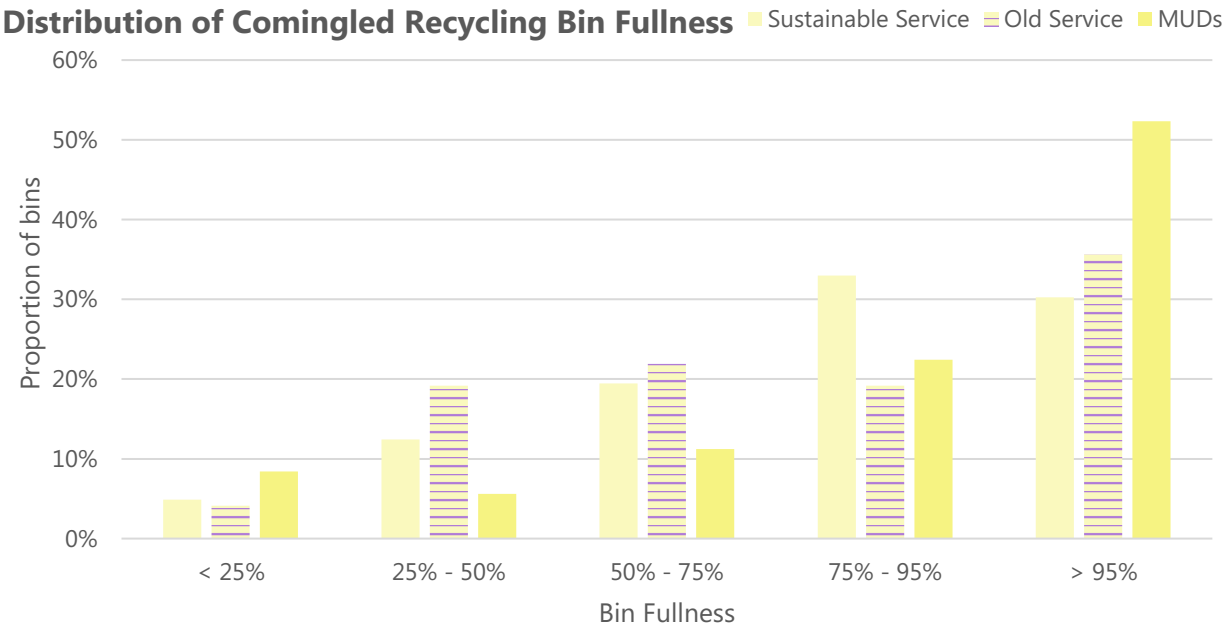


Figure 12: Comingled Recycling bin fullness distribution across all three residential streams according to bin inspection data

2.2.3. FOGO bin composition and contamination

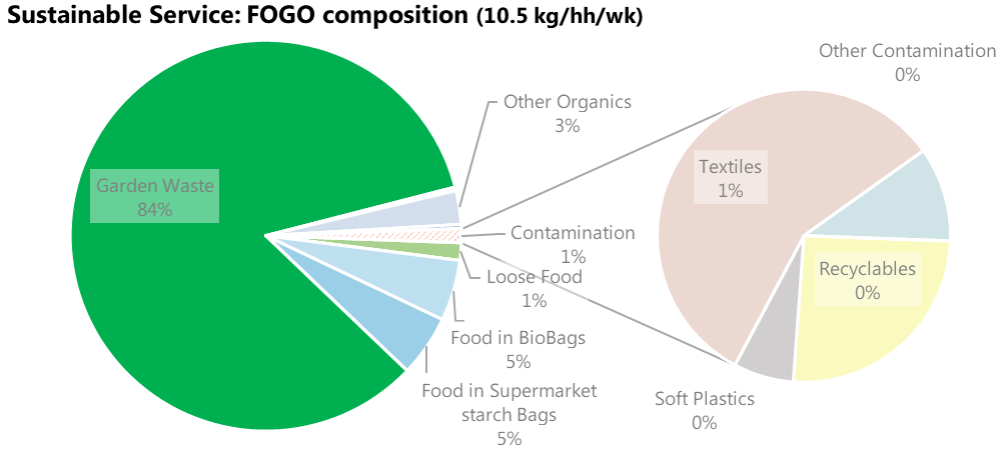


Figure 13: Sustainable Service FOGO bin composition (% weight)

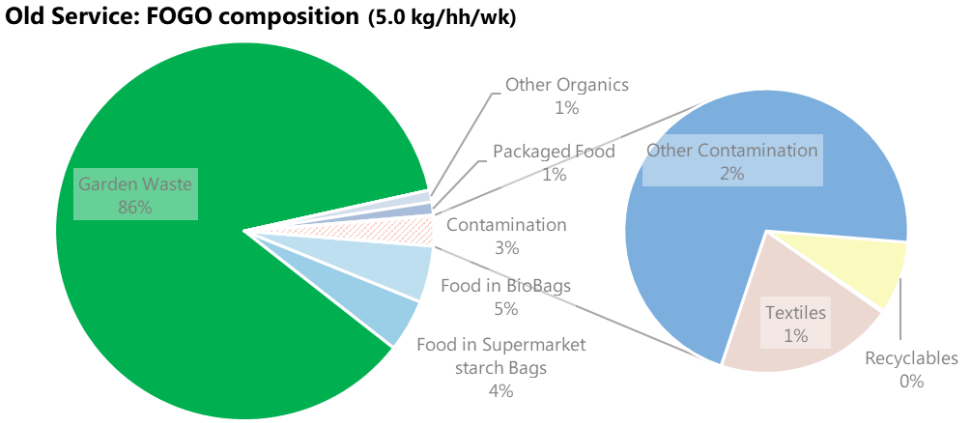


Figure 14: Old Service FOGO bin composition (% weight)

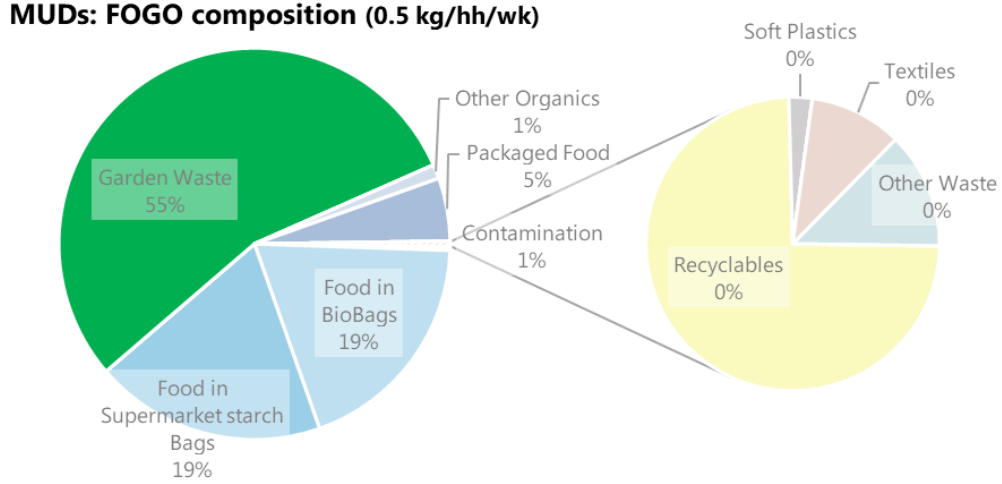


Figure 15: MUDs FOGO bin composition (% weight)

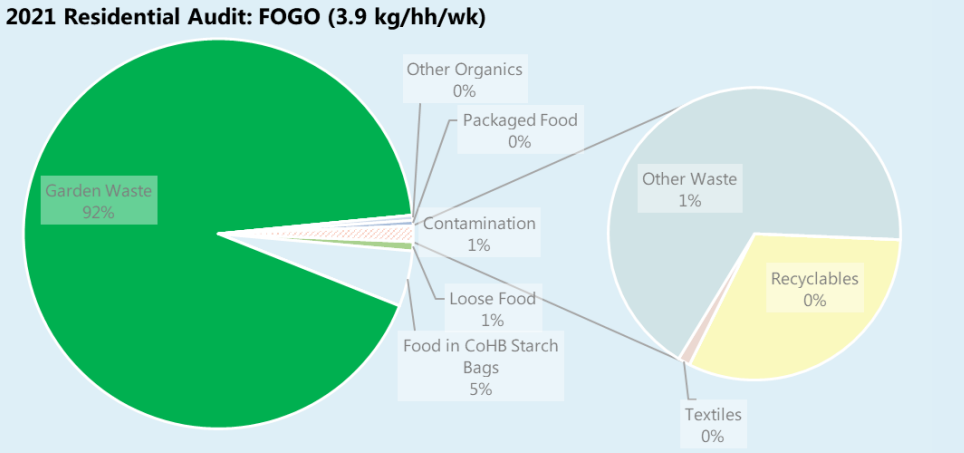


Figure 16: 2021 Audits FOGO bin composition (% weight)

Contamination remains at acceptable rates across all three FOGO audit groups (1 percent to 3 percent). Both SUDs audit groups had similar composition rates of FOGO acceptable material, with garden waste at 84 (Sustainable Service) and 86 (Old Service) percent, and food either loose or in compostable bags at 11 (Sustainable Service) and 9 (Old Service) percent. Textiles and Recyclables were main contributors to contamination in both Sustainable Service and Old Service FOGO bins, totalling around 1 percent for both audit groups. However, Other Contamination was the main contaminant for the Old Service FOGO bins, totalling 2 percent of total weight.

Comparing all three generation rates, the Sustainable Service FOGO bin usage is twice that of the Old Service (10.5 kg/hh/wk and 5.0 kg/hh/wk), while the MUDs barely use/generate FOGO waste (0.5 kg/hh/wk).

The MUDs FOGO bin composition also differs from the SUDs as garden waste is a far lower proportion of the FOGO bin, at only 55 percent, while properly disposed of food makes up 38 percent of the bin. Recyclables and Textiles present as main contaminants again.

