

# **AGENDA ATTACHMENTS**

15 Junw 2021

ORDINARY COUNCIL MEETING

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# Central Highlands Council

#### **MINUTES - ORDINARY MEETING - 18 May 2021**

Minutes of an Ordinary Meeting of Central Highlands Council held at Hamilton Hall, on Tuesday 18<sup>th</sup> May 2021, commencing at 9am.

Lyn Eyles General Manager

#### 1.0 OPENING

The Mayor advises the meeting and members of the public that Council Meetings, not including Closed Sessions, are audio recorded and published on Council's Website.

#### 2.0 ACKNOWLEDGEMENT OF COUNTRY

#### 3.0 PRESENT

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer (attended at 9.09am), Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner, Clr J Poore (attended 9.32am), Mrs Lyn Eyles (General Manager) & Mrs Janet Monks (Minutes Secretary)

## 4.0 APOLOGIES

#### 5.0 PECUNIARY INTEREST DECLARATIONS

In accordance with Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor requests Councillors to indicate whether they or a close associate have, or are likely to have a pecuniary interest (any pecuniary or pecuniary detriment) or conflict of interest in any Item of the Agenda.

Clr J Honner – Item 17.9 – Anglican Parish of Bothwell – Community Grant Application.

#### 6.0 CLOSED SESSION OF THE MEETING

Regulation 15 (1) of the *Local Government (Meeting Procedures) Regulations 2015* states that at a meeting, a council by absolute majority, or a council committee by simple majority, may close a part of the meeting to the public for a reason specified in sub-regulation (2).

As per Regulation 15 (1) of the Local Government (Meeting Procedures) Regulations 2015, this motion requires an absolute majority

**Moved:** Clr R Cassidy **Seconded**: Clr J Honner

**THAT** pursuant to *Regulation 15 (1) of the Local Government (Meeting Procedures) Regulations 2015*, Council, by absolute majority, close the meeting to the public to consider the following matters in Closed Session

# FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy and Clr J Honner

Item	Matter	Local Government (Meeting Procedures)
Number		Regulations 2015
1	Confirmation of the Minutes of the Closed Session of the Ordinary Meeting of Council held on 20 April, 2021	Regulation 15 (2)(g) - information of a personal and confidential nature or information provided to the council on the condition it is kept confidential
2	Confidential Matter	Regulation 15 (2)(g) - information of a personal and confidential nature or information provided to the council on the condition it is kept confidential
3	Confidential Matter	Regulation 15 (2)(g) - information of a personal and confidential nature or information provided to the council on the condition it is kept confidential
4	Consideration of Matters for Disclosure to the Public	Regulation 15 (8) - While in a closed meeting, the Council, or Council Committee, is to consider whether any discussions, decisions, reports or documents relating to that closed meeting are to be kept confidential or released to the public, taking into account privacy and confidentiality issues

# 6.1 MOTION OUT OF CLOSED SESSION

<u>Moved</u>: Clr R Cassidy <u>Seconded</u>: Clr A Bailey

**THAT** the Council:

(1) Having met and dealt with its business formally move out of the closed session; and

(2) Resolved to report that it has determined the following:

Item Number	Matter	Outcome
1	Confirmation of the Minutes of the Closed Session of the Ordinary Meeting of Council held on 20 April 2021	
2	Confidential Matter	Council completed the ballot papers for the LGAT 2021 elections
3	Confidential Matter	Council noted the information provided and that a further report will be prepared
4	Consideration of Matters for Disclosure to the Public	Matters were considered

CARRIED

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

#### **OPEN MEETING TO PUBLIC**

Due to COVID-19 a limit of 4 members of the public, at any one time will be applied.

#### 7.0 DEPUTATIONS

10.07 – 10.20 Elaine Herlihy – Community Notice Board - Hamilton

10.20 – 10.40 Kristy Mayne and Allan Matcham - Rural Alive & Well – update

Mr G Rogers (Manager DES) attended the meeting at 10.25

#### 7.1 PUBLIC QUESTION TIME

#### 8.0 MAYORAL COMMITMENTS

16 April 2021	Dusiness of Council
19 April 2021	Councillor calls x 4

16 April 2021

20 April 2021 Ordinary Meeting of Council - Bothwell

Pucinoss of Council

20 April 2021 Councillor meeting 21 April 2021 Rate payers x 6

21 April 2021 Rate payers x 6 21 April 2021 Business of Council

22 April 2021 Rate payer tele meeting

23 April 2021 ABC Radio interview

24 April 2021 Rate payers x 4

25 April 2021 Anzac Day Service 6am - Gretna

25 April 2021 Anzac Day Service 11am - Bothwell

26 April 2021 Onsite meeting with Deputy Mayor at Ellendale

26 April 2021 Meeting with Deputy Mayor, General Manager and Manager DES

27 April 2021 Onsite meeting at Gretna – re St Marys Church

27 April 2021 Long Term Asset Management Plan - Workshop

27 April 2021 Cat Management Strategy – Workshop27 April 2021 Climate Change Policy - Workshop

28 April 2021 Councillor calls x 2 28 April 2021 Rate payers calls x 2

29 April 2021 Business of Council

29 April 2021 Meeting with community members x 2

03 May 2021 Business of Council 04 May 2021 Business of Council

05 May 2021 Community members calls x 5

05 May 2021 Rate payer meetings x 2

05 May 2021 Zoom meeting with General Manager

06 May 2021 Community members calls x 2

12 May 2021 Budget Workshop - Hamilton

#### 8.1 COUNCILLOR COMMITMENTS

# Deputy Mayor Allwright

20 April 2021 Ordinary Meeting of Council - Bothwell

25 April 2021 Anzac Service – Hamilton

27 April 2021 Onsite meeting at Gretna – re St Marys Church

27 April 2021	Long Term Asset Management Plan - Workshop
27 April 2021	Cat Management Strategy - Workshop
27 April 2021	Climate Change Policy – Workshop
28 April 2021	Bushwatch – Hamilton
11 May 2021	Fire Management Area Committee – Hobart
12 May 2021	Budget Workshop – Hamilton
12 May 2021	Biosecurity – Hamilton

# Clr A Campbell

20 April 2021	Ordinary Meeting of Council – Bothwell
21 April 2021	HATCH Working Group meeting – Hamilton
25 April 2021	Anzac Service – Bothwell
27 April 2021	Onsite meeting at Gretna – re St Marys Church
27 April 2021	Long Term Asset Management Plan - Workshop
27 April 2021	Cat Management Strategy - Workshop
27 April 2021	Climate Change Policy – Workshop
12 May 2021	Budget Workshop - Hamilton

# CIr R Cassidy

20 April 2021	Ordinary Meeting of Council - Bothwell
27 April 2021	Long Term Asset Management Plan - Workshop
27 April 2021	Cat Management Strategy - Workshop
27 April 2021	Climate Change Policy - Workshop
12 May 2021	Budget Workshop - Hamilton

# Clr J Honner

20 April 2021	Ordinary Meeting of Council - Bothwell
25 April 2021	Anzac Śervice – Bothwell
27 April 2021	Onsite meeting at Gretna – re St Marys Church
27 April 2021	Long Term Asset Management Plan - Workshop
27 April 2021	Cat Management Strategy - Workshop
27 April 2021	Climate Change Policy – Workshop
12 May 2021	Budget Workshop - Hamilton

# STATUS REPORT COUNCILLORS

Item No.	Meeting Date	Agenda Item	Task	Councillor Responsible	Current Status	Completed Date
				Mayor Triffitt, Clr Campbell &	On going to provide Council with updates each Council	
3	18-Feb-20	16.5	Cattle Hill Wind Farm Community Fund Committee	Clr Honner	meeting	
					Councillor Poore and Development & Environmental	
			Concept plan for the redevelopment of the		Services Manager to prepare a concept plan for the	
5	16-Feb-21	17.5	Bothwell Caravan Park	Clr Poore	redevelopment of the Bothwell Caravan Park	
6	20-Apr-21	17.9	Taswater's Draft Corporate Plan FY2022-26	Deputy Mayor Allwright	Draft Council submission	05-May-2

# 8.2 GENERAL MANAGER'S COMMITMENTS

20 April 2021	Council Meeting
25 April 2021	Anzac Day Service Bothwell
26 April 2021	Staff Budget Workshop
27 April 2021	Onsite meeting Gretna Church
27 April 2021	Council Workshops
29 April 2021	Meeting Jack Beattie
05 May 2021	<b>Zoom Meeting Community Housing</b>
10 May 2021	Internal Compliance Plan Meeting
12 May 2021	Council Budget Workshop
13 May 2021	Meeting J Bignell
10 May 2021 12 May 2021	Internal Compliance Plan Meeting Council Budget Workshop

# 8.3 DEPUTY GENERAL MANAGER'S COMMITMENTS

21 April 2021	LGAT Public Health Briefing Teams Meeting
22 April 2021	LGAT Health & Wellbeing Workshop
26 April 2021	Budget Workshop for Managers

27 April 2021	ST Mary Anglican Church (Site Visit)
27 April 2021	Long Term Asset Management Plan Workshop
27 April 2021	Meeting with Regional Cat Management Coordinator
28 April 2021	LGAT Tas Communications Meeting and "Communicating with Value" Session
28 April 2021	Regional Tourism Bushfire Recovery Grant Meeting
28 April 2021	Tasmanian Imagery Program visit
28 April 2021	Bushwatch meeting at 7.00pm Hamilton Fire Station 'Guest Speaker' to provide an update on
	Telecommunications Black Spot funding
10 May 2021	Internal Compliance Plan Meeting
11 May 2021	UTas Community Health and Wellbeing Meeting
11 May 2021	SES Municipal Recovery Coordinators Monthly Meeting
12 May 2021	Council Budget Workshop

#### 9.0 NOTIFICATION OF COUNCIL WORKSHOPS HELD

27 April 2021 - Council Workshop - LTAM Plan, Cat Management Strategy & Climate Change Policy/Strategy

12 May 2021 - Council Budget Workshop at Hamilton

#### 9.1 FUTURE WORKSHOPS

Council Budget Workshop - Tuesday, 25 May 2021, Hamilton Hall 10.30am

#### 10.0 MAYORAL ANNOUNCEMENTS

Mayor Triffitt provided an update on action taken to date in relation to safety issues with the Shannon River Bridge – copies of correspondence to be circulated to elected members

Mayor Triffitt advised of correspondence received from Premier Peter Gutwien – announcing available grants and funds earmarked for the Central Highlands – copy of correspondence to be circulated to elected members

# 11.0 MINUTES

#### 11.1 RECEIVAL DRAFT MINUTES ORDINARY MEETING

<u>Moved</u>: Clr J Honner <u>Seconded</u>: Clr A Campbell

**THAT** the Draft Minutes of the Open Council Meeting of Council held on Tuesday 20<sup>th</sup> April 2021 be received.

**CARRIED** 

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

# 11.2 CONFIRMATION OF MINUTES ORDINARY MEETING

<u>Moved</u>: Clr A Bailey <u>Seconded</u>: Clr J Honner

**THAT** the Minutes of the Open Council Meeting of Council held on Tuesday 20<sup>th</sup> April 2021 be confirmed.

**CARRIED** 

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

#### 12.0 BUSINESS ARISING

- 15.1 Correspondence sent by Planning Consultant
- 15.2 Comments to be forwarded by DES Manager
- 15.3 Correspondence sent by DES Manager
- 15.5 Correspondence sent by DES Manager
- 15.6 Item deferred until 2022/23 budget deliberations
- 15.7 Item actioned by DES Manager
- 15.8 Correspondence sent by DES Manager & Vehicle included in draft budget
- 17.2 Meeting organised with Bignell Family
- 17.4 Remission processed and advice sent by General Manager
- 17.5 Deferred until May meeting for discussion with RAW
- 17.6 Donation action by General Manager
- 17.7 Being actioned by Deputy General Manager
- 17.8 Actioned by DES Manager
- 17.9 To be actioned by Deputy Mayor
- 18.1 Correspondence sent by General Manager
- 18.2 Letters drafted by General Manager and signed by Mayor
- 18.3 Grant Deed signed by General Manager

#### 13.0 DERWENT CATCHMENT PROJECT REPORT

<u>Moved</u>: Clr A Bailey <u>Seconded</u>: Deputy Mayor J Allwright

**THAT** the Derwent Catchment Project report be received.

CARRIED

# FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

Mayor L Triffitt vacated the chair at 10.50

Deputy Mayor J Allwright took the chair

Mayor L Triffitt resumed the chair at 10.53

#### 14.0 FINANCE REPORT

<u>Moved:</u> Clr J Honner <u>Seconded:</u> Clr R Cassidy

**THAT** the Finance Reports be received.

CARRIED

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

#### 15.0 DEVELOPMENT & ENVIRONMENTAL SERVICES

In accordance with Regulation 25(1) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor advises that the Council intends to act as a Planning Authority under the Land Use Planning and Approvals Act 1993, to deal with the following items:

<u>Moved:</u> Clr A Bailey <u>Seconded:</u> Clr J Honner

**THAT** the Development & Environmental Services Report be received.

**CARRIED** 

# FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

#### 15.1 RENEWAL OF ACCEPTANCE OF DOGS AGREEMENT

Moved: Clr A Bailey Seconded: Clr J Poore

**THAT** the General Manager be authorised to sign the Acceptance of Dogs Agreement for a three year period commencing 1 July 2021.

**CARRIED** 

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

# 15.2 AMENDMENT TO SOUTHERN TASMANIAN REGIONAL LAND USE STRATEGY

<u>Moved:</u> Deputy Mayor J Allwright <u>Seconded:</u> Clr A Campbell

**THAT** Council supports the request to amend the Southern Tasmanian Regional Land Use Strategy by include the following footnote under *Table 3 Growth Management Strategies for Settlements:* 

\*\*For the Cygnet Township, the growth strategy does not preclude residential growth through rezoning of existing urban land within the established settlement boundaries if supported by residential land supply and demand data and analysis from a suitably qualified person.

**CARRIED** 

# FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

# 15.3 DEVELOPMENT AND ENVIRONMENTAL SERVICES FEES AND CHARGES REGISTER REVIEW

The annual review of the planning, building, plumbing and environmental health fees has been undertaken by the relevant staff.

No increases to the fees previously adopted by Council for the 2020/2021 financial year are being proposed.

The fees and charges schedule below provides all current items and the proposed fees for the 2021/2022 financial year.

Fees & Charges Register 2021/2022

Description	Fee
Building	
Building Permit (Class 1) *	\$210.00
Building Permit (Class 10) *	\$160.00
Building Permit Commercial (Classes 2 – 9) *	\$210.00
Notifiable Building Work (Class 1) *	\$160.00
Notifiable Building Work (Class 10 *	\$85.00
Notifiable Building Work (Class 2-9) *	\$160.00
Building Permit (Demolition Only) - All Building Classes * (As prescribed by Part 13 of the Building Act 2016)	\$160.00
Staged Building Permit *	\$110.00 / Stage in addition to Permit Authority Fee
Permit of Substantial Compliance - All Building Classes *	Applicable Building Permit Fee (by Class) plus 100%
Building Permit (Extension of Time) – 1 <sup>st</sup> year	\$160.00
Building Permit (Extension of Time) – each year after 1 <sup>st</sup> extension	\$310.00
Building Permit (Amendment to Permit)	\$130.00
Building Plan - Search / Copy Fee	\$25.00
Description	Fee
Plumbing	
Plumbing Permit (Class 1 building not including onsite wastewater) Application fee, Certificate of Likely Compliance, assessment, compliance inspections & issuing of completion certificate	\$360.00
Plumbing Permit (Class 10 building not including onsite wastewater) Application fee, Certificate of Likely Compliance, assessment, compliance inspections & issuing of completion certificate	\$310.00
Plumbing Permit (New Dwelling / Outbuilding with Sanitary Fixtures inc onsite wastewater)  Application fee, Certificate of Likely Compliance, assessment, compliance inspections & issuing of completion certificate	\$510.00
Plumbing Permit (Installation of onsite wastewater management system or upgrade of existing onsite wastewater management system)  Application fee, Certificate of Likely Compliance, assessment, compliance inspections & issuing of completion certificates	\$460.00
Plumbing Permit (Class 10) – stormwater only	\$160.00
Plumbing Permit Commercial (Classes 2 – 9 not including onsite wastewater) Application fee, assessment, compliance inspections & issuing of completion certificate	\$515.00
Plumbing Permit Commercial (Classes 2-9) – including onsite wastewater Application fee, assessment, compliance inspections & issuing of completion certificate	\$665.00
Additional inspection required as a result of a Plumbing Inspection Direction	\$110.00
Retrospective Plumbing Permit – illegal plumbing work inc installation of onsite wastewater management system	Applicable Plumbing Permit fee (by Class) plus 100%
Notifiable Plumbing work as prescribed by Part 9 of the Building Act 2016 Certificate of Likely Compliance, assessment, compliance inspections & issuing of completion certificate	\$305.00
Amendment to special plumbing permit issued in accordance with the Building Act 2000	\$115.00

or a Plumbing Permit issued in accordance with the Building Act 2000 or Building Act 2016	
Description	Fee
Building Surveying	
Certificate of Likely Compliance (Class 1) – New Building Application fee, Certificate of Likely Compliance, assessment, compliance inspections & issuing of Occupancy & Final Inspection Certificates	\$590.00
Certificate of Likely Compliance (Class 1) – Extension / Alteration Application fee, Certificate of Likely Compliance, assessment, compliance inspections & issuing of Occupancy & Final Inspection Certificates	\$470.00
Certificate of Likely Compliance (Class 10) – New Building Application fee, Certificate of Likely Compliance, assessment, compliance inspections & issuing of Final Inspection Certificate	\$360.00
Certificate of Likely Compliance (Class 10) – Extension / Alteration Application fee, Certificate of Likely Compliance, assessment, compliance inspections & issuing of Final Inspection Certificate	\$310.00
Certificate of Likely Compliance (Class 1) – Notifiable Work Application fee, Certificate of Likely Compliance, assessment, compliance inspections & issuing of Certificate of Final Inspection	\$470.00
Certificate of Likely Compliance (Class 10) – Notifiable Work Application fee, Certificate of Likely Compliance, assessment, compliance inspections & issuing of Certificate of Final Inspection	\$310.00
Supplementary Inspection Fee (re-inspection)	\$210.00 per inspection

# \* For building work with a value of work greater than \$20,000 the TBCITB Training Levy (0.2% of the value of work) and Building Administration Levy (0.1% of the value of work) is applicable in addition to Council fees.

Description	Fee
Planning	
Permitted Development	
All Permitted Development	\$120.00 min & \$1.10 per \$1000 where value of works > \$10,000 with a maximum of \$30,000
No Permit Required Compliance Fee	
Planning Certification (where developer wants formal	\$90.00
assessment of no permit required works or exempt	
D'a serie de la constante de l	
Discretionary Development	
Discretionary Development	\$195.00 min & \$1.10 per \$1000 where value of works > \$10,000 with a maximum of \$30,000
Application for Level 2 Activities	\$600.00 min & 1.10 per \$1000 where value of works
	>\$10,000 with a maximum of \$30,000
Statutory Advertising	\$310.00
Subdivision	
Application for Subdivision or Boundary Adjustment	\$55/lot (minimum fee \$435.00)
Statutory Advertising	\$310.00
Final Plans	
Sealing Final Plans & Stratum	\$40/lot (minimum fee \$210.00)
Amendments to Sealed Plans	\$220.00
Amendments to dealed Flans	Plus \$600 if a hearing is required
	The following to to fame to
Other	
Amendments to Permits	\$165.00
Extension of time to Permits	\$110.00
Application for Adhesion Order	\$215.00
Engineering Drawing Assessment Fee	\$320 minimum & 1% value of works
Engineering Inspections	\$130/hour

Amendments to Planning Scheme	
Assessment of Applicant's Submission	\$805/ minor amendment or \$1605 / all others plus applicable DA/SUB assessment fee for s.43A combined applications
Statutory Advertising & Notification	\$820 per advertisement (2 advertisements required)
Tasmanian Planning Commission Fee	Current fee as set by the TPC

Description	Fee
Environmental Health	
Registration & Licence Fees	
Food Premises application or annual renewal fee	
Low Risk Premises P3 [1]	\$165.00
Medium Risk Premises P2 [2]	\$285.00
High Risk Premises P1 [3]	\$530.00
Community Organisation	\$30.00
Transfer of Food Business Licence	\$165.00
Mobile Food Van – Annual Fee	\$305.00
Temporary Food Licence –(Commercial) Per Day	\$50.00
Temporary Food Licence –(Community) Flat Fee	\$30.00
Food Sampling (Analysis Extra)	\$125.00
Non-Compliance Follow up Inspection	\$115.00
Water, Wastewater, Environmental	
Private Water Supply Licence & Water Carrier Licence	\$165.00
Non-Compliance Follow up Inspection	\$160.00
Water Sampling Charges (analysis are extra)	\$135.00
Environmental Protection Notices (for updating permits or to abate	\$235.00
environmental harm)	
Public Health	
Place of Assembly Licence (Temporary Event)	\$125.00
Place of Assembly Licence (Community Organisations)	\$30.00
Registration of Premises for Public Health Risk Activity (E.g. Skin Penetration)	\$135.00
Registration of a Regulated System (E.g. Cooling Towers)	\$135.00
Hawkers Licence, Includes Kerb Side Vendors (residents)	\$75.00
Hawkers Licence (non - residents)	\$100.00
Caravans (per van per annum)	\$165.00
Non-Compliance Follow up Inspection	\$110.00

#### **Notes**

- 1 Premises are ranked in accordance with a Risk Classification system, low risk include B&B and cafes with no cooking.
- 2 Premises are ranked in accordance with a Risk Classification System, med risk include restaurants.
- Premises are ranked in accordance with a Risk Classification System, high risk include nursing homes; there are no high risk food premises in CHC and if a premises performs well then it may move down a category.

Moved: Cir A Campbell Seconded: Cir J Honner

**THAT** pursuant to Section 205 of the *Local Government Act 1993*, Council resolve to adopt the Development and Environmental Services fees and charges register 2021/2022 and for it to take effect commencing 1 July 2021.

**CARRIED** 

# FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

#### 15.4 DOG REGISTRATION SCHEDULE OF FEES

In accordance with the Dog Management Policy Council must determine all fees payable under the Dog Control Act 2000. The schedule of fees is to be set annually and is to be in line with the financial year, i.e. 1st July to 30th June.

No increase for 2021/2022 is being proposed:

	Proposed Fees 2021/2022	
Description	Paid by 31 July 2021	Paid after 31 July 2021
Domestic Dog (Desexed)	\$22.00	\$42.00
Domestic Dog (not Desexed)	\$42.00	\$72.00
Pensioner (1 <sup>st</sup> dog only)	\$12.00	\$22.00
Working Dog (used for the purpose of working farm stock)	\$12.00	\$22.00
Hunting Dog (used to flush game)	\$12.00	\$22.00
Greyhound (TGRA registered)	\$12.00	\$22.00
Registered Breeding Dog (TCA Registered & Dog Owner holding current membership of the TCA)	\$12.00	\$22.00
Special Assistance Dog (Guide Dog / Hearing Dog)	Nil	Nil
Declared Dangerous Dog	\$1000.00	\$1500.00
Kennel Licence Application Fee	\$52.00	
Kennel Licence Renewal Fee	\$32.00	
Impounding Reclaim Fee (First Offence)	\$22.00	
Impounding Reclaim Fee (Subsequent Offences)	\$42.00	
Pound Maintenance Fee	\$12.00 per day	
Replacement Tag (Metal Lifetime Tag)	\$6.00	
Dog Surrender Fee	\$100.00	
Formal Notice of Complaint Fee	\$50.00 (Refundable)	

<u>Moved:</u> Clr J Poore <u>Seconded:</u> Clr R Cassidy

THAT Council adopt the Dog Registration Schedule of Fees 2021/2022.

**CARRIED** 

# FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

#### 15.5 REQUEST FOR PERMISSION TO RESTORE GRAVE

Moved: Clr A Archer

Seconded: Clr A Campbell

**THAT** Council defer this item until the Cemetery Committee considers the request and advises Council of their recommendation.

**CARRIED** 

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

#### 15.6 BOTHWELL CARAVAN PARK PROPOSED UPGRADE

Moved: Clr J Poore Seconded: Clr A Campbell

**THAT** Council defer this item and that an onsite meeting be organised to visit both the Bothwell caravan park and Bothwell recreation ground at the next Council meeting to be held at Bothwell on 15 June 2021.

CARRIED

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

Mr J Branch (Works & Services Manager) attended at 11.10

#### 15.7 PROPOSED INDEPENDENT LIVING UNITS AT ELLENDALE UPDATE

**Moved:** Deputy Mayor J Allwright

**Seconded:** Clr A Bailey

**THAT** Council investigate options to purchase suitable land at Ellendale for the purpose of building Independent Living Units.

**CARRIED 5/4** 

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A W Bailey, Clr A Campbell, Clr J Honner

#### **AGAINST the Motion**

Clr A Archer, Clr S Bowden, Clr R Cassidy, Clr J Poore

#### 15.8 PROPOSED TOILET FACILITY AT LAKE CRESCENT

<u>Moved</u>: Clr R Cassidy <u>Seconded</u>: Clr A Bailey

**THAT** Council write to Inland Fisheries, MAST and other landowners emphasising the need for public amenities to be installed at Lake Crescent to accommodate the ever increasing volume of traffic to the area for recreational purposes.

CARRIED

# FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

#### 15.9 WAYATINAH HALL

<u>Moved</u>: Clr R Cassidy <u>Seconded</u>: Clr A Campbell

THAT this item be deferred with the DES Manager to provide a further report on options.

**CARRIED** 

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

#### 15.10 DES BRIEFING REPORT

#### PLANNING PERMITS ISSUED UNDER DELEGATION

The following planning permits have been issued under delegation during the past month.

# **NO PERMIT REQUIRED**

DA NO.	APPLICANT	LOCATION	PROPOSAL
2021 / 00040	W M Winwood	42 Jones Road, Miena	Outbuilding
		3 Martak Drive, Little Pine	
2021 / 00045	S K Barker	Lagoon	Dwelling & Outbuilding
		52 Bronte Estate Road, Bronte	
2021 / 00030	L A Davis	Park	Dwelling & Outbuilding

# **PERMITTED**

DA NO.	APPLICANT	LOCATION	PROPOSAL
		27 Wilburville Road,	Visitor Accommodation (Change
2021 / 00028	A J Barnett	Wilburville	of Use)
		2A Hollow Tree Road,	Upgrade to Existing
2021 / 00042	Telstra Corporation	Bothwell	Telecommunications Facility
		Mt Charles, Off Fourteen Mile	Upgrade of Existing
2021 / 00039	Telstra Corporation	Road, Bronte Park	Telecommunications Facility
		Victoria Valley Road, Dee (CT	Upgrade to Existing
2021 / 00034	Telstra Corporation	142602/1)	Telecommunications Facility

#### **DISCRETIONARY**

DA NO.	APPLICANT	LOCATION	PROPOSAL
			Outbuilding (Distillery
2020 / 00076	I Cooper	6485 Lyell Highway, Ouse	Settlement)
	Formation Design &	8 Meredith Springs Road,	
2021 / 00017	Drafting	Miena	Dwelling
		25 Bronte Estate Road, Bronte	
2021 / 00031	A L Ford	Park	Outbuilding (Garage)
		Wentworth House, 9	
2021 / 00025	Powercom Systems	Wentworth Street, Bothwell	Renewable Energy (Solar Array)

# **ANIMAL CONTROL**

#### **IMPOUNDED DOGS**

Two dogs have been impounded over the past month & two dogs were seized by Council's Animal Control Officer.

#### STATISTICS AS OF 12 M 2021

# Registrations

Total Number of Dogs Registered in 2020/2021 Financial Year – 976 Number of Dogs Currently Registered - 955 Number of Dogs Pending Re-Registration – 4

#### **Kennel Licences**

Number of Licenses Issued –29 Number of Licences Pending – 0

#### 16.0 WORKS & SERVICES

<u>Moved:</u> Clr A Bailey <u>Seconded:</u> Clr A Campbell

**THAT** the Works & Services Report be received.

**CARRIED** 

# FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

#### 16.1 NRM BUILDING - HAMILTON

Aurora energy has recently been to the old school at Hamilton to do some meter up-grades. It became apparent that they could not proceed with the scheduled upgrades as the old switch board is made of asbestos and needs to be changed over for these works to proceed. One quote has been obtained from Ben Jones Electrical.

**RESOLVED THAT** a second quote be obtained

#### 17.0 ADMINISTRATION

#### 17.1 SOUTHERN TASMANIAN REGIONAL CAT MANAGEMENT STRATEGY

**THAT** Council endorses the Southern Tasmanian Regional Cat Management Strategy.

<u>Moved:</u> Clr A Campbell <u>Seconded:</u> Clr J Honner

**CARRIED** 

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

# 17.2 DRAFT SUSTAINABLE GROWTH IN AGRICULTURE AND TOURISM IN THE DERWENT AND HIGHLANDS – A PLAN FOR ECONOMIC RECOVERY 2021-30

**Moved:** Clr A Campbell Seconded: Clr J Honner

**THAT** Council endorse the Sustainable Growth in Agriculture and Tourism in the Derwent and Highlands – A Plan for Economic Recovery 2021-30.

**CARRIED** 

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

# 17.3 ST MARY'S CHURCH AND CEMETERY, GRETNA

<u>Moved:</u> Clr A Archer <u>Seconded:</u> Clr J Poore

**THAT** Council advise the group that it declines the invitation to take over ownership and responsibility of St Mary's Church and Cemetery at Gretna.

**AND THAT** Council is prepared to continue to provide the same level of general maintenance of the grounds.

**CARRIED** 

# FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

#### 17.4 COUNCIL MEETING DATES 2021-2022

#### Notice of Council & Committee Meetings July 2021 – June 2022

Members of the public are welcome to attend Council and Council Committee meetings.

Ordinary Meetings of Council are held at the Council Chambers as indicated commencing at 9.00am. The meetings are open to the public, but Council is likely to close the meeting to the public between 9.10 – 10.00 am, and therefore the public may wish to consider attending from 10.00 am.

## **Ordinary Meeting of Council:**

Tuesday 20<sup>th</sup> July 2021 - Hamilton

Tuesday 17<sup>th</sup> August 2021 – Bothwell

Tuesday 21<sup>st</sup> September 2021 – Hamilton

Tuesday 19<sup>th</sup> October 2021 – Bothwell

Tuesday 16<sup>th</sup> November 2021 – Hamilton

Tuesday 7th December 2021 - Bothwell

Tuesday 18<sup>th</sup> January 2022 – Hamilton

Tuesday 15<sup>th</sup> February 2022 – Bothwell

Tuesday 15<sup>th</sup> March 2022 – Hamilton

Tuesday 12<sup>th</sup> April 2022 – Bothwell (week earlier due to Easter holidays)

Tuesday 17<sup>th</sup> May 2022 – Hamilton

Tuesday 21st June 2022 - Bothwell

#### Annual General Meeting - Tuesday 7th December 2021 - Bothwell at 8.45 am.

# **Planning Committee Meeting of Council:**

Planning Committee Meetings are at the Bothwell Council Chambers at 9.00 am.

Tuesday 13<sup>th</sup> July 2021

Tuesday 10<sup>th</sup> August 2021

Tuesday 14<sup>th</sup> September 2021

Tuesday 12th October 2021

Tuesday 9<sup>th</sup> November 2021

Tuesday 11<sup>th</sup> January 2022

Tuesday 8<sup>th</sup> February 2022

Tuesday 8<sup>th</sup> March 2022

Tuesday 10<sup>th</sup> May 2022

Tuesday 14<sup>th</sup> June 2022

The schedule of meeting dates is available on Council's website.

It should be noted that should there be any variation to the schedule, such variation will be advertised. Other Committee Meetings will be advertised at least four days before the meeting.

Copies of agendas will be available from Council Offices or on Council's website <u>www.centralhighlands.tas.gov.au</u> four days prior to the date of each meeting.

Moved: Clr A Campbell

Seconded: Clr J Honner

**THAT** Council approve the meeting dates for the Ordinary Council Meetings and the Planning Committee Meetings for 2021/2022

**CARRIED** 

# FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

#### 17.5 REMISSIONS UNDER DELEGATION

The General Manager has, under delegation, remitted the following:

03-0221-01042 \$41.22 Penalty 03-0221-00993 \$14.00 Penalty

Moved: Cir J Poore Seconded: Cir J Honner

THAT the remissions be noted.

CARRIED

# FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

Mr G Rogers (Manager DES) left the meeting at 12.18

#### 17.6 TABLED PETITION

<u>Moved</u>: Clr R Cassidy <u>Seconded</u>: Clr J Poore

**THAT** Council advise Mr M Scott that Council is not in a position to undertake the works, due to costs and advise that dust issues on gravel roads is common throughout the Central Highlands road network.

**CARRIED** 

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

The meeting was adjourned for lunch at 12.22 and reconvened at 1.04

# 17.7 IMMUNE DEFICIENCIES FOUNDATION AUSTRALIA FUNDING SUPPORT 2021 ANNUAL "CIRCUS QUIRKUS"

<u>Moved:</u> Clr J Poore <u>Seconded:</u> Clr A Bailey

THAT Council provide a donation of \$240 for the 2021 Annual "Circus Quikus" event.

**CARRIED** 

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

Mr J Branch (Works & Services Manager) left the meeting at 1.04

# 17.8 COUNTRY WOMEN'S ASSOCIATION OF BOTHWELL - COMMUNITY GRANT APPLICATION

<u>Moved:</u> Clr J Poore <u>Seconded:</u> Clr R Cassidy

**THAT** Council provide a donation of \$1204.51 to the Country Women's Association of Bothwell.

**CARRIED** 

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

Clr J Honner declared an interest and left the meeting at 1.05pm

#### 17.9 ANGLICAN PARISH OF BOTHWELL - COMMUNITY GRANT APPLICATION

**Moved:** Clr A Campbell **Seconded:** Clr R Cassidy

THAT Council provided a donation of \$500 to the Anglican Parish of Bothwell

**CARRIED** 

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

CIr J Honner returned to meeting at 1.09

#### 18.0 SUPPLEMENTARY AGENDA ITEMS

Moved: Clr J Honner Seconded: Clr A Bailey

**THAT** Council consider the matters on the Supplementary Agenda.

**CARRIED** 

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

#### 18.1 CENTRAL HIGHLANDS TASMANIA WILDLIFE GROUP - COMMUNITY GRANT APPLICATION

<u>Moved</u>: Clr A Campbell <u>Seconded</u>: Clr R Cassidy

**THAT** Council provide a donation of \$1000 to the Central Highlands Tasmania Wildlife Group. **AND THAT** the group provide Council with a project update at a future meeting of Council.

**CARRIED** 

#### FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

#### 18.2 NRM SOUTH MEMBERSHIP

Noted

#### **18.3 TASWATER - UPDATE**

Clr Archer provided Council with a verbal update on progress with negotiations in relation to plans for surety of water supply and storage for the township of Bothwell. Discussions are ongoing.

**Moved**: Clr R Cassidy **Seconded**: Clr J Poore

**THAT** Council request that TasWater consider reinstating the water hydrant at Wentworth Street, Bothwell to ensure community members/groups can obtain water by a user pay system outside Council normal trading hours.

**CARRIED** 

# FOR the Motion:

Mayor L Triffitt, Deputy Mayor J Allwright, Clr A Archer, Clr A W Bailey, Clr S Bowden, Clr A Campbell, Clr R Cassidy, Clr J Honner and Clr J Poore

# 19.0 CLOSURE

The meeting closed at 1.27



# MINUTES OF THE CENTRAL HIGHLANDS VISITOR CENTRE MANAGEMENT COMMITTEE MEETING HELD IN THE CENTRAL HIGHLANDS VISITOR CENTRE AT 10.03AM ON WEDNESDAY 19 MAY 2021

#### 1.0 PRESENT

Clr J Honner (Chairperson), Clr R Cassidy, Mr K Allcock (Bothwell Historical Society), Mrs L Jeffery (Australasian Golf Museum & Tourism Association), Mrs B Poore, Mr D Dyson & Mr T Blake

#### **IN ATTENDANCE**

Mr A Wilson (Deputy General Manager) and Mrs K Bradburn (Minute Secretary)

#### 2.0 APOLOGIES

Mayor L Triffitt & Mrs L Eyles (General Manager)

#### 3.0 CONFIRMATION OF MINUTES

Moved K Allcock

Seconded T Blake

**THAT** the Draft Minutes of the Central Highlands Visitor Centre Management Committee Meetings held on Wednesday 25<sup>th</sup> November 2020 be confirmed.

**Carried** 

#### 4.0 SETTING UP OF DISPLAY IN HISTORIAL AREA ROOM

Clr Honner advised that Clr Poore is happy to continue liaising with TMAG regarding the display.

Clr Cassidy stated that he has been given cameras that belonged to the late Mr Charles Gossage and he would be happy to donate them to the Historical Society for display. Mr K Allcock thanked Clr Cassidy and will liaise with him to arrange the handover.

#### 5.0 PLANS AND PROPOSAL FOR THE CELEBRATION OF EUROPEAN SETTLEMENT OF BOTHWELL

Mr K Allcock provided some background to the Committee regarding the proposed celebrations for the Bi-Centenary of Bothwell. The Bothwell Historical Society approached Council about holding an event and Council asked for a proposal to be submitted.

A briefing has now been prepared by Mr K Allcock and Mrs B Poore and was discussed with the following suggestions made:

• A Vintage Car Exhibition is being planned for the 3<sup>rd</sup> Saturday in February 2022 and it was suggested that the Bi-Centenary be held over this weekend to coincide with the vintage car exhibition. To enable involvement by the local School the Bi-Centenary could possibly run from Thursday through to Sunday.

- To promote the upcoming Bi-Centenary it should be advertised at Bushfest and any other events held
- Possible display of some of the Bothwell Literacy Society Books.
- Waddamana Power Station display could be set up at the Visitor Centre with the Power Station DVD playing during the event.
- Mayor could host an afternoon tea in the park as an official ceremony with dignitaries, such as the Governor, invited to attend.
- Food and beverage supplies should be encouraged to use bio-degradable products and not to conflict with existing businesses.
- Speakers Corner could be set up where local families could provide family history.
- Tours of Dennistoun largest shearing shed in the Southern Hemisphere.

Mr A Wilson advised that a grant application for \$30,000 had been submitted and if successful the event would have to be held before 28<sup>th</sup> February 2022.

It was decided that the following recommendations be made to Council:

- 1 **THAT** the Central Highlands Visitor Centre Committee suggest the Bi-Centenary of Bothwell be held over the weekend of the 19<sup>th</sup> and 20<sup>th</sup> February 2022 to coincide with a planned Vintage Car exhibition.
- 2 **THAT** the 2021/2022 Bi-Centenary concept prepared by Beth Poore and Keith Allcock be approved by Council.
- 3 **THAT** a small working group be set up to work through the concept plan.

#### 6.0 ANY OTHER BUSINESS

Nil

## 7.0 DATE OF NEXT MEETING

Wednesday 16th June at 10.00am

#### 8.0 CLOSURE

There being no further business Clr Honner thanked everyone for attending and closed the meeting at 10.47am.



# Central Highlands Council

# **DRAFT MINUTES AUDIT PANEL MEETING - 25 MAY 2021**

Draft Minutes of the Central Highlands Audit Panel Meeting held at the Hamilton Council Chambers, Hamilton on Tuesday, 25 May 2021 commencing 9.00am.

# **MINUTES**

# 1.0 OPENING

lan McMichael (Chair) opened the meeting at 9.00 a.m.

#### 2.0 PRESENT

Ian McMichael (Chair), Deputy Mayor J Allwright, Clr A Campbell, Clr A W Bailey, (proxy), Lyn Eyles (General Manager), Adam Wilson (Deputy General Manager), David Doyle (Accountant) and Katrina Brazendale

#### 3.0 APOLOGIES

Nil

#### 4.0 CONFIRMATION OF MINUTES

**Moved** Deputy Mayor J Allwright

Seconded Clr A Campbell

THAT the minutes of the previous meeting held on Monday, 22 February 2021 be confirmed.

Carried

For the motion: I V McMichael (Chair), Deputy Mayor J Allwright and Clr A Campbell

#### 5.0 PECUNIARY INTEREST DECLARATIONS

In accordance with Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2015, the Chair requests Members to indicate whether they or a close associate have, or are likely to have a pecuniary interest (any pecuniary or pecuniary detriment) or conflict of interest in any Item of the Agenda.

Nil

#### 6.0 BUSINESS ARISING

Asset Management Workshop – still progressing update to Plan

#### 7.0 STANDING ITEMS

- Statutory Financial Requirements Report Noted
- Financial Report Noted
- Risk Management Register Noted
- Policy Review Noted

#### **8.0 NEW BUSINESS**

#### 8.1 Draft Budget

The 1<sup>st</sup> workshop and been conducted.

**Moved** Deputy Mayor J Allwright

Seconded Clr A Campbell

THAT Council consider options around the rate increase to reduce the deficit.

Carried

For the motion: I V McMichael (Chair), Deputy Mayor J Allwright and Clr A Campbell

- 8.2 WHS Benchmarking Program May 2020 to April 2021 Noted
- 8.3 Review of CHC Long Term Financial Plan & Strategy- Noted
- 8.4 Review of CHC Asset Management Plans Noted
- 8.5 Internal Audit As per Council Compliance Plan

Noted action taken, and that Izaak DeWinter will undertake an internal audit based on Council's Compliance Plan

#### 9.0 OTHER BUSINESS

#### 10.0 NEXT MEETING

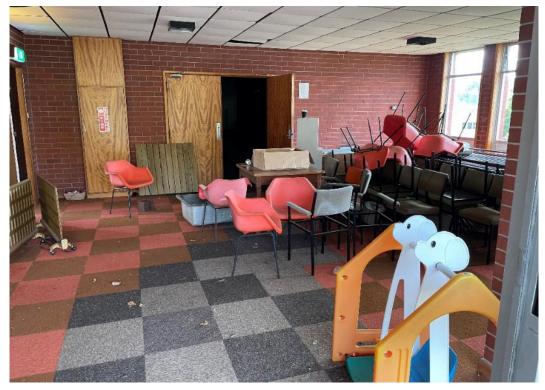
Monday 13<sup>th</sup> September 2021 9.00 a.m.

# 11.0 CLOSURE

Meeting closed at 9.57 a.m























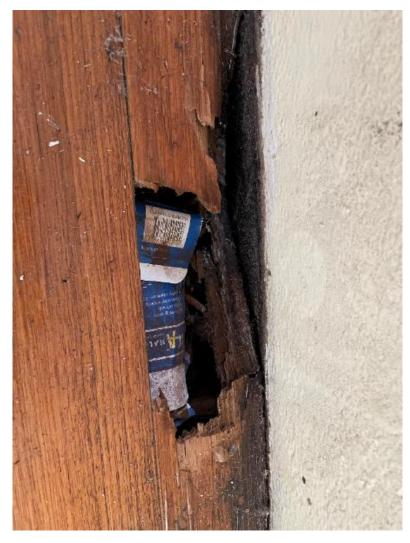










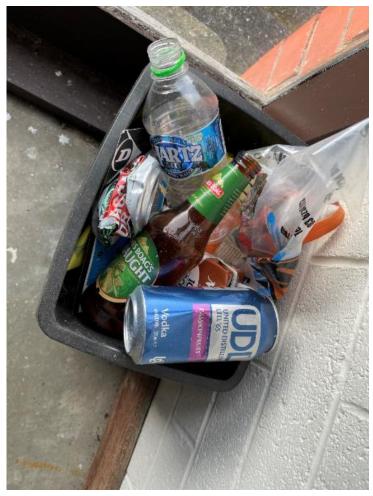






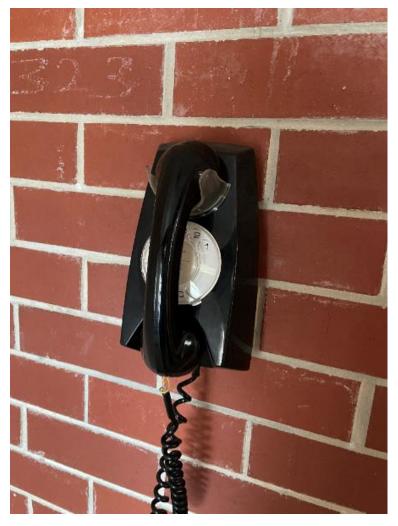


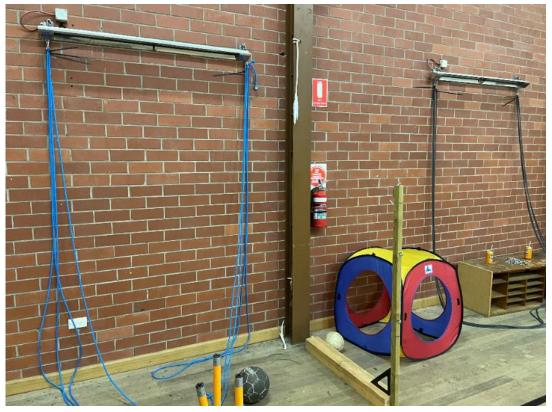




































#### THE CROWN IN RIGHT OF TASMANIA

(Represented by the Department of Primary Industries, Parks,

Water and Environment)

#### Grant agreement



This grant agreement comprises the following parts:

Part A: Grant agreement overview

Part B: Information Table Part C: Glossary of terms

Part D: Terms and conditions of grant

Part E: Signing

OCS APPROVED TEMPLATE

Grant Docs-Grant agreement (basic grant) template-3-2014-AU

(December 2014)

REFERENCE AND CONTACT DETAILS

Department: DPIPWE Contact officer: Maree Bakker Telephone: (03) 61654529

Email: Maree.Bakker@epa.tas.gov.au

#### Part A: Grant agreement overview

This agreement is made between the Crown in Right of Tasmania (called the **Grantor**) and the person named in Item 2 of the Information Table (called the **Recipient**).

Pursuant to this agreement the Grantor agrees to provide a monetary grant to the Recipient, and the Recipient agrees to accept the grant.

The terms and conditions applicable to the grant are set out in Part B and Part D.

The agreement is made on the date shown in Part E.

#### **Important Information:**

**Instruction:** The Recipient must sign this agreement before it is signed on behalf of the Grantor. The Recipient will not be entitled to receive the grant until this agreement has been signed and dated on behalf of the Grantor.

Warning: If the Recipient is not an incorporated body, clause 11 in Part D makes the person signing this agreement (on behalf of the Recipient) personally responsible for performing the Recipient's obligations under this agreement.

#### Part B: Information Table

#### Item 1: Grant program or reference

Waste Education and Awareness: Project Plan and Implementation (2020/21 – 2021/22)

Item 2: Recipient's details			
Name:	Dulverton Waste Management on behalf of Rethink Waste		
ACN/ABN:	11 784 477 180		
Address:	PO Box 46, Devonport TAS 71310		
Facsimile:			
Email:	admin@dulverton.com.au		
Attention:	Miriam Beswick		

## | Second Street Street

#### Item 4: Approved Purpose for which the Grant is provided

To provide waste education and awareness initiatives statewide.

#### Topics to be promoted include:

- 1. Recycling, and the minimisation of contamination;
- 2. Reducing litter and dumping, and the promotion of tools such as the EPA's Report Rubbish and Litter Reporting Hotline;
- 3. Reducing food waste, and the promotion of organic waste collection services where available:
- 4. Considering recovered and recycled content when purchasing;
- 5. Considering appropriate waste minimisation and management at events, and the promotion of tools such as the EPA's Sustainable Event Guidelines;
- 6. Reducing the use of problematic and unnecessary plastics;
- 7. Product Stewardship schemes and related initiatives, including Paintback, Mobile Muster, DrumMuster, Chemclear, Australian Packaging Covenant, National Television and Computer Recycling Scheme, and Australian Battery Recycling Initiative.

#### It is intended that education and awareness will:

- 1. Extend the existing activities and program of Rethink Waste, rather than to displace existing funding arrangements;
- 2. Develop new programs/activities/resources where Rethink Waste activities do not already cover the topics above;
- 3. Focus on municipal solid waste (MSW) and commercial and industrial waste (C&I) streams, and the education, domestic and small to medium enterprise (SME) sectors;
- 4. Capitalise on, and leverage off, existing organisations, networks and education programs (including but not limited to individual local councils, Eat Well Tasmania, Charitable Recycling Australia, community groups and sharing networks (such as Good Karma, Zero Waste and Plastic Free), Stop Food Waste Australia and EPA's Teaching Manuals);
- 5. Be founded in the principles of the Circular Economy and the Waste Hierarchy;
- 6. Provide consistent messaging across the State, and consistency between Local and State Government organisations;
- 7. Be consistent with, and help deliver where relevant, National and State Plans and Targets relating to waste and resource recovery;
- 8. Be based across multiple media streams and include direct face-to-face activities (where appropriate).

#### There is to be a focus on delivering particular outputs:

- 1. A centralised Tasmanian source of information for the community and businesses on what materials can be recovered/recycled, where and when.
- 2. Providing data collected through activities (such as bin audits) to EPA Tasmania, and ensuring that it is structured to be compatible with the National Standard for Waste and Resource Recovery Data.

#### Item 5: Grant payment method

Payment 1 of \$56,150 (excl GST) upon signing of this Agreement.

Payment 2 of \$38,850 (excl GST) upon delivery of Output 1 (final agreed Project Plan).

#### Item 6: Reporting requirements related to use and expenditure of the Grant

A final Project Plan (Output 1) must be submitted by August 2021 and approved by the Grantor before the second payment (of \$50,000) is made. The Project Plan is to outline how the Grant funding has been and will be expended to deliver the Approved Purpose. It should also identify the measures or performance indicators that will be monitored to demonstrate the success of the activities being undertaken.

The Project Plan does not replace the Tasmanian Waste Management Communications Plan 2017-2022, but should complement that plan.

A brief progress report (Output 2) will be required by the end of January 2022 (relating to the activities up to the end of December 2021) relating particularly to this Grant. This aligns with annual reviews required under the Tasmanian Waste Management Communications Plan.

A final report (Output 3) is required by 31 July 2022 providing a detailed acquittal of the expenditure under this Agreement and the agreed Project Plan. The acquittal should also include identifiable measures or performance indicators, such as an increase in school visits, web posts, and the number and size of certain campaigns.

Item 7: Grantor's address details		
Address:	134 Macquarie Street Hobart	
Facsimile:	_	
Email:	Alasdair.Wells@epa.tas.gov.au	
Attention:	Alasdair Wells	

#### Item 8: Special terms and conditions

The following special terms and conditions apply:

- 1. A suitable Project Plan (Output 1) will be required for approval by the Grantor before the second payment (of \$50,000) is made.
- 2. A brief progress report (Output 2) will be required to be provided by the Recipient by the end of January 2022 (relating to the activities up to the end of December 2021, relating to this Agreement funding).
- 3. The Tasmanian Government is to be publicly acknowledged for their financial contribution as a "Partner" of Rethink Waste, for the duration of this funding. Official Tasmanian Government branding is to be used in any publicity or outputs relating to this grant funding, in line with the Tasmanian Government's Communications Policy (www.communications.tas.gov.au/policy) and in particular section 8.11 "Partnerships". In line with the Policy provisions, the Style Guide and Logo Policy (www.communications.tas.gov.au/styleguide) also applies.
- 4. If the Recipient does not use all of the funds provided under the Agreement by 30 June 2022, the funds may be carried over and used to continue providing the services under the Project Plan in the following financial year, and this should be noted in the final report (Output 3). Funds under this Agreement must be fully expended before further such Agreements will be entered into.

#### Part C: Glossary of terms

In this agreement, unless the context otherwise requires:

**Approved Purpose** means the purpose for which the Grant is provided as set out in Item 4 of the Information Table.

**Grantor** means the Crown in Right of Tasmania.

**Grant** means the grant paid or to be paid by the Grantor to the Recipient pursuant to clause 2 in Part D.

**GST** has the meaning in the *A New Tax System (Goods and Services) Act 1999* (Cwlth). Expressions defined in the GST Act have the same meaning when used in this agreement.

**Information Table** means the table in Part B.

**Recipient** means the person named in Item 2 of the Information Table as the Recipient.

Relevant Matter means any matter or thing related to any of the following: the performance by the Recipient of its obligations under this agreement; the receipt, use or expenditure of the Grant; the carrying out of the Approved Purpose; any report provided, or to be provided, by the Recipient to the Grantor in accordance with this agreement; any information provided by the Recipient to the Grantor in connection with any application for the Grant.

#### 1 Interpretation

In this agreement, unless the context otherwise requires:

- (a) the singular includes the plural and vice versa;
- (b) words importing a gender include all genders;
- (c) other grammatical forms of a defined term have a corresponding meaning;
- (d) a reference to a thing (including property or an amount) is a reference to the whole and each part of the thing;
- (e) a reference to any legislation or legislative provision includes subordinate legislation made under it and any amendment to, or replacement for, any of them.
- (f) a reference to a 'person' includes a natural person, a partnership, a body corporate, a corporation sole, an association, a government body, or any other entity;
- (g) a reference to a party includes that party's executor's administrators, successors and permitted assigns and substitutes; and
- (h) mentioning any thing after the words 'includes' 'included' or 'including' does not limit the meaning of any thing mentioned before those words.

Headings do not affect the interpretation of this agreement.

A reference to the Grantor includes any person lawfully acting on behalf of the Grantor.

#### 2 Agreement to provide Grant

Subject to the terms of this agreement, the Grantor will provide to the Recipient a grant in the amount set out in Item 3 of the Information Table for use by the Recipient for the Approved Purpose in accordance with this agreement.

The Recipient acknowledges and agrees that:

- (a) the Grantor's financial assistance to the Recipient in respect of the Approved Purpose is limited to the Grant; and
- (c) the Grantor is not responsible for any liabilities incurred by the Recipient, or any obligations entered into by the Recipient, as a result of or arising out of, the Recipient's obligations under this agreement or in respect of the Approved Purpose.

#### 3 Payment of Grant

If the Grant is subject to GST, the Grantor is not required to pay the Grant until the Grantor has received from the Recipient a correctly rendered tax invoice in accordance with clause 15.

The Grantor will pay the Grant to the Recipient in the manner specified in Item 5 of the Information Table. If no method of payment is specified in Item 5 of the Information Table, the method of payment will be as determined by the Grantor.

## 4 Application of Grant and related matters

The Recipient must only use the Grant to undertake the Approved Purpose.

The Recipient must not change the Approved Purpose without the prior written approval of the Grantor, which approval may be given or withheld in the Grantor's absolute discretion.

The Recipient must undertake the Approved Purpose exercising reasonable skill, care and attention.

The Recipient must comply with all applicable laws in expending the Grant and in carrying out the Approved Purpose.

#### 5 Financial records

The Recipient must keep and maintain proper accounts, records and financial statements, showing the receipt, use and expenditure of the Grant.

The Recipient must allow the Auditor-General of Tasmania (or his or her nominee) to audit, inspect, and to take copies of, the Recipient's accounts, records and financial statements relating to the receipt, use and expenditure of the Grant.

## 6 Review, monitoring or audit of Relevant Matters

The Grantor may from time to time review, monitor or audit any Relevant Matter. The Recipient must in connection with any such review, monitoring or audit by the Grantor comply with any reasonable directions of the Grantor.

#### 7 Reporting

The Recipient must provide to the Grantor the reports and other documents (if any) specified in Item 6 of the Information Table.

The Recipient must provide to the Grantor such other reports and documents as required by the Grantor from time to time in connection with any Relevant Matter.

Unless otherwise stated in Item 6 of the Information Table, nothing in that Item limits the reports or frequency of reports that the Grantor may require under this clause.

#### 8 Publicity concerning Grant and Approved Purpose

The Recipient must comply with any reasonable instructions given by the Grantor concerning publicity by the Recipient regarding the Grant and the Approved Purpose.

#### 9 Repayment obligations

The Recipient must repay to the Grantor on demand in writing by the Grantor:

- (a) any part of the Grant that is not required by the Recipient to carry out the Approved Purpose;
- (b) any part of the Grant that is used by the Recipient for a purpose that is not the Approved Purpose;
- (c) the Grant if the Recipient does not promptly complete the carrying out of the Approved Purpose in accordance with this agreement; and
- (d) the Grant if any information given, or statement made, to the Grantor by the

Recipient or its agents concerning any application for the Grant, is shown to be untrue, incorrect or misleading in any way.

#### 10 No reliance by the Recipient

The Recipient acknowledges that it has not entered into this agreement in reliance on any representation, warranty, promise, statement or undertaking made by the Grantor or any person on behalf of the Grantor.

#### 11 Responsible person

If the Recipient is not an incorporated body, the person signing this agreement for the Recipient is personally responsible for performing all of the Recipient's obligations under this agreement.

## 12 Confidentiality in relation to this agreement

Despite any confidentiality or intellectual property rights subsisting in this agreement, either party may publish, without reference to the other, all or any part of this agreement.

Nothing in this clause derogates from a party's obligations under the Personal *Information Protection Act 2004* (Tas) or the *Privacy Act 1988* (Cwlth).

#### 13 Notices

The addresses, facsimile numbers and email addresses of the parties for the receipt of any Notice are:

- (a) in the case of the Grantor, as set out in Item 7 of the Information Table or as subsequently notified by the Grantor to the Recipient; and
- (b) in the case of the Recipient, as set out in Item 2 of the Information Table or as subsequently notified by the Recipient to the Grantor.

A Notice may be served by: delivering it by hand to the party; leaving it at the party's address; sending it by prepaid ordinary post to the party's address; sending it by facsimile transmission to the party's facsimile number; or sending it by email to the party's email address.

In this clause, **Notice** means a notice or other communication for the purpose of this agreement.

#### 14 Governing law

This agreement is governed by the law of Tasmania.

#### **15 GST**

If GST is imposed on any supply made by a party under this agreement, the recipient of the supply must pay to the person making the supply, in addition to any consideration payable, or to be provided by, the recipient under this agreement for that supply, an additional amount equal to the GST payable by the person making the supply for that supply.

The additional amount is to be paid at the same time and in the same manner as the supply to which the GST relates.

#### 16 Special conditions

The special terms and conditions in Item 8 of the Information Table form part of this agreement.

If there is any inconsistency between the special terms and conditions in Item 8 of the Information Table and any another provision of this agreement, the special terms and conditions override the other provision to the extent of the inconsistency.

A special term or condition in Item 8 of the Information Table is taken not to be inconsistent with another provision of this agreement if the special term or condition and the other provision are both capable of being complied with.

#### 17 Miscellaneous

The Recipient must not assign any of its Rights or obligations under this agreement except with the prior written consent of the Grantor.

An obligation or liability on the part of two or more persons binds them jointly and severally.

This agreement may only be amended or supplemented in writing signed by the parties.

Nothing in this agreement:

- (a) constitutes a party to be the partner, agent or legal representative of another party for any purpose; or
- (b) creates, a partnership or joint venture between the parties.

The non-exercise of, or delay in exercising, any Right does not operate as a waiver of that Right. A single exercise of a Right does not preclude any other exercise of that Right or the exercise of any other Right. A Right may only be waived in writing, signed by the party to be bound by the waiver. A waiver of a Right is effective only in the specific instance and for the specific purpose for which it was given.

Each Right of the Grantor provided in this agreement is exclusive and independent of each other Right of the Grantor in this agreement, and all other Rights of the Grantor at law or in equity.

In this clause, **Right** includes a right, power, remedy, authority and discretion.

Part E:	Signing				
Date:					
	(Date only to be inserted at time of signing by the	Grantor)			
	y Grantor behalf of the Grantor by the person named b	pelow in the	presence of the witness named below:		
Signature –		Witness' signature: →			
	A person authorised to sign this agreement on behalf of the Grantor	I			
*Prin name		*Witness print name:			
*Use BLOC	K LETTERS.				
	ŗ	*Witness print address			
	y Recipient who is an individual the Recipient in the presence of the witness	named belo	w:		
Recipient' signature	:	Witness' signature: →			
	*Witness	s print name:			
	*Witness p	rint address:			
*Use BLOC	K LETTERS.				
	y Recipient that is a company the Recipient in accordance with section 127	7(1) of the C	orporations Act 2001 (Cwlth):		
Signature –		Signature: →			
*Prin name and office held	d e	*Print name and office held:			
*LISA BL OC	KIFTTERS				

	Recipient that executes by an agent behalf of the Recipient by its agent the presentations.	ence of the v	witness named below:
Signature of agent:	,	Witness' signature: →	
	And who warrants that he/she has authority to sign as an agent on behalf of the Recipient		
*Print name and position:		*Witness print name:	
*Use BLOCK	LETTERS. p	*Witness rint address:	
	Recipient that is an incorporated assoc on seal of the Recipient was hereunto affixed		ty of its committee in the presence of:
			Common seal: →
Signature: →		Signature: →	
*Print name and office held:		*Print name and office held:	
of its commit	LETTERS Lecipient has adopted the 'Model Rules', the comtee; or one member of its committee and the pubes appointed for that purpose.		

# MEMORANDUM OF UNDERSTANDING BETWEEN CRADLE COAST WASTE MANAGEMENT GROUP AND

NORTHERN TASMANIAN WASTE MANAGEMENT GROUP

AND

SOUTHERN TASMANIAN WASTE MANAGEMENT GROUP

**FOR** 

**JOINT COMMUNICATIONS ACTIVITIES** 

DATED DAY OF 2021

# MEMORANDUM OF UNDERSTANING BETWEEN CRADLE COAST WASTE MANAGEMENT GROUP AND NORTHERN TASMANIAN WASTE MANAGEMENT GROUP AND SOUTHERN TASMANIAN WASTE MANAGEMENT GROUP

**FOR** 

#### JOINT COMMUNICATIONS ACTIVITIES

This memorandum of understanding records the agreement between Tasmania's three regional waste management groups for joint waste reduction and resource recovery communication activities over a three year period in accordance with the Tasmanian Waste Management Communications Plan.

#### **DEFINITIONS**

CCWMG: means the Cradle Coast Waste Management Group of Level 1/17 Fenton Way, Devonport.

COMMITTEE: means the joint communications committee comprising a representative(s) or nominated person from CCWMG, NTWMG and STWMG and meeting at least two times per year either in person or by telephone.

COMMUNICATIONS: means printed, electronic, audio or audio visual materials and events, activities or actions of an educational, informational, marketing or promotional nature.

COMMUNICATIONS PLAN: means the Tasmanian Waste Management Communications Plan 2017 – 2022 and any extensions to this plan including communication agreements or grant deeds as endorsed by the CCWMG, NTWMG and STWMG, and subject to agreed changes over time. The focus of this Plan is on waste management topics and activities relevant to all Tasmanian audiences.

GROUP(S): means any individual reference to or grouping of CCWMG, NTWMG or STWMG.

MOU: means this memorandum of understanding.

NTWMG: means the Northern Tasmanian Waste Management Group of St John St, Launceston.

STWMG: means the Southern Tasmanian Waste Management Group of Macquarie St, Hobart.

#### **BACKGROUND**

In 2012, the CCWMG, NTWMG and the then-named Southern Waste Strategy Authority entered a memorandum of understanding to jointly implement, where practicable, communications activities documented in a Communications Plan 2012-2014. Collaboration on communication activities occurred for a period of approximately 3 years, until changes to the Southern Group composition and eventual closure led to the formal agreement being abandoned. The CCWMG and NTWMG continued to implement joint communication activities and maintain the shared online resource of www.rethinkwaste.com.au.

At the end of the 2016/17 financial year, the CCWMG and NTWMG issued a Request for Quote to develop a five-year Communications Plan and deliver communications project management services. Around this time, the CCWMG and NTWMG contacted Waste Strategy South to explore interest in re-establishing a state wide collaboration of communication activities. In principle agreement was achieved and the Communications Plan component of the tender was developed with the input of all three Groups. The 2017 – 2022 Communications Plan has been jointly managed and implemented since, including through the transition of Waste Strategy South to STWMG.

To assist implementation of the shared plan, it was also agreed that a Communications Activity MOU be reinstated.

#### **OBJECTIVES OF THE MOU**

The objectives of the MOU are to:

- a. formalise an agreement between the three Groups to undertake joint communications activities as defined in the Communications Plan and endorsed by the three Groups;
- b. set out the nature of contributions (cash and in-kind) each Group is to make towards communications activities in the Communications Plan and how these are to be made;
- outline common branding approaches to joint communications activities, including printed, digital and audio/visual materials;
- d. outline a protocol for allocating spokespeople for joint communications activities;
- e. outline how each Group contributes to the development of materials and other resources used within communication activities;
- f. outline the expectations and timing of reporting against implementation of the communications plan;
- g. formalise an agreement to maintain the Rethink Waste website which houses information both common to all three Groups and specific to each Group.

#### **OPERATIVE PART**

#### The parties agree to:

Joint participation

1. jointly participate in all communications activities outlined in the Communications Plan or as is amended from time to time. Where one Group is unable to participate in a joint

- communications activity, other than the Rethink Waste website, the remaining two Groups shall not be precluded from collaborating based on the terms of this MOU.
- equally share in the preparation of communications materials across the three Groups, understanding that from time to time, one Group may contribute more time or materials to an activity than the other Groups based on differing levels of knowledge or available resources.
- 3. the ability for each Group to also undertake independent communications activities or events specifically related to their region.

#### **Communications Plan**

- 4. jointly develop and implement the activities, campaigns, materials and events in the Communications Plan, or as it is amended from time to time.
- 5. report monthly to the communications committee on the progress of communication plan implementation and annually on communications plan performance (or as required by any external agreements or grant deeds).
- 6. review the contents of the Communications Plan in the period January March each year and confirm each Group's contribution to statewide communications activities for inclusion in each Group's Annual Plan and Budget.

#### Communications campaigns

- 7. provide Group or Chairperson endorsement or otherwise of a communications campaign within 14 days of the Committee's agreement to undertake the campaign, where such endorsement is deemed required.
- 8. take turns in nominating a Group spokesperson for each campaign, unless otherwise agreed by consensus of the Committee. The rotation will occur in the order of:
  - a. CCWMG
  - b. NTWMG
  - c. STWMG.
- 9. list a spokesperson for each Group on all media releases prepared according to the roster in item 8.

#### Communication materials/collateral

- 10. review the communications materials of each Group at the commencement of this MOU to determine gaps and duplication in materials that are relevant to state wide use. Based on this review, the parties agree:
  - a. to rebrand existing materials prepared by the CCWMG, NTWMG or STWMG that are relevant to state wide use to include the names and/or logos of all three Groups.
  - b. to continue to use the Rethink Waste wordmark and style guide when creating cobranded materials.
  - c. that communication materials/collateral developed prior to the signing of this MOU will not be considered as in-kind contributions unless agreed by consensus of the Committee but that such communication materials/collateral will be available for all three Groups to use in future communications activities and campaigns.

11. any requirement for printing and/or production of communication collateral or materials being not part of this MOU and that each Group can choose to print any item in quantities relevant to their region from their own budgets, unless otherwise agreed by consensus by the Committee for a specific communications campaign.

#### Website

- 12. jointly maintain and equally fund the Rethink Waste Tasmania website, which:
  - contains communication resources and information relevant to all three regions, including, but not limited to, fact sheets, reports, resources, links, federal and state government policies, and news.
  - b. includes pages specific to each Group where locally relevant governance, service and contact information is contained.
- 13. equally fund additions to the website which are of mutual benefit to all three Groups as agreed by the Committee, including web page template design, web games and quiz functionality, production of web surveys, copywriting of content and uploading of content.
- 14. maintain consistency in appearance, layout and text 'tone' of each Group's individual page.
- 15. display the Rethink Waste URL as the predominant link/address for more information in all Communications Plan activities.
- 16. be responsible for adding, maintaining or deleting region-specific events, news and resources promoted outside of the Communications Plan.
- 17. share annual costs of hosting, domain registration, website subscription services, and other products or services required to keep the Rethink Waste website publicly accessible.

#### Payments for joint communication activities

- 18. split payment of all Communications Plan activity development and implementation equally among the Groups, unless otherwise agreed by the Committee, noting that the extent of delivery within each region is to be determined by each Committee member.
- 19. simplify invoicing for communications service providers, a Committee member will nominate their Group to pay for a Communications Plan activity, with the self-nominating Group to then invoice the other two Groups for reimbursement of costs incurred and with these two Groups agreeing to pay invoices within 14 days of receipt.
- 20. support the cash flows and budget positions of the three Groups, the Committee shall, by consensus, determine a method for invoicing and payment for each activity in the Communications Plan that exceeds \$10,000 total investment.
- 21. external funding sources and partnerships, such as with other levels of government, may be used in developing and implementing statewide communications activities, where those partnerships are consistent with the Groups' shared Communication Plan goals.
- 22. where a grant deed or similar third party agreement has been entered into jointly by the Groups with specific reporting, administrative or financial deliverables, the nominated Group responsible for financial management of that deed may (where permitted by the deed) charge an administration fee from the grant money to cover additional work. The administration fee value will be agreed by the Committee before commencement.

#### In-kind contributions

- 23. provide in-kind contributions by way of a non-cash contribution that may be required from time to time including each Group's employee time (salaries), donations of facilities and time (e.g. volunteers or office space), services (e.g. a consultant), assets (e.g. a computer) or the provision of equipment and supplies.
- 24. recognise that unless agreed by consensus of the Committee, in-kind contributions cannot replace cash contributions.

#### **NATURE OF AGREEMENT**

The MOU records the current level of agreement between the parties.

#### **TERM OF MOU**

The term of the MOU shall be three years, with the possible extension of an additional three years. The renewal of the MOU must be considered by the three Groups at least six months prior to the MOU expiry date.

Signed by the Chair of the CCWMG:	(name)
Chair, CCWMG	
In the presence of:	(name)
	(address)
	(occupation)
Signed by the chair of the NTWMG	(name)
Chair, NTWMG	
In the presence of:	(name)
	(address)
	(occupation)
Signed by the chair of the STWMG	(name)
Chair, STWMG	
In the presence of:	(name)
	(address)
	(occupation)



## STWMG commingled recycling discussion paper

**Final report** 

June 2021

#### **Authors:**

Nathan Toovey and Nathan Malin (Urban EP)





### STWMG commingled recycling discussion paper

**Project: UEP130** 

**Client:** Southern Tasmania Waste Management Group (STWMG)

Delivered with the assistance of Local Government Association of Tasmania (LGAT)

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Date June 2021

Prepared by Nathan Toovey and Nathan Malin

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## **Acronyms**

ACCC	Australian Competition and Consumer Commission	
AEMO	Australian Energy Market Operator	
COAG	Council of Australian Governments	
CRS	Container Refund Scheme	
0.10		
DPIPWE	Department of Primary Industries, Parks, Water and Environment	
DSG	Department of State Growth	
HDPE	High density poly(ethylene) (plastic)	
LDPE	Low density poly(ethylene) (plastic)	
MRF	Materials Recovery Facility	
OCG	Office of the Coordinator General	
PET	Poly(ethylene terephthalate) (plastic)	
PVC	Poly(vinyl chloride) (plastic)	
STWMG	Southern Tasmania Waste Management Group	
SWOT analysis	Strengths Weaknesses Opportunities Threats analysis	



### Acknowledgements

This project was funded by the southern Tasmanian councils (i.e. members of the Southern Tasmania Waste Management Group, STWMG) and the Tasmanian Government.

The project team recognises the input, expertise and time given from a range of organisations in supporting the preparation of this report. We unreservedly acknowledge the involvement and assistance of the following organisations:

- STWMG and its member councils
- Department of Primary Industries, Parks, Water and Environment
- Department of State Growth
- Office of the Coordinator General
- Greater Hobart Strategic Partnership
- Northern Tasmanian Waste Management Group
- Dulverton Waste Management
- Cleanaway Waste Management
- Southern Waste Solutions
- Veolia Waste Management
- Envorinex
- Caled Containers
- Hazell Brothers
- Norske Skog



#### **Executive Summary**

This report sets out key findings from the *Commingled recycling discussion paper* prepared on behalf of the twelve southern councils (below) collaborating under the Southern Tasmania Waste Management Group (STWMG), supported with funding from the Tasmanian Government.

Brighton	Derwent Valley	Hobart	Sorell
Central Highlands	Glamorgan-Spring Bay	Huon Valley	Southern Midlands
Clarence	Glenorchy	Kingborough	Tasman

The formation of the STWMG, accumulating shifts in and uncertainties across the market for recycled materials and related policy settings, and the need for the southern councils to procure recycling services in the coming months serve as immediate drivers for this work.

While the project relied on a set of standard qualitative analysis methods to test a range of recycling service details, it also relied on stakeholder engagement with local and regional bodies; state government; the recycling sector; and private businesses with a potential interest in investing in reprocessing activities downstream of recyclers' sorting operations.

This project involves a strategic analysis of recycling service settings to adopt in order to deliver improved outcomes for the southern councils and their communities, while positioning them to contribute to state circular economy goals as set out in the draft (and final, pending its release) *Waste Action Plan*. The analysis aims to position councils to adapt to impacts and opportunities that may arise from emerging market and policy developments, including for example, the introduction of a waste levy and the roll out of a Container Refund Scheme across the state.

This final report summarises findings from earlier stages of the project as set out in:

- Commingled recycling discussion paper Part 1 report
- Commingled recycling discussion paper Part 2 summary notes.

The final report additionally sets out approaches and actions to implement recommended settings from the above project stages; and provides guidance on how the Tasmanian Government can take steps to support the STWMG councils (and potentially other Tasmanian councils looking to realise similar objectives via their recycling services) in achieving a range of priority outcomes and public benefits linked to recycling services.



#### Priority outcomes sought by southern councils

From early stages of the project onwards, representatives from the southern councils affirmed a number of outcomes considered core to the delivery of recycling services, as follows:<sup>1</sup>

- Environmental benefits
- Value for money
- Stability and resilience
- Local economic opportunity
- Downstream transparency

These 'priority outcomes' served as an ongoing reference to compare different recycling service settings and their implementation, helping to ensure that recycling arrangements align with their stated values. Councils may opt to revisit their interpretation and balance of interest across these outcomes periodically, to guide adjustments in the recycling services in line with evolving needs.

#### Settings appropriate to the southern councils' recycling services

The focus of Part 2 of the project was to compare a number of high level changes to how the councils engage and manage their recycling services.<sup>2</sup> The project landed on a configuration of recycling service settings that account for the councils' operating landscape while positioning them to deliver on priority outcomes. These settings involve a reinforcing effect where the optimal benefit arises from using them in a coordinated fashion across the service's duration.

- 1. Enter into a service contract for between ten and fifteen years, to encourage new entrants and drive competitive proposals, gain access to state-of-the-art facilities, and keep gate fees within an affordable range.
- 2. Engage a dedicated body to administer the service contract and manage the recycling service operator's performance on behalf of councils, to deliver administrative efficiencies and improved oversight for all the councils while avoiding undue reliance on one or more lead councils to shoulder contract management duties.
- 3. Expand the reporting requirements placed on the operator to deliver greater insight into activities, risks and opportunities arising from downstream processing operations and related market conditions, positioning councils to inform their communities and stakeholders while staying ahead of developments that may impact council priorities.
- 4. Incorporate agreed procedures involving the recycling operator and councils to explore and test the value of alternative diversion pathways downstream of sorting operations, and commit to a course of service improvements where this yields better outcomes.
- 5. Adopt a gate fee model that involves a static or fixed component that reflects the relatively stable operating costs for delivering recycling services; and a variable or floating (offset) component that adjusts in response the fluctuating value of recovered materials sold by the recycler. This helps to spread the risk and reward for delivering quality recycled material to end markets and reflects councils' stake in the value recovered during downstream processing activities.

<sup>&</sup>lt;sup>1</sup> The main section of this final report provides detail on the interpretation of these priority outcomes in the context of the southern councils' recycling service needs.

<sup>&</sup>lt;sup>2</sup> Urban EP, STWMG Commingled recycling discussion paper – Part 2 summary notes, 2021.



Beyond the improvement to recycling services in line with councils' priority outcomes, these settings together yield a range of strategic and positional benefits to the southern councils, i.e.:

- A greater degree of control over recycling outcomes will be placed in the southern councils' hands than has previously been the case.
- Councils are geared to work as more active partners in resource recovery and the shift to a circular economy, at a time of elevated state and Commonwealth Government interest.
- Councils' ability to update recycling services over the duration of the contract is enhanced (in collaboration with their service provider), helping to ensure continued quality over the longer term.

In April 2021, representatives from across the southern councils agreed to put these settings into action. In doing so, councils need the following conditions in place to be in the best position to apply these settings and capture the associated benefits for their communities.

- In order to motivate potential bidders to meaningfully incorporate the above settings into their service offerings and a subsequent service agreement, councils need to drive strong competitive interest during the procurement process.
- Both the councils and administrative body need to be prepared to exercise the terms agreed in the contract in a proactive manner, rather than applying them in a minimalist approach that will lead to modest practical effect.

An estimate of gate fees applied over the volume of kerbside recycling materials generated across the twelve councils suggests that the value of recycling service outlays is in the order of \$30 million over ten years. Over this same period, the policy and market landscape for recycling services and downstream activities is characterised by a range of unknowns and uncertainties. Given this scale of outlay and the level of uncertainty surrounding recycling and reprocessing markets, a proportionate allocation of effort and attention to manage recycling services is likely to be financially and reputationally prudent.



#### Implementing the recommended recycling service settings

Abridged from the main final report, these five recycling service reforms can be enacted through the following steps during market sounding, service procurement and management phases. The latter including recycling contract administration body objectives, terms of reference and related implementation requirements.

#### Contract duration of ten to fifteen years

#### **Market Sounding and Procurement**

- Proactive market sounding to attract competition and best possible offers, and encourage new entrants
- Require bids to include ten and fifteen year service options and relevant terms
- Negotiate on timeframes with the successful bidder, seeking to align with other regions

#### Management

- Actively scrutinise recycling service delivery on a periodic (e.g. annual) basis, seeking to apply contract terms to drive improvements
- Set clear performance standards for the recycling service to support decisions relating to contract extension

#### Recycling service administration and oversight via a dedicated third party

#### **Objective**

 Key objective of the administration body to manage the recycling service in line with maintaining and improving the priority outcomes sought by the southern councils

#### **Terms of reference**

- Terms of service closely framed in conducting actions as necessary to deliver on agreed objectives (see Section 3.2 for details)
- Additionally set out a separation of responsibilities between the administration body and councils to clarify roles

#### Resourcing

- Resourcing level for administration body to be set in line with terms of reference and service level agreement (or similar)
- Councils to ensure adequate internal resourcing to play their relevant roles in managing recycling services and conducting governance for the administration body

#### **Governance**

- Establish governance in line with the need to secure priority outcomes in recycling, while retaining consistency with the particulars of the administration body structure
- Conduct periodic review of the administration body to ensure outcomes and expectations for recycling services are being met over time

#### **Expanded reporting and disclosure settings**

#### **Market Sounding and Procurement**

- Advise bidders of elevated reporting standards as an essential part of recycling services
- Instruct bidders to respond to reporting specifications with methods and formats, and to justify any concerns pertaining to confidentiality and/or administrative burden
- Include reporting features in procurement decision, potentially seeking clarifications and/or request for 'dummy' reports
- Specify reporting arrangements in service contract including options for periodic review, and clarify information that councils are free to disclose to third parties and the public

#### **Management**

- Resolve reporting issues over first twelve months to ensure reporting is useful and reasonable
- Incorporate information presented in reports into performance analysis, planning and risk management decisions pertinent to recycling
- Request recycling service administration body to prepare additional content (e.g. briefings and reports as relevant), drawing on reports from the recycling operator, as necessary to guide planning and decision processes



#### Capacity to influence products and end buyers

#### **Market Sounding and Procurement**

- During market sounding, test potential suppliers openness to involving councils in decisions on downstream buyers, where this may drive improved outcomes
- During call for proposals, request that bidders include procedures and methods to:
  - Scan for new markets and buyers, and explore alternative options with councils
  - Undertake further investigation on commercial viability and public value of alternative buyers and products, on request from councils
  - Bilaterally agree updates to the recycling service based on investigation findings
- Incorporate bidders' responses into selection decision and negotiate on final agreed methods and procedures to place in contract

#### Management

- Hold discussions between recycling operator and councils to explore new markets and buyers, based on an agreed frequency or in response to triggering conditions, including activation of commercial investigations as relevant
  - Incorporate findings from investigations into future service arrangements where the case is compelling potentially including agreements on a schedule of service upgrades and/or other actions across councils and the recycling operator
- Engage with third parties as relevant to enable improved recycling services linked to a change in products and/or end buyers

#### Gate fees to incorporate price transparency and shared ownership

#### **Market Sounding and Procurement**

- During call for proposals, request bidders to:
  - Set out a two-part gate fee including a fixed fee component; and a variable offset component, including methods to determine the variable offset value
  - Apply this two-part gate fee using council recycling data and the market value of recovered materials to provide an estimated gate fee
  - Update this estimated gate fee to include a range, based on a shift in the market value of recovered materials by ± 30 %
- Post selection of successful bidder, lock in agreed approach to determining gate fees (including explanatory figures to provide during invoicing)

#### **Management**

- Councils and recycling service administration body to monitor market factors affecting gate fee levels and engage with recycling operator and options to account for and address market risks
- Request recycling provider to set out gate fee projections (non-binding, based on a given confidence interval) over agreed timeframes, to grant councils some confidence in forward recycling service costs



## Potential roles and actions for the Tasmanian Government to support recycling while delivering on policy commitments

In adopting the settings laid out in this discussion paper, the southern councils' activities to procure and manage recycling services will directly align with stated policy commitments of the Tasmanian Government. These include:

- The draft commitment to reach an 80 % recovery rate across the state by 2030, compared with current rates that are closer to 40 %
- The confirmed commitment to introduce a waste levy as a means to drive the increased uptake of alternatives to landfill (such as recycling), with the stated intent to allocate some funding to support region scale activities in the north, northwest and the south, and to reinvest funding into circular economy initiatives
- The introduction of a container refund scheme to improve recycling of used beverage containers
- The draft commitment to establish standardised data management systems to capture waste data, monitor progress against targets, and facilitate investment in resource recovery.

Further engagement with the Tasmanian Government confirms its interest in stimulating investment in resource recovery activities on island, that may occur downstream of recycling operations. The Tasmanian Government has a clear and direct stake in the performance of recycling services delivered for councils in the south and elsewhere, and this stake argues for a role for state government in a range of supporting areas.

The foremost role for the state is to provide a suitable capital allocation through the southern councils' procurement process, to achieve a number of reinforcing outcomes:

- 1. It ensures that the allocation of capital is directly tied to a committed volume of material for sorting and subsequent processing, rather than setting a precedent of funding private infrastructure that may remain under-utilised for an unknown period
- 2. It enables the state government and councils to lock in partnership terms (particularly in relation to reporting and information sharing, and coordinated investment planning across recovery networks and supply chains) to get the best productive use out of the state's capital allocation and the councils' service contract
- 3. It ensures that any funding flowing to the successful bidder is contingent on that bidder agreeing to a number of necessary terms (as recommended in this report) that are vital to ensuring a high quality recycling service for the southern councils
- 4. It helps to ensure that the communities represented by councils, being the foremost segments of society that will ultimately pay for the impending waste levy, directly benefit from capital allocations for recovery infrastructure (i.e. that reduce their exposure to waste levy costs) *by design*. This helps ensure an equitable distribution of costs and benefits stemming from the waste levy.<sup>3</sup>

<sup>&</sup>lt;sup>3</sup> There may be some persistent distributional effects where regional and remote communities are poorly placed to access recovery infrastructure publicly funded through levy revenues. In such instances, the Tasmanian Government may be able to provide more tailored support in trialing recovery measures more suitable to their needs.



Further, this capital allocation may be vital for ensuring that the councils' procurement process motivates a wide competitive field of potential recycling service providers who constructively respond to the proposed service settings. It will also strengthen the prospect that the procurement process drives investment in a separate modern facility for the southern councils, in complement to recycling infrastructure active in and planned for the state's north and northwest. A wider network of recycling capacity across the state protects against the risk of single point failures, including disruptive fire incidents that have affected recycling services on the mainland.

Post the establishment of a recycling service for the southern councils, there are a number of additional areas where the Tasmanian Government may work with and support the councils to deliver improved circular economy outcomes. These are detailed in the main report (Section 4), and encompass the following areas:

- Establish a coordinated information sharing and reporting network that leverages
  reporting provisions between the councils and the recycling operator, which may be
  replicated in the north and northwest and extended into similar provisions involving
  councils and their organics processing service providers.
- Implement a coordinated model for investing in recycling and reprocessing capacity
  across circular economy supply chains, aiming to encourage 'on island' recovery via local
  businesses noting that the proposed service settings position councils to offer high
  grade material to downstream processors who may receive inducements to innovate and
  invest through a range of state (and local) interventions.
- Conduct related studies and small scale trials for recycling collection and sorting models
  that are less dependent on capital intensive sorting infrastructure these alternatives
  may be more suitable for some smaller and more remote communities than the
  prevailing model, if their residents are willing to sort their recycling into different streams
  prior to collection. These studies can help Tasmanian councils understand the relative
  strengths and weaknesses of a different approach to recycling, which they may seek to
  explore as they approach their next procurement cycle (i.e. following the current
  procurement).

While the above points sketch out options for the state and councils to work together, a depth of detail is needed both to establish the requisite agreements between the state and local governments, and to then implement this collaboration successfully.

Further information on each of the above points (Section 4) may be useful to this end, and this report sets out a potential configuration of activities between the state government and councils (Section 4.5, with diagrams describing a potential partnership model across the state government and *all* Tasmanian councils replicated in the pages below). These activities are suggested to be applied in an earlier establishment and council procurement phase; and a subsequent phase covering the operating lifespan of the recycling service.



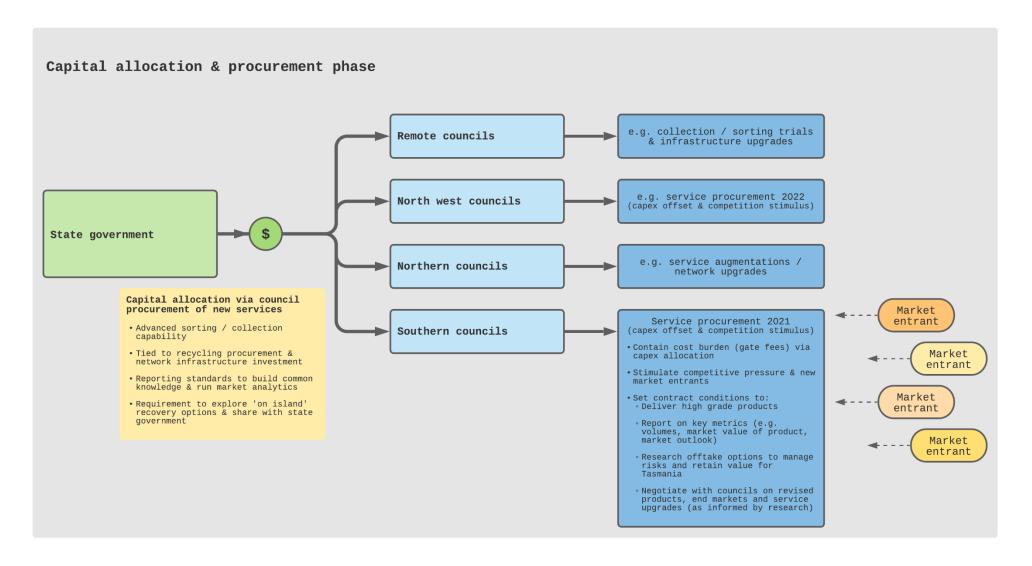


Figure E1: Overview of a collaboration model between state and local councils prior to establishing new recycling operations, underpinned by a capital allocation directed through council procurement processes.