This year's audits show that residents are using supermarket starch bags for collecting and disposing of food waste at a greater rate than the 2021 Audits, while continuing to use CoHB provided starch bags in at similar rates. It also shows that food waste makes up a larger proportion of the bin's contents compared to 2021 (6 percent). Comparing generation rates, SUDs have increase in FOGO generation too (3.9 kg/hh/wk in 2021), most likely due to the larger amounts of food waste being disposed in the FOGO bin.

All three residential FOGO samples have acceptable contamination rates, and comparatively, there is a large difference in the utilisation of the FOGO bins by the three residential groups and the 2021 Audits. The key findings, shown in Figure 17, include:

- MUD residents had the lowest contamination rate of all three groups, indicating that those who do use the FOGO bin in MUDs are champions of source separation.
- Sustainable Service households generate over double the amount of FOGO waste compared to that of Old Service households, whilst also having less contamination proportionately.
- Overall FOGO bin usage increased compared to the 2021 Audits

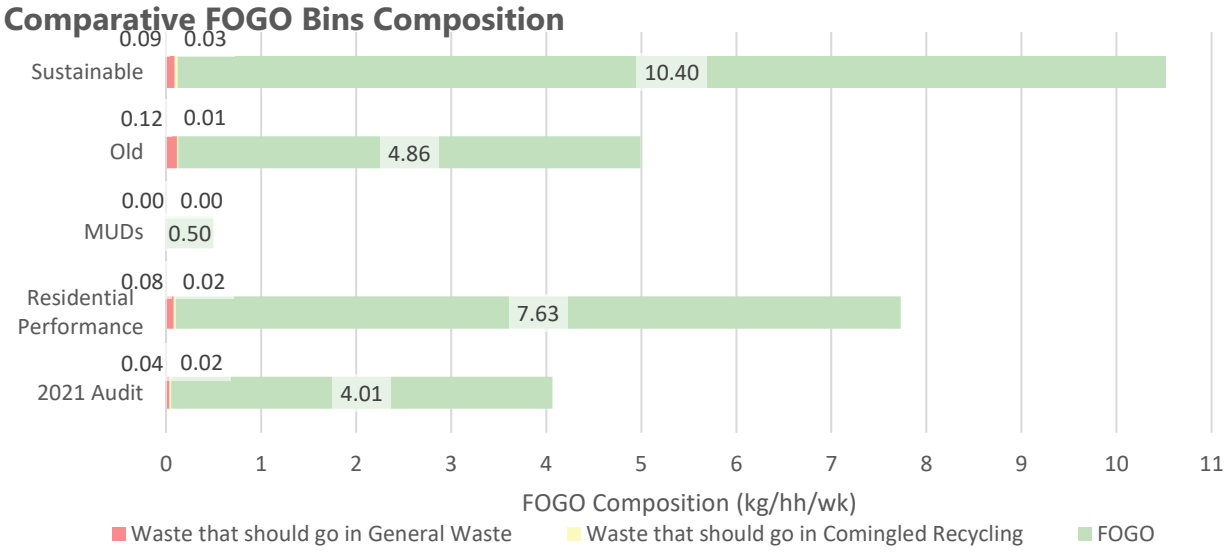


Figure 17: Comparison of residential FOGO generation rates, showing the contaminant generation rates by suitable waste stream

The bin inspections completed give a distribution of FOGO bin fullness displayed in Figure 18. Key findings include:

- Old Service households have an even distribution across all five fullness categories, indicating varied use of the FOGO bin, where some households generate very small volumes of organic waste, and others generate larger amounts.
- Sustainable Service and MUDs are less likely to fill their FOGO bin compared to the Old Service, with over half of residents underfilling (<50 percent) their bins (55 percent of Sustainable Service, and 70 percent of MUDs).
- MUDs are the least likely to use their FOGO bins, with over half (55 percent) filling the bin less than a quarter full.

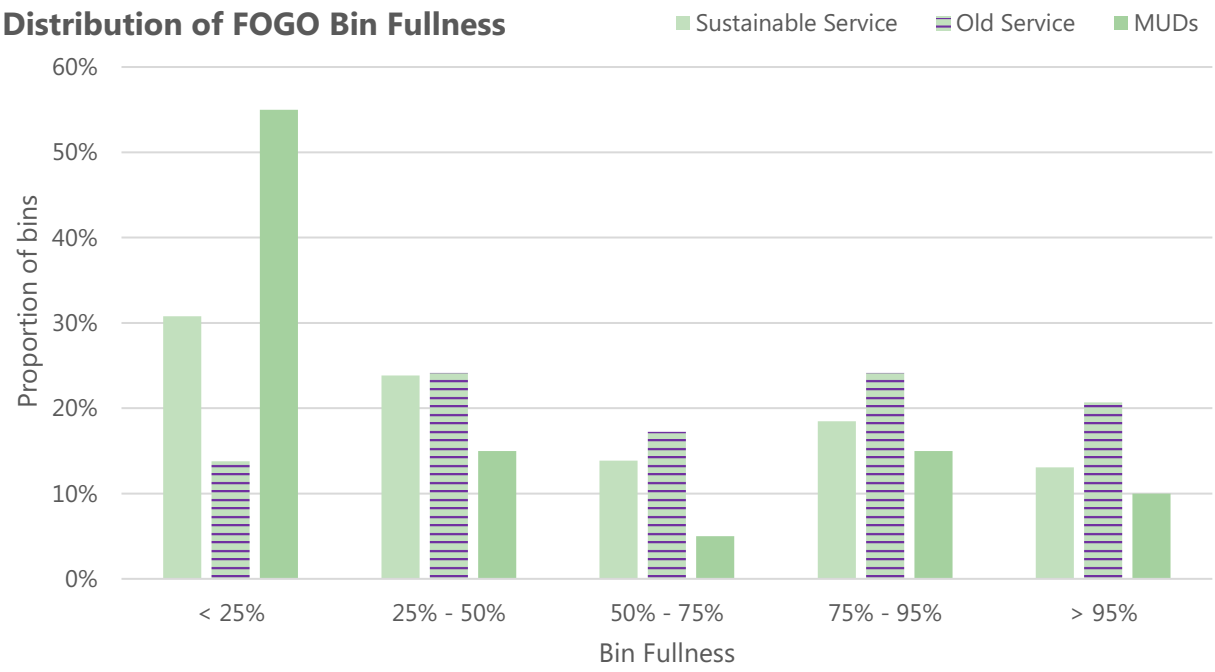


Figure 18: FOGO bin fullness distribution across all three residential streams according to bin inspection data

2.3. Compostable bag use and food waste recycling

Table 5: Estimate of the number of compostable bags used per week and per household in Sustainable Service households

Compostable bags per week[3] (Sustainable Service)			
	CoHB bags (Bio Bag)	Supermarket bags	**Total**
General waste	8	0	**8**
Comingled recycling	0	0	**0**
Organics recycling	390	307	**697**
Compostable bags per hh per week			**1.7**

Table 6: Estimate of the number of compostable bags used per week and per household in Old Service households

Compostable bags per week[3] (Old Service)			
	CoHB bags (Bio Bag)	Supermarket bags	Total
General waste	0	0	**0**
Comingled recycling	0	0	**0**
Organics recycling	97	19	**116**
Compostable bags per hh per week			**0.4**

Table 7: Estimate of the number of compostable bags used per week and per household in MUD households

Compostable bags per week[3] (MUDs)			
	CoHB bags (Bio Bag)	Supermarket bags	**Total**
General waste	4	7	**11**
Comingled recycling	0	0	**0**
Organics recycling	52	34	**86**
Compostable bags per hh per week			**0.3**

The transition to supermarket compostable barrier (fruit and veg) bags is important. It reduces the need for council-provided bags and reuses supermarket starch bags.

Table 5: Estimate of the number of compostable bags used per week and per household in Sustainable Service households, Table 6: Estimate of the number of compostable bags used per week and per household in Old Service households, and Table show that almost half of all compostable bags used by Sustainable Service households and MUDs are supermarket bags (44% and 42%). This compares 7% supermarket compostable bags in the 2021, showing this transition is well underway. The forthcoming legislation change to require these barrier bags to all be compostable in September 2023 will further assist with this transition.

Old Service households only use 16% of compostable bags sourced via supermarkets.

[3] Does not include Pet Waste in starch bags.

2.4. Material separation efficiency

Material efficiency is important to track. It represents the proportion of a given material disposed correctly. Figure 19 shows efficiency including contamination and assumes packaging weight is negligible. This figure also includes re-calculated data from the previous 2021 audit, as packaged organics were previously not included in efficiency calculations.

The key findings include:

- Sustainable Service households are more food efficient than Old Service households (62 percent and 13 percent)
- Sustainable Service garden efficiency is very high at 97 percent and compared to 92 percent for Old Service households.
- MUD residents have a very low Food efficiency (7 percent) and therefore lower overall FOGO efficiency (14 percent) compared to the Old Service residents (57 percent). This is due to lower food and garden efficiencies, and the higher ratio of food to garden waste generated. Garden waste comprises 55 percent of the MUDs FOGO bin (Figure 15), compared to 86 percent of the Old Service FOGO bin (Figure 14)
- The 2023 audits compared to the 2021 audits show the effect of increasing food efficiency, as garden efficiency and comingled recycling remain constant, both landfill diversion and FOGO efficiency increased.