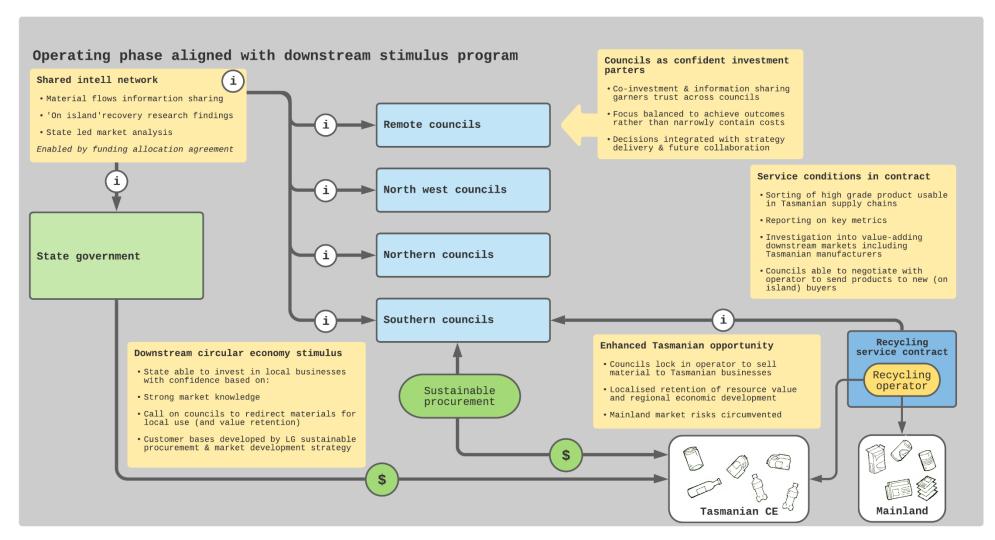


Figure E2: Overview of the collaboration model between state and local councils during the operational phase, focusing on an agreement between state and southern councils as one example. Information sharing, market analytics and stimulus to drive the local circular economy are coupled to councils' commercial terms (i.e. reporting, capacity to engage and negotiate on end buyers, price transparency) to ensure material flows can be leveraged by local circular economy innovators. The regional contract administration body has a key role in liaising across tiers of government and coordinating across the various parties involved.



#### Recommendations

In line with this project focusing on a discussion paper (as opposed to a business case or similar study attached to a specific decision making process), recommendations are framed as general approaches for councils' and the Tasmanian Government's consideration.

Post consideration, councils and the Tasmanian Government may seek to adopt the measures and settings put forward through a range of implementation actions.

#### **Priority outcomes**

1. STWMG and the southern councils are recommended to note the role played by the priority outcomes (as expressed by council representatives, p. ii) in being the basis for establishing the proposed recycling service settings. They are recommended to consider the use of these priority outcomes during procurement and service management phases, e.g. to compare offerings and in striking an agreement with the successful bidder place these outcomes at the centre. Councils and the STWMG may seek to revisit the priority outcomes on a periodic basis when reviewing the performance of the recycling operator, to ensure their interpretation and balancing of trade offs respond to circumstances prevalent at a given point in time.

## Service settings and recommended implementation

- STWMG and the southern councils are recommended to consider the proposed service settings (p. ii) and guidance to implement them during procurement and service management phases (p. iv – v), as being the preferred means to deliver on the priority outcomes driving the need for recycling services.
- 3. It is recommended that STWMG and the southern councils recognise two essential conditions to best position the councils to implement and benefit from these settings, i.e.:
  - Having a strong competitive field of potential suppliers who are willing to respond
    to and adopt terms and conditions related to the proposed settings, and develop
    a constructive working partnership with the southern councils.
  - Having an appropriately resourced, scoped and effective recycling service administration body to manage the service on the councils' behalf, who is proactive towards improving the service and seeking opportunities to enhance recycling outcomes.

## Engagement and collaboration between state and local councils

- 4. The Tasmanian Government is recommended to recognise the role that the southern councils may play in helping to deliver state government circular economy objectives and complement its planned policy measures. This role will be enhanced through the adoption of the proposed settings, and the Tasmanian Government therefore has a stake in the councils bringing those settings to reality.
- 5. The Tasmanian Government is recommended to note the inherent value in the southern councils having access to a separate modern facility for their recyclable material, in complement to recycling infrastructure active in and planned for the state's north and northwest. A state government allocation via the councils' procurement process will be



- important in ensuring the introduction of a modern facility with recycling service settings that align with state interests, and deliver a range of benefits (as set out on p. vi).
- 6. STWMG, the southern councils and the Tasmanian Government (DPIPWE and DSG as relevant) are recommended to engage on the potential benefit in collaborating during the procurement and operational phases of the new recycling service (see Section 4 for details). They may then establish partnership arrangements to ensure that the state government and councils are able to draw on each other's respective capabilities and strengths to enhance circular economy outcomes for Tasmania. This model could be reapplied with councils in the north and northwest, and potentially replicated for councils' organics processing services.



#### 1. Introduction

## 1.1. Purpose and scope of project

This report sets out the main findings from the *Commingled recycling discussion paper* project undertaken on behalf of the twelve councils collaborating under the Southern Tasmania Waste Management Group (STWMG) memorandum of understanding.<sup>4</sup>

This project involves a strategic analysis of recycling service settings to adopt in order to deliver improved outcomes for the southern councils and their communities, while positioning them to contribute to state circular economy targets as set out in the draft (and final, pending its release) *Waste Action Plan*. The analysis aims to factor in the impacts and opportunities that may arise from emerging market and policy developments, including for example, the introduction of a waste levy and the implementation of a Container Refund Scheme across the state.

For the purposes of this research, 'service settings' primarily relates to a number of features within councils' sphere of control and influence, which may include:

- Detailed requirements for the commingled recycling service provider to deliver on
- Arrangements to procure and manage commingled recycling services
- Additional activities that councils may undertake to safeguard recycling outcomes, including the fostering of relationships and collaborations that reside outside the primary contractual relationship between councils and a chosen service provider.

The project is additionally seen as an opportunity to inform the state government of existing and potential barriers to better recycling outcomes aligned to the *Waste Action Plan*, and potential state government measures to overcome, remove or bypass these barriers. While the wider report contains analyses and findings that will be informative for the Tasmanian Government, potential roles and activities for the state's consideration are put forward in Section 4.

This project is timely given that the twelve councils are looking to approach the market for recycling services over the coming months, and that there is opportunity to inform Tasmanian Government policy measures that will be delivered under the *Waste Action Plan*.

<sup>&</sup>lt;sup>4</sup> The twelve signatory councils are hereafter referred to as the 'southern councils' or similar.



## 1.2. Project background

## Formation of STWMG and priority to inform future recycling settings

In late 2019, the twelve southern councils collectively signed a Memorandum of Understanding to enter into an arrangement to work co-operatively on waste management and resource recovery issues and projects for the southern Tasmanian region.<sup>5</sup>

Under this memorandum, the STWMG commits to a range of activities including supporting councils in securing efficient, sustainable and suitably scaled end-of-collection facilities for processing materials including commingled recycling. Noting that the southern councils' contracts for recycling services are due to expire in the near future and that the operating landscape for recycling has evolved over recent years (see below), the twelve signatories agreed to obtain focused advice to improve recycling service outcomes over the coming procurement cycle.

### The need to update recycling services in light of a shifting landscape

Aside from the imminent timing to engage the market for recycling services, external factors contribute towards an interest in a detailed exploration of ways to improve recycling services. Such drivers include:

- A marked deterioration in international markets for recovered plastics, paper and cardboard, catalysed by the Chinese Government's National Sword Policy
- A collapse in sales revenue for recovered materials (linked to the above stated fall in demand), requiring that operators seek higher gate fees or else risk an imbalance in cashflows and potential insolvency
- The Council of Australian Government's (COAG) decision to ban the export of selected recyclable materials, forcing kerbside materials into a smaller, tighter domestic market
- Heavy public and private investment in mainland sorting facility upgrades, lowering the competitive standing of materials recovered to a lesser standard in Tasmania
- Increased public and political scrutiny of waste and recycling services, indicative of expanded expectations on councils' accountability for and transparency towards the impacts of recycling activities downstream of the recycling facility
- The planned introduction of a waste levy in Tasmania in 2021, raising the financial imperative to divert materials across all recycling stages occurring on the island
- Increased state and federal interest in recycling and the circular economy, to include a range of new policy interventions and public investment measures.

In a workshop held in the latter part of the project, these factors were examined in terms of their driving the need for councils to lift their attention and commit to improved recycling services delivered for communities across the southern region. There was full consensus across the councils that these drivers pose a significant lift in the stakes at hand in managing recycling services, such that an elevated focus on and commitment to recycling outcomes is warranted.

<sup>&</sup>lt;sup>5</sup> https://www.huonvalley.tas.gov.au/wp-content/uploads/2019/12/190212-Media-Release-Southern-Waste-Memorandum-of-Understanding.pdf



## 1.3. Project overview

Figure 1 presents an overview of project stages, and describes how each completed stage informs and provides direction to subsequent components of work. These four parts include:

- 1. An exploration of problems, benefits and outcomes associated with commingled recycling services that may be optimised through revised settings
- 2. A comparison of service options to arrive at preferred recycling service settings
- 3. Determination of a preferred delivery path, implementing the preferred settings
- 4. Write up of a final discussion paper and presentation of key findings

This report represents delivery of Part 4 and serves STWMG and the southern councils advice relating to Part 3, i.e. how to deliver the preferred recycling service settings (as put forward during Part 2 and agreed on by councils in late April 2021).

The report draws on and cross references key findings from two earlier written submissions to STWMG, namely:

- The Part 1 report, delivered in February 2021
- The Part 2 summary notes, delivered in March 2021.

The report references a workshop held with southern councils in late April 2021 as part of this project. The workshop was a key activity in which councils and state government representatives discussed matters put forward by the project team in the earlier submissions, with councils notifying their consensus around recommended settings to improve recycling services over the approaching procurement and service delivery periods. This consensus was important to allow the team to progress to advising on an appropriate implementation path for those settings.

#### **Confidential information**

To the best of Urban EP's knowledge, no records or other information made available to the team or set out in preparing this report constitute Confidential Information as defined within the recycling services contracts signed by any of the southern councils and their recycling service provider.



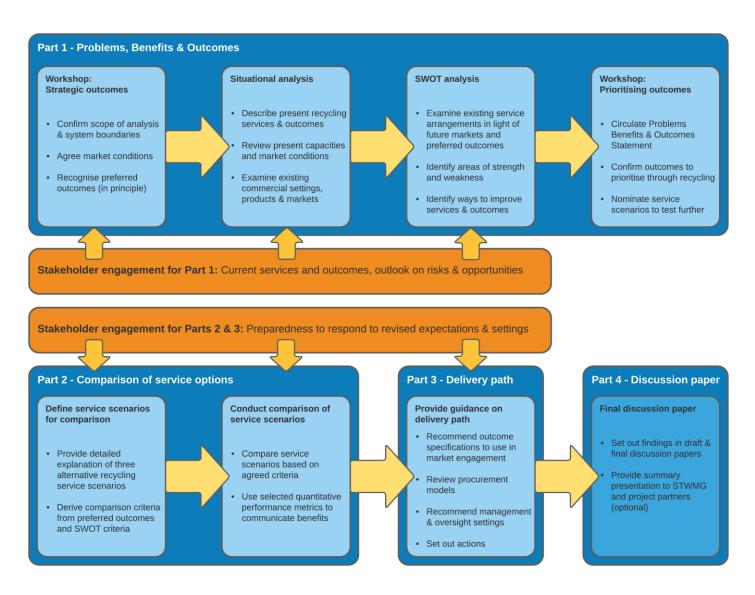


Figure 1: Overview of project components, major activity areas and stakeholder engagement inputs.



#### 1.4. Methods

## **Method summary**

In delivering on the project the following actions were undertaken:

- Multi-stage engagement with the southern councils and STWMG to elicit core interests and needs with respect to commingled recycling services, present operational settings and performance outcomes, and collate perceptions on what could be improved
- Engagement with other public sector parties and participants in the recovery of materials from kerbside-collected commingled recycling across the state, including:
  - State government bodies with a policy setting, regulatory and/or economic stimulus role
  - Commercial operators involved in or open to sorting activities and downstream processing
- Characterisation of current recycling service arrangements across the state, informed by the above engagement and additional literature analysis
- SWOT analysis to determine key priorities to adjust for future recycling services
- Exploration of alternative options to recover materials through 'on island' activities, focusing on potential plastics, glass, and paper recovery pathways
- Comparative analysis of options to revise the commercial relationship with a recycling service provider, including measures to implement over procurement and management stages
- Analysis and exploration of public (state) interventions geared to improve recycling outcomes for the southern councils while supporting policy objectives
- Workshops to achieve buy in and consensus across the twelve councils and stakeholders ahead of preparing final advice
- Preparation of interim reports and final discussion paper, setting out analysis findings for STWMG, southern councils and state government consideration in planning recycling service acquisition and management tasks and related activities.



## Service features investigated

In undertaking the project, the following aspects of commingled recycling services were explored and portrayed, providing an opportunity to understand current settings and gather details on factors that may support and/or inhibit alternative approaches to recycling services:

- Materials included in the southern councils' contracts with their existing provider
- Contract duration
- Pricing terms and rates, particularly in relation to commercial risk, recovery of costs and community capacity to bear costs
- Volumes managed via kerbside commingled recycling contracts
- Products sorted from the MRF and downstream recovery activities and end markets, including the potential to recover new products and deliver to alternative end markets
- Procurement methods
- Contracting approach
- Reporting obligations
- Interactions with other collection and aggregation activities including transfer stations (and, in future, container refund points)
- Impacts associated with facility location

### Stakeholder engagement

Over the course of this study the project team engaged with the following sectors:

- Councils and regional bodies, including those in the state's south, north and north west
- Current waste and recycling sector operators including local and national operators
- Parties involved in or interested in playing a role in the recovery of value from different streams such as glass, paper and cardboard, and plastics
- State government, including Department of State Growth (DSG), Office of the Coordinator General (OCG) and Department of Primary Industries, Parks, Water and the Environment (DPIPWE).



## 2. Findings from previous project stages

As explained in Section 1.3, the implementation measures put forward as the focus of this report are founded on prior analyses set out in earlier submissions and consensus reached by southern councils in April 2021. This section concisely recapitulates matters relevant from these earlier pieces, setting a backdrop to advice laid out in Section 3. All usages of information derived from previous submissions (and other sources) will be appropriately referenced to assist readers who may seek to delve into the source literature.

## 2.1. Priority outcomes in delivering recycling services

The determination of preferred settings to deliver future recycling arrangements across the twelve councils needs to be anchored to a set of outcomes (Table 1) deemed important by those councils.<sup>6</sup> This anchoring enables:

- A set of measures to assess current arrangements and compare new recycling approaches against (as undertaken during Part 1 and Part 2 of the project)
- A useful reference point to focus on in putting forward implementation details (as undertaken during Part 3 and explored as relevant in this document)

Table 1: Priority outcomes stated by the southern councils as being important for recycling services to attend to.

Priority outcome	Details	
Environmental impacts	The service should deliver on clear environmental outcomes through the recovery of valuable resources. The service should capture lower impacts where possible, as may be reflected through higher recovery rates, shorter transport distances, more localised processes and end markets, and the use of cleaner industrial practices.	
Value for money	Service outcomes from a given commingled recycling service need to meet a minimum standard, given the outlays involved. While this does not necessarily presume that 'lowest cost' recycling services are automatically preferred, services at higher price points should represent better outcomes for local communities. It is important that suppliers face competitive pressure to offer value for money services.  A shared service arrangement must also acknowledge that cost tolerances are not uniform across all councils, with some communities being more exposed to living cost pressures than others.	
Stability and resilience	Councils need confidence that the recycling service provider is able to provide stable and resilient services, to ensure that their services can be maintained over the contract lifespan and to support community buy in.	
Local economic opportunity	There is a clear interest in elevating the extent that materials could be processed and used on the island, driven by multiple interests although broadly seen as a way to drive economic opportunity following the impacts of the Covid-19 pandemic.	
Downstream transparency	There is a common level of frustration with the limited line of sight for what happens to materials downstream of sorting activities. At present, councils are unable to articulate the full picture of what happens to their recycling – impairing buy in and trust; and leading to a potentially inaccurate picture of diversion rates; socially responsible outcomes; and council's exposure to commercial risk.	

<sup>&</sup>lt;sup>6</sup> Urban EP, *STWMG Commingled recycling discussion paper – Part 1 report*, 2021, p. 5. Original descriptions of the priority outcomes have been adjusted in line with evolving insights facilitated by the project.



These priority outcomes may also be highly useful in deriving:

- 1. A set of assessment criteria for comparing supplier proposals during procurement
- 2. Performance indicators to gauge service delivery against over the lifetime of the next recycling service contract.

The priority outcomes may also aid councils in periodically holding internal workshops (i.e. as a collective) to conduct an environmental scan for factors that may potentially affect recycling service delivery; and to inform how councils may make adjustments to the delivery of recycling services as needed to safeguard public value. This workshop approach is suitable given that each council may take a different interpretation of each priority outcome; and may have different preferences in balancing trade offs across those outcomes, given their communities' needs.

## 2.2. Current arrangements to manage recycling services

In brief, the southern councils presently operate similar arrangements with the recycling operator, carrying the following notable features:

- Brief contract timeframes (i.e. less than or equal to five years, and currently one year),
   shorter than the timeframe needed for operators to recoup the cost of new capital
- Separate contracts managed on an individual basis, signed on through a mixture of separate and joined processes (following from collapse of SKM Recycling, councils all independently signed identical contracts with the current recycling operator)
- Limited requirements for the recycling operator to report to councils on services and outcomes, with current requirements mainly focused on monthly volumes received and processed (further information may be provided on an ad hoc and discretionary basis)
- The recycling operator explicitly being free from any warranties as to the processing undertaken at their facility, including product quality or the manner in which the product is disposed of (i.e. councils have no direct means to influence products and end markets)
- Gate fees held fixed under general operations, with the operator able to seek price adjustments in response to market conditions.

Table 2 sets out the materials and items accepted by the recycling operator as set out in their contracts with the twelve councils.

Table 2: Materials accepted under the current recycling contract.

Pulp & fibre	Recyclable paper and cardboard	
Glass	Glass bottles and jars (no ceramic)	
Metals	Aluminium rigid and semi-rigid packaging Steel rigid packaging including aerosol cans	
Plastics	PET (1), HDPE (2) and PVC (3) rigid packaging Other rigid plastic packaging including LDPE (4), PP (5)	
Other	Any other commodities as agreed in writing between the service provider and the council from time to time	



## 2.3. Opportunity to drive recovery activities 'on island'

Across the lifespan of the project, councils and state agency representatives expressed a common and consistent interest in opportunities for the southern councils' recycling service to provide high quality materials to downstream recovery activities performed in Tasmania. This ambition sits separate to the five priority outcomes set out above, although there are some points of intersection between the outcomes and an increased contribution by Tasmania-based businesses in recovering value from the kerbside.

At present, the only kerbside material from the councils' service that is fully recovered on island is glass, and this material is not considered high quality (Table 3). Engagement with downstream operators that take sorted glass from the councils' recycling service provider reveals that between 5 and 30 % of this material is discarded due to high contamination levels.

A core focus of Part 2 of this project involved the exploration of opportunities to site and support commercial activities to process sorted material into high quality commodities on island, downstream of sorting operations.<sup>8</sup> Key findings from this analysis include:

- Paper, plastics (HDPE and PET) and glass have potential for improved recovery involving 'on island' commercial opportunities, yet there are some adoption barriers for each.
- A key prerequisite is that the material made available post sorting needs to be cleaner and sorted to a higher standard than is presently the case for materials sorted from southern councils' kerbside collections.
- Upgraded sorting may be a necessary outcome from recycling services, irrespective of the use of 'on island' recovery pathways. The COAG ban on exporting recycled materials may lead to increased competition for downstream recovery activities within the country, and having a low grade product may place southern councils at risk of their material not being accepted by mainland processors (given that southern councils are also disadvantaged due to their distance from market). This may give rise to poorly managed stockpiling activities that can destabilise service delivery across a number of fronts.<sup>9</sup>
- Due to the modest volumes of kerbside material generated across the state, paper and
  plastics processors downstream of the sorting facility need the means to access kerbside
  material from across the island. For plastics recovery on island, those operations may
  need to access PET and HDPE recovered via the Container Refund Scheme (CRS).
- Glass recovery operations may be less reliant on accessing materials from across the
  island, although may be adversely impacted by volumes diverted through the CRS unless
  those materials are consolidated for on island recovery pathways. It is not yet clear
  whether recovery for glass packaging uses 'on island' is a viable end use, although the
  Tasmanian Government is presently investigating this option.
- Further to having certainty in the quality and quantity of materials available, downstream operators and sorting facility operators may seek support in the form of favourable procurement policies (supporting locally recovered content) and/or public capital.

<sup>&</sup>lt;sup>7</sup> Urban EP, STWMG Commingled recycling discussion paper – Part 1 report, 2021, p. 13-16.

<sup>&</sup>lt;sup>8</sup> Urban EP, STWMG Commingled recycling discussion paper – Part 2 summary notes, 2021, p. 4-11.

<sup>&</sup>lt;sup>9</sup> Poorly managed stockpiling may signal destabilisation in the form of: declining trust and buy in from the community; risk of suspension to operating licences; fire hazard; and deteriorating cashflows.



Table 3: Typical volumes of material recovered across the twelve southern councils via recycling services, including end purchasers typically accepting resourced sorted from the kerbside. Volume data sourced from STWMG; destination purchasers sourced from councils' current recycling operator and are indicative only.

Stream	Material	Destination
Plastics 6 % (1,220 t)	PET (1)	Cleanaway Laverton (Victoria) then Cleanaway-Asahi-Pact joint venture once operational (Albury, NSW)
	HDPE (2)	Cleanaway Laverton (Victoria)
	Clear LDPE (4)	Transferred to JJ Richards & Sons (Tasmania), then shipped to mainland for further recovery
	'Other plastics' PVC (3) and PP (5)	Sold to Advanced Circular Polymers (Victoria)
	Soft plastics	Landfill due to lack of viable markets
Pulp and fibre 46 % (9,340 t)	Newsprint	Visy (Victoria)
	Old corrugated cardboard	Sold on spot market (international/local)
Metals 4 % (810 t)	Aluminium	Infrabuild Recycling (Victoria)
	Tin plate (steel)	
Glass 35 % (7,100 t)	Cullet and fines	Hazell Brothers charges to take it and it then goes to multiple local uses (bricks, plumbing applications, other)
		It is understood that the glass fines recovered from the kerbside stream is relatively contaminated but there are nonetheless some limited commercial applications.
Contamination 9 % (1,830 t)	Assorted contaminants	Landfill



## 2.4. Recycling service settings flagged for future adoption

During Part 2, the project team conducted an in depth comparison of options across five areas of recycling service delivery that are deemed important to realise the priority outcomes recognised by councils. The settings recommended through this analysis are summarised below,<sup>10</sup> and were since endorsed by council representatives in April 2021. Based on this endorsement, there is a need to render each recommended setting in terms practical to guide procurement and management activities that are used to acquire and govern the councils' recycling services.

## **Contract duration of ten to fifteen years**

The study recommends that, in the first instance, the southern councils should seek to acquire a recycling service operating for between ten and fifteen years' duration. The overriding concern is to adopt a timeframe that allows operators to invest in modern, high performance plant and equipment as needed to produce high quality sorted materials while still fitting within council cost tolerances. High quality products are needed to diminish market risk arising from strong competing demand for reprocessing capacity on the mainland while positioning the councils to offer material to more local reprocessors over coming years.

But equally important, a longer timeframe is necessary to attract new entrants who (if successful) would need to invest in a complete facility, rather than having to rely on incumbent operators who may offer marginal improvement on existing facilities and may lack an incentive to lodge strong proposals. This market signal is essential to put competitive pressure on all bidders to seriously respond to the recycling service settings put forward in this study, and to commit to councils' requirements as stated when negotiating the service contract.

While a longer contract as recommended represents some risk that the service may grow out of step with market and policy conditions over time, this is itself a more systemic issue caused by a reliance on capital intensive services as a means to deliver resource recovery during a time of market change. Other recommendations below seek to alleviate this potential disparity, while the state government may have a role in trialling less capital intensive recycling models with a subset of councils, <sup>11</sup> in parallel to the mainstream use of sorting infrastructure.

## Recycling service administration and oversight via a dedicated third party

During the Part 2 comparative analysis, it was determined that the preferred model to administer the recycling service would involve a single entity overseeing the recycling operator's activities on behalf of the twelve councils, joined through a single contract. This is anticipated to lower the overall administrative burden across the twelve councils, and help to ensure that those communities whose councils have modest internal resources allocated to waste management are able to access a high standard of recycling services.

While the appointment of a lead council (or councils) may be able to deliver similar efficiencies, this may be a less workable arrangement in the south given its composition of four larger and eight smaller councils.

<sup>&</sup>lt;sup>10</sup> Urban EP, *STWMG Commingled recycling discussion paper – Part 2 summary notes*, 2021, p. 12-20. <sup>11</sup> The WRAP Cymru approach using a 'Single Pass Resource Recovery Vehicle' is one such example where councils bypass the need for large MRF operations, which may be explored in Tasmania.



It is important that a minimum level of expertise and attention be retained from the council sector to oversee the performance of this third party administrator, both to ensure it acquits its duties in line with expectations, and to ensure governance arrangements place councils' priority outcomes at the front and centre of all activities.

This study stops short of recommending a specific organisation or type of body (e.g., joint venture; joint authority; incorporated non-profit organisation; etc.) to manage the service. This selection and design process is outside the scope of this project and may need to factor in concerns and constraints additional to recycling service delivery and performance levels. However, in Section 3, the study will cover attributes, functional capacities and service terms seen as necessary to adequately represent council interests and hold the recycling operator to account over the course of the contract. In this regard, it is essential that the organisation be equipped with and motivated towards an active posture to managing the service and staying ahead of the risks and opportunities at hand, rather than passively responding to issues if and when they arise.

In ideal circumstances, this single entity model would also apply to the procurement process although timing constraints prevent the southern councils from adopting this option. That is, councils may need to initiate the procurement process in parallel to establishing the third party arrangement (which may involve ACCC authorisations and internal sign offs across the councils).

## **Expanded reporting and disclosure settings**

Throughout the project, councils raised the issues of transparency and the need for a suitably encompassing interpretation of accountability with respect to recycling services managed on behalf of southern Tasmanian communities. This interpretation needs to include activities and destinations involved with recovery of resources downstream of the sorting facility, responding to the community's and councillors' stated lines of concern.

In essence, councils agree that they retain some level of ownership for what happens to kerbside material beyond sorting, and therefore need a line of sight on (and capacity to influence) operations beyond the sorting facility.

For the above reasons, the comparative analysis of Part 2 proposes that the recycling service involve the following reporting obligations placed on the operator:

- 1. Volumes received by the operator, reported on a fixed periodic (i.e. monthly) basis, separated according to council
- 2. Volumes discarded, processed and consigned, reported on a fixed periodic (i.e. monthly) basis aggregated across the twelve councils, and covering:
  - a. Tonnages disposed of to landfill
  - b. Tonnages consigned to recovery activities, represented according to material types and their end purchasers (company, location and processing activities/outputs), 12 and including volumes of rejected shipments and shipments handed over at 'no charge' to buyers

12

<sup>&</sup>lt;sup>12</sup> This reporting should include instances where the transfer of material from the sorting facility involves hand over of material to a related party including separate operations conducted by the operator either outright or as a joint venture. This will allow some transparency despite the material being retained within a vertically integrated model (or similar internal transfers).



- c. Tonnages stockpiled on site at the end of each reporting period (or sites elsewhere, managed by the operator) awaiting shipment to recovery and disposal facilities as relevant, represented according to material types and intended end markets (subject to sales and acceptance of material)
- 3. Sales reports and disposal costs pertaining to the materials listed above, represented as average unit pricing (i.e. per tonne) over the period and total payments and charges from sale of material and discard to landfill respectively<sup>13</sup>
- 4. Major contaminants identified in kerbside materials received by the operator from kerbside collections (as observed during normal operations) over the period, where 'major' may refer to larger volume contaminants and/or those that entail greater commercial risk to the operator
- 5. Market information and intelligence as relevant where this information may help the operator and councils better plan for and address commercial and/or reputational risks and unnecessary cost impacts upon the recycling service, shared on a periodic (e.g. quarterly or six-monthly) basis or as needed to manage undue costs and risks<sup>14</sup>
- 6. Details of incidents that may have impacts on the operator's social and regulatory licences to operate, including incidents that may give rise to or have given rise to:
  - a. Complaints raised by the community
  - b. Investigations, official warnings/notices and enforcement actions associated with environmental regulation, occupational health and safety responsibilities, and other potential breaches of law occurring on premises
  - c. Planned and unplanned changes to operations where this may have an impact on nearby communities and the environment, and/or deleterious impacts on the quality of materials recovered on councils' behalf and/or stockpiling levels
  - d. Other developments and incidents that may impair the social licence of recycling operations conducted by the operator on the councils' behalf.

The above reporting items are not proposed for the sake of introducing administrative burdens on the operator. Modern, 'good faith' service providers should be collecting this information as standard procedure, should realise that councils need such information in order to account for themselves to local citizens and other stakeholders, and should understand that such reporting is necessary to underpin a constructive commercial relationship for the long term. Moreover, the items listed are necessary to allow councils to track the delivery of priority outcomes and to better position councils regarding other settings laid out in this section.

<sup>&</sup>lt;sup>13</sup> Transfer of materials involving hand over to a related party could, where suitable, involve an estimate of market prices for that material at the time of transfer, in lieu of a sales record (e.g. invoice or consignment record).

<sup>&</sup>lt;sup>14</sup> This item is seen as particularly relevant given the emerging policy and market environment and related uncertainties facing recycling operators and councils (i.e. factored by the COAG decision to ban the export of recovered commodities).



## Capacity to influence products and end buyers

Due to changes in the operating environment for recycling services (see Section 1.2), it is no longer acceptable for councils to adopt a passive mindset towards recycling services. Expectations on councils have changed, and their exposures to risk and opportunity are not as static as they were in the past. Further, incidents over recent years reveal that councils cannot (and arguably should not) be completely insulated from market and policy changes that affect downstream operations. Rather, there is some need to respond and adapt while staying within the confines of a service agreement with the recycling operator.

In short, councils need some capacity to influence the pathway that their sorted recyclable materials take once they leave the sorting facility, both to protect the recycling service managed on behalf of councils and to improve the service's performance against stated priority outcomes. Yet at the same time, councils need to avoid undue interference in the efficient commercial operation of their recycling service provider, and respect the need to run a profitable enterprise.

Noting these potential tensions, Part 2 of the study proposed that the following terms be applied in the relationship between councils and the recycling operator:

- The requirement for the recycling service provider to scan for and engage with councils
  on alternative products sorted from kerbside materials and alternative end markets (i.e.
  different end purchasers potentially operating in different locations) on a periodic basis
   potentially involving a brief report and workshop with councils undertaken on a sixmonthly or annual basis, or timed in response to developing risks and opportunities
- 2. Based on 1 above, the capacity for councils to require that the operator undertake commercial investigations (e.g. potentially including market sounding; feasibility studies; and business cases within a confined scale) seeking to explore the merit in adjusting products and end markets, noting that this may potentially involve gate fee impacts and/or the need to introduce upgrades to the service
- 3. Based on 2 above, the capacity for councils and the operator to agree to a schedule of service amendments to bring online new products and/or sales to new end markets this may include a shared set of commitments planned over a given period, involving both on site changes and efforts from councils to improve the quantity and/or quality of material arriving at the sorting facility. Ideally this schedule would focus on enhancing the commercial viability and/or priority outcomes from the recycling service, given a shared knowledge of risks and opportunities arising in the recycling sector.

It is anticipated that the above terms strike a suitable balance between councils' and commercial operator needs, accounting for the stakes they share in how the recycled material is managed after leaving the recycling facility. Moreover, this arrangement may help both parties engage with potential partners and stakeholders, while helping to ensure the service stays relevant and sufficiently adaptive to the market over a ten to fifteen year timeframe.



## Gate fees to incorporate price transparency and shared ownership

As identified in Section 2.2, the current arrangement to set gate fees involves a fixed rate (per tonne received from the kerbside), with the provision for the operator to seek adjustments to the gate fee in response to market conditions. While this provides some price certainty for councils, it may not be wholly adequate given the volatility in demand and pricing for materials sorted by the recycling operator, and given the shared responsibility that councils and the operator have for ensuring the quality of recovered material.

As determined during Part 2 of the project, a more efficient and risk reduced approach to gate fees involves two components that promote price transparency across operating costs and the sale of valuable materials:

- A fixed (static) cost component is applied to cover the relatively stable cost for the recycler to operate recycling services
- A variable (dynamic or floating) component that covers the sharing of sales revenue<sup>15</sup> between operator and councils for the sorted material sold onto buyers in various end markets in practice this floating sum offsets a proportion of the fixed cost component in line with the market value of materials recovered, incentivising both councils and recycling operator to deliver high volumes and higher quality of materials to market.

This determination also found that the most efficient solution would involve automated price adjustments in line with the variable component described above, i.e. effective over each invoicing period. While this may introduce a level of recycling service price fluctuation that may be unfamiliar for councils, some certainty is retained in the model based on council and operator confidence in an expected volume and unit prices for recovered materials. For example, a competent operator should aspire to provide confidence estimates (e.g. using an 80 % confidence interval) for overall gate fees projected over a given time period (e.g. one to two years projected into the future). This would allow councils to plan recycling budgets with some accuracy, while supporting dialogue with the recycling operator on measures to reduce costs and/or levels of uncertainty.

<sup>&</sup>lt;sup>15</sup> Note, there may be some options as to how landfill disposal costs could be managed in this model. For example, it could be treated either as a fixed or variable cost (but not both). For the sake of price transparency it may be most appropriate to treat landfill disposal as a variable cost, aiding visibility between the quality of materials collected at the kerbside, and the costs incurred due to the level of contamination in materials presented to the recycler.



## 3. Implementing the proposed settings

This section deals with guiding STWMG and the southern councils in putting the recommended settings (see Section 2.4) into action. This guidance takes the form of suggested approaches to market sounding and procurement (approaches to market and terms to include in the service contract as relevant) and management phases associated with recycling service delivery. For some settings that involve actions that need to be called upon by the councils, additional advice is provided on their activation and usage.

A formal Request for Information or Market Sounding is proposed as a pre-procurement activity enabling engagement with prospective bidders (and possibly off-takers) around the southern councils' intention to go to market, gather formal feedback on some or all of the proposed settings and arrangements, and confirm interest in participation from the market. For the purposes of this discussion paper the project team has assumed a preference for a market sounding step in the near term, (i.e. commencing in the next eight weeks) followed by a single procurement stage (i.e. request for tender). Alternatively, the southern councils may wish to undertake a two stage procurement process including:

- Expression of Interest: an open approach to market that will identify an initial pool of potentially suitable bidders and enable shortlisting
- Call for final tender: an approach to short listed bidders to seek their response to a final specification.

If useful, the market sounding step can be used to weigh preferences of prospective market respondents with respect to a single or two stage procurement process.

In the case of the contract administration body (see Section 3.2), guidance is focused on the objectives and terms, resourcing, and governance to set this body up in its administrative role. That is, its implementation is treated as distinct from recycling service procurement processes.

Guidance on this section is predominantly limited to those activities and considerations revolving around the recommended settings as backed by the councils. Wider commercial terms and conditions relating to the acquisition and management of recycling services are out of scope except where they pertain to the recommended settings.



## 3.1. Ten to fifteen year service timeframe

As set out in Section 2.4, this study recommends that a ten to fifteen year timeframe be adopted during the coming recycling service agreement. This provides opportunity for suppliers to recover capital costs for state-of-the-art equipment as needed for councils to provide higher grade materials that will be accepted by reprocessors, while keeping gate fees within an affordable range. It also provides improved prospects to draw in a wide field of competitors, including existing providers and new entrants, encouraging each bidder to put forward attractive proposals and to positively respond to the terms and conditions specified by the councils.

## Market sounding and procurement phase

During procurement, it is suggested that the following approaches be adopted:

- 1. Councils should seek to undertake a proactive market sounding to encourage a wide range of bidders, including established and newer players, to help ensure a strong competitive field that compels each bidder to put their best proposal forward. This sounding needs to emphasise that the councils seek a modern facility and a commercial partner who is proactive towards the terms laid out in the request documentation.
- 2. During market sounding, there may be merit in the councils actively seeking and inviting newer service providers where the southern councils represent a significant growth opportunity and motivate a strongly competitive offering. Appendix A grants initial evidence of the potential for new entrants to Tasmania based on a short desktop review.
- 3. Councils should request potential suppliers to submit proposals that respond to a range with ten years at the lower extreme and fifteen years at the upper extreme, i.e. seeking a response involving two variants in the terms offered, relating to the upper and lower bounds of this range. Councils may advise that the timeframe struck with the successful bidder may be negotiated for a point at either end or between the two extremes, with potential for limited extension periods.
- 4. At the point of contract signing, councils should seek to phase the timeframe in with other procurement cycles used by the north and north west regions. This will then allow all councils to coordinate future market sounding and potentially procure complementary services; and support the use of consistent quality settings and performance measures.

#### Management phase

At the management phase, it is assumed that the contract signed between the councils and the recycling service provider is within the recommended range, i.e. between ten and fifteen years. In a narrow sense, the contract signing process will have completed the implementation of this recommended setting. However, there is merit in ensuring that the service standard and outcomes sought by councils (see Section 2.1) are protected in light of potential market and policy risks and opportunities.

- During the management phase, it is suggested that councils should actively scrutinise the
  performance of the service (e.g. on an annual basis), calling on the other settings
  recommended in this study to examine and drive improvements in the recycling service
  managed on the community's behalf.
- 2. Similarly, decisions relating to contract extension will be more effective if the southern councils are in a position to compare performance levels against a clearly articulated set of objectives and/or standards.



# 3.2. Recycling service administration and oversight via a dedicated third party

The use of a third party to manage the commercial relationship between councils and the recycling operator is put forward as the preferred model for overseeing these services, with councils signing on through a single contract. This will allow for focused attention and efficiency gains compared to individual relationships and contracts, without placing undue responsibility in the hands of a proactive subset of southern councils.

Content below is focused strictly on implementation needs surrounding the management of a recycling service for the southern councils and does not presume a given entity or type of organisation is charged with this responsibility. Other tasks designated to the organisation are considered outside the scope of this work, although it is acknowledged that there may be economies of scale and scope for other activities (as may be the case for regional bodies active in the north and north west of the state).

### Objectives and terms of reference for a recycling administration body

Based on discussions in earlier phases of this project, it is proposed that the key objective of an administration body tasked with managing recycling services is to manage the recycling service in line with maintaining and improving the priority outcomes sought by the southern councils.<sup>16</sup>

Key terms in meeting this objective may broadly include, for example:

- 1. To manage the contract on behalf of the southern councils, to ensure compliance and to ensure contract provisions are utilised to deliver on priority outcomes for the councils
- 2. To engage with the recycling service contractor to anticipate and address performance risks and capture emerging opportunities
- 3. To manage data and market intelligence on the councils' behalf, and report on recycling service delivery to the southern councils in a way that supports council business planning, decision making, community engagement and other council processes
- 4. To facilitate a partnership approach between the southern councils and the recycling service contractor, supporting information exchange and a collaborative approach to delivering a high quality of service for the community
- 5. To engage with and explore partnerships with external parties (including state bodies, regional organisations and the private sector) as a party representing the southern councils interests, as is relevant to the delivery of recycling services
- 6. To facilitate discussions across the southern councils (involving other parties as relevant) to:
  - a. Ensure sufficient agreement on the interpretation of and balance across priority outcomes to realise through the recycling service
  - b. Plan corresponding actions related to the recycling service in light of this agreement.

<sup>&</sup>lt;sup>16</sup> As explained, this objective is solely in relation to the task of managing the recycling service, not other responsibilities that may be within scope for the organisation.



The above numbered points are put forward as a relatively tightly focused set of terms for the recycling service administration body, with a view to avoiding a drift in scope into other areas that are peripheral to recycling services. As the councils progress in their procurement and service delivery phases, a need to revise or further clarify terms may become evident.

These terms are also not set out at a level of detail to function as tasks for the administration body to undertake, as task setting would ideally factor in resource availability and capacity; the nature and extent of responsibilities that need to remain with councils; and particulars of the agreement between councils and the contracted recycler. However, the finalised terms of reference and objectives may guide the allocation of tasks for the body, which may be codified through a service level agreement or similar mechanism.

#### Resourcing

Implementation of the recycling service administration body will require sufficient funding and resources over the life of the recycling service (pending the inclusion of any interim performance review and evaluation processes) to grant confidence that service oversight will be adequate. It is therefore suitable that resource planning be undertaken (following on from finalising a service level agreement or similar), along with a suitable funding strategy.

The recycling service administration body should be seen as an organisation that facilitates service delivery and outcomes on behalf of the southern councils, rather than a means to completely offload or outsource councils' responsibilities with respect to recycling service oversight. It may be useful for the southern councils to include with the service level agreement, a documented allocation of complementary responsibilities sitting across the body and the twelve councils. This will then make clear which responsibilities need to stay with councils over the duration of the recycling service, requiring a level of internal resourcing and authorisation.

#### **Governance**

The above approach to delineate council and administration body roles and responsibilities may form part of the governance settings for this body. Separately, there is likely a need to form an oversight group (i.e. comprised of council representatives) sitting external to the body with the objective and capacity to review the administration body's performance in managing the recycling service over a given timescale.

The methods and procedures used to assess this performance may depend on the nature of the body itself (e.g. company; joint authority; or some other structure), however the key questions for this oversight group concern:

- Whether the body has satisfactorily acquitted its duties and applied its resources to ensure the recycling service has delivered to council expectations.
- What actions may be taken to improve the functioning of the recycling service, through changes to the administration body's activities and/or other steps within councils' control and influence.

In applying these questions, a major consideration may rest on the degree that councils want the recycling service to be proactively managed, i.e. drawing on the terms and features put forward in this study to the fullest extent; versus the option where the role of the administration body is to perform a more modest set of commercial due diligence operations.



## 3.3. Expanded reporting and disclosure settings

Across the study, councils affirmed their strong interest in improving transparency for how materials from the kerbside are being recycled, including activities occurring downstream of the recycling operator. Further, adequate reporting arrangements are an important component for some other settings put forward during this project, including the use of a transparent pricing model and provision to influence end products and markets. Councils should therefore be firm in their dealings with recycling operators to ensure reporting arrangements meet their needs.

### Market sounding and procurement phase

It is suggested that the market sounding and procurement phase be used as an opportunity to have all potential bidders grow accustomed to the notion of improved transparency, and that a higher reporting standard is essential to the recycling services sought by councils.

- During market sounding and procurement, potential suppliers will need to be advised of expanded reporting requirements (see Section 2.4), with clear guidance that this reporting is essential for councils' assurance that recycling services are being responsibly delivered on behalf of the community.
- 2. Suppliers should be instructed to directly respond to these requirements in their proposal, including proposed methods and formats to deliver and/or alternative approaches to reporting they seek to put forward. Any concerns relating to the 'commercial in confidence' or 'undue administrative burden' nature of the information requested should be adequately explained, i.e. why the requested information represents an unreasonable commercial risk or undue burden in disclosing to councils.
- 3. During the selection process, councils are suggested to examine the reporting section of each proposal in detail, and seek clarifications from suppliers where there are any instances of reporting ambiguity. Prior to a final decision, there may be additional merit in requesting shortlisted suppliers to draft up 'dummy' reports pertaining to one or more of the reporting elements requested, to grant councils confidence that reporting arrangements will meet their needs.
- 4. The final contract is recommended to directly specify agreed reporting arrangements, potentially including options to review on a periodic basis, where there may be opportunity to introduce reporting efficiencies and/or clarity and transparency. The contract should specify the format of information provided, given potential impacts on councils' convenience to extract and/or represent information for different needs.
- 5. Final contracts should also provide clarity to all parties as to which information councils will be able to disclose to limited third parties (e.g. state government) and the general public, with a default preference towards open and transparent settings.



### **Management phase**

- During the first year of the contract, the recycling operator and councils (facilitated by
  the body tasked with managing the contract on councils' behalf) should aim to resolve
  any outstanding reporting issues to ensure that reporting is both useful and reasonable.
  This first year also provides opportunity to resolve any confusion in interpretation, to
  ensure that councils understand the information being provided by the operator, and are
  able to repackage any details for their internal and/or public reporting activities.
- 2. Ongoing over the lifetime of the contract, there may be merit in the contract management body working with a subset of councils to review the information reported on in terms of risks and opportunities to the recycling service, and measures to improve on the recycling service's delivery of priority outcomes. This group could additionally review the adequacy of reporting arrangements (i.e. on an annual basis), and work with the recycling operator to optimise reporting arrangements over time.
- 3. It may additionally be useful for the contract management body to prepare periodic overview reports on behalf of councils (e.g. briefing summaries or similar, potentially drawing on additional content outside the service), that may be outside the scope of what is reasonable for the recycling operator to prepare. If this is deemed useful to the southern councils, such a scope of activities should be set out for the contract management body (i.e. in its terms of reference, service level agreement or similar).



## 3.4. Capacity to influence products and end buyers

Depending on the recycling operator, commercial provisions put forward to implement this setting may be viewed as contentious, given that they seek to allow councils some involvement in business planning processes that have traditionally been closed.

However, the key issue is that the councils have an unavoidable stake (both financial and reputational) in what happens to the material after it has been sorted by the recycling operator, and this stake is evolving due to issues set out in the Introduction. In this sense, councils retain some reputational liability for the material downstream, which argues for the need for an ability to influence downstream action.

### Market sounding and procurement phase

Granted the above, market engagement and the call for proposal process may need to involve some degree of testing acceptance levels across potential providers.

The key message is that a willingness to open up processes to explore risks and opportunities, and to share decisions on end markets and product improvements, is a priority for councils and will be well regarded. The councils may seek to use the settings put forward in Section 2.4 as an area or criterion for providers to then respond to in their proposed solution.

- During market sounding, councils should consider testing recycling service providers'
  openness to involve councils in decisions on where sorted materials are sent, which may
  potentially involve improvements to product quality and/or service upgrades over the
  service timeframe. Providers would need to understand that councils are not looking to
  interfere with commercial decision making processes, and accept that decisions
  regarding end markets and products may carry gate fee ramifications.
- 2. During the call for proposals, councils may seek to request that bidders include in their response:
  - a. Proposed methods and procedures to scan for and engage with councils on alternative end markets (i.e. different end purchasers potentially operating in different locations) for sorted materials on a periodic basis, accounting for whether these alternative buyers require changes to the quality of materials
  - b. Proposed methods and procedures to undertake further investigations into the commercial viability and public benefit of redirecting materials to one or more of these alternative end markets on councils' request, including potential alterations to recycling services that may be necessary
  - c. Proposed methods and procedures to bilaterally agree to amendments in the recycling service (and any related activities) to send materials to different end markets as informed by such investigations, which may or may not require an agreed schedule of upgrades to sorted products and/or on site processes and/or the quality of material sent to the facility.
- 3. On selecting a preferred bidder, councils should review the proposed methods and procedures for adequacy, and factor this into their selection decision. Agreed arrangements (refined with the successful bidder as necessary) should be incorporated into the signed contract, including default timing and/or trigger conditions to initiate such methods and procedures. A key issue will be to ensure that councils have some scope to initiate a process to explore new markets and products and to shape the scope of a commercial investigation, rather than having the service provider lead all decisions.



Further, any reports and intellectual property should be deemed shared property of the councils and the recycling operator, noting that councils may be restricted in sharing details that are 'commercial in confidence' in nature.

### **Management and activation**

During management of the recycling service, there is the potential that terms allowing councils to influence end products and end markets are neglected over time, such that opportunities to improve on priority outcomes are not realised. Guidance below is geared to help councils activate these terms, and put them to use to enhance the benefits delivered through recycling.

- During management, councils should look towards the contract management body to facilitate discussions and planning between councils and the recycling operator concerning the option to explore alternative markets and sorted products. This engagement could potentially involve third parties where there is scope to partner for new supply chains for recycling. Provisions to engage the contract management body should cover these responsibilities.
- 2. As a default, councils may seek to activate agreed arrangements to explore and lock in new markets and end products on an annual basis. However, there may be a need to ensure the relevant contract terms can respond to external drivers including, for example:
  - a. New reprocessors entering (or established processors leaving) the market to accept sorted materials
  - b. Significant changes to policy and market landscapes
  - c. The provision of public stimulus funding to upgrade recovery infrastructure at sorting facilities and/or downstream operations
  - d. Other external drivers not otherwise anticipated.
- 3. While respecting the need to protect confidential information and the commercial sensitivities of their recycling provider, councils should seek to use the analyses and findings from these investigations to engage with third parties where this may open opportunities to strengthen priority outcomes. It may be useful for councils to consider potential engagement objectives in scoping investigations with their recycling provider.



# 3.5. Gate fees to incorporate price transparency and shared ownership

The purpose of this setting is to carry an increased level of transparency from the recycling service provider in the way gate fees are calculated, by ensuring the gate fee accounts for relatively stable operating costs as well as fluctuating revenue streams arising from the sale of recovered materials. The resulting gate fee should rise and fall within an operating range, based on the lower and upper range of prices for recovered materials.

The degree that the gate fee rises and falls depends on the extent that the councils are sharing in the uncertainty in sales revenue. An approach where the councils accept very little risk (in effect, a static gate fee) places all of the risk on the operator while councils forgoing any opportunity to directly benefit from higher prices and/or improvements in the quality of recovered materials. An approach where the councils accept some price fluctuation allows the operator to transfer some risk, while councils share in the benefit from and incentive towards producing higher grade recyclable material. While there is no fixed ideal for the ratio of sales revenue for councils to share in, it may be a suitable starting point to seek proposals from bidders based on a 50:50 share of sales revenues, and then negotiate an agreed share with the successful provider. <sup>18</sup>

This fee structure promotes stability by lowering the likelihood that the operator has overestimated the revenue that they will get from recovered revenues, which could carry into unsustainably low fixed gate fees. It also promotes efficiency by lowering the likelihood that the operator has underestimated this sales revenue and overcompensated through higher gate fees than is necessary.

In implementing this setting, the onus is on the recycling service provider to set fixed and variable components that contribute to a stable yet efficient gate fee model. Further, the operator should provide a clear working out for how the variable component of their gate fee was calculated for each invoicing period.

<sup>&</sup>lt;sup>17</sup> Noting, previous arrangements with SKM assumed a fixed gate fee and risk transfer which ultimately did not hold up against market shocks.

<sup>&</sup>lt;sup>18</sup> WRAP UK identifies that a 50:50 split is typically used by councils and MRF operators in the UK (WRAP, *Understanding* MRFs, undated). However, the southern councils may seek to understand the terms used by Launceston in its new recycling services contract.



## Market sounding and procurement phase

- 1. The market sounding stage may be utilised to test prospective bidder appetite to set fixed and variable components and reference examples where they have instigated similar arrangements with client councils.
- 2. During the tendering process, potential bidders should be requested to set out a gate fee structure for a modern recycling service (i.e. able to produce quality materials suitable for current and approaching market conditions) based on councils' current composition of kerbside materials and volumes, including known information on contaminants.
- 3. The bidders should be instructed to set out a competitive two-part gate fee consistent with their known costs and sales revenue sources covering:
  - a. A fixed fee component (i.e. as price per tonne received) to reflect relatively stable components of their operating costs
  - b. A variable offset component to reflect sharing of revenue from the sale of recovered materials, with a clear explanation of how this component would be calculated and applied over a normal invoicing period.
- 4. To help provide councils with some comparable cost ranges across all proposals, bidders may also be instructed to:
  - a. Provide an estimated total gate fee based on current prices for recovered materials, noting the volume and composition details supplied by councils
  - b. Provide an upwards adjustment to this gate fee, applying a scenario where recovered material prices have fallen by 30 %
  - c. Provide a downwards adjustment to this gate fee, applying a scenario where the recovered material prices have risen by 30 %.
- 5. After selection of a successful bidder, the councils and operator may seek to confirm or renegotiate the precise calculations to use in setting gate fees in the contract, depending on risk appetites across the two parties. The contract should also precisely set out the working figures to accompany each invoice to allow councils to confirm the correct gate fee is being charged for each invoicing period.
- 6. In order to set up a transparent and sustainable gate fee model, there may be a need to include other charges and penalties relevant to the service, and/or agreed procedures to revise prices based on unforeseen circumstances. The contract may need to provide for these needs, including a timely disclosure between parties to allow a full exploration of contingency options.

#### **Management phase**

- 1. The proposed approach to more transparent gate fees largely involves implementation during procurement and contract signing stages. During the management phase, the priority should be on monitoring external factors that impact gate fees, and ensuring there is open dialogue to account for potential market risks that may fall on both parties.
- 2. To this end, the contract management body has a role in maintaining dialogue between the recycling service provider and councils, regarding potential gate fee risks over relevant timeframes (e.g. six months or twelve months) and steps to address those risks.
- 3. In order to alleviate budget uncertainty, it may be useful for the recycling service provider to set out a forward non-binding projection (range) of gate fees over a relevant timeframe (e.g. six months or twelve months), within a given confidence interval.



## 3.6. Putting the proposed settings to active use

The above recycling service reforms will deliver value to the southern councils and their communities in direct response to the level of attention and effort exerted by the councils (and by the administration body where relevant) in activating them.

This may be a lesser issue for the longer contract term and transparent gate fees which are activated from the outset of service delivery. For the remaining areas – reporting with enhanced transparency; the use of procedures to influence downstream pathways; and the use of a focused administrative body to manage outcomes and service quality – the value to councils and community necessarily stems from a degree of active management.

Granted that the value of recycling service outlays may be in the order of \$30 million over ten years across the twelve councils, and given the level of uncertainty surrounding recycling and reprocessing markets, a proportionate allocation of effort and attention is worth investing.



## 4. Potential for supporting activity from state government

In engaging with the Tasmanian Government (a funding partner to this project), relevant departments (DPIPWE and DSG) have expressed a strong interest in understanding where state government policy levers and interventions can best support outcomes for the southern councils' communities while efficiently delivering on state government policy commitments.

Such commitments as set out in the draft Waste Action Plan and elsewhere presently include both draft circular economy targets and intervention commitments, with some that are more relevant to recycling services, such as:

- The draft commitment to reach an 80 % recovery rate across the state by 2030, compared with current rates that are closer to 40 %
- The confirmed commitment to introduce a waste levy across Tasmania, with the stated intent to allocate some funding to support region scale activities in the north, northwest and the south, and to reinvest funding into circular economy initiatives
- The introduction of a container refund scheme to improve recycling of used beverage containers
- The draft commitment to establish standardised data management systems to capture waste data, monitor progress against targets, and facilitate investment in resource recovery.

Further engagement with DPIPWE and DSG confirms that the state has an interest in stimulating investment in resource recovery activities on island, that may occur downstream of recycling operations. Together with the points above, this means that the Tasmanian Government has a clear and direct stake in the performance of recycling services delivered for all councils.

The success of the southern councils in establishing and managing a quality-driven service model as set out in earlier sections of this report should be a shared concern for the state, motivating an active interest in taking complementary actions to help realise this success. In the ensuing text, some indicative areas of state action are explored with recommendations, emphasising where the councils and state can leverage the new recycling service settings put forward in this project.

## 4.1. Fostering competition to drive commercial responses

A foremost area where the state government may immediately support the councils in establishing a quality-driven recycling service is in the area of capital funding for new recycling infrastructure. However, rather than a process of running a grants program or similar (i.e. the traditional model for allocating public capital to recovery capacity), it is proposed that this funding be allocated through the councils' procurement and tendering process.

This model provides some major advantages over the traditional grants model:

- 1. It ensures that the allocation of capital is directly tied to a committed volume of material for sorting and subsequent processing, rather than setting a precedent of funding private infrastructure that may remain under-utilised for an unknown period
- 2. It enables the state government and councils to lock in partnership terms (particularly in relation to reporting and information sharing, and coordinated investment planning across recovery networks and supply chains) to get the best productive use out of the state's capital allocation and the councils' service contract



- 3. It ensures that any funding flowing to the successful bidder is contingent on that bidder agreeing to a number of necessary terms (as recommended in this report) that are vital to ensuring a high quality of recycling service for the southern councils
- 4. It helps to ensure that the communities represented by councils, being the foremost segments of society that will ultimately pay for the impending waste levy, directly benefit from capital allocations for recovery infrastructure (i.e. that reduce their exposure to waste levy costs) *by design*. This helps ensure an equitable distribution of costs and benefits stemming from the waste levy.<sup>19</sup>

At a more critical level, this capital allocation may be vital for ensuring that the councils' procurement process successfully motivates a wide competitive field of potential recycling service providers to treat the proposed service settings seriously. The potential for funding is anticipated to attract new entrants who are willing to compete strongly, and may otherwise be disadvantaged relative to Tasmanian market incumbents who may draw on existing plant and equipment in offering a new service.

In contrast, the absence of some public funding may mean new entrants elect not to compete (based on a presumed inability to deliver a competitive solution within councils' gate fee tolerances), leaving the councils the choice between incumbents whose market dominance may license them to dismiss some of the key settings proposed in this study. Councils need to avoid the situation where there is no cost competitive offer available through the procurement process, leaving southern councils no options but to continue relying on aging infrastructure in the south for longer than is ideal, or to divert material to existing facilities in the north while inadvertently concentrating the market and introducing single point failures in Tasmania's circular economy (see box overleaf for a wider discussion of this and related issues). While councils may ultimately choose either of these options as the best available, it is preferable that this choice be made amidst a strong range of alternatives.

Granted these concerns, it is preferred that competitive pressure be placed on the incumbents and new market entrants alike, to best position councils to strike terms that are optimal for their communities while contributing to state circular economy goals.

Efficient public funding and a well run procurement process to attract a strong field are fundamental to these outcomes, and will enable the state and councils to then access a range of mutually useful partnerships that leverage the service settings proposed in this report.

<sup>&</sup>lt;sup>19</sup> There may be some persistent distributional effects where regional and remote communities are poorly placed to access recovery infrastructure publicly funded through levy revenues. In such instances, the Tasmanian Government may be able to provide more tailored support in trialing recovery measures more suitable to their needs.



## Delivering volumes to achieve scale economies and system redundancies in southern Tasmania

A key question across stakeholders is whether or not there is sufficient recyclable material across the southern councils to justify the continued operation of a southern recycling facility, given plans for a new facility in Launceston in the coming years.

At present, the southern councils deliver about 20,300 tonnes per year of material to their recycling facility (which, based on a 1 % population growth rate, would amount to 22,400 tonnes in around ten years and 23,600 tonnes in around fifteen years).

A Container Refund Scheme will reduce these totals based on the diversion of some glass, plastics and aluminium away from the kerbside collection system. Future volumes of material sent to the recycling facility may instead be in the order of 19,800 tonnes (2030) to 20,800 tonnes (2035), adjusting for the scheme's introduction (see Appendix B for details behind these projections).

These figures do not include any material that the operator may independently source from commercial and industrial customers whose recyclable material is not collected through municipal collection services. They also do not include any increase in volumes as may be stimulated to achieve draft statewide resource recovery targets (of 80 % recovery by 2030) as laid out in Tasmania's draft Waste Action Plan.

These volumes are in the productive range of some recently commissioned, leading edge facilities on the mainland, processing between 15,000 tonnes and 20,000 tonnes per year (see Appendix A, details pertaining to Mackay and Townsville facilities). This suggests that smaller scale modern facilities can be operated while staying within councils' cost tolerances, acknowledging they may be at the lower end of the scale needed to justify a separate facility.

Councils and the state government should not lose sight of the strategic benefit of having a major recycling facility in the south, in complement to one or more facilities operating in the north and northwest. A local facility avoids significant haulage costs and greenhouse gas emissions (compared with transporting material to the north) while positioning the southern councils to use recovered materials in nearby markets (including in their own operations). Further, it allows a level of redundancy in Tasmania's circular economy, should any adverse events unfold or should any one operator seek to exercise undue market power due to an absence of nearby competitors.

Recent fires in recycling facilities across the country include: Coolaroo (Victoria, 2017); South Guildford (WA, 2019); New Chum (Queensland, 2020); and Wingfield (SA, 2021). In each case, operations were disrupted such that councils needed to adopt other management options. If a major incident were to occur in Tasmania without the option to fall back on a second facility, the most likely course of action may be for the councils to send the recyclable material to landfill (as shipping interstate would be cost prohibitive) at a premium.

In sketching out fire related disruptions, no intent is made to cast criticism on the operational standards and professionalism of actors currently recycling in Tasmania. However, the risk of unforeseen and disruptive events of low to moderate frequency seems to be part of the character of the recycling sector for the time being (noting efforts by all parties to address such issues).

The presence of modern facilities both in the north and the south, particularly where they may have spare capacity in response to an adverse event and to maintain a degree of competitive pressure across the market, would allow councils to retain some processing options that may prove their value in a given set of future scenarios. This insurance value should ideally be reflected in infrastructure planning and investment processes shared across councils, the state and private operators.



## 4.2. Information sharing framework

Touched on in the previous section, there may be provision for the southern councils and DPIPWE to establish an information sharing framework wherein details reported by the operator required through the contract (that are agreed as falling outside of justifiable confidentiality interests) are passed through the southern councils to the department. This framework rests on enacting the reporting provisions as laid out in Section 3.3, including the ability for councils to share information with third parties and the public as deemed suitable and necessary.

The framework allows a clear, timely and accurate line of sight of volumes and material types from generation source (i.e. by local government area in the southern region) through to end markets for recovered materials and disposal of residuals to landfill, including key links in the recovery chain along the way. The main advantage of this model is that it utilises the timeliness and accuracy of service level information rather than more costly, delayed and less streamlined information sharing methods used elsewhere (such as voluntary surveys and/or licence conditions), which are often affected by inaccurate, incomplete and duplicated reporting.

Should this arrangement be replicated in the north and northwest, and carried across to organics processing, the state government would gain a systematic, accurate and timely overview of material flows associated with waste and resource recovery occurring via the local government network.<sup>20</sup> This system would not impose additional reporting requirements on industry than those already asked as a core service necessity by councils.

A key benefit of this framework is that it provides for immediate and accurate tracking of the state's performance against policy targets, as well as isolating locations and sectors that may be performing poorly and warranting an uplift in intervention. It will also allow the state to directly gauge the productivity of recovery assets and services that receive government funding, gaining a sense of which investments are performing better than others. The release of selected performance reports to the public will assist transparency and buy in, and support public acceptance of key policy tools such as the waste levy and the Container Refund Scheme.

Further, should the state and councils partner to release public statements on material flows and circular economy policy priorities on a periodic basis (similar to the national Statement of Opportunities for the electricity and gas sectors as published by AEMO), this will help stimulate businesses to innovate in response to the state's policy goals and related interventions.

<sup>&</sup>lt;sup>20</sup> Reports from landfills associated with tracking waste levy liabilities (coupled to self-reporting of disposal volumes by councils) will provide additional information on volumes related to disposal.



## 4.3. Coordinated measures to stimulate downstream activity

Research completed during earlier stages of this project indicate that the majority of material recovered from recycling services for southern councils is reprocessed outside of Tasmania (with recycled glass being the single exception recovered locally).

During these stages, interest in reprocessing some types of plastic was voiced from local businesses; and businesses that currently take glass for limited uses expressed an interest in producing higher grade products that depend on a less contaminated feedstock being supplied from the recycling operator. This interest suggests the potential to stimulate more and/or improved reprocessing activities in Tasmania, downstream of recyclers, allowing the Tasmania to retain a greater share of the value of recycling within the local economy.

Should the state government hope to stimulate downstream recovery activities 'on island', private operators entering the market will need confidence that they can access a sufficient scale and grade of material from local sorting facilities (and in some cases, beverage packaging material sourced from CRS refund locations) that they can then further process into useful products at a competitive price. Measures put forward in Section 3.4 allow the southern councils to play a role in directing their kerbside recycling material to these usages where agreeable terms can be agreed with the recycler, alleviating a key dependency for investment in downstream recovery operations.

Granted the above, there is the potential for the Tasmanian Government to engage with southern councils (and other councils) on using their capacity to influence material flows via the recycling contract, when looking to support investment in downstream recovery activity 'on island.' Moreover, due to the reporting conditions (Section 3.3) and price transparency (Section 3.4), councils should be in a position of knowledge as to the environmental and economic effect of redirecting material from other markets to local purchasers downstream of the recycling facility. This allows all parties to have a more open discussion of how they are affected by a change in downstream recycling pathways, and what they can do to enable a shift towards a more localised circular economy.

This model draws on a reciprocating usage of councils' capacity to redirect recycling material flows, private business' investment in downstream operations, and state government capacity to stimulate local circular economy initiatives with multiple levers. Post the introduction of a Container Refund Scheme, it may also need to draw on some capacity of the state government to influence downstream material flows to drive local economic and environmental outcomes.

In this model, each of these sectors stand to benefit. The state government gains greater certainty that its interventions will be efficient and effective. Private investors in local recovery activities gain confidence that their investment in new operations will perform against commercial expectations, by virtue of locking in essential inputs at the right volumes and grade specifications. Councils can gain access to local recovery supply chains that are potentially less exposed to the uncertainty and risks associated with competing in mainland markets (where they may be disadvantaged according to scale, distance and capacity to respond to market shifts).



## 4.4. Other recycling models to reflect local conditions

In drafting this report and engaging with stakeholders, it becomes clear that there are a number of aspects to recycling in Tasmania that are distinct from many other parts of the country. In line with the project's scope, the study has accounted for those aspects in setting out some options for how a recycling service employing a central sorting facility (i.e. a Materials Recovery Facility or MRF) may best work for the southern councils.

Two key challenges for many councils across Tasmania – the relatively small volumes of recycling material at stake; and their exposure to mainland markets that demand an increased quality of material – may be seen as conditions that run counter to the reliance on capital intensive infrastructure devoted to sorting commingled recyclable materials from the kerbside.

The small volumes may place councils at the edge of scaling economies that serve to spread the capital costs involved in setting up newer (or substantially upgraded) sorting facilities. The increasing expectation of clean and well sorted material contrives against a model where separate material streams are commingled (at the kerbside) only to then reverse this commingling via industrial processes at the next stage of recovery. While centralised sorting facilities may seemingly be the accepted option for larger and more densely populated settlements, other solutions may bear consideration for some locations with more engaged members of the community who can dedicate to a higher effort of sorting at home.

In short, there may be value in small scale testing of one or more other models for recycling services in targeted parts of Tasmania, in parallel to southern councils' (and other councils in the north and northwest) engagement of a sorting facility. These models may be oriented around:

- Maintaining separate and clean material flows to the extent practical within a given community (rather than commingling and then unmingling materials post collection)
- Equipment and processes that are not unduly beholden to the need to invest in capital intensive infrastructure and then maximise throughput to lower unit costs.

Two such examples of these alternative collection models are: i) the use of 'Single Pass Resource Recovery Vehicles' as adopted across Wales UK; and ii) the use of neighbourhood drop off points for source-separated recycling, particularly for smaller and more distant communities for whom a property-to-property collection service may not be economical. Neither of these systems are especially capital intensive while potentially working with smaller scale volumes, provided that residents can be engaged to separate their material as they present their recycling for collection. In each case, only modest levels of additional sorting (if any) may be necessary prior to serving materials to end purchasers, meaning that the value of this higher grade material is kept by the community rather than being transferred to or shared with a third party.

There may be merit in the state government conducting feasibility studies and limited trials for one or both of these recycling alternatives (or others that may hold promise), working with councils who may be interested based on scale, remoteness and/or community engagement levels. These studies could establish benchmark performance levels and implementation guidance so that Tasmanian councils are positioned to compare each model against the prevailing approach centred on a sorting facility, ahead of the next procurement cycle.



#### 4.5. Overview of a partnership model for state and councils

The diagrams overleaf (Figure 2 and Figure 3) provide an overview of how the state and council may put in place the various elements described in sections 4.1 through 4.5, altered to explain how these elements may be applied across Tasmania (i.e. with similar arrangements struck with councils in north and northwest, and with remote council over the coming years).

The first concept diagram (Figure 2) describes an initial stage of the process where the state government provides an allocation to fund infrastructure via the councils as they lead into their service procurement activities. This allocation is contingent on setting up terms between councils and the Tasmanian Government to support their working together and sharing information during the operating phase of the recycling contract. (For remote councils and councils that have recently completed procurement for recycling facilities, the basis for funding may be centred on some other recycling-related interest where councils help drive the state's policy agenda.)

These terms will carry through to the commercial relationship between the councils and the recycling operator, such that eligible bidders will need to cooperate with those terms in order to gain access to the public funds allocated by the state government to support their capital works. Thus, the funding helps to bind the successful bidder to conditions that are amenable to the council's and the state's needs, while also helping to attract a large number of competitors into the procurement process as set out in Section 4.1. It also reduces the concern that councils with lower income communities will fixate upon gate fees as the dominant issue at stake, as the public allocation should lessen the private costs that need to be recovered through gate fees.

The second concept diagram (Figure 3) shows the operational phase, i.e. during the years in which the recycling operator is taking commingled materials, and sorting and sending clean streams to end markets (under present arrangements, all materials except glass are processed outside of Tasmania). The councils and Tasmanian Government are able to use market information gathered during this operating phase (along with other independent information gathering activities) to explore alternative end markets based on their relative benefit in line with state policy objectives and the councils' stated recycling priority outcomes.

Depending on the opportunities at hand, the councils and state may then consider a range of stimulus measures applied in concert at the local, regional and state scales (leveraging provisions included in the new recycling contract) to divert material recovery activities onto a path that increasingly accords with state policies and councils' priority outcomes. Arrangements in support of price transparency in the recycling contract (i.e. where gate fees adjust in response to the value of materials recovered, see Section 3.5) are important in that they allow recycling operator cashflows to adjust within given commercial tolerances without introducing undue solvency risk to the operator or undue discontinuities in gate fees to the councils.

In this model, the use of a proactive, competent, well resourced and appropriately managed contract administration body is important as a 'go between' across the different sectors involved, and to broker a constructive outlook across those that have a stake in ensuring the recycling service brings value and remains resilient over its operating lifespan. The body needs to actively engage with state and local governments and the operator to ensure new opportunities are uncovered and acted upon, driving each party to play a role according to their individual strengths.

<sup>&</sup>lt;sup>21</sup> Urban EP, *STWMG Commingled recycling discussion paper – Part 2 summary notes*, 2021 details potential 'on island' recovery paths for glass, plastics (HDPE and PET) and paper that contrast with the current focus on lower grade glass outputs and plastics and paper reprocessing outside Tasmania.



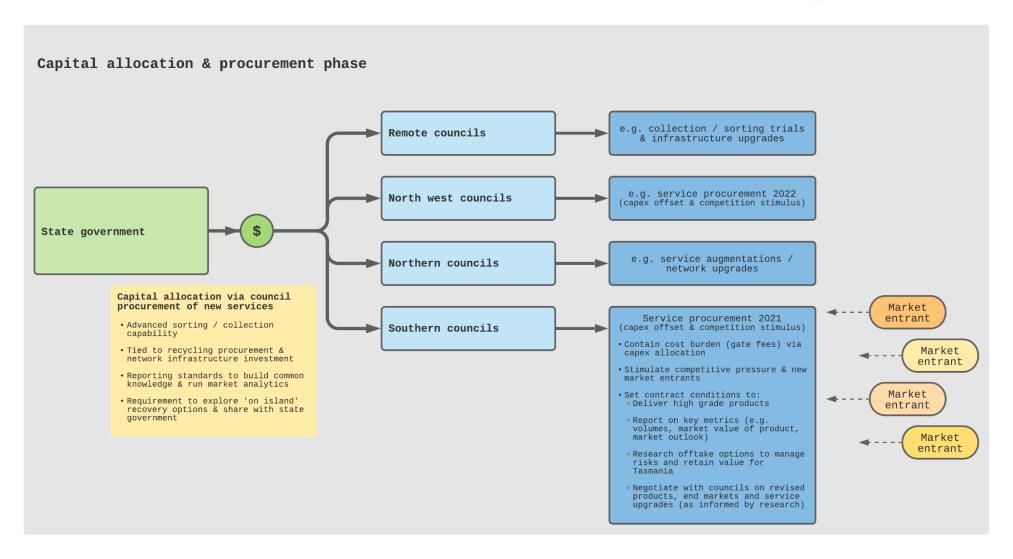


Figure 2: Overview of a collaboration model between state and local councils prior to establishing new recycling operations, underpinned by a capital allocation directed through council procurement processes.



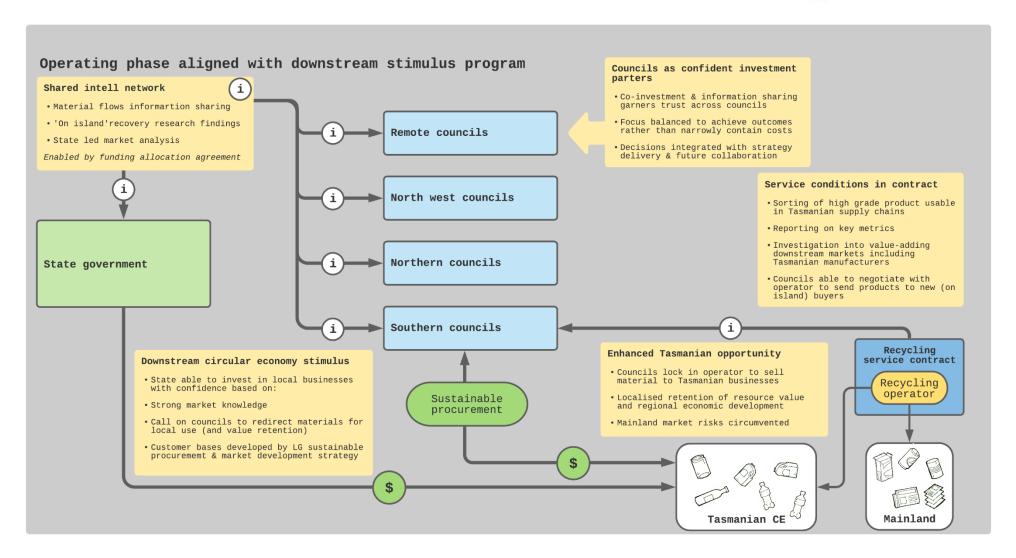


Figure 3: Overview of the collaboration model between state and local councils during the operational phase, focusing on an agreement between state and southern councils as one example. Information sharing, market analytics and stimulus to drive the local circular economy are coupled to councils' commercial terms (i.e. reporting, capacity to engage and negotiate on end buyers, price transparency) to ensure material flows can be leveraged by local circular economy innovators. The regional contract administration body has a key role in liaising across tiers of government and coordinating across the various parties involved.



## **Appendix A - Operating MRF examples**

#### Desk top investigation of current reference facilities in Australia

The project scope did not include a formal market sounding process to both inform the market of prospective opportunity to provide MRF services and gather intelligence from the market as to their willingness, capability and capacity to respond. Even so, the project team is mindful that some council officers have questioned whether a new procurement process would attract multiple bidders, given the quantity of material on offer and the Tasmanian context.

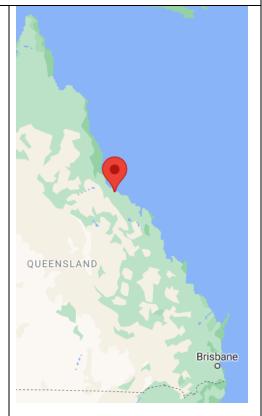
In response, the project team conducted a limited (i.e. non-exhaustive) desktop review of MRF facilities currently in operation in mainland Australia and identified some potentially relevant examples. A further market sounding process would provide an opportunity to engage with these providers, in addition to existing operators in Tasmania, to gauge interest and gather further insights as to current and prospective practices and their alignment with settings proposed in this report.

Examples have been identified from at least two recognised organisations Re.Group (and their engineering subsidiary RDT) and iQ Renew, currently operating MRFs in Queensland, ACT and NSW, with processing capacities ranging from 15,000 to 60,000 tonnes per annum (tpa).



#### Townsville MRF – Townsville Queensland – population approx. 178,000





Commissioned: 2017 Capacity: 15,000 tpa at 15 tonnes / hour.

**Feedstock:** Kerbside collected recyclables. **Operator:** Re.Group (RDT)

**Capex:** Total capex was not disclosed publicly however Re.Group publicly reported a 'brand-new 10,000 to 15,000 tonne MRF' as costing \$5 million to \$6 million in 2018.<sup>22</sup>

**Contract terms:** In July 2016, Townsville City Council awarded Re.Group a contract to process around 15,000 tons annually of its kerbside collected recyclables for eight years with option of two year extension.

**Performance:** Single-stream system, which processes 15 tonnes of recyclables per hour, incorporates some of the most recent sorting technologies from <a href="Machinex">Machinex</a>, such as different types of disc screens to sort cardboard, newspaper and mixed paper; a ballistic separator to finish the separation of containers and mixed paper; magnetic separators to remove ferrous and non-ferrous metals; and an optical sorter to separate plastics of different grades.

A glass processing circuit uses <a href="Krysteline">Krysteline</a> implosion technology to turn bottles into sand. This 'glass sand' can replace virgin sand in bulk markets, such as road construction and concreting works. Re.Group has installed a drying unit at Townsville that destroys residual sugars and odours on glass and allows the glass sand product to be used in higher-value markets, such as sandblasting and pool filtration.

#### References:

https://www.recyclingtoday.com/article/regroup-installs-machinex-single-stream-recycling-system/ https://www.townsville.qld.gov.au/ data/assets/pdf file/0026/87515/TCC MRF-Facility-Factsheet JUL18 v3.pdf

 $\frac{https://www.aph.gov.au/Parliamentary\_Business/Committees/Senate/Environment\_and\_Communications/Waste\_andRecycling/Report/c05$ 

<sup>&</sup>lt;sup>22</sup> See point 5.72



**Mackay MRF – Mackay Queensland –** population approx. 150,000. The MRF facility also takes about 1,200 tpa from Isaac and Whitsunday Councils.





**Commissioned:** Revamped, upgraded facility re-opened in 2015 with particular focus on glass processing for local utilisation. The revamped facility included \$2.6 million of capital improvements including optical sorting technology and onsite glass crushing / processing to enable glass utilisation (in civil works) by council.

**Capacity:** 15,000 tpa current (with ability to increase to 20,000 tpa)

**Feedstock:** Recyclables from kerbside collections from around the Mackay region. It also accepts product from the neighbouring Isaac Regional Council and commercially-collected recyclables from Whitsunday to the north. These commingled materials include paper, cardboard, plastics, aluminium and steel cans, aerosols, glass bottles and jars, and milk and juice cartons.

**Capex:** Total capex was not disclosed publicly however Re.Group publicly reported a 'brand-new 10,000 to 15,000 tonne MRF' as costing \$5 million to \$6 million in 2018.<sup>23</sup>

**Operator:** Re.Group (RDT) - eight-year contract for the MRF including renewal of facility, as well as operation and maintenance.

Glass processing: RDT appear to favour UK based Krysteline implosion and crushing technologies.

**Settings and off-take arrangements:** RDT sends the baled products mainly to businesses within Queensland. It sends paper and cardboard to two Australian paper-recycling companies and the international market. Most of the plastics recovered are sold to local plastic manufacturers in Brisbane and Sydney, while local metal recyclers in Mackay buy the aluminium and steel. The income from the baled product sales is divided between RDT and the council in a revenue-sharing arrangement specified in the contract.

References:

https://wastemanagementreview.com.au/mackay-regional-councils-upgraded-materials-recovery-facility-paget-gld/

 $\frac{https://www.aph.gov.au/Parliamentary\_Business/Committees/Senate/Environment\_and\_Communications/Waste\_andRecycling/Report/c05$ 

<sup>&</sup>lt;sup>23</sup> See point 5.72



#### Central Coast, NSW - 60,000 tpa

Owned and operated by <u>iQ Renew</u> (via merger with Stop Waste)

- iQ Renew promote particular strengths and interests in 'cutting edge secondary processing facilities' with a focus on glass and plastics material streams.
- iQ Renew focus on physical secondary sorting for:
  - Glass including crushing and washing processes to produce recycled sand for roads, drainage and construction
  - PET / HDPE plastic optical sorting and processing to provide recycled content for packaging
- iQ Renew are also proponents and hold rights to Cat-HTR™ technology using <u>chemical</u> <u>recycling</u> to convert non-recyclable or end-of-life Plastics (otherwise sent to landfill) into chemicals to make new plastics and more sustainable fuels.
- iQ Renew have more recently invested in an MRF on the NSW Central Coast receives and sorts materials from recycling bins of a number of large councils including the Central Coast, Ku-ring-gai and Northern Beaches.
- The facility has a current capacity of 60,000 tpa, processing up to 30 tonnes of recyclable waste per hour. Media articles would suggest intention to double capacity.

#### References:

https://www.igrenew.com/who-we-are-what-we-do/

https://coastcommunitynews.com.au/central-coast/news/2020/04/somersby-recycling-business-to-double-its-processing-capacity/



#### Canberra (Hume), ACT - 60,000 tpa

Operated under contract by Re.Group (RDT)

- Re.Group (through their engineering arm RDT) undertook an \$8 million upgrade to the Hume MRF, completed in 2017. The upgraded included incorporating optical sorting and glass implosion technology. Re.Group continues to operate the facility under contract.
- The Hume facility receives 'yellow bin' co-mingled recyclable waste from ACT household collections, six ACT Regional Drop-Off Centres, commercial operators and material from five regional councils – Queanbeyan-Palerang Regional Council, Snowy Mountains Council, Yass Valley Regional Council, Bega Valley Shire Council and Upper Lachlan Shire Council.
- It also receives material from the ACT's and surrounding councils' Container Deposit Scheme (CDS) network for baling, verifying and selling to the commodity market.
- the Materials Recovery Facility (MRF) at <u>Hume is set for a major \$21 million</u> infrastructure upgrade will enable the MRF to:
  - Utilise optical scanning equipment to identify and separate different types of plastics and better screening technology to reduce contamination in paper and cardboard recycling.
  - Incorporate glass washing facilities to provide better quality crushed glass 'sand' products that can be used in a wider range of products, including construction and road making.
  - Add plastic washing and 'flaking' facilities will break washed plastic into their different polymers providing a clean product to use in making other plastic products.
- Upgrades expected to be completed by 2022.

#### References:

https://www.cmtedd.act.gov.au/open\_government/inform/act\_government\_media\_releases/act-transport-canberra-and-city-services-media-releases/2017/the-eight-million-dollar-mrf-on-display-at-open-day

https://aboutregional.com.au/21-million-tech-boost-at-hume-to-mean-cleaner-better-recycling-for-region/



## Appendix B - Volume projections to 2035

The following content on projected volumes of material is in support of explanatory text set out in the box, 'Delivering volumes to achieve scale economies and system redundancies in southern Tasmania' (p. 29). It may also be useful in engaging with prospective service providers, given that it sets out tonnages and potential compositions under a number of scenarios.

The projections show potential volumes in 2020, 2030 and 2035 in line with advice on contract duration as set out in the main report (i.e. for a contract length of between ten and fifteen years).

These projections should be viewed as indicative rather than representative, as they extrapolate from annual volumes of around 20,300 tonnes of material (2019/20 data) as provided by STWMG and compositional information from a single month (October 2020). The projections assume a 1 % increase in volumes each year as an approximation to population growth.

Given its relevance to kerbside recycling, a preliminary effort is made to factor in the effect of a Container Refund Scheme by referencing potential impacts as used by the Victorian Government ahead of implementing its version of such a scheme (the Container Deposit Scheme).<sup>24</sup> These impacts include estimated reductions of materials collected at the kerbside as follows:

- Glass volumes by 28 %
- Aluminium volumes by 37 %
- Plastic volumes by 18 % (i.e. a larger reduction in PET and HDPE volumes, spread across the total volume of plastics collected).

No attempt has been made to factor in the effect of the waste levy or other policy and market developments that may influence volumes and compositions, apart from the above-mentioned Container Refund Scheme. In many cases, their effect may be to increase volumes captured for recycling, granted the draft policy target of reaching an 80 % recovery rate by 2030.

Table 4: Projections of volumes of recyclable material collected by southern councils, showing scenarios with and without a Container Refund Scheme.

	Projections - no CRS			Projections - with CRS		
Material	2020	2030	2035	2020	2030	2035
Paper and cardboard	9,343	10,320	10,847	9,343	10,320	10,847
Glass	7,272	8,033	8,443	5,236	5,784	6,079
Plastics	1,170	1,292	1,358	959	1,059	1,113
Metals (steel and aluminium)	729	806	847	613	677	712
Contamination	1,783	1,970	2,070	1,783	1,970	2,070
Total	20,297	22,421	23,564	17,934	19810	20,821

<sup>&</sup>lt;sup>24</sup> Victorian Government (2020) *Victorian Container Deposit Scheme: Discussion paper*, p. 19.

# Container Refund Scheme Bill 2021

Explanatory Paper











Tasmanian Government



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## Minister's Message

The Tasmanian Government is committed to commencing operation of a Container Refund Scheme in 2022. Container Refund Schemes operate in approximately 40 countries around the world and all Australian states and territories now have Container Refund Schemes in place, or have committed to introduce them.

The introduction of the Container Refund Scheme Bill 2021 is an important part of the Tasmanian Government's commitment to reducing litter and increasing resource recovery and recycling. A Container Refund Scheme will also generate purer streams of recyclable materials that can have a second life as inputs to new products, helping to build a more sustainable 'circular economy'.

Under the Scheme, Tasmanians will be able to receive a 10 cent refund for every empty drink container they return to a designated Refund Point for recycling. There will also be the option of donating your 10 cent refund to eligible charitable organisations, or donating recyclable containers to a community group who can redeem your refund. The Government will ensure that a network of Refund Points will be available across Tasmania so everyone in Tasmania can participate in the Scheme. It is expected that there will be a range of different Refund Point types including over-the-counter refund points, large depots, and automated kiosks.

Under the preferred governance model that I announced on 4 February 2021, Tasmania will have a 'split-responsibility' model, which will bring together all relevant sectors to deliver the best Scheme for Tasmania. The split-responsibility model (which already operates in NSW, ACT, and has been announced as the Victorian Government's preferred model) involves a Scheme Coordinator who will run the administration and finance for the Scheme, while a separate Network Operator/s run the network of Refund Points.

The draft legislation covers establishment of the Scheme, requirements for container approvals, and identifies Scheme participants. It also explains the administration of the Scheme, including the roles of Scheme Coordinator, Network Operator, and other key participants. The more operational details of the Scheme will be addressed through regulations.

Members of the public are now invited to have their say on the draft legislation and I look forward to working with relevant industries, retailers, the charitable sector, local government and the broader community as we roll out a Container Refund Scheme for Tasmania.

Alpha.

The Hon Roger Jaensch MP Minister for the Environment



## Public Consultation Process

Consultation is open from Saturday 5 June until 5pm Friday 9 July.

The Tasmanian Government is currently seeking feedback on the draft *Container Refund Scheme Bill 2021*. This is your chance to have your say on the proposed legislation. We will be holding an online public webinar, as well as targeted stakeholder information sessions.

You can view the draft Bill, this Explanatory Paper, the Regulatory Impact Statement, and FAQs on the Container Refund Scheme website https://dpipwe.tas.gov.au/crs

#### **PUBLIC WEBINAR**

There will be a webinar on Thursday 17 June at 12:30pm that members of the public are invited to attend regarding the draft *Container Refund Scheme Bill 2021*.

Information about attending the public webinar can be found on our website https://dpipwe.tas.gov.au/crs

#### HAVE YOUR SAY

You can provide feedback on the draft Bill by filling out the online survey, or by making a written submission. Submissions are due by **5pm on Friday 9 July 2021**. No late submissions will be accepted.

A direct link to the survey can be found on our website https://dpipwe.tas.gov.au/crs

Email: crs.enquiries@dpipwe.tas.gov.au

Mail: Policy and Business Branch,

Department of Primary Industries, Parks, Water and Environment,

GPO Box 1550, HOBART TAS 7001.

Phone: 03 6165 4599

# Why does Tasmania need a Container Refund Scheme?

The Tasmanian Government released the draft *Waste Action Plan 2019*. The Waste Action Plan includes a commitment to introduce a Container Refund Scheme (CRS) in 2022, as part of a move towards a circular economy for Tasmania. A circular economy aims to maximise the use and value of resources, and ensure that instead of becoming 'waste', materials become valuable resources that can be reused or recycled into the future.

The CRS will contribute to Tasmania's circular economy by reducing litter and increasing recovery and recycling of beverage containers. Container Refund Schemes operate worldwide, and every Australian state and territory has or plans to implement a CRS. It is now Tasmania's turn to take this important step towards improving outcomes for the Tasmanian environment and community.

The Tasmanian Government has set the target of having the lowest rate of litter in the country by 2023, and the CRS will make a significant contribution towards achieving this goal. Litter harms our environment, community health, and Tasmania's image as a 'natural state'. Drink containers are one of the most commonly littered items in Tasmania – in 2018/19 drink containers made up around 45 per cent of litter by volume in the state.

By providing a 10 cent refund for each beverage container returned, the CRS will provide an incentive for consumers to recycle containers. The CRS will allow Tasmania to meet its litter targets and help to protect our natural environment while creating new circular economy jobs and opportunities in the recycling and resource recovery sector.