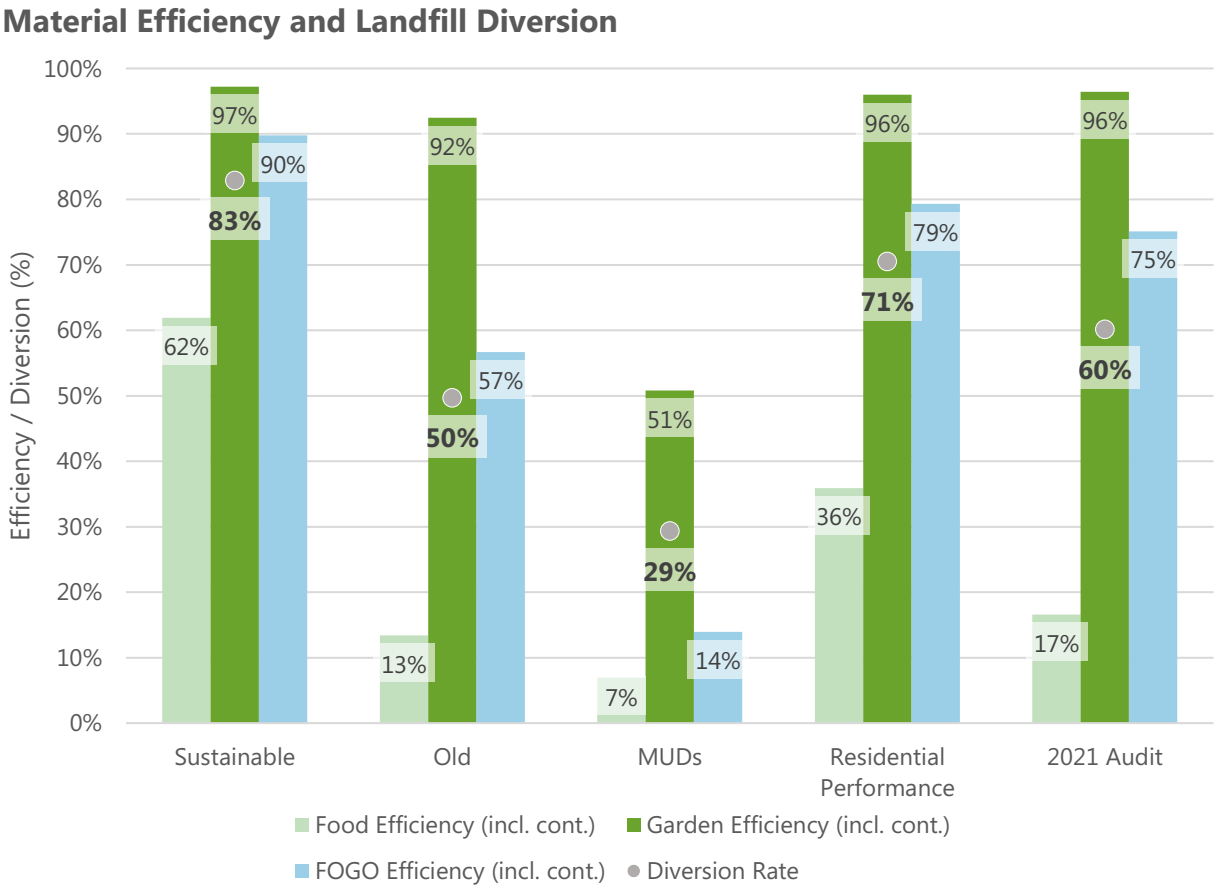


Figure 19: Material separation efficiency of organic materials in the kerbside bins

Business Audit Results

3.1. Waste generation and kerbside diversion

Figure 20 shows the generation rates of different waste streams and the overall diversion rates by the business samples compared to the council-wide performance. Key findings include:

- Both business groups generate similar total waste volumes, however it is expected that industrial businesses may have access to commercial waste services.
- Both business samples generate more general waste and comingled recycling than the average council service premises.
- As businesses only have access to general waste and comingled recycling streams, the greatly reduced landfill diversion rate is expected.

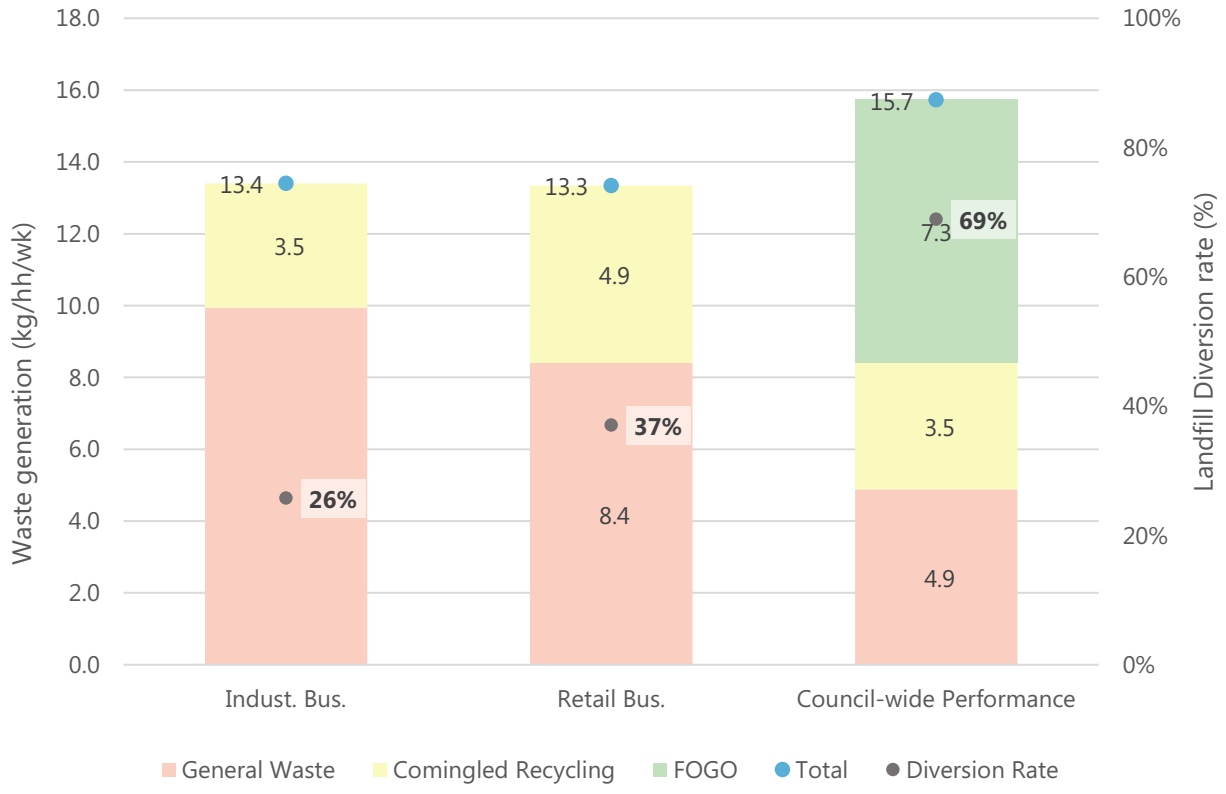


Figure 20: Waste generation profiles of Industrial and Retail Businesses samples compared to the Council-wide performance

3.2. Bin composition

3.2.1. General waste bin composition and unrecovered resources

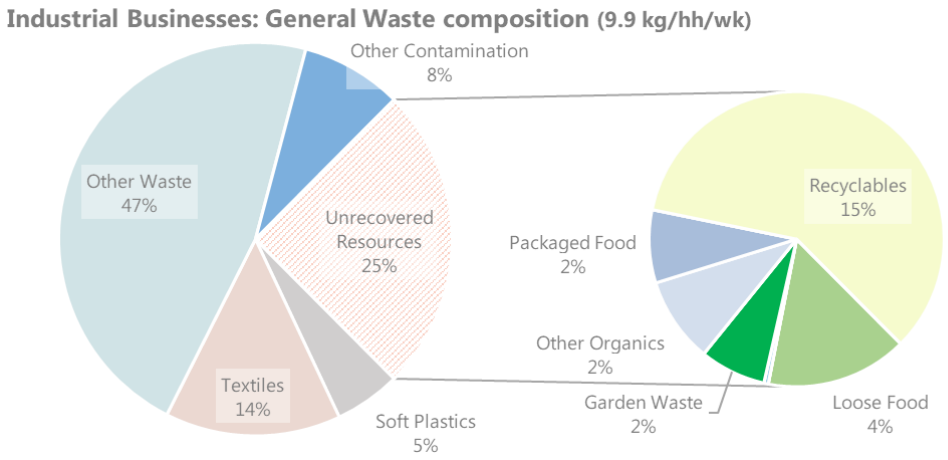


Figure 21: Industrial Business General Waste bin composition (% weight)

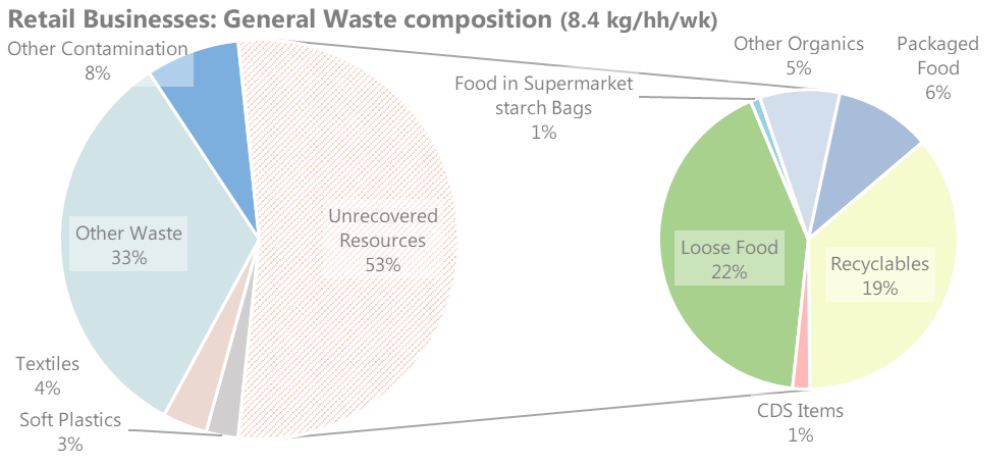


Figure 22: Retail Business General Waste bin composition (% weight)

The general waste bin composition differs greatly between the two business samples. Industrial businesses have a lower rate of unrecovered resources (25 percent) compared to the retail businesses (53 percent). Despite this, both audit groups have similar levels of recyclables (15 and 19 percent), packaged food (2 and 6 percent), and other organics (2 and 5 percent).

The main contributor to the high unrecovered resources rate is the level of loose food disposed in the general waste bin (4 percent compared to 22 percent). Generation rates are similar between the audit groups, with Industrial Businesses generating more (9.9 kg/hh/wk compared to 8.4 kg/hh/wk).