## How does the Scheme work?

In accordance with the principles of Product Stewardship, whereby whoever makes a product takes responsibility for minimising waste from that product, the beverage industry will fund the Tasmanian Container Refund Scheme. In this way, the beverage industry will be taking responsibility for ensuring that their products do not end up as litter or in landfill.

The aim of the Container Refund Scheme is to collect and recycle as many used drink containers as possible. It works by providing a 10 cent refund for eligible drink containers as an incentive for consumers to return them. Consumers return their eligible containers to a Refund Point and receive the 10 cent refund for each container. Containers will then be sent to an approved recycler. Containers placed in kerbside recycling bins will continue to be recycled but consumers will not receive the refund for these containers.

The CRS will provide economic and fundraising opportunities for Tasmanian businesses, charities, community and sporting groups, and individuals. There will be a number of ways to get involved in the Scheme, from operating a refund point to donating refunds to charity.

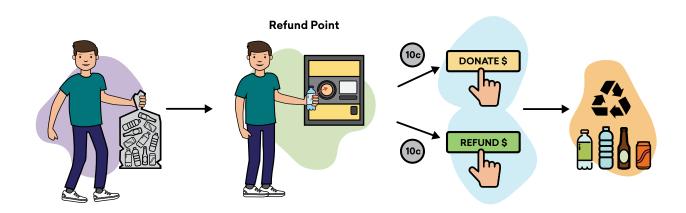


Figure 1 How the Container Refund Scheme works

# Objectives of the Bill

There are two clear objectives of the Container Refund Scheme Bill 2021:

#### REDUCE LITTER

The first objective of the Bill is to reduce litter. The Scheme targets beverage containers that are most commonly littered. By providing a 10 cent refund for eligible containers, there will be an incentive for consumers to return containers that may otherwise have become litter. The Scheme has been designed to be as convenient and accessible as possible to ensure that it is easy to return containers to a Refund Point.

#### **INCREASE RECYCLING RATES**

The second objective of the Bill is to increase resource recovery and recycling. By creating a system that enables the collection of sorted streams of recyclable materials, these can then be sold for reprocessing and recycling purposes. It will also encourage markets for recyclable material. The Bill provides that eligible containers collected through the Scheme must be recycled, which also helps to ensure that recyclable material stays out of landfill. The CRS has been designed in a way that will achieve a high redemption rate, so that as many containers as possible are collected for recycling.

## Scheme Governance

There are several key participants involved in the management of the Scheme. It will be regulated by the Tasmanian Government, which contracts both a Scheme Coordinator and a Network Operator to run the separate components of the Scheme. This creates an alignment of incentives. The Scheme Coordinator who will run the administration and finance for the Scheme, has an incentive to keep costs low, making for an efficient and cost effective Scheme. A separate Network Operator will run the network of Refund Points, and will be paid per container collected, so is incentivised to collect as many containers as possible.

The Scheme Coordinator and Network Operator roles will be appointed through a competitive public tender process. The legislation requires that these roles are performed by separate organisations to maintain clear incentives.

Other key participants include consumers, beverage suppliers, container refund point operators, material recovery facilities (MRFs) and the businesses that recycle beverage containers.

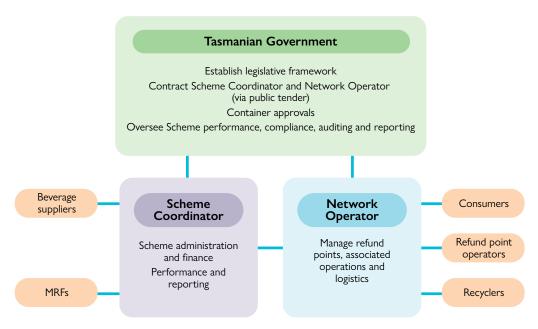


Figure 2 Governance model for the Container Refund Scheme

#### SCHEME REGULATOR

The Tasmanian Government will provide regulatory oversight and ongoing evaluation of the Scheme. By having direct oversight of the Scheme Coordinator and Network Operator, the Tasmanian Government can ensure that performance requirements are achieved. The role of the Government as the Scheme regulator includes but is not limited to:

- Regulating the Scheme and monitoring compliance with the legislative framework;
- Selecting and contracting the Scheme Coordinator and Network Operator via public +tender;
- Approving eligible beverage containers within the Scheme;
- · Conducting reviews of Scheme operation and performance; and
- Reporting on Scheme performance.

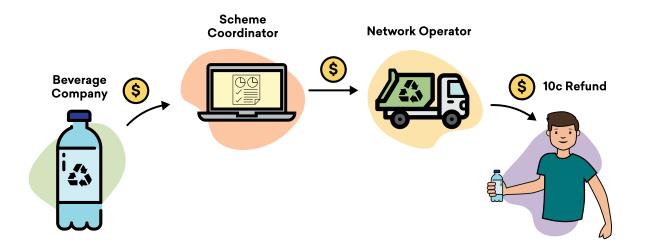


Figure 3 Demonstrating the flow of money through a split responsibility Container Refund Scheme

#### SCHEME COORDINATOR

A Scheme Coordinator is appointed by the Tasmania Government through a tender process. The Scheme Coordinator manages administration and finance, for which they receive a fee for service. The role of the Scheme Coordinator includes:

- Operating the Scheme in an efficient and cost-effective manner;
- Managing the Scheme's finances, including contracting with beverage suppliers, allocating
   Scheme costs to beverage suppliers and collecting contributions from beverage suppliers;
- Paying the refund amounts and, where relevant, associated handling costs for returned containers to the Network Operator and Material Recovery Facilities;
- Monitoring and reporting against the Scheme requirements and performance targets set by the Tasmanian Government; and
- Minimising fraud, including managing verification mechanisms to prevent inflated container return claims.

#### **NETWORK OPERATOR**

A Network Operator is appointed through a tender process by the Tasmanian Government to manage a network of Refund Points for which the Network Operator receives a fee from the Scheme Coordinator per container collected. The role of the Network Operator includes:

- Establishing and maintaining a network of accessible refund points throughout Tasmania for consumers to return beverage containers for a refund;
- Obtaining all necessary permits and approvals relating to the development, operation and maintenance of refund points;
- Meeting the performance requirements of the Tasmanian Government to enable high participation by Tasmanians and deliver high redemption rates; and
- Providing employment opportunities for Tasmanians and enabling charitable and community organisations to participate in the Scheme.

# Key Participants

Key Participants	Role of Participant
Beverage Suppliers	Pay a fee to the Scheme Coordinator to fund the running of the Scheme and ensure eligible containers are approved.
Community Groups and Charities	<ul> <li>Can be involved in the Scheme in a number of ways, including:</li> <li>Collecting or receiving eligible beverage containers that can be returned to a refund point for a refund.</li> </ul>
	<ul> <li>Electing to be an eligible charity to receive donations from consumers at refund points.</li> <li>Being a refund point operator</li> </ul>
Consumers	Buy or collect eligible beverage containers and return them to a refund point to receive a refund
Local Councils	Continue with kerbside collection of recyclable materials, which may include eligible beverage containers
Material Recovery Facilities (MRF)	Receives kerbside recycling from Councils and ensures eligible containers are recycled. Will likely have a profit share arrangement with Council for the refund received.
Network Operator	Management of the network of refund points and associated operations and logistics
Recyclers	Receive beverage containers from the Network Operator and Material Recovery Facilities
Refund Point Operators	Provide refunds to consumers when eligible beverage containers are returned. Refund points might be, for example, a retail shop, an automated kiosk, or a larger depot to enable bulk container returns.
Retailers	Sell only approved eligible beverage containers. Some retailers may also be refund point operators.
Scheme Coordinator	Administrative and financial management
Tasmanian Government	Provide regulatory oversight of the Scheme

# Regulatory Scheme Design Elements

These matters will be addressed under regulations and/or within the contracts with the Scheme Coordinator and Network Operator.

#### **REFUND AMOUNT**

It is proposed that a 10 cent refund will be available for eligible beverage containers returned to refund points. This is consistent with the refund amount in all other states and territories, and the scheme soon to commence in Victoria. National consistency on this will make it easier and more convenient for consumers and the beverage industry, while also demonstrating a shared Government commitment.

Whilst the details of the refund payment method will be finalised in regulations, there are several ways a refund can be provided. Schemes in other states and territories use:

- · Cash refunds:
- · Refunds directly to credit card, debit card, bank deposit or PayPal account;
- · Vouchers for participating retailers; and
- Donations directly to a charity of choice.

#### **REFUND POINT TYPES**

There are different types of container refund points used throughout Australian jurisdictions. It is expected that a mix of refund points will provide the most convenient and effective network and maximise the amount of returned beverage containers. Work is underway to determine the number and type of refund points that will be required to adequately service the needs of the Scheme. It is expected that the Scheme will utilise a mix of refund point types including overthe-counter refund points, automated kiosks, and large depots for the convenient return of bulk numbers of containers.

#### **REFUND MARK**

The Scheme will require eligible containers to display an approved refund mark to advise consumers that the container can be exchanged for a refund. It is important that this refund marking is legible and obvious to the consumer, retailer and refund point operator. A common refund mark across all participating states and territories will reduce costs for beverage suppliers, increase Scheme recognition for the public, and enable shared marketing campaigns.

#### **ELIGIBILITY OF CONTAINERS**

The Tasmanian Container Refund Scheme will focus on the beverage containers that most commonly contribute to litter. Millions of drink containers will be recycled each year instead of ending up in our landfills, parks, rivers and beaches.

While the exact details of the containers eligible in Tasmania's Scheme are still under development, they will likely be in alignment with those already eligible in other Australian jurisdictions. Eligible containers in other jurisdictions are typically between 150ml and 3L in volume. These are generally cans, bottles, cartons, and juice boxes/poppers.

Ineligible containers are likely to be those consumed at home or at food service venues and thus less likely to be littered. These will continue to be processed through household kerbside recycling collection.

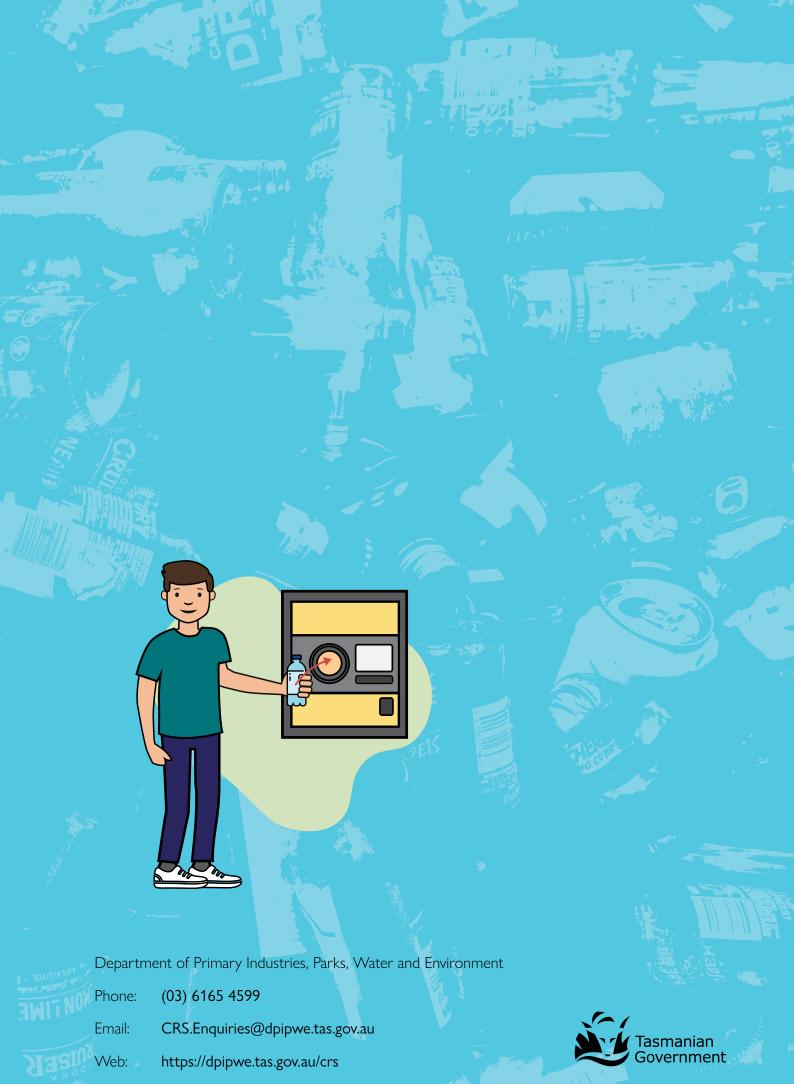
## What's Next?

Public consultation will run from Saturday 5 June 2021 to 5pm Friday 9 July 2021.

Information on how you can have your say can be found on page 5 in the 'Public Consultation' section of this paper. Submissions will be accepted by email or mail, and Tasmanians are encouraged to also fill out the short online survey and attend the public webinar.

Submissions made during the public consultation period will be published on the Department of Primary Industries, Parks, Water and Environment website unless confidentiality has been requested, as per the Tasmanian Government Public Submissions Policy.

A summary report of the issues raised during the public consultation period will also be made available.



# Regulatory Impact Statement

Container Refund Scheme Bill 2021

Proposal to approve draft legislation MAY 2021





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# Acronyms

**BCR** Benefit Cost Ratio

CDS Container Deposit Scheme, used interchangeably with CRS in Australia

**CRS** Container Refund Scheme

**DPIPWE** Tasmania's Department of Primary Industries, Parks, Water and Environment

**ERG** Expert Reference Group for Tasmania's CRS

**LGAT** Local Government Association of Tasmania

MAG Ministerial Advisory Group on Waste and Resource Recovery, established by the

Tasmanian Government

MJA Marsden Jacob Associates

MRA Mutual Recognition Act

MRF Material Recovery Facility

**NLI** National Litter Index

**NPV** Net present value

**PRO** Product Responsibility Organisation

**PSO** Product Stewardship Organisation

**PTL** Propensity to litter

**PWS** Parks and Wildlife Service (Tasmanian)

**RVM** Reverse Vending Machine

TTMRA Trans-Tasman Mutual Recognition Act

WAP Tasmania's draft Waste Action Plan

WTP Willingness to Pay

## Executive summary

The Tasmanian Government has committed to have the lowest incidence of littering in the country by 2023, and to grow the circular economy. As part of this the Government has committed to introducing a Container Refund Scheme (CRS) in 2022.

The CRS will incentivise the collection of beverage containers, which make up 43 per cent of Tasmania's litter by volume. The CRS will provide a refund amount to customers who return used containers to designated Refund Points. All containers must then be recycled. All Australian states and territories except Victoria have a CRS in place and Victoria has committed to implement one by 2023.

The Tasmanian Government has conducted consultation and analysis on a CRS for some years. Two discussion and analysis papers by independent consultants were undertaken,<sup>1</sup> released in 2014 and 2018.<sup>2</sup> Advice has been obtained from a dedicated Expert Reference Group and a Ministerial Advisory Group. The Government has consulted with the beverage industry, environment groups, the waste and recycling industry, local government and charities, receiving valuable feedback.

As a result of this process, the Government has concluded that a CRS is an appropriate and cost-effective way to reduce litter while promoting a circular economy. No other policy option has been identified that can achieve the Government's objectives.

The draft Container Refund Scheme Bill 2021 is now being presented for wider consultation. The Government's intention is to pass legislation in 2021 ahead of implementation in 2022. The Bill has been designed to be cost-effective and to harmonise with Schemes interstate.

The analysis presented here has found that the CRS will:

- reduce beverage container litter by almost 50 per cent;
- prevent 6900 tonnes of litter from entering the environment over 20 years;
- · cause the recycling of eligible beverage containers to almost double;
- create more benefits than costs for Tasmania, by \$35 million over 20 years;
- create \$1.29 in benefits for every \$1 of cost.

To implement the CRS as proposed, an exemption is required under federal legislation regarding the mutual recognition of goods between states and with New Zealand. This Regulatory Impact Statement contains a proposal to exempt the CRS.

<sup>&</sup>lt;sup>1</sup> Marsden Jacob Associates 2014, Cost Benefit Study of a Tasmanian Container Deposit System, Report prepared for EPA Tasmania, DPIPWE, Hobart.

<sup>&</sup>lt;sup>2</sup> Marsden Jacob Associates 2018, A Model Framework for a Container Refund Scheme in Tasmania, Report Prepared for EPA Tasmania, DPIPWE, Hobart.

## 1. Introduction

The Tasmanian Government is seeking public comment on a proposed Scheme to return and recycle used beverage containers.

Litter is a significant problem in Tasmania, and beverage containers make up 43 per cent of Tasmania's litter by volume. Litter poses health risks, causes harm to marine life and the broader environment, imposes costs to clean up, and runs counter to Tasmania's clean, natural brand, which is central to the tourism industry.

The proposed Container Refund Scheme (CRS) provides a refund for empty beverage containers when they are returned to a designated Refund Point. The CRS aims to reduce beverage container litter by approximately 50 per cent. It also aims to increase recycling.

The Tasmanian Government's Legislation Impact Assessment Guidelines require a Regulatory Impact Statement (RIS) to be prepared when proposed legislation will restrict competition or have a significant impact on business. The Government has been advised that this proposal has a significant impact on business as the beverage industry will pay for the Scheme, will face an increased administrative load, and may be required to alter its container markings. The Scheme will also impact on consumers of beverages as prices are likely to rise due to cost recovery by industry. This will particularly affect consumers who do not return their containers for recycling.

This RIS forms the basis for consultation with the public. The purpose of a RIS is to:

- explain the objectives of the proposed legislation;
- set out the issues surrounding restrictions on competition (if any) or the impact on business; and
- assess the benefits and costs which flow from the proposal.

Comment is invited from individuals, organisations and industry bodies, including whether they support the assessment of costs and benefits. Please go to Chapter 9 to find out how to have your say.

Submissions must be received by 5 pm on 9 July 2021.

# 2. Background

### 2.1 Statement of the problem

Litter is a significant problem in Tasmania. The *National Litter Index* for 2017/18 found litter in Tasmanian parks increased by 18 per cent compared to the year before, while litter on beaches increased by 15 per cent. Litter in residential areas increased by 5 per cent.<sup>3</sup> Discarded beverage containers are a significant part of this, making up 43 per cent of Tasmania's litter by volume. In 2017, almost 7.7 million beverage containers were littered in the state – about 800 tonnes of material that could have been recycled.

Community concern about litter, waste and pollution issues is increasing, as demonstrated by the interest in ABC TV's *War on Waste* series (2017), and the 10,000 members of the Facebook group 'Zero Waste Tasmania'. Concern about plastic waste in the oceans is increasing. China's restrictions on the importation of waste, implemented in 2018, and subsequent National Cabinet bans on the export of waste, has drawn attention to waste and recycling issues.

#### Litter imposes costs:

- Environmental damage harms terrestrial and water environments and wildlife, including the ingestion of plastics by marine life.
- **Economic costs** clean-up costs are imposed on local government, state government, schools, andbusinesses (eg the seafood industry). Costs are passed on to ratepayers, taxpayers and consumers.
- Amenity and visual costs litter impacts on landscapes and the enjoyment of open spaces.
- **Health risks** for the community through wounds, the risk of infection from littered containers, and ingesting microplastics.
- Counters Tasmania's brand as a clean, natural destination, which is central to the state's \$1.49 billion-a-year tourism industry.

A related problem to litter is the low recycling rate of beverage containers. Only 32 per cent of Tasmania's beverage containers are recycled, less than the national average.<sup>4</sup> When recyclable material is sent to landfill or littered, its economic value is destroyed and the lifespan of landfill sites is reduced. Resource recovery salvages economic value while creating jobs and business opportunities. Recycling reduces greenhouse gas emissions, slows the depletion of natural resources, and reduces the environmental harm associated with the extraction and processing of resources.

<sup>&</sup>lt;sup>3</sup> Keep Australia Beautiful 2018, National Report 2017-18: National Litter Index.

<sup>&</sup>lt;sup>4</sup> Marsden Jacob Associates 2018, p. 17.

### 2.2 Legislative arrangements

#### Tasmanian context

The Government engaged consultants Marsden Jacob Associates to undertake a study assessing what form a Tasmanian CRS should take and analysing the cost impact (it did not quantify all the benefits). The report, A Model Framework for a Container Refund Scheme in Tasmania, was released publicly in 2018 and contained original modelling on the impact of a CRS on the flow of containers and recyclable material (called 'material flows'). The report is used throughout this RIS. In 2019 the Government committed to implement a CRS, subject to further detailed design work.

Legislating for a CRS is a key action of Tasmania's draft *Waste Action Plan (WAP)*, which sets out a framework (and targets) for waste management and resource recovery. Another key action from the WAP is the introduction of a waste levy, which requires landfill operators to pay a levy per tonne of waste received at landfill. The levy, which brings Tasmania in line with other states, aims to promote the diversion of waste from landfill, acting as a price signal to encourage reducing, reusing, and recycling waste and a revenue stream to support it. The waste levy will be legislated through the Waste and Resource Recovery Bill 2021, likely to go to Parliament in 2021.

The Government has also committed to protect the Tasmanian way of life and to have the lowest incidence of littering in the country by 2023. Reducing beverage container litter is an important component of achieving these objectives. It will be challenging to meet these commitments without further policy intervention to reduce beverage container litter, given that beverage containers are the largest contributor to litter, by volume.

#### Federal context

Following restrictions on the export of recyclable materials, National Cabinet agreed to regulate the export of plastics and other waste. The export of waste materials is regulated through the *Recycling and Waste Reduction Act 2020*. The export of unprocessed mixed plastics is to be phased out from July 2021.

#### Other states

Container Refund Schemes commenced in South Australia (1977) and the Northern Territory (2012). In recent years, NSW, ACT, QLD and WA have implemented CRSs. These Schemes are all part of long-term, state-based strategies to address litter and recycling. All jurisdictions in Australia, apart from Tasmania and Victoria, now have CRSs in operation, although most mainland jurisdictions call them Container 'Deposit' Schemes; the terms are used interchangeably in Australia and all Schemes operate in essentially the same way. Further harmonisation efforts are underway.

The NSW and ACT schemes use a 'split responsibility' governance model. Victoria has announced it will implement a scheme by 2023 and has consulted on the Government's preferred 'split-responsibility' governance model. With respect to governance, Tasmania aligns most closely with States that have chosen the 'split responsibility' model. This is discussed in Chapter 5.

Queensland and WA implemented schemes with a single governance model where a single Product Responsibility Organisation administers and finances the scheme and runs the network of Refund Points.

#### Key harmonisation features with interstate schemes

Interstate CRSs have key features in common: refund amount, eligible containers, funding by the beverage industry, no 'return to retail' obligation. However, the schemes have some different design elements, and differing legislative and regulatory frameworks. To continue harmonisation, jurisdictions are collaborating to discuss container eligibility, the refund amount, and a common portal for container approval.

The Tasmanian legislation aims to create a Scheme that can harmonise with other states and has a framework that is flexible enough to incorporate anticipated national changes; for example an increased refund amount or a wider scope of eligible containers. The harmonisation process should not delay the design of the Tasmanian Scheme as it will run concurrently.

### 2.3 Mutual recognition exemption

#### Background

To implement the CRS as proposed, an exemption is required under the *Mutual Recognition Act* 1992 (Commonwealth) and the *Trans-Tasman Mutual Recognition Act* 1997 (Cth) with respect to the Act and any subordinate legislation.

All CRSs in Australia have been required to seek this exemption since 2012 after a legal challenge to the Northern Territory Scheme by the beverage industry resulted in that Scheme being suspended until the exemption was implemented.<sup>5</sup>

The Tasmanian Government is proposing to seek the exemption of the Scheme under section 14 of the *Mutual Recognition Act* and section 45 of the *Trans-Tasman Mutual Recognition Act*. It will be possible to establish a temporary exemption if the process for exemption takes longer than expected.

#### Mutual recognition principles

The Mutual Recognition Act 1992 (Cth) (MRA) and the Trans-Tasman Mutual Recognition Act 1997 (Cth) (TTMRA) apply as laws of Tasmania by virtue of the Mutual Recognition (Tasmania) Act 1993 (Tas) and the Trans-Tasman Mutual Recognition (Tasmania) Act 2003 (Tas), respectively.

In relation to goods, the MRA and TTMRA apply the 'mutual recognition principle'. As explained in section 9 of the MRA, this provides that goods produced in or imported into one state, that may be lawfully sold in that state, may by virtue of the MRA be sold in another state. The Trans-Tasman mutual recognition principle, as explained in section 10 of the TTMRA, is that goods produced in or imported into New Zealand, that may be lawfully sold in NZ, may by virtue of the TTMRA be lawfully sold in an Australian jurisdiction.

<sup>&</sup>lt;sup>5</sup> The Scheme in South Australia predates the Mutual Recognition Act and does not require an exemption.

Broadly, these Acts provide that sales of goods in Australian and New Zealand jurisdictions do not require compliance with 'further requirements' that might otherwise be required under the laws of importing.

#### Impact of the proposed CRS on mutual recognition

There are a number of regulatory elements in the draft Container Refund Scheme Bill 2021 (such as label marking, container approval and supply agreement requirements) that may be considered to impose 'further requirements' under the MRA or TTMRA. For this reason, an exemption is required under the MRA and TTMRA.

The MRA and TTMRA make provision for specific goods or laws to be exempted from their scope by their inclusion in schedules to the MRA and TTMRA. The process for adding exemptions requires the relevant ministerial council to seek the unanimous agreement of the National Cabinet to the exemption, the making of regulations by the Commonwealth to amend the relevant schedules to the MRA and TTMRA, and the prior signification of consent to the amendments by all jurisdictions by gazette notice.

The exemption of the Tasmanian CRS under the MRA and TTMRA would follow the precedent set by the NT CRS that was exempted in 2013, the NSW CRS that was exempted in 2017, the ACT CRS that was exempted in 2018, the Queensland CRS that was exempted in 2020, and the WA CRS that was exempted in 2020.

#### The scope of the proposed mutual recognition exemptions

The wording of the exemptions is yet to be determined, but it is proposed that the exemptions from the mutual recognition schemes will apply to:

- a. The Container Refund Scheme Act 2021
- b. Regulations made under that Act.

#### 2.4 Consultation to date

The Tasmanian Government has held discussions with stakeholders over many years to determine the feasibility and scope of a CRS. More recently, formal consultation was undertaken with a stakeholders who were identified as having relevant insights on the development of the policy framework. This included the beverage, waste, recycling, hospitality and retail industries, environmental groups and the charitable sector, and state and local government. DPIPWE has monitored media, social media and other activity related to the CRS.

Three main avenues for formal targeted consultation have been used. These are a DPIPWE-appointed Expert Reference Group (ERG), a Waste and Resource Recovery Ministerial Advisory Group (MAG), and a Waste Management and Resource Recovery Inter-departmental Committee (IDC).

In April 2020 the Expert Reference Group was formed to advise on the design of the Tasmanian CRS. The group met in 2020 and 2021 to provide feedback on detailed design concepts. Membership includes:

- Australian Beverages Council
- Australian Council of Recycling
- · Australian Food and Grocery Council
- Boomerang Alliance
- Carlton United Breweries
- Cleanaway
- Coles
- || Richards
- · Lion Co.
- Local Government Association of Tasmania
- Master Grocers Association Independent Retailers Association
- · Charitable Recycling Australia
- National Retail Association
- Small Business Council Tasmania
- Tasmanian Hospitality Association
- TOMRA
- Veolia
- Waste Management & Resource Recovery Association of Australia
- Woolworths.

The EPA's Waste and Resource Recovery Ministerial Advisory Group was established in August 2020 to advise on the implementation of the Government's Waste Action Plan, of which the CRS is an important initiative. The MAG has nine members from the waste, recycling and resource management sector, and local and state government. The MAG met three times in 2020 to review information about and advise on the CRS governance model. The MAG then endorsed a 'split responsibility' governance model (discussed in Chapter 5). In advice to the Minister the MAG determined this would best achieve the Scheme's policy objectives and best serve Tasmania's dispersed, regional population. The MAG will be asked to review the draft CRS Bill.

The Waste Management and Resource Recovery Inter-departmental Committee (IDC) and associated Working Group met periodically in 2020 to consider policy design matters. The IDC comprises:

- The Department of Premier and Cabinet
- Department of Treasury and Finance
- Department of State Growth
- Department of Justice
- Local Government Association of Tasmania
- Department of Primary Industries, Parks, Water and Environment.

# 3. Objectives of Government Action

The Government's primary policy objective is to reduce litter and increase recycling in Tasmania.

In addition, the MJA 2018 report recommended that Tasmania's CRS should have these attributes:

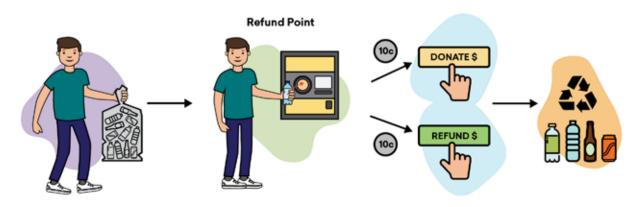
- be cost effective:
- · give people an incentive to return their drink containers;
- · target drink containers used away from home;
- · complement, rather than compete with, existing kerbside services; and
- provide good access to consumers in all parts of Tasmania by providing a suitably structured network of Refund Points.<sup>6</sup>

Beverage containers are a major component of litter in Tasmania. The Government's objective is to reduce beverage-related litter and divert more containers to recycling. This will generate cleaner streams of recyclable materials with reduced levels of contamination. which can become higher value 'second-life' products.

In accordance with the principle of product stewardship (where the company that makes a product takes responsibility for minimising waste), the Government's objective is that the cost of taking action to reduce beverage-related litter is funded by the beverage industry.

A CRS is widely recognised as an effective and efficient way to reduce litter and increase recycling as it creates a financial incentive to prompt behavioural change. All Australian states and territories have implemented a CRS or committed to do so, and existing Schemes have achieved clear reductions in litter. In NSW beverage container litter reduced by 57 per cent in the first 18 months of the CRS.<sup>7</sup>

Figure 1: How a Container Refund Scheme works



<sup>&</sup>lt;sup>7</sup> Exchange for Change 2019, Return and Earn Annual Statutory Report 2018-19.



<sup>&</sup>lt;sup>6</sup> Marsden Jacob Associates 2018, p. xi.

# 4. Options to Address the Problem

Through the policy development process the Government considered a range of options to address the problem. Two are considered in detail in this RIS.

- Option 1: Do not implement a CRS
- Option 2: Implement a CRS.

The Government has considered other options. For example, the Government participated in national discussions on the possible harmonisation of CRS Schemes into a national Scheme which Tasmania could join. However, no consensus has been reached between states and this option was not considered viable in the short to medium term.

Imposing an obligation on retailers to accept container returns was also considered, as convenience and access are key to a successful Scheme. However, a retail obligation was not considered practicable given other states have not taken this approach, and due to the risk that it would impose a heavy administrative and cost burden on individual retailers, particularly smaller retailers. Voluntary retail participation as evidenced in NSW demonstrated that convenience could be achieved without a legislative burden. The Marsden Jacob 2018 report rejected retailer obligation for Tasmania.

Neither national harmonisation nor retailer obligation is discussed in depth in this RIS.

#### Option 1: Do not implement a CRS

This represents the base case (business as usual). This option would not achieve the reform objectives. It would not impose additional costs.

#### Option 2: Implement a CRS

The Government would implement a CRS as described in Chapter 5. This would achieve the reform objectives. It would impose additional costs, but these would be outweighed by the Scheme's benefits.

# 5. Features of the Draft Legislation

The Government has analysed interstate CRSs with the goal of harmonising wherever possible. A National Waste Working Group CDS Subcommittee was formed under the Heads of EPA to pursue harmonisation issues and Tasmania is an active member. In addition, discussions have been held with staff working on the NSW, Queensland and (proposed) Victorian CRSs.

The Tasmanian Bill will incentivise the collection of recyclable beverage containers by returning a refund amount to consumers. The refund, likely to be 10 cents, only applies to consumers who take their empty containers to designated Container Refund Points. These may take the form of over-the-counter services in businesses, Reverse Vending Machines (RVMs), and larger recycling depots. The number of Refund Points, and the mix and distribution of Refund Point types, is the subject of ongoing policy work and will be discussed during public consultation in 2021. The minimum number of Refund Points will be set out in regulations to ensure convenience of access for all.

The 2018 Marsden Jacobs report recommended the Government set a minimum number of Refund Points, and set access targets for urban, regional and remote-area Tasmanians. The report recommended the mix of Refund Point types be left to the commercial entity running the Scheme, but that a mixture be encouraged.

These approaches remain broadly comparable with the Government's ongoing policy work on the CRS.

Certain types of drink containers will be eligible for a refund, including plastic and glass bottles and aluminium cans. It is likely that containers of between 150 millilitres and 3 litres will be eligible, as in other states. Wine bottles, spirits bottles, cordial bottles and milk containers are currently ineligible in other states' Schemes (flavoured milk bottles and cartons are eligible, but plain milk bottles and cartons are not). Consultation will continue to inform container eligibility, which will be addressed in Tasmania's CRS regulations.

A process will be established for approving eligible containers and the refund markings and barcodes they will be required to carry. The Bill will prescribe that all containers subject to a refund must be recycled and cannot be directed to landfill, with a penalty applied for breaching this.

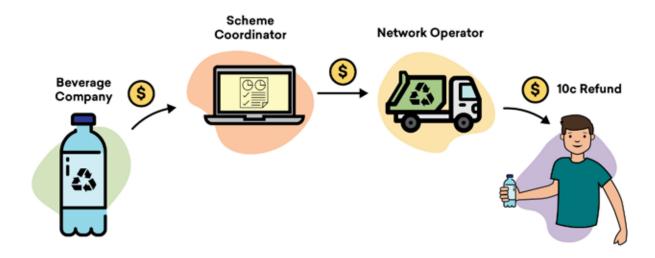
Eligible containers returned through kerbside recycling (typically the yellow-lidded bin) will be able to be redeemed, but not by the householder. The refund will be redeemed by MRFs, likely with a profit-share agreement with local government (which collects the material from the kerbside). MRFs will use a method approved by the EPA to estimate the number of containers recovered at their facility.

In accordance with the principle of product stewardship, the beverage industry will fund all aspects of the Scheme. The industry may pass on the cost to consumers as has happened in other states.



In February 2021, after detailed consideration, the Government announced its preferred model for Scheme governance: a 'split-responsibility' model. Under this arrangement a Scheme Coordinator runs the administration and finance, collecting contributions from beverage suppliers. In NSW and ACT, this role is performed by the beverage industry. A separate Network Operator runs the Scheme on the ground: providing and managing a network of Refund Points, transporting containers, and ensuring the sale of materials to accredited recycling facilities. The Network Operator receives a network fee per container. In NSW, which has a split-responsibility CRS, the Network Operator is a joint venture between a recycling company and a waste and resource recovery service provider.

Figure 2: How a split-responsibility CRS works



The Government will call for expressions of interest for the roles of Scheme Coordinator and Network Operator. The legislation will stipulate that the roles are independent of each other; the same entity, or related entities, cannot hold both.

The purpose of a split-responsibility governance model is to align the Scheme's commercial incentives to the policy objectives, which is to maximise container returns to reduce litter and increase recycling. Under CRSs implemented in Australia the beverage industry only pays *per drink container that is returned for recycling*, so when the industry runs all elements of the Scheme, it is not necessarily incentivised to maximise container returns. Under a split-responsibility model the Network Operator is paid per container collected, so is incentivised to maximise returns. Meanwhile, the Scheme Coordinator is incentivised to keep Scheme costs low.

Tasmania's draft legislation includes robust enforcement provisions to avoid adverse outcomes such as illegal or fraudulent behaviour. Regular audits will be conducted of beverage suppliers, Refund Points, MRFs, and the Scheme Coordinator and Network Operator. Penalty provisions will be established.

# 6. Impact Analysis

#### 6.1 Summary findings

#### The CRS will significantly reduce litter

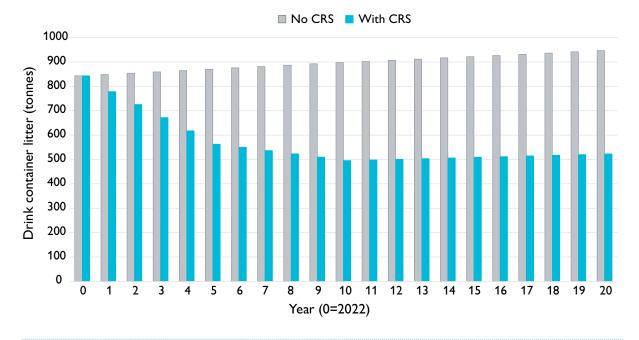
Drink containers account for 43 per cent of litter in Tasmania by volume. Marsden Jacob Associates modelling (2018) predicts beverage container litter will reduce by almost 50 per cent due to the implementation of the CRS.<sup>8</sup> This would result in a 20 per cent reduction in total litter. Experience interstate indicates this prediction may be conservative: in NSW the CRS reduced beverage container litter by 57 per cent over the first 18 months. The Queensland CRS reduced beverage container litter by 54 per cent over the first 20 months<sup>9</sup>.

There were almost 7.7 million beverage containers littered in Tasmania in 2017. EPA modelling that adopts Marsden Jacob assumptions (2018) predicts that after 20 years of operation, the CRS would:

- prevent 424 tonnes of drink containers from ending up as litter, per year;
- result in drink container litter falling from 844 tonnes in 2022 to 523 tonnes in 2042, instead of rising to 947 tonnes a year without a CRS; and
- prevent a total of 6900 tonnes of litter from entering the environment over the 20-year period.

For this analysis the assumptions underpinning Marsden Jacob 2018 were applied to the period 2022 - 2042 to estimate the volume (tonnes) of beverage container litter with, and without, a CRS (see Figure 3). The estimated difference in beverage container litter between the base case and the CRS case underpins the estimates of costs and benefits presented below. These assumptions are summarised in Appendix 1.





<sup>&</sup>lt;sup>8</sup> Marsden Jacob Associates 2018, p. v.

<sup>9</sup> Container Exchange 2020, Annual Report 2019-20, COEX. Exchange for Change 2019, Return and Earn Annual Statutory Report 2019-19.



#### The CRS will significantly increase recycling

The CRS will divert millions of beverage containers from landfill into recycling. The Scheme will generate cleaner streams of recyclable materials with reduced levels of contamination which can become higher value 'second-life' products.

The Marsden Jacob report noted 65 per cent of Tasmania's beverage containers were landfilled in 2017. The MJA modelling predicts that after 10 years of operation of the CRS, recycling of eligible containers will have almost doubled. The fate of eligible drink containers over 20 years is shown in Figure 4.

The flow of all drink containers in 2032 is shown in Figure 5 under the base case (no CRS) and with a CRS implemented 10 years earlier.

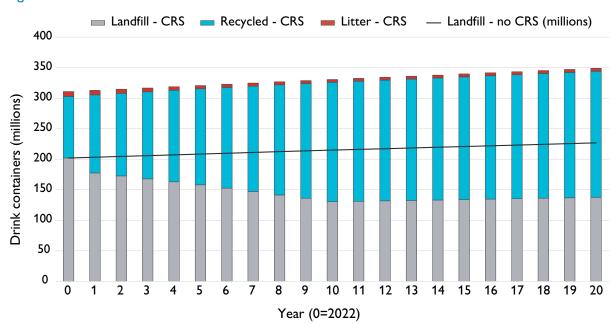


Figure 4: Fate of drink containers in Tasmania under a CRS

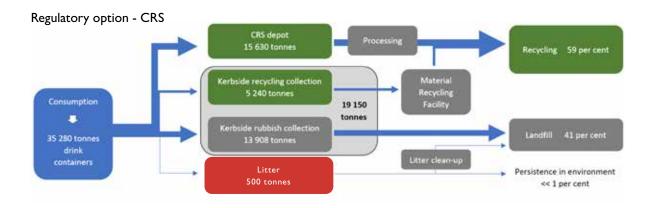
#### The CRS is projected to deliver a net economic benefit

The CRS is projected to deliver a net benefit to Tasmania, which means the benefits outweigh the costs. This RIS has found the CRS will have:

- an estimated net present value of \$35 million over the first 20 years of the Scheme, meaning the benefits outweigh the costs by \$35 million; and
- a Benefit Cost Ratio of approximately 1.29. That means that \$1.29 worth of benefits are estimated to result from every \$1 of cost.

Figure 5. Flows of beverage containers in 2032





**NOTE:** The light-grey shaded boxes indicate material that is collected and transported by local government. This graphic includes containers that are eligible and ineligible for redemption under the CRS. The 'kerbside collection' references include material that is collected from public facilities like parks, roadside stops and shopping centres.

#### 6.2 Cost-benefit analysis

The purpose of this analysis is to estimate the costs and benefits of the draft legislation and consider how they are likely to be distributed among different groups. The cost-benefit analysis (CBA) compares the base case (no reform) with the introduction of a CRS, as described in Chapter 5. No other options are modelled as there is no other option found likely to meet the policy objectives of decreasing beverage container litter and increasing recycling in a cost-effective manner.

This CBA draws upon the estimate of Scheme costs presented in Marsden Jacob (2018). The MJA report was conducted to identify and model a CRS that could achieve the desired policy objectives. As the MJA report did not quantify benefits, additional research has been undertaken to provide this material.

This CBA estimates the present value (in 2020 dollars) of quantifiable costs and benefits flowing from the Scheme over a 20-year time period dating from the commencement of the Scheme in 2022 (ie 2022 - 2042), applying a discount rate of 7 per cent.

CBA results are presented as:

- The net present value (NPV), which is the total cost minus the total benefit of the Scheme over 20 years; and
- The Benefit Cost Ratio (BCR), which is the ratio of benefits to cost.

Table 1: Cost-benefit analysis results: the impact of Tasmania's CRS over 20 years

Variable	Present value (\$ million)
Incremental cost (PV)	\$121 million
Incremental benefit / avoided cost (PV)	\$156 million
NPV	\$35 million
BCR	1.29

#### Costs

The CRS will impact on businesses and on consumers, particularly those who consume packaged beverages and do not redeem the containers. The costs include:

- 1. Administering and funding the Scheme, and network costs. This cost accrues to the beverage industry and may be passed on to consumers.<sup>10</sup>
- 2. Regulatory costs, which are the costs of overseeing the Scheme and providing compliance and audit services. This cost, incurred by the State Government, may be recovered from the Scheme Coordinator or funded from Government resources.
- 3. Costs to business, comprising:
  - a. Compliance costs
  - b. Participation costs.
- 4. Household participation costs.

The total cost is estimated to be \$121 million. The distribution of the cost components is shown in Figure 6 and Table 2.

The present value of refunds paid is estimated at \$141.4 million. Refunds are not included as a cost or as a benefit in this RIS as refunds are considered to be transfer payments. This adopts the approach taken in the NSW CRS RIS.

<sup>&</sup>lt;sup>10</sup> This figure is net of the value redeemed for material recycled (recyclates).

120 103.5 100 80 \$ million PV 60 40 20 10.7 3.7 2.7 0 Establishment and Regulatory costs Business compliance Household operation of the Scheme and participation costs participation costs

Figure 6: Cost of the Tasmanian CRS (\$ million) over 20 years

Table 2: Description of CRS cost categories and estimate of cost over 20 years

(excluding refunds paid)

Cost	Description	Cost incurred by	Basis of estimate	Estimate \$ millions 2020
1. Administering and funding the Scheme	Scheme administration, container processing and transport costs (from Refund points), and handling fees. Less the value of recycled materials.	Beverage industry (less costs passed on to consumers)	MJA 2018	\$103.5
2. Scheme oversight	Cost of overseeing Scheme implementation, monitoring performance, undertaking audit and compliance activities, communications	State Government; may be recovered from Scheme Coordinator	Estimate from EPA based in part on MJA 2018 assumptions	\$3.7
3a. Business costs – compliance costs	Arranging supply agreement with Scheme Coordinator, obtaining container approvals, label design and printing, data collation and reporting, complying with audits	Businesses producing beverages in eligible containers	Interviews with small beverage producers. NSW CRS RIS	\$0.4
3b. Business costs – participation costs	Additional costs of accumulating and transporting eligible containers to Refund Points	All businesses returning containers to Refund Points	NSW CRS RIS	\$2.3
4. Household participation costs	Additional costs associated with transferring containers to Refund Points, and transaction time	Households	NSW CRS RIS	\$10.7
Estimated total cost				\$120.6

NOTE: For an explanation of the methodology and assumptions used to estimate Scheme costs, see Appendix 2.

#### Excluded cost item: start-up costs

The Scheme Coordinator will be responsible for arranging initial operating capital for the CRS, if required. This capital may be needed to cover the operational costs from the first day of implementation until the beverage industry is invoiced for sales in that month and pays in the following month. (This process simplifies the billing mechanism for the industry, ensuring they are invoiced in arrears for actual sales.)

The Scheme Coordinator could seek this initial operating capital as an upfront loan from the State Government, with a set payback period. This request would likely be made as part of contract negotiations. However, there are other options available to the Scheme Coordinator to provide this capital. The provision of any upfront loan to the Scheme has not been included in the cost quantification here as it is not known if the loan will be sought. If it is, the Government's intention would be that it would be repaid in full within 18 months.

#### **Benefits**

Benefits from the CRS include:

- 1. Value of avoided litter. Disamenity results from litter in the environment (even if the litter is subsequently cleaned up). The value of avoided litter includes:
  - · Improved aesthetics in public places and general reduction in disamenity;
  - Reduced time cost of voluntary litter clean-up by individuals and through organised community clean-up events; and
  - reduced injuries caused by littered beverage containers (eg broken glass in public places).
- 2. Reduced expenditure on litter clean-up.
- 3. Reduced costs to local government due to transporting less waste and recycling through the kerbside system.
- 4. Avoided externalities of landfill.<sup>11</sup>
- 5. Value of additional material recovered through recycling. 12
- 6. Increased tourism revenue as a result of increased visitation due to less litter in Tasmania's environment.

NOTE: For a discussion of the methodology and assumptions used to estimate Scheme benefits, see Appendix 3.

<sup>12</sup> This value has not been included in this section to avoid double counting, as the MJA 2018 estimate of Scheme costs is net of the recyclate value.



<sup>&</sup>lt;sup>11</sup> The impact of a CRS on greenhouse gas emissions is calculated in the NSW RIS; Environment Protection Authority 2017, Consultation Regulation Impact Statement: New South Wales Container Deposit Scheme, p. 17 and pp. 44-45. The NSW analysis notes the greenhouse gas potential of most beverage containers is low; only liquid paper board would emit GHGs if landfilled. Hence the estimate presented here is small.

Figure 7. Benefits of the Tasmanian CRS (\$ million) over 20 years

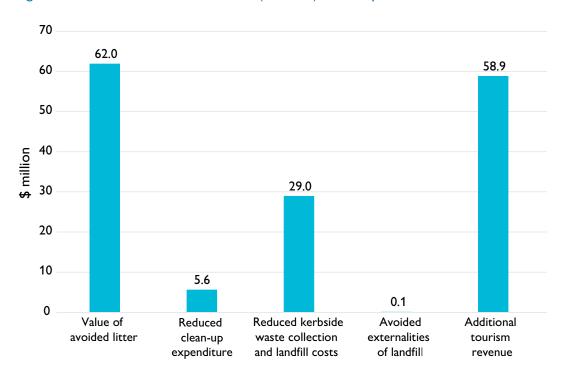


Table 3: Description of benefit categories and estimate of benefits over 20 years<sup>13</sup>

Benefit	Description	Beneficiaries	Basis of estimate	Estimate (\$ million)
1. Value of avoided litter	Value to residents of avoided litter:  Improved amenity and aesthetics in public places  Reduced volunteer time spent on clean-up  Avoidance of health hazards	General community	Willingness to pay for litter reduction, NSW RIS	62.0
2. Reduced expenditure on clean-up	Reduced expenditure on cleaning up litter by local government, State Government (roadsides and National Parks), businesses and schools. Excludes volunteer time spent on clean-up	Local government 70%, State Government 12%, businesses and schools 18%	Data from DPIPWE, DSG, City of Hobart	5.6
3. Reduced cost of kerbside waste collection and landfill	Reduced volume and cost of waste and recycling collection, transport and transfer through the kerbside system. Increased recycling reduces the capital and operating costs of landfill	Local government	MJA 2018	29.0
4. Avoided externalities of landfill	Avoided greenhouse gas emissions, other emissions, smell and other disamenity	General community	NSW CRS RIS	0.1
5. Value of additional material recovered through recycling	The use value of recovered beverage container materials	Scheme operators	MJA 2018	n/a
6. Increase in tourism revenue	Additional tourism revenue due to an increase in total nights spent in the state by people visiting to see wilderness, wildlife and natural scenery	Businesses that generate revenue from tourism	Tasmanian Visitor Survey, Krelling 2017 (Appendix 4)	58.9
Total value of quantifi	ed benefits			\$155.6

 $<sup>^{\</sup>rm 13}\,$  Item 5 is not presented in the headline figure or the graph to avoid double-counting.

#### Unquantified or partially quantified benefits

#### **Environmental benefits**

The environmental benefits from the CRS are significant. While some are captured in Table 3 (eg items 1 and 4), others - generally non-market benefits known as public goods - are difficult to quantify. Environmental benefits include:

- Less plastic material in the marine environment, including microplastics. Globally there are over 13,000 pieces of plastic litter floating in every square kilometre of ocean surface and this is predicted to increase. Plastic material accumulates in large convergence zones in the open ocean. Corals ingest marine plastic pollution.
- · A less polluted terrestrial environment.
- Less plastic material ingested by animals, including threatened species. More than 200 marine animal species have been found to have ingested plastic, including dolphins and whales. Australia's sea turtles and seabirds are particularly affected. Ingested plastic can inhibit animals from feeding and injure the mouth and digestive tract. More than 70 per cent of loggerhead turtles found deceased in Queensland waters had ingested plastic, 15 and a Tasmanian study found 18 per cent of albatross deaths in some areas were caused by plastic, with drink bottles identified as one of the sources. 16 Most albatross species are endangered.
- A reduced rate of resource depletion (due to higher recycling rates), and fewer associated environmental externalities.

#### Benefits to human health

These are not fully quantified here (although the willingness to pay estimate likely includes a component of this). A study found 21 per cent of Tasmanian beach users had received an injury from litter at the beach, mostly wounds. These can lead to 'long term consequences such as hepatitis or tetanus'. Broken glass in public places constitutes a health risk, as does the possibility of infection from used, littered containers.

Another impact on health is the ingestion of microplastics, to which littered beverage containers contribute (PET plastic breaks down into tiny particles in the marine environment). These microplastics enter the human body through drinking water, eating seafood or inhaling air, and can pass from the digestive system to the circulatory system, where they can persist. This has been found to cause cell growth disruptions in fish. A Senate report into plastics concluded more research was needed into microplastics and human health.

#### The social benefits of job creation

The CRS will create jobs, including at Refund Points and in transport, logistics, administration, technical support and cleaning. New business and investment opportunities will be created in resource recovery, recycling and the manufacture of 'second-life' products, due to the generation of purer streams of recyclable material.

<sup>&</sup>lt;sup>19</sup> Commonwealth of Australia 2016, Toxic Tide: The Threat of Marine Plastic in Australia, p. 49.



<sup>&</sup>lt;sup>14</sup> Commonwealth of Australia 2016, Toxic Tide: The Threat of Marine Plastic in Australia, p. 9.

 $<sup>^{15}</sup>$  Commonwealth of Australia 2016, Toxic Tide: The Threat of Marine Plastic in Australia, p. 34, p. 36.

<sup>&</sup>lt;sup>16</sup> Roman, L., Butcher, R.G., Stewart, D., Hunter, S., Jolly, M., Kowalski, P., Hardesty, B.D & Lenting, B 2020.

<sup>&</sup>lt;sup>17</sup> Campbell, M.L., Slavin, C., Grage, A & Kinslow, A 2016, p. 27.

<sup>&</sup>lt;sup>18</sup> Chatterjee, S & Sharma, S 2019

Interstate, in the first 12-18 months of operation, CRSs have generated 700 jobs in NSW, 700 jobs in Queensland, and 600 jobs in WA. These jobs are distributed around regional areas; in Queensland, 57 per cent of jobs created have been outside of Brisbane. Some jobs have been created for members of disadvantaged communities and people with a disability. St Vincent de Paul Society has a prominent role in the NSW Scheme; for example, they have partnered with a not-for-profit Indigenous-owned organisation to run their depot in Dubbo.

#### 6.3 Sensitivity tests

The cost-benefit analysis relies on some assumptions that are subject to uncertainty. Sensitivity testing was undertaken on the following assumptions, the results of which are shown in Table 4.

#### Discount rate

A discount rate of 7 per cent was selected as is standard practice adopted by most jurisdictions and recommended by the Office of Best Practice Regulation. The NPV was recalculated using discount rates of 3 per cent (representing the risk-free rate of return) and 10 per cent (a suitable rate for a high-risk investment). The 10 per cent discount rate delivered a slightly negative NPV of \$0.6 million over 20 years.

#### Propensity to litter

The estimates of propensity to litter (PTL) are those adopted in the Marsden Jacob report (2018) which were based on National Litter Index (NLI) survey data. Sensitivity testing showed that the NPV was highly sensitive to changes in the PTL assumptions, with a 20 per cent decrease in the PTL resulted in a NPV of -\$27.6 million while a 20 per cent increase in the PTL resulted in a NPV of +\$89.3 million.

#### Household participation costs

Household participation costs were calculated by adjusting the estimated cost per household in the NSW CRS RIS, in 2020 dollars. The NSW estimate includes the cost of travel (time and fuel) as well as transaction time. Doubling the NSW estimate reduced Tasmania's CRS NPV to \$14.1 million. Alternatively, assuming that at 80 per cent redemption rates each household spends two hours a year on redemption transactions (and there are no additional travel costs), the NPV is still positive but reduced to \$5.4 million.

#### Avoided costs of litter clean-up

Estimates of litter clean-up expenditure were obtained from local and State Government. Data on the costs to businesses and schools was difficult to obtain so this was estimated as 20 per cent of the costs reported by government. Although it is considered that this estimate is conservative, this assumption was tested for a 20 per cent increase and decrease in the litter clean-up expenditure estimate. The NPV was not particularly sensitive to this assumption and in both cases resulted in a positive NPV.

#### Value of avoided litter

This assumption is key in that it captures some of the non-market benefits of litter reduction which are difficult to quantify. The NPV relies on the estimate of the amount a community is



willing to pay to avoid 1 tonne of litter, as used in the NSW RIS (\$18,960 in 2020 dollars).<sup>20</sup> The NPV remained positive when calculated using WTP values 50 per cent lower and higher than the assumed value. The value was also calculated using the WTP estimate reported by PWC (2010) which is critiqued in the NSW RIS. All recalculations returned a positive NPV.

#### Impact on tourism revenue

The impact on tourism revenue was calculated assuming that a 20 per cent decrease in overall litter compared to the base case would result in a 0.5 per cent increase in the number of days spent in the state each year by visitors coming to see wilderness, wildlife and natural scenery (average stay increases from 8.10 nights to 8.14 nights). Tasmanian Tourism Survey data was used to calculate the impact on tourism revenue under this assumption. Appendix 4 provides further discussion of this assumption and presents evidence that suggests that it is improbable that significant litter reduction will *not* increase tourism expenditure. An assumption of no impact on tourism results in an NPV of negative \$23.4million. A net present value of zero is achieved if wilderness visitors respond to a 20 per cent reduction in litter by increasing their average stay from 8.10 nights to 8.12 nights.

If the impact on visitor days is doubled to a 1 per cent increase in the number of visitation days per 20 per cent reduction in litter (equivalent to an increase in the average stay from 8.10 nights to 8.18 nights), the overall NPV increases to \$94.3 million.

Table 4. Results of sensitivity testing of selected assumptions over 20 years

	Value \$ million		
	Costs	Benefits	NPV
Cost benefit analysis estimate	120.6	155.6	35.0
Sensitivity testing			
Discount Rate		1	
Discount rate 3 per cent	121.9	233.6	111.7
Discount rate 10 per cent	119.9	119.3	-0.6
Propensity to litter			
Propensity to litter is 20 per cent lower	120.6	93.0	-27.6
Propensity to litter is 20 per cent higher	120.6	209.8	89.3
Household participation costs			
200 per cent higher per household than NSW RIS estimate	142.0	156.0	14.1
Estimated at 2 hours transaction time per household per year at 80 per cent redemption rate	150.6	156.0	5.4
Avoided costs of litter clean-up			
Current litter clean-up expenditure is 20 per cent lower than estimated	120.6	148.8	28.2
Current litter clean-up expenditure is 20 per cent higher than estimated	120.6	163.2	42.7
Value of avoided litter			
WTP for reduction in litter is 50 per cent lower than estimate	120.6	125.0	4.5
WTP for reduction in litter is 50 per cent higher than estimate	120.6	187.0	66.4
WTP is based on PWC estimate (2010)	120.6	273.1	152.6
Increase in tourist revenue			
Litter reduction has no impact on tourist revenue	120.6	97.1	-23.4
Wilderness visitors increase average stay from 8.10 nights to 8.12 nights	120.6	120.6	0.0
Impact of litter reduction on number of visitor days is doubled (average stay increases from 8.10 nights to 8.18 nights)	120.6	214.9	94.3

<sup>&</sup>lt;sup>20</sup> Environment Protection Authority 2017, Consultation Regulation Impact Statement: New South Wales Container Deposit Scheme, p. 50.

## 7. Competition Analysis

It is not expected that the proposed CRS will restrict competition, identified as an important issue in the Tasmanian Government's *Legislation Impact Assessment Guidelines*. The CRS will apply equally to all packaged beverages sold in disposable containers whether those beverages are manufactured overseas, interstate, or locally, by multinational corporations or small local operators. All beverage manufacturers must comply with the regulations in terms of recyclability, barcodes and messaging on packaging.

As all other states and territories have a CRS in place except Victoria, which plans to introduce one by 2023, *not* implementing a CRS in Tasmania could be seen as unfairly advantaging Tasmanian beverage operators. Tasmanian businesses would be effectively exempt from a cost of doing business paid by businesses interstate.

Implementing a CRS will present a small barrier to entry for new entrants to the market as they will be required to sign an agreement for the supply of beverages with the Scheme Coordinator and obtain container approvals. However, as the time commitment for this is estimated at only three hours (see Chapter 6) and the process will be low-cost, the barrier to entry is considered small.

### 8. Evaluation and Conclusion

The proposed Container Refund Scheme legislation will achieve the policy objectives to reduce litter and increase recycling in Tasmania. The objective will be achieved from 2022.

The CRS is the Government's preferred option and the only policy option considered likely to achieve a significant reduction in beverage container litter in a cost-effective manner. Significant analysis and consultation has taken place in developing the proposed Scheme, and the public and stakeholders now have the opportunity to give feedback during the consultation period.

The Scheme will generate a net economic benefit to Tasmania of \$35 million over 20 years, and return a Benefit Cost Ratio of 1.29. The main beneficiaries are the environment, the tourism industry, and the community (a cleaner, safer and more amenable environment in which to live).

The CRS will impose a cost on business, namely beverage companies. However, given that beverage companies in NSW, ACT, QLD, WA, SA and the NT already bear the costs of Container Refund Schemes, and given that that cost can be passed on to consumers, the impact on Tasmanian business is not considered excessive.

## 9. Consultation Program

Copies of this RIS are available on the **Department's website**. 21

This RIS is being released for public comment in June 2021, alongside the draft Bill. The public consultation period will run for five weeks, from 5 June to 9 July 2021. This will allow members of the public and stakeholders to provide input on the draft legislation and on this RIS.

The release of the RIS and the draft legislation will be advertised in the state's daily newspapers. These documents will also be sent directly to key stakeholders.

Submissions can be made via the online survey portal, email, or post to:

Container Refund Scheme
Policy and Business Branch
Department of Primary Industries, Parks, Water and Environment
GPO Box 1550
HOBART TAS 7001

Email: crs.enquiries@dpipwe.tas.gov.au

Web: <a href="https://dpipwe.tas.gov.au/environmental-management/container-refund-scheme/">https://dpipwe.tas.gov.au/environmental-management/container-refund-scheme/</a>

People who wish their submission to be treated confidentially should mark their submission 'private and confidential'.

#### Submissions must be received by 5 pm on 9 July 2021.

#### Confidentiality

Respondents are advised that the contents of submissions will not be treated as confidential unless they are marked 'confidential' and are capable of being classified as such in accordance with the *Right to Information Act 2009*.

Respondents are also advised that personal information in submissions will be treated as public information unless the submissions are marked 'confidential', in which case the information will be handled in accordance with the principles of the *Personal Information Protection Act 2004*.

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<sup>&</sup>lt;sup>21</sup> The URL is https://dpipwe.tas.gov.au/crs.

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# Appendix 1. Material flows assumptions and estimates

### Appendix 1. Material flows assumptions and estimates

#### Assumptions in modelling material flows

The assumptions of the Marsden Jacob 2018 analysis were adopted and applied to the period 2022 through to 2042 to estimate material flows for this period.<sup>22</sup> The key assumptions are reproduced in Tables A1 to A3 below.

Table A1. Beverage container consumption growth

Time period	Annual growth rate
2022 - 2031	0.63%
2032 onwards	0.54%

Table A2. Location of beverage container consumption

Location	Proportion of consumption
At home	67.5%
Away from home (public place)	22.5%
Away from home (non-public place)	10.0%

Table A3. Propensity to litter beverage containers in public places and other places, with and without a CRS

Propensity to litter				
Year	0	5	10	15
No CRS – public place	10.86%	10.86%	10.86%	10.86%
No CRS – other place	0.13%	0.13%	0.13%	0.13%
CRS – public place	10.86%	7.04%	5.97%	5.97%
CRS – other place	0.13%	0.08%	0.08%	0.08%



<sup>&</sup>lt;sup>22</sup> Marsden Jacob Associates 2018, p. 79.

# Appendix 2. Methodology and assumptions used to estimate Scheme costs

Marsden Jacob (2018) estimated the Scheme would impose funding requirements of around \$239 million (NPV) over 20 years. That included around \$138 million in refunded deposits, and around \$101 million for the real costs of running the Scheme.<sup>23</sup> The latter category includes the cost of administering the Scheme (staff and other operational expenditure). The Marsden Jacob estimate did not include business compliance costs, nor regulatory costs to the State government (although an MJA estimate of this was provided separately). These cost items have been included here.

As noted in Chapter 5, MJA assumptions on the refund amount, eligible containers, number of Refund Points, regional distribution of these, and types of Refund Points remain broadly in line with the Government's policy work on a Tasmanian CRS. This RIS therefore accepts MJA's assumptions and modelling, as the most recent publicly available work to draw on.

Some of this RIS' costs and benefits have been estimated from data collected directly from industry, NGOs and government. Other calculations have been based on assumptions outlined in Appendix 1. Some work is drawn from the publicly available NSW CRS RIS (2017), adjusted for Tasmanian demography and converted to 2020 values. Tasmania's CRS, as planned, is broadly comparable with the NSW CRS: a split responsibility CRS with a mix of Refund Point types, including a significant number of Refund Points that are *not* RVMs. Indeed, the NSW RIS draws in part on the MJA 2018 modelling. There are differences between the two states: Tasmania's CRS, as planned, has a higher number of Refund Points per head of population than NSW due to Tasmania's decentralised population. This increases the operating costs. In NSW, which is larger than Tasmania, people drive further on average to access Refund Points.

#### Cost of the Scheme

The estimated cost of the Scheme and refunds paid were drawn from a Marsden Jacob analysis commissioned by the EPA and published in 2018. The reported values have been converted to 2020 dollars. As a result, the assumptions adopted by Marsden Jacob apply to these estimates. The estimate of Scheme costs is net of the value of recovered recyclates. As a result the revenue from recyclates has not been included in the estimation of benefits to avoid double counting. The value of recyclates is likely to increase as recycling infrastructure scales up.

#### Regulatory costs

Although estimated by Marsden Jacob in their 2018 analysis, the cost of regulatory oversight to the State Government has been updated using information sourced from the EPA. This category covers Government costs associated with overseeing Scheme implementation, stakeholder engagement, communications, and maintaining regulatory oversight post-implementation.

<sup>&</sup>lt;sup>23</sup> Marsden Jacob Associates 2018, p. 70. The MJA figure is in \$2018 while the figure presented in Table 2 is in \$2020, which accounts for the



A comparison of the estimates is provided in Table A4.

Table A4. Regulatory Cost Estimate \$,000<sup>24</sup>

Year	EPA estimate (2021)	MJA estimate (2018)
2022	582	750 in set-up costs (covers 2022-3 to 2023-4)
2023	540	0
2024	540	150
2025	331	150
2026	331	150
2027	331	250
2028	331	150
2029	331	150
2030	331	150
2031	331	150
2032	209	250
2033	209	150
2034	209	150
2035	209	150
2036	209	150
2037	209	250
2038	209	150
2039	209	150
2040	209	150
2041	209	150
2042	209	250

#### Business compliance and participation costs

Business compliance costs were estimated based on consultation with the Tasmanian beverage industry. The estimates also draw on the NSW RIS. As all states except Victoria and Tasmania have CRSs in place, many Tasmanian beverage producers have already incurred these costs.

There are approximately 70 businesses based in Tasmania producing beverages in eligible containers – soft drink, bottled water, fruit juice, flavoured milk, beer, and cider. It is estimated that two thirds of these businesses sell product interstate and therefore comply with interstate CRS requirements already.

Table A5. Business compliance costs assumptions

Transitional costs	
Administrative work signing up for the scheme	3 hours per business @ \$30/hour
Label design and implementation	\$2500 for each business not already selling product interstate
Write-off of old labels and cans	No cost due to 12-month phase-in
Ongoing costs	
Data collation, reporting, audit and maintaining commercial relations with scheme coordinator	1 hour per business per month @\$30 per hour
Container approvals	No additional cost due to adoption of NSW registry

For companies that make beverages overseas and interstate and sell them in Tasmania, it is assumed that their product is sold in other states and hence their Tasmanian CRS costs will be marginal as their containers will already be approved, carry the refund message, and they will have administrative processes in place to comply with CRS requirements.

<sup>&</sup>lt;sup>24</sup> Year 2022, 2023 refer to the financial years 2022-23, 2023-24.



#### Business participation costs

This cost has been estimated by applying the estimate in the NSW RIS and adjusting the value for population and converting it to 2020 dollars. Given that Tasmania has fewer businesses per capita than NSW, it is unlikely that this is an underestimate.<sup>25</sup> Business participation costs are a relatively small contributor to total costs.

#### Household participation costs

Household participation costs have been estimated from the NSW estimate per household, converted to 2020 dollar values and adjusted for the number of households in Tasmania. This figure includes the additional costs incurred by households:

- separating and storing used containers (assumed to be nil as households already handle and dispose of them);
- the travel cost of transporting containers to Refund Points (time, fuel); and
- transaction time at Refund Points.

This comparison has been made because the main element of this factor is transaction time at Refund Points, which will be similar in NSW and Tasmania. Transporting eligible containers will be a marginal cost for most Tasmanians as Refund Points will be located at sites they visit regularly: supermarkets, shopping centres, corner stores, rural post offices and bottle shops. Empty containers will often occupy spare space in vehicles with shopping loaded up on the return journey.

While households will incur participation costs from the CRS, they will also benefit: less time spent picking up litter (including outside the home, place of work, holiday campsite, park, walking track), less time assisting at community litter collection events, fewer injuries caused by littered beverage containers (eg broken glass in public places), and less time spent managing kerbside recycling bins, which will fill up less frequently. Waste collection vehicles will take fewer trips once the CRS has commenced, entailing less noise, inconvenience and transport delays to households.

<sup>&</sup>lt;sup>25</sup> Australian Bureau of Statistics 2021, Counts of Australian Businesses, including Entries and Exits, July 2016-June 2020.



# Appendix 3. Methodology and assumptions used to estimate Scheme benefits

#### Value of avoided litter

The value of avoided litter to Tasmanian residents has been estimated as the willingness to pay (WTP) to avoid litter, in dollars per tonne of avoided litter.

The WTP figure is based on the NSW CRS RIS, which defined a general WTP per tonne of avoided litter. This draws on a PricewaterhouseCoopers (PwC) study, Estimating consumers' willingness to pay for improvements to packaging and beverage container waste management (2010). The PwC report is a non-market valuation study that analyses consumers' values on waste packaging. The methodology involved an Australian online survey of 3,432 households (i.e. stated preference) in which Tasmanian respondents were over-represented based on population size, indicating its relevance to this RIS.<sup>26</sup> The NSW RIS made some adjustments to the PwC calculations, which this RIS has adopted.

The WTP value presented here may be conservative given the community's increasing concern about litter, waste and recycling issues (see Chapter 2.1). The impact of a higher WTP on this RIS' CBA is modelled in the sensitivity analysis in Chapter 6.3.

#### Reduction in expenditure on litter clean-up services

This figure has been calculated assuming the CRS causes a 20% reduction in overall litter (see Chapter 6). Expenditure on cleaning up litter accrues primarily to local government, but also to businesses and schools. The State Government incurs litter service cost through cleaning up roadsides (Department of State Growth), litter clean-up by the Parks and Wildlife Service (Department of Primary Industries, Parks Water and Environment) and litter prevention programs (eg Report Rubbish).

Estimates of expenditure were obtained from Hobart City Council, DSG and DPIPWE. The \$1 million annual clean-up expenditure reported by Hobart City Council was extrapolated to calculate a statewide value. This estimate is very conservative as costs per capita are anticipated to be lower in Hobart and the COH estimate excluded capital and deprecation costs.

The expenditure on litter clean-up to businesses and schools is calculated from the statewide local government expenditure, based on an estimate that businesses and schools incur about 20% of total litter clean-up costs.<sup>27</sup>

Although there are some estimates of voluntary hours spent on organised litter clean-up campaigns, they have not been included here as it is assumed that this value is included in the estimate of willingness to pay to avoid litter.



<sup>&</sup>lt;sup>26</sup> PricewaterhouseCoopers 2010, p. 24, p. 27.

<sup>&</sup>lt;sup>27</sup> Keep Queensland Beautiful undated, What is Litter.

Table A6: Cost of litter services per year

Cost accrues to	Annual cost in 2021, \$m
Local government	2.27
State government / DSG (roads)	0.30
State government / litter prevention campaigns	0.10
Business and schools	0.57
Total	3.24

Cost per annum of litter services per annum over a 20-year timeframe were calculated with and without a CRS, based on projected litter volumes, in order to calculate the present value of reductions in expenditure. The estimates were comparable to rigorous estimates reported by Auckland Council in New Zealand.<sup>28</sup>

As an example of this benefit accruing to business, there are benefits to the seafood industry from the CRS. Tasmania's seafood industry has an annual revenue of \$1.5 billion, with salmon aquaculture the largest component at \$796 million.<sup>29</sup> Marine litter is a cost to the seafood industry due to:

- Clean-up costs the industry sees this task as part of maintaining a suitable environment for aquaculture;
- · damage to or loss of equipment; and
- · loss of fish revenue.

Tasmania's salmon industry has funded at least 10,000 personnel hours cleaning up shoreline litter since 2016. Salmon company Huon Aquaculture has staff regularly patrol and clean shorelines, removing all waste, 50 - 75% of which has not been generated by the company. The company reports that 2665 personnel hours have been spent on litter clean-up operations since 2016. Litter transportation and disposal costs are also incurred. Another salmon company, Tassal, reports that 8561 personnel hours have been spent on shoreline clean-ups since 2016. The two companies have spent an estimated \$575,000 since 2016 on staffing costs to clean up shoreline litter not generated by their own companies. Beverage containers account for almost half of Tasmania's litter so the CRS will reduce the incidence of marine litter and associated costs to the seafood industry.

#### Avoided waste collection and transport costs

The estimate was reported by Marsden Jacob (2018) and has been updated to 2020 dollars and applied to the material flows for 2022 to 2042.

#### Avoided externalities of landfill

These were based on the estimated saving per tonne of avoided landfill in the NSW RIS, converted to 2020 dollars and applied to the projected reductions in containers going to landfill in Tasmania.



<sup>&</sup>lt;sup>28</sup> Davies, P 2017, Cost-benefit analysis of a Container Deposit Scheme.

<sup>&</sup>lt;sup>29</sup> Agri-Growth Tasmania 2020, p. 32.

<sup>&</sup>lt;sup>30</sup> Huon Aquaculture 2020.

#### Impact on tourism revenue

This RIS presents the case that a significant decrease in litter in Tasmania's environment would lead to a modest increase in tourism visitation and expenditure, and that this is a benefit of the CRS. The CRS is estimated to reduce overall litter by about 20%, preventing almost 7,000 tonnes of used beverage containers from entering Tasmania's environment over 20 years. With evidence of beverage containers currently being littered in areas like Freycinet National Park and Cradle Mountain, it is reasonable to assume that a reduction in littering will enhance Tasmania's appeal to tourists. Indeed, it would be difficult to argue that a significant reduction in litter would have *no* impact on tourism.

Tourism in Tasmania directly and indirectly contributes around \$3.2 billion, or 10.3 per cent, to annual Gross State Product (GSP). Tourism directly contributes \$1.49 billion or about 4.9 per cent to GSP.

'To see wilderness/wildlife and natural scenery' is the main factor that influences visitors' decisions to travel to Tasmania, with 41% of visitors citing this reason, according to the latest Tasmanian Visitor Survey. This equates to an estimated 536,000 visitors of the 1.308 million total visitors for the 12-month period to March 2020 (a period mostly unaffected by Covid-19). Spending by tourists coming 'to see wilderness/wildlife and natural scenery' is estimated at \$1.44 billion per annum.<sup>31</sup>

Tourism Tasmania notes that 'the perception of a pristine environment is strongly aligned with Tourism Tasmania's brand'. This RIS suggests that litter has a greater proportional impact on tourism expenditure in Tasmania than in some other Australian states due to the central importance of Tasmania's pristine natural environment to visitation.

Research indicates that litter deters tourists, particularly in nature-based tourism. A study in the US found that a doubling of beach litter would decrease the number of recreation days spent at selected beaches by between 16% and 35%.

There is limited data on the impact of litter on visitor days spent in Tasmania. This RIS has gathered primary evidence that tourists to Tasmania value and comment on the absence of litter, and respond negatively to the presence of litter (presented in Appendix 4). It is argued that the presence of litter leads to more negative online reviews and negative social media posts, and to a decrease in repeat visits by tourists. The overall outcome is that more litter in the Tasmanian environment leads to fewer total visitor nights spent here.

For the purpose of this CBA, it is conservatively estimated that a 20% decrease in litter will increase tourism revenue by increasing the number of visitor days spent in Tasmania for the purpose of seeing wilderness, wildlife and natural scenery by 0.5%. Only wilderness visitors were assumed to be sensitive to litter.<sup>32</sup>

As the CRS is predicted to reduce overall litter by about 20%, this would increase total visitor nights from 4.34 million to 4.36 million nights a year. This equates to an increase in the length of average stay by wilderness visitors from 8.10 nights to 8.14 nights. Applying this assumption (pro rata) results in an estimated increase in tourism revenue of \$58.9 million over 20 years. Further evidence on the impact of litter on tourism is provided in Appendix 4. Sensitivity testing indicates that even if the CRS has half the estimated impact on the number of visitor days, the increase in tourism revenue would total \$29.4 million and an overall positive NPV would still result.

<sup>&</sup>lt;sup>32</sup> It was assumed that expenditure is directly proportional to visitor days and that the increase in visitor days is proportional to the percentage reduction in litter compared to the base case. Estimates of expenditure and the number of days spent in the state by people visiting to see wilderness, wildlife and natural scenery were based on data from the *Tasmanian Tourism Survey* for the year ending March 2020.



<sup>&</sup>lt;sup>31</sup> Tourism expenditure is different to contribution to GSP; the latter factors in costs as well as revenue.

# Appendix 4. The impact of litter on tourism

#### Tasmania's tourist industry

Tourism in Tasmania directly and indirectly contributes around \$3.2 billion, or 10.3 per cent, to annual Gross State Product (GSP). Tourism directly contributes \$1.49 billion or about 4.9 per cent to GSP.

'To see wilderness/wildlife and natural scenery' is the leading factor that influences visitors' decision to travel to Tasmania, with 41% of interstate and international visitors citing this reason, the latest Tasmanian Visitor Survey has found. This equates to an estimated 536,000 visitors to Tasmania, of the 1.308 million total visitors for the 12-month period to March 2020 (a period mostly unaffected by Covid-19). Spending by visitors coming 'to see wilderness/wildlife and natural scenery' is estimated at \$1.44 billion per annum.

Tourism Tasmania reports that 'the perception of a pristine environment is strongly aligned with Tourism Tasmania's brand'.

#### Does litter impact tourism?

A study of the impact of litter in UK parks found that on a three-point scale of pleasant to unpleasant, the presence of litter shifted respondents one point towards unpleasant. The researchers found the presence of litter reduced people's positive associations of a place by 24%. 'The findings have demonstrated that litter affects people's perceptions of place in a negative manner and, in this sense, rubbish can be seen as a form of anti-place marketing,' the study concluded.

A number of academic papers present evidence that litter deters tourists.<sup>33</sup> Most commercial visitor satisfaction surveys (eg Tripadvisor) assess perceptions of cleanliness, indicating that litter has a significant commercial impact on visitation. A small number of studies have quantified the economic impact of litter on tourism, usually in relation to marine litter on beaches.

A study of the impact of a marine pollution event following a period of heavy rainfall in July 2011, when large amount of debris was washed up on the beaches of Geoje Island in South Korea, found a 63% reduction in the number of visitors in the year affected by the event. The tourism revenue loss of the island due to this single event was estimated to be US\$29 - 37 million.<sup>34</sup>

A US study found that a reduction in marine debris to almost none (i.e.  $\sim$ 99% reduction) was likely to increase the number of recreation days spent at the beach by between 2.2% and 9.5% for three ocean coastal locations in California, Alabama and Delaware/Maryland, and by 35.4% in Ohio (Lake Eerie). A doubling of debris was estimated to result in a decrease in recreation days spent of between 16.3% and 26.5% for the three ocean coasts, and a decrease of 35.6% in Ohio.



<sup>33</sup> Krelling, A.P., Williams, A.T & Turra, A 2017. Williams, A.T., Rangel-Buitrago, N.G., Anfuso, G., Cervantes, O & Botero, C.M 2016.

 $<sup>^{\</sup>rm 34}$  ISim, K & Lee, J 2013.

<sup>&</sup>lt;sup>35</sup> Krelling, A.P., Williams, A.T & Turra, A 2017.

#### Evidence that litter is an issue for Tasmanian tourism

The EPA has found primary evidence that:

- Litter is an issue for tourists and visitors in Tasmania, and detracts from visitors' experiences; and
- When sites and locations are litter-free, tourists and visitors appreciate and value this.

#### Popular tourist sites have staff who are paid to collect litter, including:

- Cradle Mountain, managed by the Parks and Wildlife Service (PWS) Cradle Mountain
- Freycinet National Park, managed by PWS
- Port Arthur Historic Site, managed by the Management Authority
- · East Coast sites, managed by PWS Triabunna
- King Island sites, managed by PWS Northwest Coast
- Narawntapu National Park, managed by PWS Narawntapu.

#### Litter is a significant problem at these tourist sites:

**Cradle Mountain:** along roadsides, walking tracks, and campsites. Volumes of litter are higher over peak visitor season, and food packaging and containers is a particular problem along roadsides. This information is from PWS Cradle Mountain, who report that: 'Litter does detract from the visitor experience, particularly in the Tasmanian Wilderness World Heritage Area. It is a highly visible reminder of our human impact.' PWS reports receiving visitor comment cards that remark on litter and the negative impact it has on wildlife and photography.

Freycinet area: particularly Wineglass Bay (often food and drink waste), visitor car parks, Friendly Beaches, and the Coles Bay roadsides (most of this is bottles). This information is from PWS. PWS staff collect at least one bag of rubbish when walking to Wineglass Bay each week. PWS engages five volunteers who collect litter for 3 hours / month. A clean-up at Moulting Lagoon at Coles Bay collected approximately 2000 beer bottles. PWS has installed six rubbish bins to deal with litter.

'The litter in the park certainly impacts on visitors' experience, if we are there picking up litter other people stop and ask the normal questions, but then it gets to 'what are you doing with rubbish on the track', 'can I help' ... Litter certainly negatively impacts the hard work undertaken by the tourism sector who promote The Great Eastern Drive' – Steven Heggie, Ranger in Charge, Parks and Wildlife Service, Freycinet National Park.

**East Coast:** parks, day use sites and campgrounds, particularly along the Great Eastern Drive (information from PWS Triabunna and the Tasmanian Government's Report Rubbish service).

Wellington Park / Mt Wellington / kunanyi: particularly at the Pinnacle (information from Wellington Park Management Trust, including from public survey responses).

**King Island's** beaches, visitor service sites and roadsides. The main litter is soft drink bottles, beer bottles, and bait packets (information from PWS Northwest Coast).

Bruny Island: according to this ABC News report and a subsequent news story.



**Derwent Bridge (gateway to Lake St Clair):** information from Tasmanian Government's Report Rubbish service.

West Coast: the Lyell Highway (route to Lake St Clair and Strahan) and Strahan area, information from Tasmanian Government's Report Rubbish service. There have been more than 40 reports of littered food and drink containers on the West Coast in the past year.

Port Arthur and Eaglehawk Neck, information from the Government's Report Rubbish service.

Bay of Fires (East Coast), information from the Government's Report Rubbish service.

#### Comments from visitors to Tasmanian tourist sites

An analysis of Tripadvisor reviews found litter was an issue for visitors to Tasmania. There were more than 100 reviews that raised litter and recycling issues; 38 discussed litter. 21 of these were commenting on the presence of litter and how it affected them, while 17 were commenting positively on the absence of litter.

A survey of visitors to Mt Wellington found 30 people raised litter issues (information from Wellington Park Management Trust).

## Negative comments on the presence of litter (all comments from Tripadvisor unless otherwise noted)

'Beautiful place ... also, don't litter! Had to pick up much litter during my walks, not hard' – visitor to Cradle Mountain (2019).

'Beautiful, everything was beautiful apart from all the rubbish I had to pick up, take it with you people' - visitor to Russell Falls, Mt Field (2018).

'Absolutely stunning place. Beautifully maintained and discretely placed and built tracks, it's a shame PEOPLE STILL THINK HIDING RUBBISH IN TREES AND UNDER ROCKS IS ACCEPTABLE' - visitor to Freycinet National Park (2020), comment left on PWS Comment Card.

'Put bins at Wineglass Lookout, a lot of rubbish left in bushes' - visitor to Freycinet National Park (2020), comment left on PWS Comment Card.

'From personal observation I believe visitors/campers find litter very annoying' - ranger at Narawntapu National Park (2021).

'We free camped here but I was disgusted by the amount of litter' – visitor to Bay of Fires (2016).

'The views were certainly great on a perfect day ... the track could do with some maintenance and unfortunately some rubbish collection' – visitor to Fluted Cape, Bruny Island (2016).

'The river wasn't that nice, there was rubbish along the banks. But the area surrounding was nice' – visitor to Tamar River (2017).

'Food and cigarette litter around benches ...' – visitor to City Park, Launceston (2019).

'The summit, don't mind the people but the litter they leave behind' – visitor to Mt Wellington (survey response).



'The lake looked stunning ... but take your rubbish with you! I was ASTOUNDED that prior visitors had left such a negative footprint behind them leaving their rubbish' – visitor to Cameron Regional Reserve, North-East Tasmania (2018).

'The beach was picturesque and quiet. Sadly, some people had used the car park as a rubbish tip which detracted from our enjoyment' – visitor to Seven Mile Beach (2015).

#### Positive comments on the absence of litter

'For me the most rewarding and amazing aspect of the hike along the Bay of Fires beaches was the encounter with a pristine environment that is becoming rarer and rarer in our increasingly crowded and polluted world. There was not a smidgen of trash anywhere, no plastic bottles, no discarded fishing gear. I could not imagine a more beautiful scenery and a more inspiring walk' – visitor to Bay of Fires (2020).

'Very natural, well maintained and no rubbish to be seen anywhere. Really happy we did it' – visitor to Cradle Mountain (2017).

'The scenery is spectacular and diverse, the environment is pristine (no rubbish)' – visitor to Overland Track, Cradle Mountain (2014).

'I didn't see another person, a human footprint, or one piece of litter (amazing!) during my six-hour walk' – visitor to Bay of Fires (2014).

'No litter and just the sound of the bush and river' – visitor to Douglas-Apsley National Park (2017).

'There was such a strong ownership of the public places that it was never spoilt with litter or anything untidy' – visitor to Flinders Island (2016).



#### **TASMANIA**

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#### **CONTAINER REFUND SCHEME BILL 2021**

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#### **CONTAINER REFUND SCHEME BILL 2021**

(Brought in by the Minister for Environment, the Honourable Roger Charles Jaensch)

#### A BILL FOR

An Act to establish a container refund scheme to reduce litter in Tasmania and increase the recovery and recycling of containers

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

#### PART 1 – PRELIMINARY

#### 1. Short title

This Act may be cited as the *Container Refund Scheme Act* 2021.

#### 2. Commencement

This Act commences on a day to be proclaimed.

#### 3. Interpretation

In this Act, unless the contrary intention appears –

approved container means a container approved in accordance with section 12(1);

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#### Part 1 – Preliminary

approved container list means the list of approved containers that is kept and maintained in accordance with section 12(3);

approved form means a form approved by the
 Director;

associate, of a relevant scheme participant, includes –

- (a) a person who
  - (i) holds, or will hold, a relevant commercial interest in the business of the scheme participant that is being operated for the purposes of this Act; and
  - (ii) by virtue of that interest, is able to or will be able to exercise a significant influence over or in respect of the management or operation of that business; and
- (b) a person who
  - (i) holds, or will hold, a relevant commercial interest in a business in which the scheme participant also holds a

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- relevant commercial interest; and
- (ii) by virtue of that interest, is able to or will be able to exercise a significant influence over or in respect of the management or operation of that business; and
- (c) a person who holds, or will hold, a relevant position in the business of the scheme participant that is being used to provide a service under this Act; and
- (d) a spouse, partner within the meaning of the *Relationships Act* 2003, parent, child or sibling of the scheme participant; and
- (e) a spouse, partner within the meaning of the *Relationships Act* 2003, parent, child or sibling of a person who holds a relevant position in the business of the scheme participant;

#### authorised officer includes –

- (a) the Director; and
- (b) a police officer; and
- (c) a person appointed under section 35;

- beverage means a liquid, other than medication, that is intended for human consumption by drinking;
- beverage container means a container, other than an exempt container, that
  - (a) is designed or manufactured to contain a liquid; and
  - (b) is, or has been, sealed while it contains a beverage to enable the beverage to be handled and transported in the container;
- container refund machine means a machine, or other device, that is designed or manufactured to pay the refund amount when an approved container is inserted in, or otherwise deposited at, the machine or device;

# container refund point - see section 4;

Director has the same meaning as in the Environmental Management and Pollution Control Act 1994;

## eligible container means –

- (a) a beverage container; or
- (b) a container that is prescribed as an eligible container;
- equivalent Act means an Act or the provisions of an Act, in force in another State or a

Territory, that substantially correspond to the provisions of this Act;

#### exempt container means a container that –

- (a) is prescribed as a container to which this Act does not apply; or
- (b) is a container from a class of containers that is prescribed as a class of containers to which this Act does not apply;
- expression of interest means an expression of interest advertised by the Minister in accordance with section 5;
- *material recovery facility* see section 6;
- material recovery facility operator means the person responsible for the operation of a material recovery facility;
- network operator means a person appointed by the Minister as a network operator under section 15(1) or section 17;
- network operator agreement means an agreement to be a network operator that complies with the requirements of this Act in respect of such an agreement;
- prescribed marks, in relation to an approved container, means the prescribed information, marks or labels required to be displayed on the exterior of the approved container;

#### *refund amount* – see section 7;

- refund declaration means a declaration, in an approved form, relating to the depositing of a container at a container refund point;
- refund point agreement means an agreement to operate a container refund point, that complies with the requirements of this Act in respect of such an agreement, between
  - (a) a network operator; and
  - (b) the person, employed or engaged to operate the container refund point for the network operator;
- *refund point operator*, in relation to a container refund point, means
  - (a) the person employed, or engaged, to operate the container refund point under a refund point agreement; or
  - (b) if no such person is so employed or engaged, the network operator for the container refund point;
- relevant appointment, in relation to a person, means the appointment of the person as a scheme coordinator or a network operator;
- relevant commercial interest, in relation to a business or scheme participant, means

any share of the capital of, or any entitlement to receive income from, the business or scheme participant, other than –

- (a) as specified under this Act or an agreement under this Act; or
- (b) as supplied on the same terms as those ordinarily supplied to another person in the same situation:
- relevant position, in relation to a business or scheme participant, means the position of director, manager, secretary, or other executive position, within the management of the business or scheme participant;
- scheme means the container refund scheme established under section 10;
- scheme coordinator means a person appointed by the Minister as scheme coordinator under section 14(1) or section 17;
- agreement to be a scheme coordinator that complies with the requirements of this Act in respect of such an agreement;
- *scheme participant* includes each of the following persons:
  - (a) a supplier;

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- (b) a scheme coordinator;
- (c) a network operator;
- (d) a refund point operator;
- (e) a material recovery facility operator;

*sell* includes any of the following, whether by wholesale or retail:

- (a) barter or exchange;
- (b) deal in or agree to sell;
- (c) supply for, in expectation of receiving, payment or consideration;
- (d) receive for sale or offer for sale;
- (e) dispose of by way of raffle, lottery or other game of chance;
- (f) offer as a gift, prize or reward;
- (g) give away for any purpose;

*supplier* – see section 8;

supply agreement, in relation to an approved container, means an agreement relating to the supply of the container within the State, that complies with the requirements of this Act in respect of such an agreement.