Figure 23 compares the two business audit groups and assigns the waste generated to a waste stream appropriate. Key findings include:

- Industrial Businesses almost generate double the amount of residual waste appropriate for the general waste bin compared to Retail Businesses.
- The quantity of incorrectly disposed recycling does not differ significantly between the two samples
- Retail Businesses generate a large amount of organic waste, but do not have access to a council-provided organic waste bin to dispose this waste correctly.

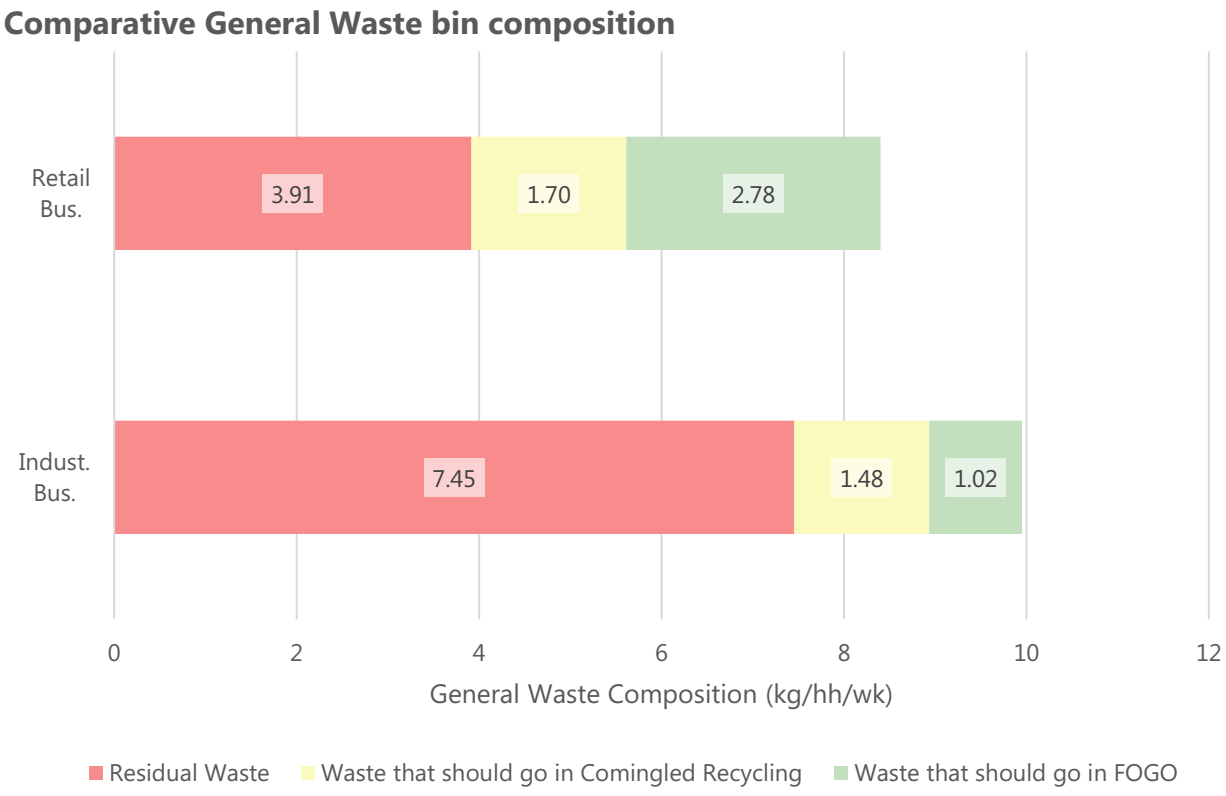


Figure 23: Comparative general waste bin composition by what streams are appropriate for the waste generated

3.2.2. Comingled recycling bin composition and contamination

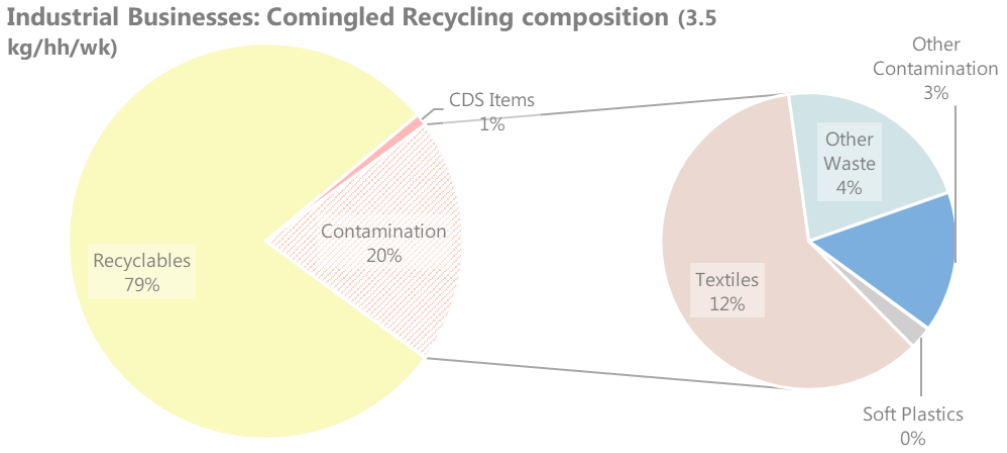


Figure 24: Industrial Business Comingled Recycling bin composition (% weight)

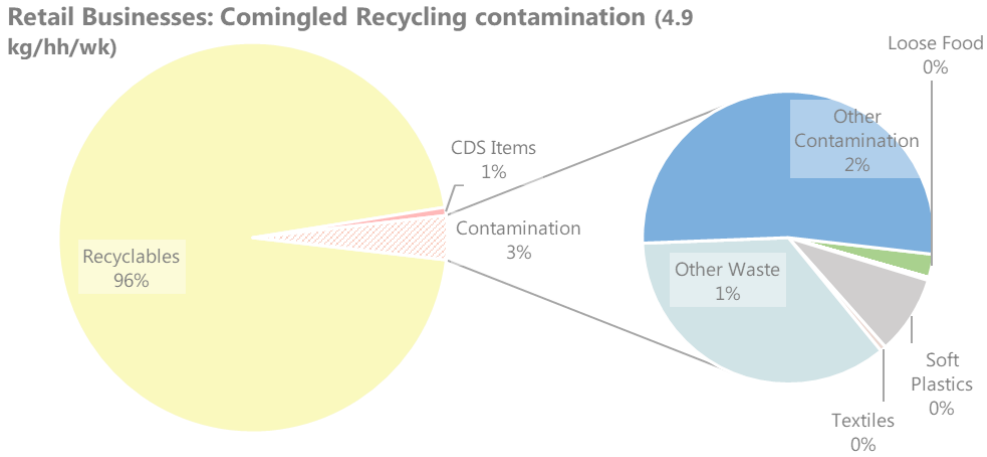


Figure 25: Retail Business Comingled Recycling bin composition (% weight)

Contamination in the comingled recycling bin is very high for industrial businesses (20 percent), while the Retail Business comingled recycling sample is very low (3 percent), and "the least contamination [the auditors had] ever seen"[4]. The main contributor to the contamination in the Industrial businesses was textiles (12 percent) and other waste (4 percent). No organics were reported in the Industrial Business comingled recycling bin sample.

Comingled recycling generation for both audit groups is similar, with Industrial Businesses generating less (3.5 kg/hh/wk to 4.9 kg/hh/wk). This could be given that Industrial Businesses are more likely to have a commercial service for a recycling stream as well as the council service bins.

[4] Dynamic 3E, May 2023

Figure 26 below shows the recycling bin composition of the business audit groups, portioned by what stream is appropriate for that waste. Key findings include:

- Industrial Businesses dispose of a large proportion of general waste in the comingled recycling bin.
- Retail Businesses generate more comingled recycling, with a very low contamination rate.
- Some organic waste suitable for FOGO bins is still disposed in the Retail Businesses comingled recycling bins.

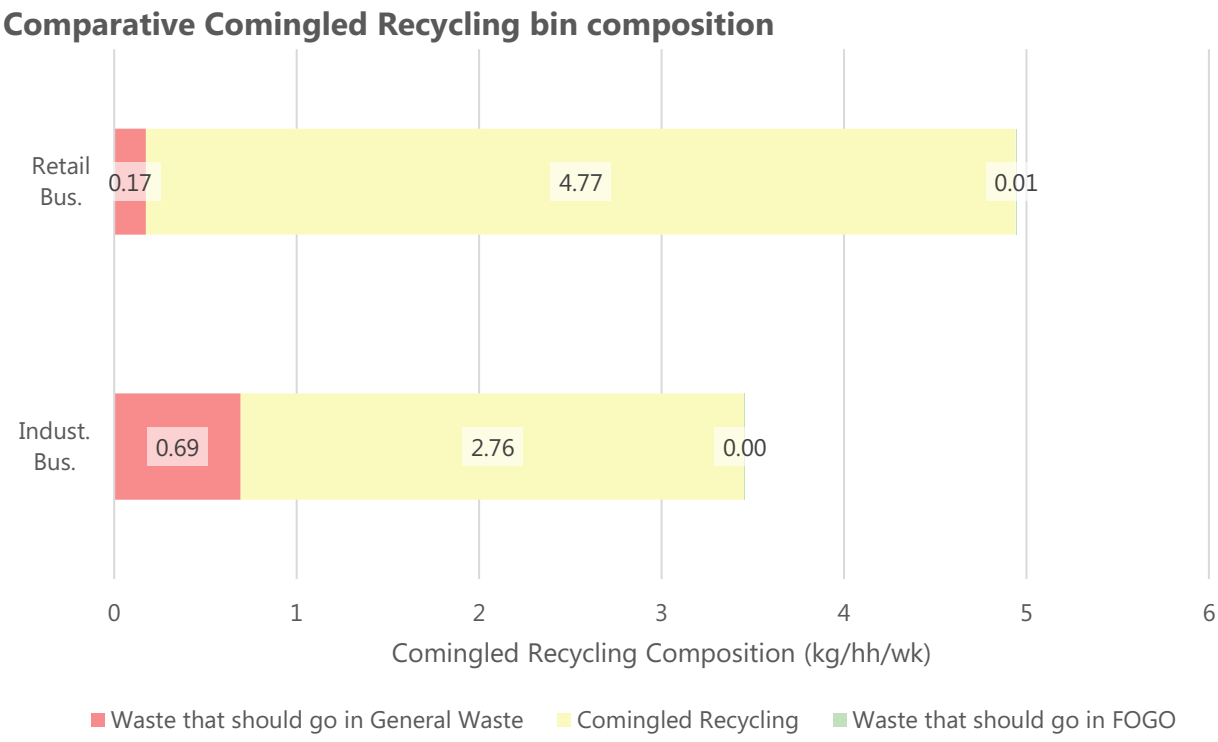


Figure 26: Comparative comingled recycling bin composition by what streams are appropriate for the waste generated

Comparison to previous audits

4.1. Waste generation and landfill diversion

Figure 27 outlines the change in the waste generation (kg/hh/wk) and diversion rate across the previous five audits. As can be seen in Figure 27, has increased overall since 2014. This is mainly because of a large increase in FOGO waste in the 2023 audits, which also explains the increase in landfill diversion, where previously it had not changed in seven years (2014 to 2021).