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#### 4. Meaning of container refund points

- (1) For the purposes of this Act, the following are container refund points:
  - (a) a facility, or premises, where an empty approved container may be deposited in exchange for the refund amount;
  - (b) a container refund machine;
  - (c) a facility, premises or machine, or a class of facilities, premises or machines, that is or are prescribed as a container refund point.
- (2) Nothing in this Act prevents a container refund point from being operated
  - (a) on a permanent or temporary basis; or
  - (b) from a permanent, or mobile, structure or vehicle; or
  - (c) on a for-profit basis or a not-for-profit basis.

## 5. Meaning of expressions of interest

- (1) For the purposes of this Act, the Minister may advertise for expressions of interest to become a scheme coordinator or a network operator.
- (2) An expression of interest advertised under subsection (1) –

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- (a) must be advertised in a manner that is available to members of the public; and
- (b) may be advertised by any means, or in any format, that the Minister considers appropriate.

# 6. Meaning of material recovery facility

- (1) For the purposes of this Act, a material recovery facility means
  - (a) a facility, or premises, at which approved containers may be sorted and prepared for recycling; or
  - (b) a facility or premises, or a class of facilities or premises, that is or are prescribed as a material recovery facility.
- (2) Despite subsection (1)(a), a facility or premises, or class of facilities or premises, may be prescribed as not being a material recovery facility.

# 7. Meaning of refund amount

- (1) For the purposes of this Act, the refund amount payable for each approved container deposited at a container refund point under the scheme is the prescribed refund amount.
- (2) The regulations may also prescribe other means by which the refund amount may be payable under the scheme.

#### 8. Meaning of supplier

- (1) For the purposes of this Act, a supplier of a container has product stewardship in respect of the container.
- (2) For the purposes of this Act and subject to subsection (3), a person is the supplier in respect of a container if
  - (a) where the container is sealed outside of the State, the person first commercially imports the sealed container in the State after the commencement of the scheme; or
  - (b) where the container is sealed within the State and is intended for distribution to more than one location within the State or a number of jurisdictions, the person is the wholesaler within the State for the sealed container; or
  - (c) where the container is sealed within the State and is intended for sale within the State from a single location, the person is the person intending to so sell the sealed container within the State; or
  - (d) the person is the person prescribed as the supplier of the container or the supplier for the class of containers to which the container belongs.
- (3) Despite subsection (2), a person is not the supplier of a container solely on the basis that the person –

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- (a) is responsible for transporting the container
  - (i) into the State from a location outside of the State; or
  - (ii) within the State; or
- (b) is engaged under a contract to do one or more of the following for, or on behalf of, another person:
  - (i) to make the container;
  - (ii) to fill the container with a beverage;
  - (iii) to seal a beverage in the container; or
- (c) is a member of a class of persons that is prescribed as not being suppliers of the container.
- (4) If there is a dispute as to who is the supplier of a container, the Director may determine who is the supplier in respect of the container.

# 9. Application of Act

- (1) Unless the contrary intention appears, this Act is in addition to, and does not derogate from, the provisions of any other Act.
- (2) Nothing in this Act prevents a scheme participant from paying –

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- (a) a refund amount for a container other than an approved container; or
- (b) an amount, under another scheme or program, for an approved container.



#### PART 2 – CONTAINER REFUND SCHEME

#### Division 1 – Container refund scheme generally

#### 10. Container refund scheme established

- (1) A container refund scheme is established to enable the payment of refunds for approved containers that are returned to container refund points operated under the scheme.
- (2) The scheme established under subsection (1)
  - (a) applies in respect of approved containers; and
  - (b) is managed by a scheme coordinator; and
  - (c) is facilitated by a network operator.

# Division 2 – Approved containers

# 11. Approved container

- (1) A person must not sell an eligible container to another person if he or she is aware, or reasonably ought to be aware, that
  - (a) the container is not approved under section 12; or
  - (b) the container does not display the prescribed marks.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 300 penalty units; or
- (b) an individual, a fine not exceeding 100 penalty units.
- (2) A supplier of an eligible container must not sell the eligible container to another person unless
  - (a) the container is approved under section 12; and
  - (b) the supplier has entered into a supply agreement with the scheme coordinator in respect of the container; and
  - (c) the container displays the prescribed marks.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 1 000 penalty units; or
- (b) an individual, a fine not exceeding 500 penalty units.

# 12. Approval of eligible container

- (1) The Director may approve an eligible container for the purposes of the scheme
  - (a) on the application, in the prescribed manner, by the supplier of the container; or

- (b) on the Director's own initiative.
- (2) The Director may impose any conditions, requirements or restrictions on an approval of an eligible container under subsection (1) that the Director considers appropriate.
- (3) The Director is to ensure that a list of approved containers, and other information in respect of approved containers that the Director considers appropriate, is kept and maintained.

## 13. Marks only to be displayed on approved container

(1) A person must not place prescribed marks on a container that is not an approved container.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 800 penalty units; or
- (b) an individual, a fine not exceeding 400 penalty units.
- (2) A person must not place marks on a container for the purpose of implying, or leading others to the belief, that the container
  - (a) is an approved container; or
  - (b) displays the prescribed marks for such a container.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 800 penalty units; or
- (b) an individual, a fine not exceeding 400 penalty units.

#### Division 3 – Scheme participants

#### 14. Scheme coordinator

- (1) The Minister may appoint a person as a scheme coordinator in respect of the scheme by entering into a scheme coordinator agreement with the person.
- (2) The Minister may only enter into a scheme coordinator agreement with a person if the Minister is satisfied that the person
  - (a) has responded to an expression of interest to be a scheme coordinator; and
  - (b) has the knowledge, skills and experience required of a scheme coordinator; and
  - (c) has the financial capacity to be a scheme coordinator; and
  - (d) is a fit and proper person within the meaning of section 16; and
  - (e) has not been appointed as a network operator; and
  - (f) does not share a relevant commercial interest, or hold a relevant position, with

- a network operator or an associate of a network operator; and
- (g) has met any other requirements
  - (i) prescribed in the regulations in respect of a scheme coordinator; or
  - (ii) specified in the expression of interest, or related documents, to which the person responded; or
  - (iii) specified as prerequisites in the scheme coordinator agreement.
- (3) A person ceases to be appointed as a scheme coordinator when the first of the following occurs:
  - (a) the person's appointment as scheme coordinator is cancelled under section 18;
  - (b) the scheme coordinator agreement in force in respect of the person expires.

## 15. Network operator

- (1) The Minister may appoint a person as a network operator in respect of the scheme by entering into a network operator agreement with the person.
- (2) The Minister may only enter into a network operator agreement with a person if the Minister is satisfied that the person –

- (a) has responded to an expression of interest to be a network operator; and
- (b) has the knowledge, skills and experience required of a network operator; and
- (c) has the financial capacity to be a network operator; and
- (d) is a fit and proper person within the meaning of section 16; and
- (e) has not been appointed as the scheme coordinator; and
- (f) does not share a relevant commercial interest, or hold a relevant position, with the scheme coordinator or an associate of the scheme coordinator; and
- (g) has met any other requirements
  - (i) prescribed in the regulations in respect of a network operator; or
  - (ii) specified in the expression of interest, or related documents, to which the person responded; or
  - (iii) specified as prerequisites in the network operator agreement.
- (3) A person ceases to be appointed as a network operator when the first of the following occurs:
  - (a) the person's appointment as network operator is cancelled under section 18;

(b) the network operator agreement in force in respect of the person expires.

#### 16. Fit and proper person

- (1) In determining whether a person is a fit and proper person under this Act, the Minister must take into account the following matters:
  - (a) the person's conduct with regard to the scheme or a similar scheme established, or operating, in another jurisdiction;
  - (b) whether the person has been found guilty of one of the following offences, regardless of where the person was convicted:
    - (i) an indictable offence where the maximum penalty for the offence is a term of imprisonment of at least 3 months;
    - (ii) an offence of dishonesty or fraud;
    - (iii) an offence under this this Act or an equivalent Act;
  - (c) such other prescribed matters.
- (2) In addition to the matters to be taken into account under subsection (1), the Minister may
  - (a) take into account a matter not specified in that subsection, if the Minister considers the matter relevant to

- determining whether the person is a fit and proper person; and
- (b) carry out such inquiries, consult such persons and take into account such matters as the Minister considers relevant to determining whether the person is a fit and proper person for the purposes of the scheme; and
- (c) require the person to provide further information, or evidence, in support of the application.

# 17. Minister may appoint scheme participant in certain circumstances

- (1) Despite sections 14 and 15, the Minister may appoint a person as scheme coordinator, or network operator, without the person responding to an expression of interest to be a scheme coordinator, or network operator, if
  - (a) the Minister has published an expression of interest in respect of the relevant position and is satisfied that
    - (i) there have been no responses to that expression of interest; or
    - (ii) each person who has responded to the expression of interest does not meet the requirements under the Act in respect of the relevant position; or

- (b) a person's appointment under this Act as scheme coordinator, or network operator, has been suspended or cancelled and the Minister is satisfied that a temporary appointment under this section is necessary to ensure the continued operation of the scheme.
- (2) The Minister may only appoint a person as scheme coordinator, or network operator, under this section if the Minister is satisfied, on reasonable grounds, that the person meets the majority of the requirements specified in this Act in respect of the relevant appointment.
- (3) An appointment of a person as scheme coordinator, or network operator, under this section
  - (a) is to be on such terms and conditions as is specified by the Minister; and
  - (b) may not exceed a cumulative period of 5 years; and
  - (c) does not prevent the person from being appointed as scheme coordinator, or network operator under another section of this Act.

## 18. Suspension or cancellation of certain appointments

(1) The Minister may suspend, or cancel, a relevant appointment of a person at any time if the Minister believes on reasonable grounds that –

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- (a) the person is no longer a fit and proper person in respect of the scheme; or
- (b) the person has contravened, or is contravening, a condition imposed under this Act, or the relevant agreement, in respect of the appointment; or
- (c) the person has not met a target specified in the relevant agreement, or as part of the relevant agreement; or
- (d) the person has given false or misleading information in, or in connection with
  - (i) an application, report or information provided under this Act or an equivalent Act; or
  - (ii) an agreement entered into, or to be entered into, under this Act; or
- (e) the person has contravened a provision of this Act or an equivalent Act; or
- (f) the person has committed an offence, whether in this State or another jurisdiction, relating to fraud or dishonesty; or
- (g) prescribed circumstances have occurred in respect of one or more of the following:
  - (i) the person;
  - (ii) the relevant appointment of the person;

- (iii) the agreement entered into as part of the relevant appointment of the person; or
- (h) the relevant appointment has been suspended under this section and the person has not undertaken the steps specified under subsection (2)(c)(ii) in respect of the suspension.
- (2) If the Minister decides to suspend, or cancel, a relevant appointment of a person under this section, the Minister is to
  - (a) notify the person, in writing, that the relevant appointment has been suspended, or cancelled, as the case may be; and
  - (b) specify, in the notification under paragraph (a)
    - (i) the reasons for the suspension or cancellation; and
    - (ii) in general terms, any information that the Minister took into account in making the decision to suspend or cancel the relevant appointment; and
  - (c) if the relevant appointment is suspended under this section, specify
    - (i) the period of suspension of the relevant appointment; and

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- (ii) the steps that the person must take for the suspension to be lifted, if any.
- (3) The cancellation or suspension of a relevant appointment of a person takes effect when the person is notified in accordance with subsection (2) in respect of the suspension or cancellation.
- (4) A relevant appointment that is suspended under this section is of no effect while it is so suspended.

# PART 3 – ADMINISTRATION OF CONTAINER REFUND SCHEME

#### Division 1 – Agreements for container refund scheme

#### Subdivision 1 – General

#### 19. Agreements generally

- (1) In addition to any other requirements specified in this Act, an agreement that is entered into for the purposes of this Act
  - (a) must be in writing; and
  - (b) is to include each applicable term, and condition, specified under this Act in respect of the agreement, or class of agreements; and
  - (c) is, unless otherwise specified in the regulations, taken to include each applicable term, and condition, prescribed in relation to the agreement, or class of agreements, after the commencement of the agreement; and
  - (d) may include one or more of the following:
    - (i) performance targets or other targets or requirements;
    - (ii) penalties and other sanctions for non-compliance;

- (iii) requirements for monitoring, auditing and reporting under the agreement;
- (iv) such other terms, and conditions, as are agreed between the parties to the agreement; and
- (e) may specify, as part of the agreement, that the Director, or another person or authority, is required to approve a specific procedure, arrangement or process.
- (2) If a term or condition of an agreement under this Act is inconsistent with a term or condition specified in this Act in respect of the agreement, the term or condition of the agreement is void to the extent of the inconsistency.

#### 20. Duration of agreement

An agreement that is entered into for the purposes of this Act is to have effect until the first of the following:

- (a) the agreement is terminated;
- (b) the agreement expires under the terms of the agreement;
- (c) the agreement has been in force for the maximum period for the agreement, if any.

## Subdivision 2 – Specific agreements

## 21. Scheme coordinator agreement

In addition to the requirements of this Act, an agreement to be a scheme coordinator must specify the following terms and conditions in respect of the person appointed as the scheme coordinator under the agreement:

- (a) that the scheme coordinator is to enter into supply agreements with suppliers to ensure that suppliers bear an appropriate proportion of the cost of the management, administration and operation of the scheme;
- (b) that the scheme coordinator is responsible for entering into an agreement with a network operator that specify the process for the scheme coordinator to pay, or reimburse, the network operator for
  - (i) the refund amounts payable by, or on behalf of, the network operator; and
  - (ii) the costs associated with the administration and operation of container refund points operated by, or on behalf of, the network operator;
- (c) that the scheme coordinator is responsible for entering into agreements

with material recovery facility operators that specify the process for the scheme coordinator to pay the operators for refund amounts in respect of each approved container that is collected –

- (i) by the material recovery facility operated by the material recovery facility operator; and
- (ii) without the refund amount being paid for that container before it was so collected:
- (d) methodologies to be used in determining the amounts payable by the scheme coordinator under the scheme;
- (e) other prescribed terms or conditions.

## 22. Network operator agreement

In addition to the requirements of this Act, an agreement to be a network operator must specify the following terms and conditions in respect of the person appointed as a network operator under the agreement:

- (a) details of the network of container refund points to be established and operated by, or on behalf of, the network operator under the scheme;
- (b) that, unless otherwise specified in the agreement, the network operator is responsible for all operational and

- administrative costs in respect of container refund points operated by, or on behalf of, the network operator;
- (c) that the network operator is to ensure that this Act is complied with in respect of each approved container deposited at container refund points operated by, or on behalf of, the network operator;
- (d) methodologies to be used in determining the amounts payable by the scheme coordinator to the network operator under the scheme;
- (e) other prescribed terms or conditions.

## 23. Supply agreement

- (1) A supplier of an approved container must enter into a supply agreement with a scheme coordinator in respect of the approved container that specifies
  - (a) methodologies to be used in determining the amounts payable by the supplier to the scheme coordinator under the scheme in respect of the approved container; and
  - (b) other prescribed terms or conditions.
- (2) A supply agreement is to be in an approved form.

#### 24. Refund point agreement

- (1) A network operator may enter into a refund point agreement with a refund point operator for the refund point operator to operate one or more of the network operator's container refund points.
- (2) A refund point agreement is to be in an approved form.
- (3) A person, other than a network operator, must not operate a container refund point unless the person is the refund point operator in respect of the container refund point.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 300 penalty units; or
- (b) an individual, a fine not exceeding 100 penalty units.

# Division 2 – Compliance and enforcement for scheme participants

## 25. Scheme participant must comply with conditions

- (1) A supplier for an approved container must comply with each condition imposed as part of
  - (a) the approval of the approved container under section 12; and
  - (b) the supply agreement in force in respect of the approved container.

#### Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 150 penalty units; or
- (b) an individual, a fine not exceeding 50 penalty units.
- (2) A scheme coordinator must comply with each condition imposed on the scheme coordinator under
  - (a) this Act; and
  - (b) the scheme coordinator agreement that is in force in respect of the scheme coordinator.

## Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 300 penalty units; or
- (b) an individual, a fine not exceeding 100 penalty units.
- (3) A network operator must comply with each condition imposed on the network operator under
  - (a) this Act; and
  - (b) the network operator agreement that is in force in respect of the network operator.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 300 penalty units; or
- (b) an individual, a fine not exceeding 100 penalty units.

## 26. Obligation of material recovery facility operator

- (1) If a material recovery facility operator receives a refund amount from the scheme coordinator in respect of an approved container, the operator must ensure that the container
  - (a) is recycled, or is sorted for recycling, at the material recovery facility operated by that operator; and
  - (b) does not enter into landfill.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 900 penalty units; or
- (b) an individual, a fine not exceeding 300 penalty units.
- (2) Subsection (1) does not apply in respect of an approved container, or part of an approved container, that enters landfill in prescribed circumstances.

# 27. Annual report by scheme coordinator

(1) Within 90 days after the end of each financial year, a scheme coordinator must –

- (a) prepare, in an approved form, an annual report for the Minister that contains details of the activities and performance of the scheme coordinator during the previous financial year; and
- (b) provide the Minister with a copy of the annual report prepared in respect of the previous financial year.
- (2) As soon as practicable after the Minister is provided by a scheme coordinator with a copy of the report under subsection (1)
  - (a) the Minister is to cause a copy of the report to be laid on the table of each House of Parliament; and
  - (b) the scheme coordinator is to publish the annual report
    - (i) on the website operated by, or on behalf of, the scheme coordinator; and
    - (ii) in a manner that is freely accessible by members of the public.

# 28. Director may perform or require audit in certain circumstances

- (1) The Director may
  - (a) perform an audit on the activities, or a specified aspect of the activities, of a scheme participant under this Act; or

- (b) direct a scheme participant to engage an auditor to perform an audit on the activities, or a specified aspect of the activities, of the scheme participant under this Act.
- (2) If an audit of a scheme participant is to be performed under subsection (1)(b), the Director is to give the scheme participant written notice of each of the following before the audit is performed:
  - (a) the activities to be audited;
  - (b) the date by which a written report of the audit is to be provided to the Director;
  - (c) if the audit is required under subsection (1)(b), the specific auditor or type of auditor required to perform the audit, if relevant.
- (3) The Director may, at any time
  - (a) revoke a requirement under subsection (1) for an audit; or
  - (b) amend a written notice given to a scheme participant under subsection (2).
- (4) If an audit is required under subsection (1), the scheme participant whose activities are being audited
  - (a) may be charged, by the Director, a reasonable fee for the performance of an audit under subsection (1)(a); or

- (b) is responsible for any fee, or cost, payable in connection with an audit required under subsection (1)(b).
- (5) A requirement of the Director under subsection (1) is in addition to, and does not derogate from, an audit or report requirement required under this Act, any other Act or an agreement under this Act.
- (6) A scheme participant whose activities are required to be audited under subsection (1) must comply with the requirement.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 300 penalty units; or
- (b) an individual, a fine not exceeding 100 penalty units.

# PART 4 – CONTAINER REFUND POINTS AND REFUNDS

#### 29. Claiming refund under scheme

- (1) A person may claim a refund amount under the scheme by depositing an approved container at a container refund point.
- (2) Subject to subsection (3) and this Act, a refund point operator must ensure that a refund amount is paid, for each approved container deposited at the container refund point operated by the operator, to the person who deposited the container.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 120 penalty units; or
- (b) an individual, a fine not exceeding 60 penalty units.
- (3) A refund point operator may refuse to pay a refund amount, for a container deposited at a container refund point operated by the operator, if
  - (a) the container is not an approved container; or
  - (b) section 30(3) applies in respect of the person who deposited the container at the container refund point; or

- (c) section 31 applies in respect of the container.
- (4) Subsection (2) does not apply to a refund point operator in respect of an approved container deposited at a container refund point if
  - (a) the operator has an agreement with the person depositing the container for the refund amount to be paid at a later time; or
  - (b) the prescribed circumstances exist in respect of the container, the refund point operator or the container refund point.
- (5) A refund point operator is not guilty of an offence under subsection (2) in respect of a container refund machine if
  - (a) the machine accepts an approved container but does not pay a refund amount in respect of the container at the time of the acceptance of the container; and
  - (b) the refund point operator pays the refund amount owing in respect of the container as soon as practicable after the refund point operator becomes aware of the nonpayment of the refund amount by the machine.
- (6) A person must not claim a refund amount for an approved container if the person knows, or reasonably ought to know, that a refund has been

paid in respect of the container under this Act or under an equivalent Act.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 300 penalty units; or
- (b) an individual, a fine not exceeding 150 penalty units.

# 30. Request for certain information

- (1) If a person deposits an approved container at a container refund point, the refund point operator for that container refund point
  - (a) may require, if the prescribed circumstances exist, the person to provide a refund declaration, in respect of the container; and
  - (b) must require the person to provide a refund declaration in respect of the container if
    - (i) the number of approved containers deposited by the person exceeds the prescribed maximum amount of containers; and
    - (ii) the person does not have a written agreement with the refund point operator that enables the person to deposit containers in a number that exceeds the

prescribed maximum amount of containers.

- (2) If a refund point operator requires a person to provide a refund declaration under subsection (1), the refund point operator may also require, if the prescribed circumstances exist, the person to provide proof of the person's identity.
- (3) A refund point operator may refuse to pay a refund amount in respect of an approved container that a person has deposited at a container refund point if
  - (a) the person refuses to provide a refund declaration as required by the refund point operator under subsection (1); or
  - (b) the person refuses to provide proof of the person's identity as required by the refund point operator under subsection (2); or
  - (c) the refund point operator is satisfied that the number of approved containers deposited by the person, or the person and one or more other persons acting on behalf of the person, exceeds the prescribed maximum amount of containers.
- (4) A refund point operator must keep, for the prescribed period
  - (a) each refund declaration that is provided to the operator under this section; and

(b) details of each piece of evidence that is provided to the operator under this section to prove the identity of a person.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 100 penalty units; or
- (b) an individual, a fine not exceeding 50 penalty units.

## 31. Refund not payable in respect of certain containers

- (1) A refund amount is not payable under this Act in respect of an approved container deposited at a container refund point if the refund point operator for the container refund point is satisfied, on reasonable grounds, of one or more of the following:
  - (a) the approved container is not substantially empty;
  - (b) the container does not display the relevant prescribed marks;
  - (c) the container displays marks that are obscured, or damaged, in such a manner that the marks are unable to be identified as the relevant prescribed marks;
  - (d) a refund amount has already been paid in respect of the container under this Act or an equivalent Act;

- (e) the container refund point is a container refund machine and the machine has refused to accept the container;
- (f) the prescribed circumstances apply in respect of the container.
- (2) Subsection (1)(e) does not prevent a container that is refused by a container refund machine from being deposited, and accepted, at another container refund point.

# 32. Refund point operator must accept approved containers

Unless otherwise authorised under this Act, a refund point operator must not refuse to accept an approved container that is, or has been, deposited at the container refund point operated by the refund point operator.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 300 penalty units; or
- (b) an individual, a fine not exceeding 100 penalty units.

#### **PART 5 – MISCELLANEOUS**

## 33. Delegations

- (1) The Minister may delegate to any person any of the Minister's powers and functions under this Act, other than this power of delegation.
- (2) The Director may delegate to any person any of the Director's powers and functions under this Act, other than this power of delegation.

#### 34. Recovery of costs

- (1) The Director may charge a person (the *liable person*) a fee for any action taken by, or on behalf of, the Director under this Act if
  - (a) the liable person was informed before the action was taken that such a fee for the action may be charged; and
  - (b) in the opinion of the Director, it is reasonable to charge the fee to
    - (i) cover the administrative costs incurred by the Government in respect of the action; or
    - (ii) cover the costs of regulatory activity taken under this Act in respect of the action.
- (2) A fee charged under subsection (1) –

- (a) is to be no more than is reasonable to cover the costs and expenses incurred in connection with the action taken for which the fee is charged; and
- (b) is recoverable by the Director as a debt due and owing to the Director by the liable person in respect of the fee.
- (3) For the purposes of subsection (2)(a), costs and expenses incurred in connection with an action include costs and expense incurred by, or on behalf of, the Crown.

#### 35. Authorised officers

- (1) The Director may appoint one or more of the following persons as an authorised officer for the purposes of this Act:
  - (a) a State Service officer or State Service employee;
  - (b) any other person the Director considers appropriate.
- (2) A person appointed as an authorised officer is appointed on such terms and conditions as the Director determines.
- (3) An authorised officer may do any one or more of the following if reasonably required for the purpose of administering, or enforcing, this Act:
  - (a) enter and inspect premises if –

- (i) the occupier of the premises has given consent to the entry of the officer; or
- (ii) the entry is in accordance with a warrant; or
- (iii) the premises are a public place and the entry occurs while the premises are open to the public;
- (b) take photographs, films, video, audio or other recordings;
- (c) remove a container, or other item, from premises for the purposes of an investigation or for testing;
- (d) require a person to provide the officer with a document or information, or a copy of a document or information, that is in the possession or control of the person;
- (e) copy, or take extracts from, a document or information found in the conduct of a search of premises or provided in accordance with paragraph (d);
- (f) require a person to answer a question in relation to a matter.
- (4) If an authorised officer removes a container, or other item, in accordance with subsection (3)(c) and the authorised officer is able to identify the owner of the container or item, the authorised officer must give the owner a written receipt that

#### Part 5 – Miscellaneous

describes the removed container, or item, and its condition.

(5) A person must comply with a requirement made of the person by an authorised officer.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 100 penalty units; or
- (b) an individual, a fine not exceeding 50 penalty units.
- (6) A person must not resist, obstruct or hinder an authorised officer in the performance of a function, or the exercise of a power, under this Act.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 100 penalty units; or
- (b) an individual, a fine not exceeding 50 penalty units.

# 36. Advisory committees

- (1) The Minister may establish a committee, on such terms and conditions that the Minister considers appropriate, for the purpose of advising the Minister in respect of
  - (a) the exercise of the Minister's functions under this Act; or

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- (b) the operation of the scheme under this Act.
- (2) In establishing a committee under subsection (1), the Minister is to specify
  - (a) the matters in respect of which the committee is to advise the Minister; and
  - (b) the members of the committee or the interests, and experience, that members of the committee, as a whole, must hold; and
  - (c) certain practices and procedures that apply in respect of the committee so established.
- (3) The regulations may prescribe the practice and procedures of a committee established under subsection (1).
- (4) Unless otherwise prescribed, or specified by the Minister under subsection (2)(c), a committee established under subsection (1) may regulate its own practice and procedures.
- (5) The Minister may dissolve a committee established under subsection (1) on such terms and conditions the Minister considers appropriate.

# 37. False or misleading information

(1) A person, in providing an application, information, statement or document under this Act, must not –

- (a) provide it knowing it to be false or misleading; or
- (b) omit any matter knowing that without the matter the application, information, statement or document is false or misleading.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 500 penalty units; or
- (b) an individual, a fine not exceeding 250 penalty units.
- (2) Subsection (1) does not apply to a person if the person
  - (a) informed the person, to whom the application, information, statement or document was provided, that it was false, misleading or incomplete; and
  - (b) indicated the manner in which the application, information, statement or document was false, misleading or incomplete; and
  - (c) provided with the application, information, statement or document any further information the person has in respect of the information, statement or document.

## 38. Review of decisions relating to containers

A person who is aggrieved by a decision of the Director under this Act in respect of a container may apply to the Magistrates Court (Administrative Appeals Division) for a review of that decision.

# 39. Competition exemption

- (1) The following are specifically authorised for the purposes of the *Competition and Consumer Act* 2010 of the Commonwealth:
  - (a) a scheme coordinator agreement, a network operator agreement, a refund point agreement and a supply agreement;
  - (b) the negotiating of, entering into, or making of, a scheme coordinator agreement, a network operator agreement, a refund point agreement and a supply agreement;
  - (c) the grant or refusal to grant approval to a container under section 12;
  - (d) a prescribed matter.
- (2) Anything authorised by this section is authorised only to the extent that it would otherwise contravene Part IV of the *Competition and Consumer Act 2010* of the Commonwealth.

Part 5 – Miscellaneous

#### s. 40

## 40. Offences by body corporate

- (1) In this section, a person is concerned in, or takes part in, the management of a body corporate if the person is one of the following persons:
  - (a) a director of the body corporate;
  - (b) a secretary of the body corporate;
  - (c) a person involved in managing the affairs of the body corporate, by whatever name called;
  - (d) a receiver and manager of property of the body corporate;
  - (e) an administrator of a deed of arrangement executed by the body corporate;
  - (f) a liquidator of the body corporate appointed in a voluntary winding-up of the body corporate;
  - (g) a trustee or other person administering a compromise or arrangement made between the body corporate and another person or other persons.
- (2) If a body corporate contravenes a provision of this Act, a person who is concerned in, or takes part in, the management of the body corporate is taken to have contravened that provision.
- (3) It is a defence in proceedings taken against a person who is concerned in, or has taken part in, the management of a body corporate in

accordance with subsection (2) for the person to prove that –

- (a) the body corporate contravened the provision without the person's knowledge; or
- (b) the person was not in a position to influence the conduct of the body corporate in relation to its contravention of the provision; or
- (c) the person, if in such a position, attempted to prevent the contravention by the body corporate.
- (4) A person may be convicted of a contravention of a provision of this Act in accordance with subsection (2) whether or not the body corporate has been convicted of, or charged with, its contravention.
- (5) Nothing in this section affects the liability imposed on a body corporate for an offence committed by it against a provision of this Act.

# 41. Infringement notices

- (1) An authorised officer may issue and serve an infringement notice on a person if satisfied that the person has committed a prescribed offence against this Act or the regulations.
- (2) An infringement notice under subsection (1) is not to
  - (a) relate to 4 or more offences; and

#### Part 5 – Miscellaneous

- (b) be served on a person who has not attained the age of 16 years.
- (3) An infringement notice is to be in accordance with section 14 of the *Monetary Penalties Enforcement Act* 2005.
- (4) Any payments made in respect of an infringement notice are payable
  - (a) to a council, if the notice was served by a person who is an authorised officer by virtue of the person's employment or engagement by the council; or
  - (b) in any other case, into the Environment Protection Fund established by section 97 of the *Environmental Management and Pollution Control Act 1994*.

# 42. Regulations

- (1) The Governor may make regulations for the purpose of this Act.
- (2) Without limiting subsection (1), the regulations may
  - (a) prescribe the processes and procedures for
    - (i) approving a container; or
    - (ii) varying, or revoking, the approval of a container; and

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- (b) specify circumstances in which the supplier for an approved container is required to notify the Director in respect of the approved container; and
- (c) specify matters or information to be contained in, or requirements of
  - (i) an audit to be performed under this Act; or
  - (ii) a report, or other document, required to be prepared or provided under this Act; and
- (d) specify one or more of the following in respect of certain agreements, between scheme participants, that are required to be entered into under this Act:
  - (i) the form of the agreement;
  - (ii) the information to be included in the agreement;
  - (iii) that the agreement be approved as prescribed; and
- (e) prescribe terms and conditions that must or may, or may not, be included in an agreement under this Act; and
- (f) unless otherwise specified in this Act, prescribe the maximum period that an agreement under this Act may be in force; and

- (g) prescribe the circumstances where information is to be available to the public and the means, or methods, for making that information available; and
- (h) provide that a contravention of a regulation is an offence and, in respect of such an offence, provide for the imposition of a fine not exceeding 500 penalty units, and, in the case of a continuing offence, a further fine not exceeding 50 penalty units for each day during which the offence continues.
- (3) The regulations may be made so as to apply differently according to matters, limitations or restrictions, whether as to time, circumstance or otherwise, specified in the regulations.
- (4) The regulations may authorise any matter to be, from time to time, determined or approved by the Director or such other person as is specified in the regulations.

# 43. Review of operation of Act

- (1) The Minister is to cause an independent review of the operation of the scheme, and this Act, to be completed before the 5th anniversary of the commencement of this Act.
- (2) As soon as practicable after an independent review is completed under subsection (1), the person who undertakes the independent review is to give the Minister a written report on the outcome of the review.

- (3) The Minister is to cause a copy of the report, given to the Minister under subsection (2), to be tabled in each House of Parliament within 10 sitting-days of that House after the report is received by the Minister.
- (4) This section does not apply if a committee of either House of Parliament, or a joint committee of both Houses of Parliament, has reviewed the operation of this Act, or has started such a review, after this Act commences and before the 5th anniversary of that commencement.

#### 44. Administration of Act

Until provision is made in relation to this Act by order under section 4 of the *Administrative Arrangements Act 1990* –

- (a) the administration of this Act is assigned to the Minister for Environment; and
- (b) the department responsible to that Minister in relation to the administration of this Act is the Department of Primary Industries, Parks, Water and Environment.

# **TASMANIA**

# DOG CONTROL REGULATIONS 2021 STATUTORY RULES 2021, No.

# **CONTENTS**

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- 2. Commencement
- 3. Interpretation
- 4. Prescribed details for microchip
- 5. Requirements for enclosure for dangerous dog
- 6. Offences under Act

Schedule 1 – Offences

#### **DOG CONTROL REGULATIONS 2021**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Dog Control Act 2000*.

Dated 20.

Governor

By Her Excellency's Command,

Minister for Local Government and Planning

#### 1. Short title

These regulations may be cited as the *Dog Control Regulations 2021*.

#### 2. Commencement

These regulations take effect on 9 June 2021.

# 3. Interpretation

In these regulations –

Act means the Dog Control Act 2000.

# 4. Prescribed details for microchip

For the purposes of section 15A(5) of the Act, the following details are prescribed as the details to be entered into an approved database if a dog is implanted with a microchip:

- (a) the name, residential address and contact telephone number of the owner of the dog;
- (b) the postal address of the owner of the dog, if different from the residential address;
- (c) the email address of the owner of the dog, if known;
- (d) the address and municipal area in which the dog generally resides;
- (e) the name of the dog, if known;
- (f) the breed of the dog or, in the case of a mixed breed, the closest known breeds of the dog;
- (g) the sex of the dog and whether or not the dog has been desexed;
- (h) the colouring of the dog and any other distinctive markings or features of the dog;
- (i) details of any aggressive behaviour of the dog, if known;

- (j) each declaration made in respect of the dog under Division 3 of Part 3 of the Act, if applicable;
- (k) the microchip number of the microchip implanted in the dog and the date on which it was implanted;
- (1) the full name and address of the person who implanted the dog with the microchip.

## 5. Requirements for enclosure for dangerous dog

- (1) For the purposes of section 32(2)(a) of the Act, an enclosure for housing a dangerous dog must
  - (a) be fully enclosed; and
  - (b) be childproof; and
  - (c) have a minimum height of 1.8 metres and a minimum width of 1.8 metres; and
  - (d) have a floor area of at least 10 square metres for each dog in the enclosure; and
  - (e) have the walls, roof and the door, or gate, made of brick, timber, concrete, iron or mesh, or a combination of these materials, of sufficient strength and durability to prevent the escape of a dog; and
  - (f) have a sufficient weatherproof sleeping area for each dog in the enclosure; and

- (g) have a sealed, graded concrete floor; and
- (h) be situated so as not to require a person to pass through it to gain access to other parts of the property on which it is situated; and
- (i) if fitted with a door or gate
  - (i) be fitted with a self-closing and self-latching mechanism for the door or gate; and
  - (ii) be locked from the outside when a dog is inside the enclosure; and
  - (iii) have a clearly legible sign saying "Dangerous Dog" displayed on the door or gate; and
- (j) be sufficient to prevent each dog in it from escaping.
- (2) If the walls, roof, door or gate of an enclosure are made of mesh, the mesh must be
  - (a) chain mesh of at least 3.15 millimetre gauge, with a maximum spacing of 50 millimetres; or
  - (b) weldmesh of at least 4 millimetres gauge, with a maximum spacing of 50 millimetres.
- (3) A wall, door or gate of an enclosure may have a gap of not more than 50 millimetres at the top and bottom of the wall, door or gate to provide ventilation and drainage.

# 6. Offences under Act

For the purposes of section 64 of the Act –

- (a) an offence specified in column 1 of the table in Schedule 1 is a prescribed offence; and
- (b) the penalty specified in column 3 of that table in respect of a prescribed offence is the penalty payable in respect of that offence.

# **SCHEDULE 1 – OFFENCES**

Regulation 6
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		Reguie
	Section of Act	Penalty units
1.	4(5)	1
2.	8(1)	1
3.	8(2)	1
4.	10(3)(a)	1
5.	10(3)(b)	1
6.	10(3)(c)	1
7	10(3)(d)	1
8.	11(1)	0.5
9.	11(3)	0.5
10.	11(4)	1
11.	12(1)	0.5
12.	13(1)	0.5
13.	13(2)	0.5
14.	15A(1)	1
15.	16(1)	1
16.	16(2)	0.5
17.	16(3)	1
		1

sch. 1

× <del></del>	Section of Act	Penalty units
18.	17(1)	1
19.	17(2)	2
20.	18(3)	1
21.	18(4)	1
22.	19(1)	1
23.	19(2)	2
24.	19(3)	6
25.	19(3A)	4
26.	19(5)	1
27.	19AA(7)(a)	2
28.	19AA(7)(b)	2
29.	19AC(10)	2
30.	22(2)	4
31.	23(2)	1
32.	28(1)	1
33.	30(1)	1
34.	33	2
35.	34	4
36.	34B(1)	4

sch. 1

Section of Act		Penalty units
27		
37.	34BA	4
38.	34C(1)	4
39.	34D(2)	4
40.	36(1)	1
41.	40(1)(a)	2
42.	40(1)(b)	2
43.	41(4)(a)	1
44.	41(4)(b)	1
45.	45(1)	1
46.	46(1)	2
47.	49A(3)	4
48.	50(1)	1
49.	51(3)	0.5
50.	55(3)	1
51.	55(4)	1
52.	77(2)(a)	1
53.	77(2)(b)	1
54.	78(a)	1
55.	78(b)	1

sch. 1

	Section of Act	Penalty units
56.	79	2

Printed and numbered in accordance with the Rules Publication Act 1953.

Notified in the *Gazette* on

20 .

These regulations are administered in the Department of Premier and Cabinet.

#### **EXPLANATORY NOTE**

(This note is not part of the regulations)

These regulations –

- (a) prescribe, for the purposes of the *Dog*Control Act 2000
  - (i) certain details to be recorded in respect of a microchip implanted under that Act; and
  - (ii) requirements for enclosures for dangerous dogs; and
  - (iii) offences in respect of which an infringement notice may be issued under that Act; and
- (b) are made consequent on the repeal of the Dog Control Regulations 2010 under section 11 of the Subordinate Legislation Act 1992.

## Department of Premier and Cabinet

Executive Building 15 Murray Street HOBART TAS 7000 Australia GPO Box 123 HOBART TAS 7001 Australia Ph: 1300 135 513 Fax: (03) 6233 5685 Web: www.dpac.tas.gov.au



03 JUN 2021

# Dog Control Regulations 2021

### Dear General Manager

I am writing regarding the process to make the Dog Control Regulations 2021 (the Regulations). As you would be aware, the Regulations will remake the *Dog Control Regulations 2010* ahead of their scheduled expiry of 9 June 2021. The Regulations include minor changes to the schedule of infringement notices, consequent to the December 2019 amendments to the *Dog Control Act 2000* (the Act). Consultation on the Regulations, including the minor changes, concluded in November 2020.

The submissions provided by councils and LGAT expressed concern about the proposal to remove section 19(3) dog attack on a person causing serious injury as an offence for which an infringement notice may be issued. The Government still considers there to be merit in removing the infringement notice for this offence, but it is acknowledged that the change could have a range of impacts on council enforcement activities.

The incoming Minister for Local Government, the Hon Roger Jaensch MP has decided to preserve the infringement notice for section 19(3) in the Regulations, but on the condition of further review and investigation of the enforcement arrangements for section 19(3) once the demands of the incoming Government's immediate legislative program ease. The infringement notice penalty in the Regulations will be increased from four to six penalty units, in accordance with the increase to the maximum penalty in the Act. Through the future review, the Local Government Division will work with councils to review the definition of 'serious injury' and related offences in the Act, with a view to achieving a satisfactory enforcement approach whilst minimising the practical impacts on councils.

The Regulations will be gazetted on 9 June 2021, the date on which the current Regulations are scheduled to expire. To support councils to implement the minor changes, I have included an information sheet outlining the changes to the Regulations (refer to Attachment I). Please distribute this correspondence and the accompanying information sheet to the appropriate business units at your Council to support implementation.

Yours sincerely

Craig Limkin

**Deputy Secretary** 

#### Attachments:

- 1. Information Sheet Dog Control Regulations 2021 (21/37204)
- 2. Final Dog Control Regulations 2021 (21/876/6)

2 Dennistoun Road Bothwell Tas 7030

30<sup>th</sup> May 2021

The General Manager Central Highlands Council 6 Tarleton Street, Hamilton Tas 7140

Re: Roadside memorial - Hollow Tree Road

I am writing with regard to a roadside memorial that has recently been placed on Hollow Tree Road, about 1.5 km from the Lyall Highway. This was the site of a recent fatal traffic accident involving a motor bike.

The memorial has been cemented in place and has had a number of rocks placed around it, with flowers. It has been made a permanent site.

I have twice had to avoid a vehicle that has slowed for people having a look and on another occasion a number of were people standing on the side of the road. This is a sharp bend and a very dangerous position to have to avoid others.

The memorial is on the road, that is to say it is within the boundary fences on either side of the roadway. I am aware that approval is required before such a memorial can be put in place.

As I think Central Highlands Council has responsibility for this road, who will be liable should an accident occur? This road is used by many visitors to the area any drivers should not expect people so close to the roadway in such a dangerous position.

Andy Beasant



# Policy No. 2020 - 57

# Financial Hardship Assistance Model Policy

Document:	Start Date: 15 June 2021	Page Reference:
Financial Hardship Assistance Model Policy	Review Date: 30 June 2022	Page <b>1</b> of <b>14</b>

# **Document Control**

Policy Name	Financial Hardship Assistance Policy	
First issued/approved	21 April 2020	
Source of approval/authority	Council Meeting	
Last reviewed	15 June 2021	
Next review date	30 June 2022	
Version number	1.1	
Responsible Officer	General Manager	
Department responsible for policy development	Corporate & Financial Services	
Strategic Plan reference		
Related policies	• Local Government Act 1993, Part 9 – Rates and Charges	
	Rates and Charges Policy	
Publication of policy	www.centralhighlands.tas.gov.au	

Document:	Start Date: 15 June 2021	Page Reference:
Financial Hardship Assistance Model Policy	Review Date: 30 June 2022	Page <b>2</b> of <b>14</b>

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## 1 Introduction

#### 1.1 Purpose

The purpose of this policy is to enable Council to provide assistance to community members who are suffering financial hardship by providing an appropriate level of relief from Local Government rates.

#### 1.2 Scope

#### 1.2.1 Application and Intent

This policy applies to ratepayers experiencing genuine and serious financial hardship and needing assistance to meet both their basic needs and their rate payment obligations to Council. It is not intended to be used to maintain financial positions for those who do not need it and are not genuinely impacted by serious financial hardship.