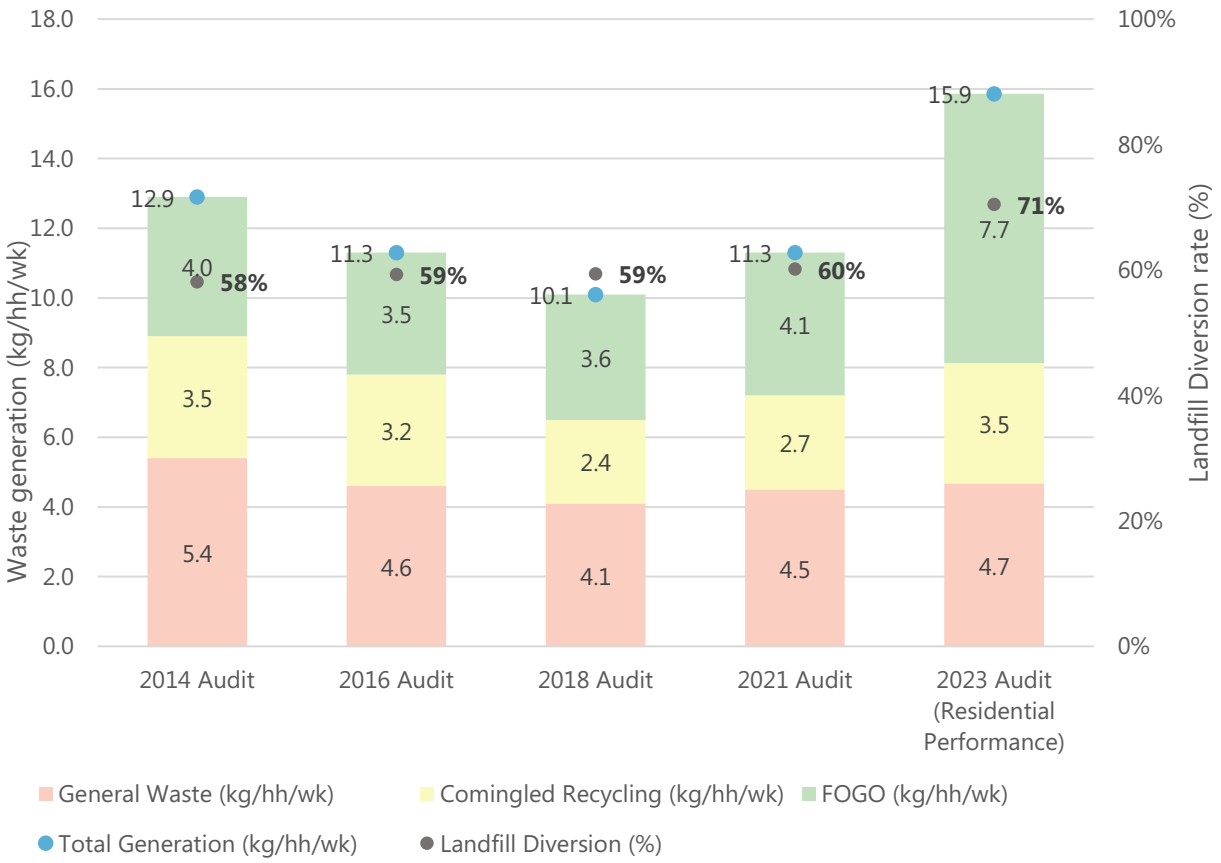


Figure 27: Comparison of kg/hh/wk and diversion rates - 2014 to 2023

4.2. Food waste generation and landfill diversion

Figure 28 outlines food waste generation and diversion over the past five audits. There has been a big drop in total food waste generation from 2014 to 2021, but has increased back to 2014 levels in the 2023 Audit. In 2023, far more food waste is being disposed in the correct FOGO bin, both as a portion and total weight. This accounts for the large increase in food waste efficiency of 11 percentage points from the previous high in 2018.

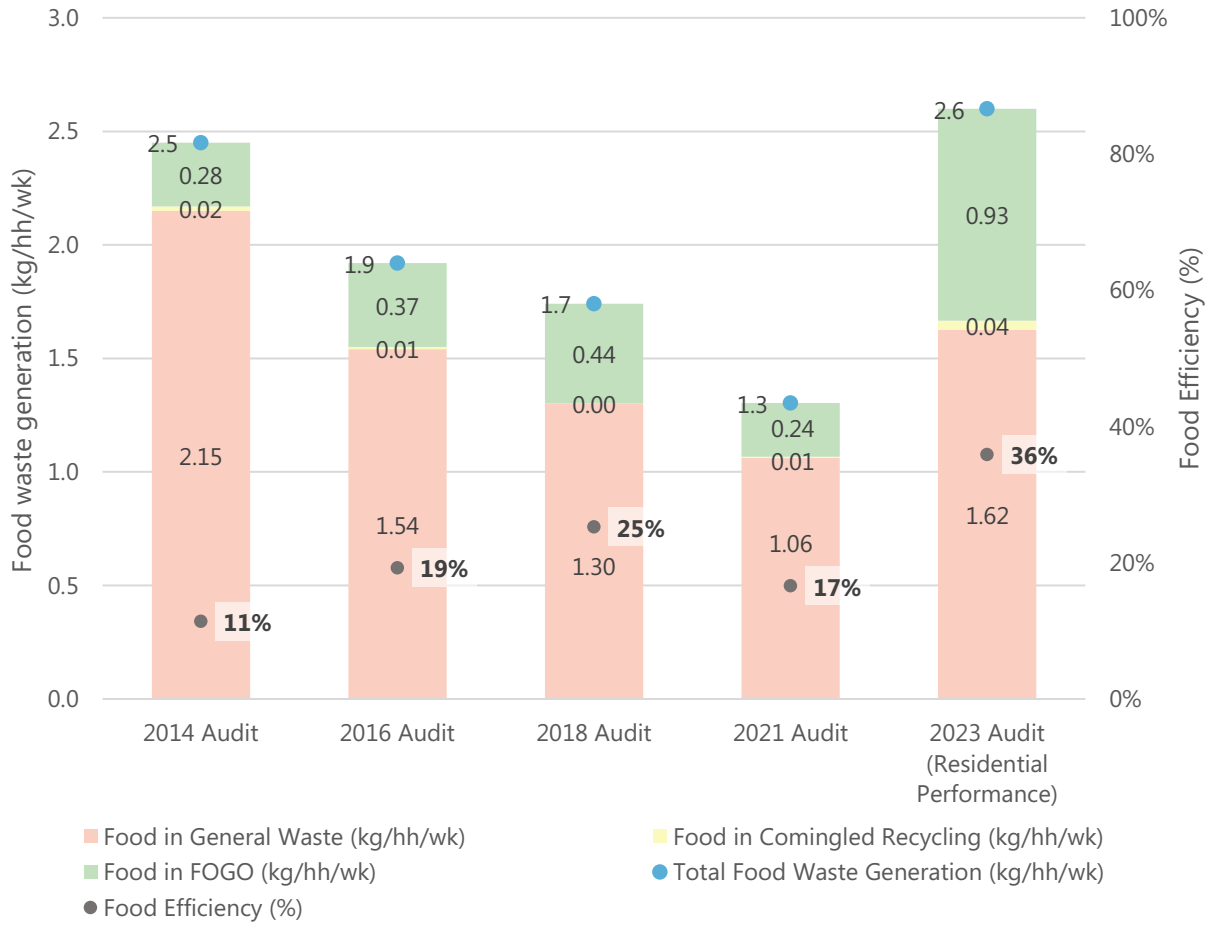


Figure 28: Food waste generation, destination, and efficiency across previous audits (2014-2023)

4.3. Contamination rate in organics and comingled recycling bins

Figure 29 outlines the contamination rates of the comingled recycling and green organics bin over the five audits. FOGO contamination has remained acceptable council wide, despite the reduced fortnightly allocation of general waste bins and increased fortnightly allocation of FOGO bins. In 2023 the comingled contamination rate almost double that of the previous audit, reaching an unacceptable contamination rate.

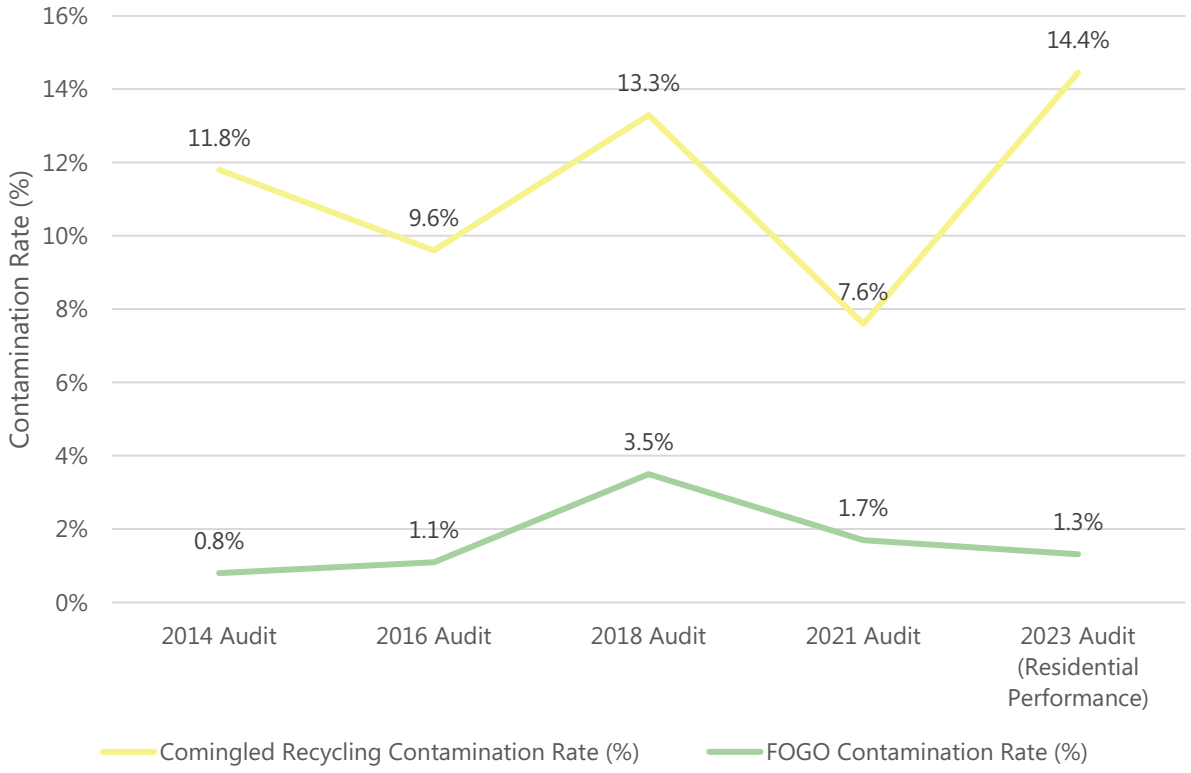


Figure 29: Comparison of the contamination rates for the comingled recycling and green organics bins - 2014 to 2023

Recommendations and opportunities

5.1. Switch more residents from the Old Service to the Sustainable Service

We congratulate council on the Sustainable Service's success. These audits show that moving SUDs over to a weekly FOGO, fortnightly general waste collection model decreases general waste generation (reducing landfill levy costs for council), and increases landfill diversion and food efficiency.

The next stage of this journey is to move more residents from the Old Service to the Sustainable Service. Only ¾ of SUDs in CoHB are on the Sustainable Service, despite being the default collection service. This will be a challenge, as residents have explicitly chosen to subscribe to the Old Service.

We recommend that council investigates ways to maximise Sustainable Service participation through option such as:

- Putting a time limit on the Old Service, so that residents need to re-evaluate every 12 to 24 months.
- Increasing barriers to those who want to switch to the Old Service. Currently, anyone can 'opt out' within 2 minutes, with any reasoning. We recommend increasing the difficulty of 'opting out', such as 'only by exemption'.
- Consider an incentive/disincentive fee structure to maximise participation on the Sustainable Service.

There is a substantial difference in waste performance between the service models. The Sustainable Service underpins CoHB's waste success over the past year, and increasing participation will reduce costs for council, decrease greenhouse emissions, and increase participation in the circular economy.

5.2. Increasing use of FOGO bins in MUDs

MUDs have 29 percent landfill diversion, with very little use of their FOGO bins for food waste. Previous interventions to increase food waste disposal in FOGO bins in CoHB focused on SUDs. As such, MUDs remain a large (and increasing) portion of the council that haven't had any specific interventions implemented to increase food efficiency and landfill diversion.

Only 19 FOGO bins were audited, which represent 176 households in MUDs. Comparatively, those households have access to over 100 bins of general waste and comingled recycling. MUDs' FOGO generation was also very low compared to the Old Service (0.5 kg/hh/wk vs 5.0 kg/hh/wk).

This shows that MUDs don't have adequate access to FOGO bins, and are under-using their FOGO service. We recommend CoHB takes steps to increase FOGO use (and food efficiency, and landfill diversion), such as:

- Increasing the number of FOGO bins serviced on a per household, per week basis (e.g. more bins or more collections per fortnight).
- Increase signage and communication to MUDs to educate on food waste going into the FOGO bin
- Ensure that all MUDs residents have access to a kitchen caddy and a roll of kitchen caddy liners.

These three measures have increased rates of FOGO use, food efficiency, and FOGO source separation. These all have marked impacts on landfill diversion, which reduce disposal fees for Council.

5.3. Provide FOGO access to Retail Businesses

The audits show that business types vary in waste generation profiles. Despite this, CoHB provides no change in waste service for different businesses. Consequently, there are very high and very low levels of contamination in the business audits. Organic waste arose as a large unrecovered resource in Retail Businesses. Council can address this with a change in service.

Retail businesses generated 2.8 kg/hh/wk of organic waste which is suitable for the FOGO bin. This is three times the amount generated by MUDs. Supplying appropriate disposal methods to retail businesses could remove this waste from the general waste bin. This will help decrease landfill costs for council, as well as decreasing GHG emissions.

We recommend that council looks further into the types of businesses included in the 'Retail Business' district, and strategically supply FOGO bins to those that generate large volumes of organic waste. This could be an Op in weekly FOGO service to selected business types.

5.4. Further investigate Industrial Business' comingled recycling contamination

This audit shows that comingled recycling contamination is a key issue in Industrial Businesses (20 percent). The current industry acceptable contamination rate for MRFs is less than 12 percent. As such, this is a poor reflection on Industrial businesses waste practices in CoHB.

Most of the contamination was suitable for the General Waste bin. Industrial businesses also generated the most general waste (9.9 kg/hh/wk) with the least unrecovered resources (25 percent). This indicates that the comingled recycling contamination might be due to a lack of general waste collection volume.

We recommend that this be further investigated. A joint campaign by Council and the collection contractor to use in-vehicle technology to target offending business may be able to reduce contamination. Council could also offer select businesses added general waste capacity via a 'user pays' model.

Appendix 1 – Further Audit Information

Sustainable Service	
Number of SEPs in Council	11,288 (60%)
Bin collection frequency	Fortnightly General Waste Fortnightly Comingled Recycling Weekly FOGO
Audited area	Tuesday collection zone Full streets were collected up until a certain number of bin lifts was reached Streets were within the boundaries: - North: Hulbert St & Dunrobin Rd - East: Seventh Ave - South: Alfreda St & Addison Rd - West: Esplanade
Audit dates	General Waste: 16th May 2023 Comingled Recycling: 23rd May 2023 (combined with Old Service) FOGO: 16th May 2023
Collected sample size	General Waste: 204 bins, 1,480 kg Comingled Recycling: 100 bins, 900 kg FOGO: 300 bins, 4,360 kg
Audited sample size	General Waste: 196.56 kg Comingled Recycling: 358.40 kg FOGO: 368.78 kg

Old Service	
Number of SEPs in Council	3,690 (19%)
Bin collection frequency	Weekly General Waste Fortnightly Comingled Recycling Fortnightly FOGO
Audited area	Tuesday collection zone Full streets were collected up until a certain number of bin lifts was reached Streets were within the boundaries:

	- North: Hulbert St & Dunrobin Rd - East: Seventh Ave - South: Alfreda St & Addison Rd - West: Esplanade
Audit dates	General Waste: 23rd May 2023 Comingled Recycling: 23rd May 2023 (combined with Sustainable Service) FOGO: 16th May 2023
Collected sample size	General Waste: 147 bins, 1,600 kg Comingled Recycling: 100 bins, 900 kg FOGO: 105 bins, 1,620 kg
Audited sample size	General Waste: 318.64 kg Comingled Recycling: 358.40 kg FOGO: 335.56 kg

MUDs	
Number of SEPs in Council	2,964 (16%)
Bin collection frequency	Weekly General Waste Fortnightly Comingled Recycling Fortnightly FOGO
Audited area	MUDs located in the Thursday collection Zone Collected all bins from a MUD until the target number of bin lifts was reached MUDs were located around: - ANZAC Highway, west of Brighton Rd - Jetty Rd precinct - Partridge Rd - Broadway
Audit dates	General Waste: 18th May 2023 Comingled Recycling: 25th May 2023 FOGO: 18th May 2023
Collected sample size	General Waste: 137 bins, 1,080 kg Comingled Recycling: 103 bins, 720 kg FOGO: 19 bins, 176 kg
Audited sample size	General Waste: 293.60 kg Comingled Recycling: 321.91 kg

	FOGO: 176.46 kg

Industrial Businesses	
Number of SEPs in Council	163[5] (1%)
Bin collection frequency	Weekly General Waste Fortnightly Comingled Recycling
Audited area	Business located in the Wednesday Collection Zone Collect all bins from businesses only until the target number of bin lifts has been reached Streets were within the boundaries: - North: Oaklands Rd - East: Margaret St - South: Bowker St - West: Bridgton Rd
Audit dates	General Waste: 24th May 2023 Comingled Recycling: 24th May 2023
Collected sample size	General Waste: 184 bins, 1,980 kg Comingled Recycling: 117 bins, 940 kg
Audited sample size	General Waste: 277.56 kg Comingled Recycling: 393.40 kg

Retail Businesses	
Number of SEPs in Council	827 (4%)
Bin collection frequency	Weekly General Waste Fortnightly Comingled Recycling
Audited area	Business located in the Thursday Collection Zone Collect all bins from businesses only until the target number of bin lifts has been reached Streets were within the boundaries: - North: ANZAC Pde - East: Brighton Rd - South: Broadway

[5] This is smaller than the number of identified 'Industrial Businesses' in the Industrial Business General Waste audit, shown in Appendix 4. We cannot confirm that some Industrial Businesses were missed in the calculation of this total, nor can we confirm that all SEPs sampled were Industrial Businesses in the Appendix 4 number.

- West: Colley Tce & Moseley St

Audit dates	General Waste: 25th May 2023 Comingled Recycling: 25th May 2023
Collected sample size	General Waste: 100 bins, 840 kg Comingled Recycling: 93 bins, 920 kg
Audited sample size	General Waste: 211.79 kg Comingled Recycling: 341.30 kg

Appendix 2 – Audit categories

Table 8: Audit categories

#	Category	Acceptable Waste Stream	
1	Loose Food		FOGO
2	Food in CoHB Starch Bags		FOGO
3	Food in BioBags		FOGO
4	Food in Supermarket starch Bags		FOGO
5	Food in Newspaper		FOGO
6	Garden Waste		FOGO
7a	Dog poo/Cat Lit in Starch bags		FOGO
7b	Dog poo/Cat Lit in Plastic bags		FOGO
8	Other Organics		FOGO
9	Packaged Food		FOGO
10	Packaged Garden		FOGO
11	Recyclables	Comingled Recycling	
12	Soft Plastics	General Waste	
13	CDS Items	Comingled Recycling	
14	Textiles	General Waste	
15	Other Waste	General Waste	
16	Other Contamination	General Waste	

Appendix 3 – Audit Results & Photos

Located in separate document, 'CoHB 2023 Kerbside Audit – Fast Field Forms'

Appendix 4 – Assumptions & Calculations used in the Analysis

Presentation rates:

Sustainable Service:

- General Waste: 81.1%
  - Calculated as $\frac{Number\ of\ General\ Waste\ Bin\ Lifts\ on\ green-red\ weeks}{Total\ Residential\ properties} * 100$
- Comingled Recycling: 82.9%
  - Calculated as $\frac{Number\ of\ Comingled\ Recycling\ Bin\ Lifts\ on\ all\ weeks}{Total\ Residential\ properties} * 100$
- FOGO: 72.4%
  - Calculated as $\frac{Number\ of\ FOGO\ Bin\ Lifts\ on\ green-yellow\ weeks}{Total\ Sustainable\ Service\ properties} * 100$

Old Service:

- General Waste: 81.1%
  - Calculated as $\frac{Number\ of\ General\ Waste\ Bin\ Lifts\ on\ green-red\ weeks}{Total\ Residential\ properties} * 100$
- Comingled Recycling: 82.9%
  - Calculated as $\frac{Number\ of\ Comingled\ Recycling\ Bin\ Lifts\ on\ all\ weeks}{Total\ Residential\ properties} * 100$
- FOGO: 64.7%
  - Calculated as $\frac{Number\ of\ FOGO\ Bin\ Lifts\ on\ green-red\ weeks}{Total\ Residential\ properties} * 100$

MUDs:

- Assumed 100% presentation for all streams. As MUDs do not have a 1:1 bin to household ratio, we derived an 'Allocation Rate' ($\frac{Number\ of\ bins\ provided}{Number\ of\ SEPs} * 100$) to use.
- General Waste: 77.6%
- Comingled Recycling: 74.2%
- FOGO: 18.4%

Industrial Businesses:

- Calculated presentation rate based on an assumption of 1:1 bin to SEP ratio ($\frac{Number\ of\ bins\ collected}{Number\ of\ SEPs\ located\ on\ the\ streets\ the\ bins\ were\ collected\ from}$)
- General Waste: 92.5%
- Comingled Recycling: 86.0%

Retail Businesses:

- Assumed to be 100% for both streams (as number of bins collected > Number of SEPs located on the streets the bins were collected from)

Number of households/SEPs:

Sustainable Service:

- Back calculated from the number of bins and Presentation rate ($\frac{Number\ of\ bins\ collected}{Presentation\ rate}$)
- General Waste: 252
- Comingled Recycling: 121
- FOGO: 414

Old Service:

- Back calculated from the number of bins and Presentation rate ($\frac{Number\ of\ bins\ collected}{Presentation\ rate}$)
- General Waste: 181
- Comingled Recycling: 121
- FOGO: 162

MUDs:

- General Waste: 176
  - Back calculated from the number of bins and Allocation rate ($\frac{Number\ of\ bins\ collected}{Allocation\ rate}$)
- Comingled Recycling: 176
  - Assumed to be the same number of SEPs as General Waste
- FOGO: 176
  - Assumed to be the same number of SEPs as General Waste

Industrial Businesses:

- Used CoHB Database to count the number of SEPs on the streets collected
- General waste: 199[6]
- Comingled Recycling: 136

Retail Businesses:

- Used CoHB Database to count the number of SEPs on the streets collected
- General waste: 79
- Comingled Recycling: 86

[6] This is larger than the number of identified 'Industrial Businesses' in CoHB shown in Appendix 1. We cannot confirm that all SEPs sampled were Industrial Businesses, nor can we confirm that some Industrial Businesses were missed in the calculation of the number in Appendix 1.

Other Calculations:

Waste generation rates (kg/hh/wk or kg/SEP/wk):

$$\frac{Total\ Sample\ Weight\ (kg) * Collections\ per\ week\ (\frac{1}{wk})}{Number\ of\ SEPs\ represented\ by\ the\ bins\ collected\ (\#SEPs)}$$

Number of SEPs represented (# SEPs):

$$\frac{Bins\ collected\ (\#)}{Presentation\ (or\ Allocation)\ Rate\ (\%)}$$

See Analysis for exceptions

Food Efficiency (%):

$$\frac{Acceptable\ Food\ Waste\ in\ the\ FOGO\ Bin\ (kg)}{Containated\ Food\ Waste\ in\ all\ bins\ (kg) + Acceptable\ Food\ Waste\ in\ all\ bins\ (kg)} * 100$$

Acceptable Food Waste (kg):

$$Categories\ 1 + 2 + 3 + 4 + 5 + 8$$

See Table 8 for category list

Contaminated Food Waste (kg):

$$Category\ 9$$

See Table 8 for category list

Garden Efficiency (%):

$$\frac{Acceptable\ Garden\ Waste\ in\ the\ FOGO\ Bin\ (kg)}{Containated\ Garden\ Waste\ in\ all\ bins\ (kg) + Acceptable\ Garden\ Waste\ in\ all\ bins\ (kg)} * 100$$

Acceptable Garden Waste (kg):

$$Categories\ 6 + 7a$$

See Table 8 for category list

Contaminated Garden Waste (kg):

$$Categories\ 7b + 10$$

See Table 8 for category list

FOGO Efficiency (%):

$$\frac{Acceptable\ Food\ Waste\ in\ the\ FOGO\ Bin\ (kg) + Acceptable\ Garden\ Waste\ in\ the\ FOGO\ Bin\ (kg)}{Containated\ Food\ Waste\ in\ all\ bins\ (kg) + Acceptable\ Food\ Waste\ in\ all\ bins\ (kg) + Containated\ Garden\ Waste\ in\ all\ bins\ (kg) + Acceptable\ Garden\ Waste\ in\ all\ bins\ (kg)} * 100$$

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South Australia 5044

Item No: 15.9

Subject: **CALL FOR NOMINATIONS – CASUAL VACANCY ON GREATER ADELAIDE REGIONAL ORGANISATION OF COUNCILS (GAROC) WEST REGIONAL GROUPING**

Summary

The Local Government Association (LGA) is calling for nominations to fill one position on the Greater Adelaide Regional Organisation of Councils (GAROC) due to the resignation of Mayor Michael Coxon as the GAROC West Regional Grouping representative.

Recommendation

That Council:

1. notes the report.

OR

2. nominates _____ for consideration by the Local Government Association of South Australia to be nominated as the representative of the West Regional Grouping of Members of Greater Adelaide Regional Organisation of Councils.

Background

In accordance with Clause 19 of the LGA Constitution and Rules, the LGA have established regional organisations of members including GAROC. Greater Adelaide Regional Organisation of Councils is responsible for regional advocacy, policy initiation and review, leadership, engagement and capacity building in the GAROC Region. The GAROC Committee was formally established in October 2018 and is responsible to the Board of Directors for the discharge of its functions.

At the 2019 LGA AGM, members endorsed the establishment of four GAROC Regional Groupings which took effect from the 2020 GAROC elections. Membership of GAROC comprises of two eligible members elected by a majority vote of the councils within each Regional Grouping.

Pursuant to clause 4.2.1 of the GAROC Terms of Reference (ToR) there are eight positions available for GAROC members to represent the Greater Adelaide region.

Clause 4.7.3 of the GAROC Terms of Reference provides that:

> *"If there is a casual vacancy in the membership of GAROC, then the Regional Grouping of Members relevant to the GAROC member the subject of the casual vacancy will appoint by resolution of the majority of Members comprising the Regional Grouping of Members another Council Member to serve as a member of GAROC for the balance of the membership term."*

Report

On 2 December 2024, the Acting Chief Executive Officer received correspondence from Clinton Jury, Chief Executive Officer and LGA Returning Officer seeking nominations for members to fill a casual vacancy on the Greater Adelaide Regional Organisation of Councils due to the resignation of Mayor Michael Coxon, City of West Torrens.

Refer Attachment 1

As Mayor Coxon was a representative of the West Regional Grouping of Councils, nominations are being sought from the West Regional Grouping comprising the Cities of Charles Sturt, Holdfast Bay, Port Adelaide Enfield and West Torrens. The other West Regional Grouping representative is Mayor Angela Evans, City of Charles Sturt. In line with clause 4.2.1 of the GAROC Terms of Reference, nominations for council members from City of Charles Sturt would not qualify.

A nomination may only be made by resolution of Council. Nominations are to be received by the LGA Returning Officer before 5pm Thursday 30 January 2025. Late nominations will not be accepted. The nominee will be required to complete the 2024-2025 Nomination Form and a Candidate Information sheet.

Refer Attachment 2

Councils are not obligated to submit a nomination and Council may elect to only note this report.

Budget

There are no budget implications associated with this report.

Life Cycle Costs

There are no life cycle costs associated with this report.

Strategic Plan

Statutory compliance

Council Policy

Not applicable

Statutory Provisions

Clause 19 of the Local Government Association of South Australia Constitution and Rules

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Written By: Executive Officer

A/Chief Executive Officer: Ms P Jackson

Attachment 1

CITY OF HOLDFAST BAY

Helping local government build stronger communities.

In reply please quote our reference: ECM 827741 MW/LM

2 December 2024

Ms Pamela Jackson
Chief Executive Officer
City of Holdfast Bay

Emailed: ceo@holdfast.sa.gov.au

Dear Pamela

Casual Vacancy - GAROC West Regional Grouping of Members

I am writing to advise you that a casual vacancy has arisen on the Greater Adelaide Regional Organisation of Councils (GAROC) Committee. City of West Torrens Mayor Michael Coxon has resigned from his position on GAROC resulting in the casual vacancy.

Mayor Coxon was a representative of the GAROC West Regional Grouping of Members GAROC West which comprises the City of Charles Sturt, City of Holdfast Bay, City of Port Adelaide Enfield, and City of West Torrens. Each Regional Grouping of Members is represented on GAROC by two council members. The other GAROC West Regional Grouping representative is Mayor Angela Evans from the City of Charles Sturt.

The LGA hereby calls for nominations to fill the one (1) vacant position on the GAROC Committee. A nomination form for the position of member of GAROC is attached and must be received by me, following a resolution of your council, by no later than **5:00pm Thursday 30 January 2025**. Late nominations will not be accepted.

Clause 4.7.3 of the GAROC Terms of Reference provides that:

> *"If there is a casual vacancy in the membership of GAROC, then the Regional Grouping of Members relevant to the GAROC member the subject of the casual vacancy will appoint by resolution of the majority of Members comprising the Regional Grouping of Members another Council Member to serve as a member of GAROC for the balance of the membership term."*

The GAROC Terms of Reference do not prescribe the process by which an appointment to fill a casual vacancy will be determined, beyond requiring a resolution of the majority of Members comprising the Regional Grouping.

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Noting that the appointment will continue for the balance of the membership term of GAROC (i.e. until the LGA Annual General Meeting to be held in November 2026), I have determined to conduct an election process to fill the vacancy. The process is modelled on the standard GAROC election process as outlined in clause 4 of the GAROC Terms of Reference.

The outcome of the election, through the ballot process, will be determined by a majority resolution of the GAROC West Regional Grouping Members.

Nominations

I write to you in your capacity as the Chief Executive Officer of a Member Council in the GAROC West Regional Grouping to invite one (1) nomination from your council for a position on GAROC.

Each member of the GAROC West Regional Grouping may nominate a candidate for membership, provided that the person nominated is a council member of one of the GAROC West Regional Grouping Councils.

Note that clause 4.2.1 of the GAROC Terms of Reference requires that each person elected to GAROC be from a different council, therefore nominations for council members from the City of Charles Sturt would not qualify due to Mayor Angela Evans' ongoing role on the GAROC Committee.

Councils are not obligated to submit a nomination.

A nomination may only be made by resolution of the Council and using the attached nomination form. The form must be signed by both the candidate nominated by the council to indicate his/her willingness to stand for election, and by you as the Chief Executive Officer of the nominating council. The nomination form must be accompanied by the attached candidate information sheet.

Nominations must be received **before 5:00pm Thursday 30 January 2025.**

Voting

In the event that more than one nomination is received, a ballot will be conducted. Ballot papers will be distributed to the GAROC West Regional Grouping of Members and will include any information provided on the candidate information sheet. Further information on the voting process will be provided at the time ballot papers are distributed.

If a ballot proceeds, ballot papers will be issued in a timeframe that will ensure receipt by you prior to Wednesday 5 February 2025. Close of voting will then occur the following month at **5:00pm on Thursday 6 March 2025.** I acknowledge this is a relatively short timeframe, however I am hopeful that by flagging the dates with you well in advance, you will be in a position to facilitate your Council's completion of the ballot within the required timeframes.

Counting of votes, if required, will occur at 10:00am on Friday 7 March 2025 at LG House, 148 Frome Street Adelaide. Further details will be provided once it has been confirmed that a ballot will be conducted.

Could you please facilitate a process whereby your Council will consider and, if it determines to do so, resolve to submit a nomination for a GAROC West Regional Grouping representative on GAROC.

If you have any questions in relation to the election process, please contact me or LGA Manager Corporate Support, Melanie Williams via email to melanie.williams@lga.sa.gov.au or by phoning 8224 2097.

Yours sincerely

Clinton Jury

Chief Executive Officer / LGA Returning Officer

Telephone: (08) 8224 2039
Email: clinton.jury@lga.sa.gov.au

Attachments:

1 Extract from LGA GAROC TOR – Clause 4
2 2024 Nomination Form – GAROC
3 Candidate Information Sheet

Extract – GAROC Terms of Reference

Clause 4 – GAROC

4.1. Role

The role of GAROC is regional advocacy, policy initiation and review, leadership, engagement and capacity building in the GAROC Region.

4.2. Membership

4.2.1. Each Regional Grouping of Members listed in the schedule to these Terms of Reference will elect in accordance with clause 4.3 and 4.4 from the Members of the Regional Grouping of Members, 2 Council Members of Members in the Regional Grouping of Members as members of GAROC provided that each person elected is from a different Member.

4.2.2. In addition to the members of GAROC elected in accordance with clause 4.2.1, the Lord Mayor of the City of Adelaide will be a standing member of GAROC.

4.3. Nominations for election to GAROC

4.3.1. The members of GAROC will be elected biennially.

4.3.2. In the year in which GAROC members will be elected, and at least 3 months before the Annual General Meeting, the Chief Executive shall write to all Members of the GAROC Regional Grouping as listed in the schedule calling for nominations for the membership of GAROC.

4.3.3. Each Member of the GAROC Regional Grouping may nominate a candidate for membership of GAROC, provided that:

(a) a person nominated as a member of GAROC must be a representative of a member on the relevant Regional Grouping of Members; and

(b) only a Council Member can be nominated to GAROC.

4.3.4. A nomination of a person as a member of GAROC must be by resolution of the Member received by the Chief Executive not later than 5 pm on the day specified for the closure of nominations (Close of Nominations). A nomination must be signed by the candidate indicating his or her willingness to stand for election and be in the form determined by the Chief Executive.

4.4. Election to GAROC

4.4.1. The Chief Executive shall be the returning officer for any election of members to GAROC.

4.4.2. After the Close of Nominations, the Chief Executive will notify Members of each Regional Grouping of Members of the candidates for membership of GAROC nominated by the Regional Grouping of Members.

4.4.3. If the only nominations received from a Regional Grouping of Members by the Close of Nominations match the membership positions described in clause 4.2.1, then the Chief Executive will declare those persons duly elected to those membership positions.

4.4.4. If the number of persons nominated by the Close of Nominations by a Regional Grouping of Members exceeds the number of membership positions described in clause 4.2.1, then an election for the purpose of clause 4.2.1 must be held in accordance with this clause.

4.4.5. In the event of an election being required, the Chief Executive shall conduct the election as follows:

(a) at least six weeks before the Annual General Meeting, the Chief Executive shall deliver ballot papers to each Member of the Regional Grouping of Members;

(a) the ballot papers shall:

(i) list the candidates for election;

(i) specify the day of closure of the election;

(ii) be accompanied by an envelope marked "Ballot Paper" and a second envelope marked "Returning Officer";

(b) each Member shall determine by resolution the candidate or candidates (as relevant) it wishes to elect;

(c) the chair of the meeting for that Member shall mark the ballot paper with an "X" next to the candidate or candidates (as relevant) that the Member wishes elected and seal the ballot paper in the envelope marked "Ballot Paper" inside the envelope marked "Returning Officer". Before sealing the second envelope the chair must indicate the Member's name on the inside flap of the envelope. The envelope may then be sealed and delivered to the Returning Officer;

(d) on receipt of the envelopes the Chief Executive must:

(i) open the outer envelope addressed to the "Returning Officer" and record the name of the Member which appears on the inside flap of the envelope on the roll of Member's eligible to vote; and

(i) place the envelope marked "Ballot Paper" unopened into the ballot box;

(e) the Chief Executive shall nominate the date, time and place for the counting of votes and shall invite each candidate and a person nominated as the candidate's scrutineer to be present;

(f) at the counting of the votes the Chief Executive shall produce unopened envelopes marked "Ballot Paper" and if satisfied that all votes are valid, count the number of votes received by each candidate;

(g) in respect of an election for the purposes of clause 4.2.1, the 2 candidates from a Regional Grouping of Members with the most votes shall be deemed elected in respect of that Regional Grouping of Members and the Chief Executive shall declare the candidates elected at the Annual General Meeting; and

(h) in the case of candidates for membership positions described in clause 4.2.1 from a Regional Grouping of Members receiving the same number of votes, the Chief Executive shall draw lots at the counting of the votes to determine which candidate is elected.

4.4.6. The Chief Executive may, in his or her discretion, appoint a deputy returning officer and delegate any of his or her powers, functions or duties to that person who shall act accordingly.

4.4.7. The Chief Executive may, in his or her discretion, delegate any of his or her powers, functions or duties to an Executive Officer of a Regional Grouping of Members who shall act accordingly for the conduct of elections for the purpose of clause 4.2.1 in respect of the Regional Grouping of Members relevant to that Executive Officer.

Attachment 2

CITY OF HOLDFAST BAY

Helping local government
build stronger communities.

Greater Adelaide Regional Organisation of Councils (GAROC)
2024-2025 Nomination Form

GAROC WEST REGIONAL GROUPING - SUPPLEMENTARY ELECTION

Nominee's Full Name	*(insert title, first name and surname of nominee)*
Nominee's Council	*(insert name of nominee's council)*
Declaration and Signature of Nominee	I hereby accept such nomination. Signature: .....
Name of Council Submitting Nomination	*(insert name of nominating council)*
Council Resolution	*(insert date & resolution no.)* *(insert council resolution)*
Signature and Name of Nominating Council's CEO	Signature: ..... *(insert CEO name)*
Dated	*(insert date)*

This form is to be sent to the LGA Returning Officer:

Clinton.jury@lga.sa.gov.au

Close of nominations is 5:00pm Thursday 30 January 2025

Greater Adelaide Regional Organisation of Councils (GAROC)
2024-2025 Candidate Information Sheet

(word limit is strictly 1,000 words)

Name:	*(insert title, first name and surname of nominee)*
Council:	*(insert name of nominee's council)*
Local Government Experience & Knowledge	• *(insert)*
Local Government Policy Views & Interests	• *(insert)*
Other information	• *(insert details of leadership, board, corporate governance experience etc)*

This form must accompany the Nomination Form