This policy applies only to Council rates and charges levied in accordance with Part 9 – Rates and Charges of the *Local Government Act 1993*. This policy does not apply to rates or fees collected on behalf of other authorities in accordance with section 88 of the *Local Government Act 1993*, such as fire service contributions collected pursuant to section 79B of the *Fire Service Act 1973*.

#### 1.2.2 Background

This policy was developed and implemented during the 2020 COVID-19 coronavirus pandemic that is spreading across the world. To respond to the disease, governments around the world are shutting down social activities and interaction to prevent transmission, which is necessarily causing significant impacts on many economic activities and transactions. As a result, many people have lost jobs, their clients or their business, destroying incomes and spending. Council is determined to assist those most critically impacted by the economic slowdown caused by the pandemic with a robust and fair hardship policy.

Despite this, serious financial hardship can occur at any time, so this policy is designed to address a range of circumstances.

# 1.3 Principles

This policy will be applied in accordance with the following principles:

- (1) Consistent, equitable and respectful treatment of all residents and ratepayers that is sensitive to their specific circumstances.
- (2) Maintaining Council's ability to provide essential services to our community through appropriately applied rating.

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- (3) Assisting ratepayers who are suffering serious financial hardship, so that they may overcome these circumstances and return to financial stability and contributing equitably to local services.
- (4) Ensuring that those able to contribute to local services, continue to do so.
- (5) Minimising the opportunity for misuse, exploitation or fraud by ensuring decisions made to provide special relief or assistance are supported by sufficient evidence.
- (6) Maintaining confidentiality and privacy of applicants and ratepayers, their applications and any information provided.

#### 1.4 Related Policies and Legislation

This policy relates to and depends on other Council policies, as well as Tasmanian Government legislation, including:

- Local Government Act 1993, Part 9 Rates and Charges<sup>1</sup>, particularly:
  - Section 86A General principles in relation to making or varying rates
  - Sections 125-127 Postponement of payment
  - o Section 128 Late payments
  - o Section 129 Remission of rates
- COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020<sup>2</sup>
- Rates and Charges Policy (pursuant to section 86B of the Local Government Act 1993).

#### 1.5 Policy Review and Update Cycle

This policy is to be reviewed initially in June 2022 and thereafter, every year.

### 2 **Policy**

#### 2.1 Genuine Financial Hardship

According to the Australian Taxation Office (ATO)<sup>3</sup>, individuals are considered to be in serious hardship when they are unable to provide the following for themselves, their family or other dependants:

- (1) Food;
- (2) Accommodation;
- (3) Clothing;
- (4) Medical treatment;
- (5) Education;
- (6) Other basic necessities.

<sup>&</sup>lt;sup>3</sup> See: https://www.ato.gov.au/General/Financial-difficulties-and-serious-hardship/Individuals-with-serious-hardship/

narasinp/		
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<sup>&</sup>lt;sup>1</sup> See: https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-095#HP9@HD9@EN

<sup>&</sup>lt;sup>2</sup> See: https://www.legislation.tas.gov.au/view/whole/html/inforce/current/act-2020-011

A number of factors can contribute to or trigger serious financial hardship, including:

- (1) Loss of employment of the property owner, family member or household primary income earner;
- (2) Serious illness, including physical incapacity, hospitalization, or mental illness of the property owner or family member;
- (3) A natural disaster;
- (4) A public health emergency or declared state of emergency;
- (5) Family tragedy;
- (6) Family breakdown;
- (7) Financial misfortune;
- (8) Other serious or complicating circumstances.

Community wide issues and circumstances, such as the COVID-19 pandemic, may impact financial hardship, but hardship is always assessed at an individual level, and requires reviewing personal circumstances.

Serious financial hardship involves both low income/cash flow and a low asset base. Personal property portfolios beyond a primary residence [or a business's primary operating space] can be employed to improve an applicant's cash flow and financial sustainability. Applications for assistance on residential investment properties will not be considered.

#### 2.2 Evidence of Financial Hardship

Applicants will need to provide evidence of their circumstances of financial hardship to justify Council's special consideration of their case. The type of evidence required will depend on your circumstances and may include, for example, one or more of the following:

- Assessment by an independent accredited financial counsellor demonstrating an inability to both pay rates and to rearrange asset portfolios to facilitate payment;
- A statutory declaration from an appropriate and independent professional, familiar with the applicant's circumstances (e.g. a family doctor for health-related evidence, a bank official, insurance policy manager, etc.);
- Pending disconnection of essential services, like water, electricity, gas (does not include mobile phone or internet bills);
- Notice of impending legal action;
- ➤ Letter from charitable organisation regarding loss of employment or inability to provide for basic necessities:
- ➤ Bank notice for example, overdraft call or mortgaged property repossession;
- Employer notice of redundancy or termination of employment;
- Overdue medical bills;
- Letter from doctor verifying the inability to earn an income due to illness or caring for a sick family member;
- Final notice from school regarding payment of mandatory fees;
- Funeral expenses;
- > Repossession notice of essential items, like a car or motorcycle.

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#### 2.3 How Council can Help

The Local Government Act 1993 provides Council with three methods of rate relief:

- (1) Postponing rate payments (sections 125-127)
- (2) Remission of late payment penalties or interest (section 128)
- (3) Remission of rates (section 129)

#### 2.3.1 Postponing Rate Payments – Deferral Arrangements

In confirmed cases of financial hardship, Council may choose deferral of individual rates payments within a defined period, in whole or in part, to be paid back at a later date, subject to any conditions Council determines. The deferral arrangement applies to specified payments and other rate payments are not affected and continue to accrue as normal.

The terms of rate deferral arrangements will be proportionate to the applicant's demonstrated financial hardship circumstances, so supplying sufficient evidence of these circumstances is important for developing the appropriate terms.

Rate payment deferrals approved under this section are typically deferred by 3 months. However, rate deferral arrangements can only defer individual payments up to a maximum of two (2) years and only in the most serious circumstances.

All deferred payments must be repaid as specified in accordance with the deferral arrangement, otherwise regular late payment penalties and/or interest will apply.

Ratepayers who are subject to a deferral arrangement who overcome their financial hardship circumstances are encouraged to begin repaying their deferred rates payments as early as they are able.

Note that Council may revoke any postponement of rates payments at any time, in accordance with section 127 of the *Local Government Act 1993*, by giving 60 days notice in writing to the ratepayer.

#### 2.3.2 Remitting Late Payment Penalties and Interest

For typical circumstances that are not of financial hardship, rates must be paid by the due date and Councils may charge a penalty or daily interest or both for each late payment. However, for confirmed cases of financial hardship, Council may waive either the applicable late payment penalties, or the interest accumulated, or both, for a specified period that relates to the period of financial hardship.

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#### 2.3.3 Remitting Rates

Remission of any rates, late payment penalties or interest, in part or in full, is reserved only for the most serious and exceptional of financial hardship cases. Even in these cases, deferral of rate payments must be applied for and granted first, before an application for rates remission can be considered.

After the applicant has entered into a deferral arrangement with Council, the applicant may apply for remission of rates. The application must demonstrate:

- (1) Financial hardship;
- (2) Exceptional and serious circumstances;
- (3) How the applicant's exceptional financial hardship circumstances make the maximum term deferral arrangement under section 2.3.1 unfeasible and unreasonable to fulfil; and
- (4) How enforcing fulfilment of the maximum term deferral arrangement would only deepen the seriousness of applicant's financial hardship and critically impact their ability to provide for the basic living necessities (food, accommodation, clothing, medical treatment) of the applicant and dependents.

In the interests of community fairness and equity, wherever possible and appropriate in determining rates remission applications:

- (1) Deferral arrangements are preferable to rates remission;
- (2) Amounts or proportions of rates to be remitted are to be minimised, for example, below \$1000 or 50%; the remainder subject to payment arrangements;
- (3) Instances of rates remission are to be minimised to no more than one rates remission per applicant.

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#### 3 Applications

## 3.1 Applying for Financial Hardship Assistance

To seek financial hardship assistance from Council, an application for financial hardship assistance form must be completed, and submitted as follows:

- Emailed to <a href="mailed-to-council@centralhighlands.tas.gov.au">centralhighlands.tas.gov.au</a>; or
- ➤ Mailed to the General Manager, PO Box 20, Hamilton Tas 7140.

#### Applications must:

- Demonstrate and provide evidence for financial hardship and circumstances (see section
   2.2 Evidence of Financial Hardship);
- Describe the type of assistance sought, being:
  - Postponing rate payments (a deferral arrangement);
  - Postponing or waiving late payment penalties or interest;
  - Remitting rates, late payment penalties or interest, in part or in full;
- Address the requirements of the relevant subsections of section 2.3 How Council can Help

#### 3.2 Assessing Applications

Applications for deferral arrangements will be decided by the General Manager.

Applications for remission of any rates or late payment penalties or interest charges must be decided by Council and require absolute majority to be approved.

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## **Application for Financial Hardship Assistance**

If you are a Central Highlands Council ratepayer you may be eligible for hardship assistance in the payment of overdue rates and charges<sup>4</sup> where you are experiencing genuine and serious financial hardship due to the COVID-19 Pandemic.

Ratepayers and tenants are encouraged to apply for assistance as soon as possible<sup>5</sup>.

Postponing rate payments (extension of time)

For further information, see Central Highlands Council Financial Hardship Assistance Policy.

#### **Applicant Information**

considered.

This application is to apply the following concession(s) on the basis of financial hardship (please select at least one):

	Waiver of late payment penalties or interest for the period of financial hardship
	Rates remission.
Remission of	any rates, late payment penalties or interest, in part or in full, is reserved only for the
most serious	s and exceptional of financial hardship cases. Even in these cases, deferral of rate
payments m	ust be applied for and granted first, before an application for rates remission can be

<sup>&</sup>lt;sup>5</sup> Applications for assistance on residential investment properties will not be considered.

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<sup>&</sup>lt;sup>4</sup> This application applies only to Council rates and charges levied in accordance with Part 9 – Rates and Charges of the *Local Government Act 1993.* 

If you are applying for assistance for more than one property you must complete an application for each property, as the nature, type and ownership of each may differ. Name of the **Property** Owner(s): Name of Applicant: Are you the owner of the property? Yes  $\square$ No  $\square$ For what type of property are you applying? Residential  $\square$  Commercial  $\square$ No  $\square$ Is the property a rental property? Yes  $\square$ **Property Address: Street Address** Address Line 2 Postcode Suburb Please provide details of how we can contact you: Name Phone number/s Email address

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Please tell us why you are applying for hardship assistance:				
To assist with the assessment process,	please attach documentary evid	dence to assist us to review		
and assess your hardship application.				
Please include one or more of the follo	wing:			
☐ Assessment by an independent a	ccredited financial counsellor de	emonstrating an inability to		
both pay rates and to rearrange asset p	ortfolios to facilitate payment			
☐ Evidence of your business qualifying	g for the Job Keeper support pack	age		
$\square$ A statutory declaration from a	n independent professional, fa	miliar with the applicant's		
circumstances (e.g. a family doctor for health-related evidence, a bank official, insurance policy manager)				
☐ Pending disconnection of essential services, like water, electricity, gas (does not include mobile or internet bills)				
□ Notice of impending legal action				
☐ Letter from charitable organisation regarding loss of employment or inability to provide for basic				
necessities				
☐ Evidence of you qualifying for Job Seekers support				
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	☐ Bank statements or notice, for example, an overdraft call or mortgaged property repossession		
	Employer notice of redundancy or termination of employment		
	Overdue medical bills		
fa	Letter from doctor verifying the inability to earn an income due to illness or caring for a sick amily member		
	Final notice from school regarding payment of mandatory fees		
	Funeral expenses		
	Repossession notice of essential items, like a car or motorcycle		
	Other documentation demonstrating that you are experiencing financial hardship		
	Please describe below:		

Please make sure your application and documentary evidence is addressed to the General Manager, and submitted as follows:

- Emailed to <a href="mailed-to-council@centralhighlands.tas.gov.au">council@centralhighlands.tas.gov.au</a>
- Mailed to General Manager, PO Box 20, Hamilton Tas 7140

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Please use the title 'Hardship Assistance Application' to assist our staff to identify your application quickly. We will be in contact with you as soon as possible to acknowledge your application and provide advice regarding the assessment process.

#### **Declaration and signature**

I confirm that the information provided within this Application for Financial Hardship is accurate, and there have been no misrepresentations or omissions of fact that would otherwise influence the review and decision of Central Highlands Council

Signature	 	
Name		
Date		

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# Policy No. 2020 - 58

# Commercial Addendum to Financial Hardship Assistance Model Policy

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# **Document Control**

Policy Name	Commercial Addendum to Financial Hardship Assistance Model Policy
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Department responsible for policy development	Corporate & Financial Services
Strategic Plan reference	
Related policies	• Local Government Act 1993, Part 9 – Rates and Charges
	Rates and Charges Policy
Publication of policy	www.centralhighlands.tas.gov.au

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#### 1 Introduction

#### 1.1 Purpose

The Financial Hardship Assistance Policy ('Hardship Policy') enables Council to assist community members who are suffering financial hardship by providing an appropriate level of relief from Local Government rates.

An Addendum to the Hardship Policy has been provided to achieve a consistent approach to rates assistance for commercial operators across the municipality.

This Addendum is intended to be supplementary to any other public benefit concessions policy or any other economic relief measure that Council may implement.

#### 1.2 Scope

The Commercial Addendum applies to commercial/business ratepayers within the Valuer General land use code – 'Commercial' who are experiencing hardship due to the loss of operating revenue or reduced disposable income..

It is not intended to be used to maintain financial positions for those who do not need it and are not genuinely impacted by serious financial hardship.

#### 1.3 Principles

The principles, as outlined in the Hardship Policy are:

- (1) Consistent, equitable and respectful treatment of all residents and ratepayers that is sensitive to their specific circumstances.
- (2) Maintaining Council's ability to provide essential services to our community through appropriately applied rating.
- (3) Assisting ratepayers who are suffering serious financial hardship, so that they may overcome these circumstances and return to financial stability and contributing equitably to local services.
- (4) Ensuring that those able to contribute to local services continue to do so.
- (5) Minimising the opportunity for misuse, exploitation or fraud by ensuring decisions made to provide special relief or assistance are supported by sufficient evidence.
- (6) Maintaining confidentiality and privacy of applicants and ratepayers, their applications and any information provided.

One additional principle applies to this Commercial Addendum. That is, the principle of proportionality – namely, that any agreed arrangements will take into account both individual and community wide circumstances (such as the COVID-19 pandemic) on commercial ratepayers, with specific regard to their revenue, expenses, and profitability.

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#### 1.4 Related Policies and Legislation

- This Addendum relates to and depends on other Council policies, as well as Tasmanian Government legislation, including:
- ► Local Government Act 1993, Part 9 Rates and Charges<sup>1</sup>, particularly:
- Section 86A General principles in relation to making or varying rates
- Sections 125-127 Postponement of payment
- Section 128 Late payments
  - Section 129 Remission of rates
- COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020
- COVID-19 Disease Emergency (Commercial Leases Code) Act 2020
- Rates and Charges Policy (pursuant to section 86B of the Local Government Act 1993).

#### 2 Addendum

#### 2.1 How Council Can Help

The Local Government Act 1993 provides Council with three methods of rate relief:

- 1. Postponing rate payments (sections 125-127);
- 2. Remission of late payment penalties or interest (section 128); and
- 3. Remission of rates (section 129).

Remission of any rates is reserved only for the most serious and exceptional of financial hardship cases. Even in these cases, deferral of rate payments must be applied for and granted first, before an application for rates remission can be considered – see the Hardship Policy for further information.

#### 2.2 Options for Implementation

The Hardship Policy and Addendum were developed and implemented in response to the 2020 COVID-19 pandemic. The circumstances surrounding the pandemic were unprecedented. However, serious hardship can occur at any time.

With this in mind, Council may choose any one or more of the following approaches (i.e. relief by rates category, a hardship lens to all, and/or scale of rates relief) in providing commercial rates relief (i.e. deferral arrangements and remissions).

#### 2.2.1 Hardship Lens to All

Providing assistance to commercial ratepayers who are able to supply evidence of financial hardship.

Evidence may include, for example, one or more of the following:

- Details of closure including Government enforced closure as a requirement of COVID-19;
- Tenant correspondence requesting relief (if applicable);

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- Accountant Statement;
- Statutory Declaration; and
- Other documentation demonstrating that your business is experiencing financial hardship.

All arrangements to support businesses will be proportionate to the evidence of hardship provided.

Businesses eligible for the JobKeeper Program will automatically be treated as experiencing genuine financial hardship.

#### Scale of Rates Relief 2.2.2

The following sets out an eligibility scale of rates relief measures based on a business's loss of revenue (due to COVID-19).

Council will apply the following to businesses experiencing loss of revenue (compared to the same period in the previous year):

- Between 75-100% a rates waiver;
- Between 50-75% a rates deferral, negotiated payment terms and/or waiver of penalty and interest charges;
- Between 30-50% negotiated payment terms and/or waiver of penalty and interest charges;
- Between 0-30% would prima facie receive no benefit unless they show individual cause<sup>1</sup>.

The value of any waiver will be capped at \$1000.

#### **Applications** 3

#### 3.1 Applying for Commercial Financial Hardship Assistance

To seek Commercial financial hardship assistance from Council, an application must be made in writing, addressed to the General Manager, and submitted as follows:

- Submitted via online form at: <a href="http://centralhighlands.tas.gov.au/">http://centralhighlands.tas.gov.au/</a>
- Emailed to Council@Centralhighlands.tas.gov.au; or
- Mailed to PO Box 20, Hamilton TAS 7140.

#### Applications must:

- Demonstrate and provide evidence for financial hardship and circumstances;
- Describe the type of assistance sought, being:
  - Postponing rate payments (a deferral arrangement);
  - Remission of late payment penalties or interest; and/or
  - Remission of rates (in the most serious and exceptional of financial hardship cases);
- Address the requirements of the relevant subsections of the Hardship Policy (e.g. How Council Can Help – deferral with the intention of remission).

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<sup>&</sup>lt;sup>1</sup> Aligned with the JobKeeper Program

See Policy No. 2020 – 57 Financial Hardship Assistance Model Policy for information on the assessment of applications.

If Councillors have any questions or concerns the General Manager will refer the questions to the Chief Executive Officer from the Local Government Association of Tasmania.

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#### **Application for Financial Hardship Assistance**

If you are a Central Highlands Council ratepayer, you may be eligible for hardship assistance in the payment of overdue rates and charges where you are experiencing genuine and serious financial hardship due to the COVID-19 Pandemic.

Ratepayers and tenants are encouraged to apply for assistance as soon as possible.

#### **Applicant Information**

This	application	is to	apply	the	following	concession(s)	on	the	basis	of	financial	hardship	(please
sele	ct at least or	ne):											

Postponing rate payments (extension of time);
Waiver of late payment penalties or interest for the period of financial hardship; or
Rates remission.

Remission of any rates is reserved only for the most serious and exceptional of financial hardship cases. Even in these cases, deferral of rate payments must be applied for and granted first, before an application for rates remission can be considered.

If you are applying for assistance for more than one property you must complete an application for each property, as the nature, type and ownership of each may differ.

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The following questions are designed to provide the Council with as much information as possible to			
assist in the application assessment process.			
Name of the Property			
Owner(s):			
Name of Applicant:			
Please tell us why you are applying for	hardship assistance:		
Are you the owner of the property?	Yes □	No 🗆	
For what type of property are you appl	ying? Residential	Commercial	
Is the property a rental property?	Yes □	No 🗆	
, ,			
Rateable Property Details (information	n as it appears on your rates notic	re):	
Account Number			
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Street Address					
Suburb	Postcode				
Please provide details	of how we can contact you:				
Name					
Phone number					
Email address					
For Residential Proper	For Residential Property Applications ONLY:				
Current Weekly Income Details:					
Pension or other gove	Pension or other government benefit (complete details below)  \$\\$\$				
Compensation/Superannuation/Insurance or Retirement income \$					
Spouse or partners income (if applicable) \$					
Other income (rental income, child support) \$					
Interest from banks and financial institutions \$					
Total weekly income \$					

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Pension/Benefit details (if applicable):				
Type of Pension/Benefit				
DVA or CRN Number				
Date of Issue				
Expiry				
Do you have a current pensioner remiss	ion on your rates?	Yes □ No □		
Current Weekly Expenses:				
Mortgage(s)		\$		
Other loans/credit cards		\$		
Utilities		\$		
Insurance(s)		\$		
Other living expenses	\$			
Total weekly expenses		\$		
Please attach documentary evidence to assist us to review and assess your hardship application (noting that as much supporting documentation as possible should be provided).				
☐ Evidence of you qualifying for Job Seekers support.				
☐ Assessment by an independent accordance	redited financial counsellor demo	onstrating an inability to		
both pay rates and to rearrange asset p	ortfolios to facilitate payment.			
☐ A statutory declaration from an inde	ependent professional, familiar v	vith your circumstances.		
☐ Notice of impending legal action.				
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	Employer notice of redundancy or termination of employment.
nec	Letter from charitable organisation regarding loss of employment or inability to provide for basi cessities.
	Accountant or bank statements and notices.
	Overdue medical bills.
	Letter from doctor verifying inability to earn an income due to illness or carer responsibilities.
	Funeral expenses.
	Final notice from school regarding payment of mandatory fees.
	Repossession notice of essential items, like a car or motorcycle.
des	Other documentation demonstrating that you are experiencing financial hardship (please scribe below):

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For Commerical Property Applications	ONLY:		
Company Name:			
Who is currently paying rates for this pr	operty?		
Please attach documentary evidence to (noting that as much supporting documentary)			
☐ Evidence of your business qualifying	g for the JobKeeper suppor	t packa	ge – this alone will qualify
as evidence of experiencing genuine fina	ancial hardship.		
☐ Assessment by an independent accr	edited financial counsellor	demor	strating an inability to
both pay rates and to rearrange asset po	ortfolios to facilitate paymo	ent.	
☐ Accountant or bank statements and	notices.		
☐ Details of closure - including Govern	ment enforced closure as	a requir	rement of COVID-19.
☐ Tenant correspondence requesting	relief (if applicable).		
☐ Commerical and leasing arrangement	nts as a direct result of the	COVID-	19 pandemic;
☐ A statutory declaration from an inde	ependent professional, fam	niliar wi	th your circumstances.
☐ Notice of impending legal action.			
Please describe and provide other docu	_	the qu	antum of revenue lost
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#### **Submission and Assessment**

Please make sure your application and documentary evidence is addressed to the General Manager, and submitted as follows:

- Emailed to <a href="mailed-to-council@centralhighlands.tas.gov.au">centralhighlands.tas.gov.au</a>; or
- Mailed to PO Box 20, Hamilton TAS 7140.

Please use the title 'Hardship Assistance Application' to assist our staff to identify your application quickly. We will be in contact with you as soon as possible to acknowledge your application and provide advice regarding the assessment process. If you have any enquiries or need assistance completing your application, please contact the General Manager.

#### **Declaration and signature**

I confirm that the information provided within this Application for Financial Hardship is accurate, and there have been no misrepresentations or omissions of fact that would otherwise influence the review and decision of Central Highlands Council.

Signature			
Name	 	 	
Date			

#### **Personal Information Protection Statement**

Document:	Start Date: 15 June 2021	Page Reference:
Commercial Addendum to Financial Hardship Assistance Model Policy	Review Date: 30 June 2022	Page <b>14</b> of <b>15</b>

The personal information that Council is collecting from you is deemed personal information for the purposes of the *Personal Information Protection Act 2004*. The supply of the information by you is voluntary. However, if you cannot provide or do not wish to provide the information sought, Council may be unable to process your application or request.

You may make application for access or amendment to your personal information held by the Council. Enquiries concerning this matter can be addressed to the General Manager.

Document:	Start Date: 15 June 2021	Page Reference:
Commercial Addendum to Financial Hardship Assistance Model Policy	Review Date: 30 June 2022	Page <b>15</b> of <b>15</b>



# Department of Police, Fire and Emergency Management STATE EMERGENCY SERVICE GPO Box 1290 HOBART TAS 7001 Phone (03) 6173 2700 Email ses@ses.tas.gov.au Web www.ses.tas.gov.au



File: Enquiries: A21/99018 Karen Tope

21 May 2021

Ms Lyn Eyles General Manager Central Highlands Council PO Box 20 HAMILTON TAS 7140

Dear Ms Lyn Eyles

#### **EMERGENCY SERVICES MEDAL NOMINATIONS - 2021**

The Emergency Services Medal (ESM) recognises distinguished service by the men and women who serve in the frontline Emergency Services, typically the State Emergency Service (SES).

In accordance with the *Emergency Services Medal Regulations* (1999) Tasmania is entitled to no more than three (3) ESM's per year from the following categories (no more than one per category):

- S3 (4) Medal may be awarded to a person who has given distinguished service as a member of an emergency service.
  - a. Full-time permanent members of the State Emergency Service
  - b. Part- time, Volunteer or auxiliary members of the Emergency Service
  - c. Full-time, part-time, Volunteer or auxiliary members of the emergency service
- S4 (1) The medal may be awarded to a person who has given distinguished service relating to emergency management, training or education.

To assist with any nominations, the ESM Guidelines and Nomination Form are available on the SES internet at <a href="https://www.ses.tas.gov.au/about/get-involved/awards/">https://www.ses.tas.gov.au/about/get-involved/awards/</a>. The ESM honours list of previous Tasmanian ESM recipients is attached to this letter for your information.

ESM nominations in Tasmania are judged by the Director SES with the support of a panel before making recommendations through the State Emergency Management Controller (Secretary DPFEM) to the Minister for Police, Fire and Emergency Management for approval.

If you wish to nominate an eligible person for the 2022 Australia Day Honours List, please forward the completed ESM Nomination Form to my office, care of Karen Tope, by mail: GPO Box 1290, Hobart; or email: <a href="mailto:karen.tope@ses.tas.gov.au">karen.tope@ses.tas.gov.au</a>. All ESM nominations must be received by COB Friday 30 July 2021. Unsuccessful nominations from previous years may be reconsidered subject to resubmission.

For further advice on the award or nomination process, please contact Karen Tope on (03) 6173 2700 or myself on (03) 6173 2702.

Yours sincerely

**Andrew Lea ESM** 

Director

Attachment:

1. Honours List of Previous Tasmanian ESM Recipients

# EMERGENCY SERVICES MEDAL (ESM) HONOURS LIST TASMANIAN RECIPIENTS

YEAR			
2000	Joseph Paul Director SES	Catherine Bradley SES Unit Manager Glamorgan/Spring Bay	Rodney McGee Southern DIER
2001	Bevis Dutton SES North West Regional Manager	John Duncombe SES Unit Manager Burnie	Rex Rainbow SES Unit Manager Dorset
2002	Geoff Marsh SES Southern Regional Manager	lan Kingston SES Unit Manager Tasman	Edwin Humber Royal Volunteer Coastal Patrol
2003	Garry Muldoon SES Southern Regional Officer	Richard Elliott SES Unit Manager Kentish	Rodney Sweetnam Municipal Coordinator Launceston City Council
2004	Rupert Sandy SES Manager Operations	Leigh Higgins SES Unit Manager Kingborough/Bruny	Ian Holloway  Municipal Coordinator  Huon Valley Council
2005	Anthony Dick SES North West Regional Officer	Frank Lawes SES Unit Manager Wynyard	Bryan Watson SES Unit Manager Meander Valley
2006	David Dowden SES Unit Manager Central Coast	John Mackonis SES Unit Manager Southern Region	
2007	Paul Darby SES Team Leader Central Coast	Claus Wilkens SES Unit Manager Flinders Island	
2008	Craig Blizzard SES Deputy Unit Manager Circular Head	Roger Brown SES Southern Regional Headquarters	Antonio Chirichiello SES Dorset Unit
2009	Paul Shipp SES Unit Manager West Coast (Rosebery)	Toni Brown Recovery Coordinator North/West	
2010	Philip Bird SES Unit Manager Mersey	Michael Street  Municipal Coordinator  Hobart City Council	
2011	David Oakley SES Unit Manager Northern Midlands	Frank Henderson Municipal Coordinator Clarence City Council	Robert Butterfield SES Unit Manager Queenstown
2012	Andrew Lea SES Director	lan 'Snow' Nielsen SES Unit Manger Circular Head	Gregory French Municipal Coordinator Glenorchy City Council
2013	Mark Nelson SES Southern Regional Manager	Bevis Perkins Retired SES Unit Manager Northern Midlands	Donald Mackrill  Municipal Emergency Coordinator  George Town Council
2014	Harold Deverell Latrobe SES Unit	Susan Powell Primary Heath Coordinator THO Southern	Paul Branch SES Volunteer Southern Region
2015	Mark Gillies SES Unit Manager Meander Valley	Timothy Kirkwood General Manager Southern Midlands Council	
2016	John Campbell SES Volunteer Zeehan Unit	Kelvin Jones SES Unit Manager Glamorgan Spring Bay	Peter Geard SES Unit Manager Brighton
2017	Mhairi Bradley SES Northern Regional Manager	Andrew Taylor SES Volunteer George Town Unit	Chris Fagg Municipal Coordinator Waratah/Wynyard Council
2018	Nigel King SES Volunteer Southern Regional Unit Hobart	Christopher Draffin SES Volunteer Break O'Day Unit St Helens	vvaratanii vvynyara oduncii
2019	Mark Dance SES Southern Regional Officer	Lynton Zane Free SES Volunteer Circular Head Unit	Alton Bond SES Volunteer Huon Valley Unit
2020	William James Folder SES Volunteer Search & Rescue Team	Vincent Holthouse SES Unit Manager King Island Unit	Neil Gerrard Van Veldhuizen Deputy Unit Manager Northern Incident Management Unit
2021	Cheryl Ames SES currently on secondment	Jason Lawrence SES Unit Manager Derwent Valley Unit	Jason Robins SES Unit Manager Southern Midlands Unit



# TASMANIAN STATE EMERGENCY SERVICE

# NOMINATION FORM FOR EMERGENCY SERVICES MEDAL



# 1. Details of person submitting nomination

The following information about the person submitting this recommendation is needed to enable officers of the Honours Secretariat, Government House, Canberra to seek further details, if required. In addition to completing the full details below, please indicate, in box provided, at which address you would prefer to be contacted.

Name (in full):	
Home address:	
Telephone number:	
Occupation:	
Business address:	
Business telephone:	

#### 2. Details of person being recommended for an award

Please provide a biographical profile of the person you are nominating by completing the section below and by providing the details requested on the next page. If insufficient space is available, please attach a separate statement.

Surname:			
Given Name(s):			
Home address:			
Tiome address.			
Telephone number:			
Occupation:			
Business address:			
Business telephone:			
Awards and/or Degrees, etc:			
Date of Birth:		Place of Birth:	
161		Tidde of Birth.	
If born outside of Australia:			
(a)	Date of arrival:		
(b)	Naturalisation		
	Certificate Details:		
Note:	Honours matters are confidential and the nominee should not be approached direct for Naturalisation details.		
	If unknown please indicate accordingly.		
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Nomination of (Full Name):	
Reason for Nomination:	
	e
Signed by the nominator:	
Nominator Printed Name:	

#### Return completed form to:

Mail:

Director's Office

Attention: Karen Tope Private & Confidential State Emergency Service

GPO Box 1290 HOBART TAS 7001

or

Email:

Karen.tope@ses.tas.gov.au

In person: State Emergency Service

Cnr Melville and Argyle Streets

**HOBART TAS 7000** 

**HONOURS-IN-CONFIDENCE** (when complete)

Effective: 20/05/2021 Review Date: 20/05/2021

#### **2021/2022 Bi-Centenary**

Tours of graveyard – Mary is most knowledgeable and could be a tour guide.

Tours around Bothwell – Charlie Ellis bus rides. Also believe Gordon Young has a horse drawn vehicle he may be keen to use.

Golf Competition using Hickory shaft clubs and old attire – *Involve both Ratho and Golf Club as a fund-raiser for Bi-Centenary project* 

Mural on elders building – Enquiries to do this are underway

Aboriginal displays of bush foods - *Also camp fire cooking with bush tucker in the Park. Suggest Mayor Lou be asked to organise this.* 

Musical groups - including Digeredoo etc. Combine with above and Mayor Lou be asked to organise this

Bush Dance with emphasis on period costume – School Hall a suitable venue

Spin in demonstration – *Approach Dianne Fowler for advice and guidance* 

Display of old farm equipment and vintage cars -Lions Club and Malcolm Scott to lead this one

Involvement of school, local service organisations - Ask High School to arrange a school day when students dress up and attend classes as in the early days. CWA are sure to come on board and ideas include small things out of Tas Tartan. Also Freemasonry – John Pilcher and Wayne Doran can advise and organise

Opening of places of interest including old bakery, boot makers building, ratho pigeon coop and chook roost, tannery, old dairy at Dennistoun and Thofpe Mill

Involvement of Inland Fisheries, hydro, Derwent catchment plus other groups - In what historical way?

Food and drink suppliers – *Mustn't compete with local shops other than Lions BBQ, Bush tucker and Red Brick Cidery from Deloraine* 

Saleable items ie celebration shirts, hats – *enamel mugs, postcards/posters of murals. Visitor Centre can organise this* 

Vintage car display – Again Lions Club and Malcolm Scott

Acting group

Drive by places and things of interest, with map showing details – *Historical Society already working on this*.

Scottish pipe band /Dancing

Contact and engagement with 'ordinary' residents families who have been here since early settlement. *John Fowler suggests this and can provide info.* 

# Costs of all the above can be part of a budget related to use of funds.

# The Historical Society has organised a reprint of "Bothwell Re-Visited" reprint which is now available at the Visitor Centre. Also is working independently toward displays in its History Rooms especially with support of TMAG.

#### **Adam Wilson**

**Subject:** Proposal for a Rural and Regional Art Gallery in Tasmania

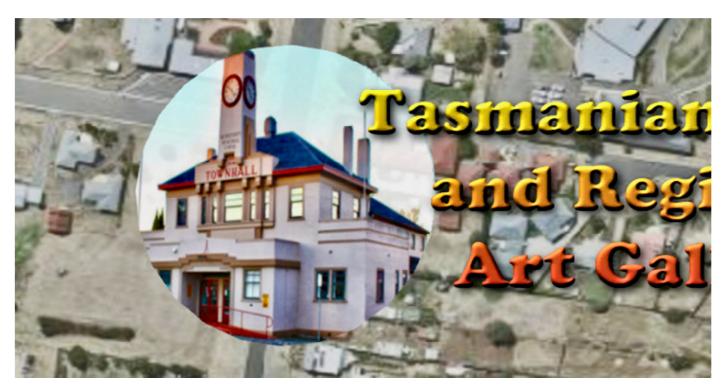
From: Kim Peart [mailto:kimpeart@iinet.net.au]

**Sent:** Friday, 28 May 2021 2:12 PM

To: Lyn Eyles

Cc: Adam Wilson; Jason Branch; Graham Rogers; council

Subject: Re: Proposal for a Rural and Regional Art Gallery in Tasmania



Kim Peart 39A Bridge Street Ross 7209 Tasmania

0400 856 523

Re: Proposal for a Rural and Regional Art Gallery in Tasmania

#### Dear Lyn,

I include below a brisk description of a new idea for a public art gallery, which can be located in a country town, and serve the creative needs and wishes of rural communities throughout Tasmania.

The proposed name at present is ..... Tasmanian Rural and Regional Art Gallery.

There is a potential home base now available with the Town Hall in Campbell Town, which the Northern Midlands Council have decided to dispose of, but maybe a good public use will lead to a change of heart.

If you like this approach to art in the country, would you and your Council like to explore ways to make it happen.

The home location is an open book, one determined by local interest.

Yours sincerely, Kim Peart

I will be at the Campbell Town market in the Town Hall this Sunday 30 May, 8:00 am to 3:00 pm

And also the following Sunday .....

Sunday 6 June Noon to 4:00 pm Town Hall Campbell Town

Noon ..... Displays available to view

2:00pm ..... Meeting to explore the idea, followed by discussion.

Due to Covid-19 restrictions, attendance will need to be limited to 78.

Anyone interested in attending can book a place ..... kimpeart@iinet.net.au

All unable to attend, can ask to be on the mailing list to receive news, reports and announcements.

Tasmanian Rural and Regional Art Gallery

Kim Peart

Could a rural and regional art gallery be created in Tasmania?

A country location would have the advantage of easier financial access to larger areas of land for a sculpture park.

A building is now available where this art gallery initiative could be launched, with the old Town Hall in Campbell Town. [Fig.1]

The Northern Midlands Council recently decided to sell this iconic 1939 building, so if it is to be the first home of this gallery, the Council would need to be invited to keep the property for a good public use, or form an organization to own and manage the building.

The support body could include Councils, and use the Ten Days on the Island model to send exhibitions and art projects to rural destinations.

This art initiative is not dependent on the Town Hall in Campbell Town, and in time could come to need gallery space many times its size.

The location in Campbell Town would be a good beginning, located in the heart of the rural lands, with the national treasure of the Ross Bridge only ten kilometres south.

There is land available for a sculpture park in Ross, with our 20 acres on the hill to the east of the town. [Fig.2]

The sculpture park could include an artist-in-residence program, with a focus on sculpture, reflecting the convict made carved art on the Ross Bridge.

Demonstrating just how much is possible, the Central Coast Council in Tasmania recently secured a \$2.5 million Federal grant toward the construction of a museum and art gallery complex in Ulverstone, which will include a Visitor Information Centre, a retail space, café, Science Centre and Planetarium. [1]

A new regional art gallery opened on the Gold Coast recently, created at a cost of \$60.5 million, which shows just how much funding can be available for the arts. [2]

For a rural and regional art gallery to be successful, enthusiastic individuals who love art will need to voice their support and become the first friends of the gallery.

Supporters of the gallery would not be left waiting, as the virtual worlds can be put to work immediately, to create a virtual gallery where works can be put on show.

This approach can be seen with my Snow Gallery in the virtual world of Second Life. [Fig.3]

Art classes and forums can be held in the virtual world, allowing anyone to attend from their home.

Being able to meet people through the virtual world, and engage in creative projects there, the isolation of a farm or rural town can be history, which may have a positive health benefit.

A Rural Art Prize could be created, in the theme of art from the farm and rural communities.

Anyone who would like to help make this gallery project happen, can ask to be included on the mailing list.

Anything is possible that is possible, when we dare to imagine.

Contact ..... <u>kimpeart@iinet.net.au</u>

#### REFERENCES .....

[1] ..... Infrastructure Projects Stream: Round 2 grant recipients Australian Government, Business

https://business.gov.au/grants-and-programs/building-better-regions-fund-infrastructure-projects-stream/grant-recipients-for-round-2

#### Central Coast Council

Construction of the Ulverstone Museum and Art Gallery Complex. The project will build the Ulverstone Museum and Gallery complex that will co-locate the Visitor Information Centre and History Museum and incorporate them with a retail space, café, Science Centre and Planetarium.

Ulverstone, Tasmania

Grant Approved ..... \$2,500,000 Total Project Cost ..... \$7,500,000 [2] ..... Inspired by organic cells, with some marvellous art on show, the Gold Coast's new HOTA Gallery is a triumph

Chari Larsson, 12 May 2021, The Conversation

 $\frac{https://theconversation.com/inspired-by-organic-cells-with-some-marvellous-art-on-show-the-gold-coasts-new-hota-gallery-is-a-triumph-160087$ 

#### ILLUSTRATIONS .....



Figure 1 ..... The old Town Hall in Campbell Town, built in 1939.



Figure 2 ..... View across our land in Ross where a sculpture park can be developed, and include an artist-in-residence program with a focus on sculpture.

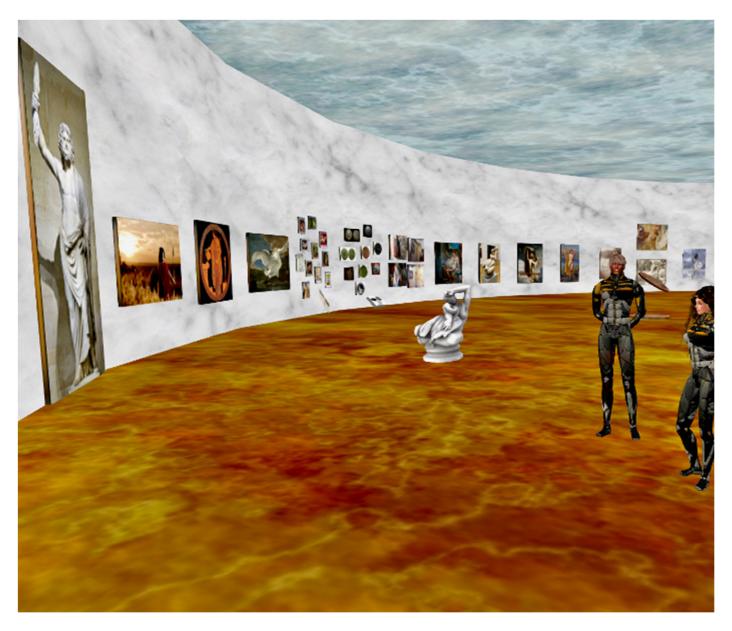


Figure 3 ..... The Snow Gallery in the virtual world of Second Life, where anyone in the world can visit via an avatar.

The present show includes the work of artists with the Greek myth of Leda and the Swan.

2021 MAV Insurance LGAT Annual Conference



You are invited to attend the 2021 MAV Insurance LGAT Annual Conference

August 5-6 Wrest Point Convention Centre, Hobart

This year's Conference theme is "local solutions for local communities" recognising the importance of place and harnessing local opportunities to support resilient communities.

### **PROGRAM**

The Conference Program includes the following highlights:

LGAT General Meeting
Keynote presentation and plenary sessions
Workshops
Trade exhibition
Refreshment breaks
Networking lunches
Spirit Super Women in Local Government Networking Event
MAV Insurance Local Government Awards for Excellence
Commonwealth Bank Conference Dinner

2021 MAV Insurance LGAT Annual Conference  Day One - 5 August - Program				
8.30am	Registration on arrival			
8.30am	JLT Public Sector Coffee Corner and Charge Bar			
8.30am	MAV Insurance Welcome Morning Tea			
9.30am	LGAT General Meeting			
12.30-1.30pm	MAV Insurance Networking Lunch			
2.00pm	Conference Welcome			
2.10pm	Plenary Speaker - Dale Williams Carterton District Councillor, New Zealand Skills and labour shortages and solutions for your communities Sponsored by Edge Legal			
3.10pm	Local Solutions Session Dr Verity Cleland & Dr Kim Jose University of Tasmania - Walkability in Rural Communities Owen Tilbury President Great Regional City Challenge Mobilising community at scale Sponsored by Regional Development Australia			
4.15pm MAV Insurance Networking Afternoon Tea				
5.00pm	00pm Conference Close Day 1			
6.00-7.00pm	Spirit Super Women in Local Government Networking Event			
7.15pm	Commonwealth Bank Conference Dinner			

2021 MAV Insurance LGAT Annual Conference				
Day Two - 6 August - Program				
9.00am  Workshops Dr Kathy Alexander - Good governance and why it matters Dr Michelle Lucas - How can councils work with communities and create collective impact				
10.30am	Networking Morning Tea			
11.10am	Plenary Speaker - Todd Babiak Brand Tasmania  Sponsored by Brand Tasmania			
Plenary Speaker - Linda Scott  ALGA President  Sponsored by Simmons Wolfhagen Lawyers				
12 30- 1 30nm	30- 1.30pm Networking Lunch			
12.30- 1.30pm	Networking Lunch			
1.30pm	MAV Insurance Local Government Awards for Excellence			
1.30pm	MAV Insurance Local Government Awards for Excellence  Plenary Speaker - Professor David Adams University of Tasmania			
1.30pm 2.30pm	MAV Insurance Local Government Awards for Excellence  Plenary Speaker - Professor David Adams University of Tasmania  Sponsored by Page Seager Lawyers			

### **Conference Registration**

Please register online here at <u>Local Tickets</u> and choose from the following options:

Package Inclusions		Price (inc GST)
Early Bird Special  Full Member Registration	Book before 4 Friday 4 June General Meeting, all plenary sessions, workshops, refreshment breaks, MAV Insurance Awards for Excellence and the Commonwealth Bank Conference Dinner	
Full Member Registration	General Meeting, all plenary sessions, workshops refreshment breaks, MAV Insurance Awards for Excellence and the Commonwealth Bank Conference Dinner	\$820.00
Day One Member Registration	Day One Program - including General Meeting, Plenary Speaker, Local Solutions Session, Refreshment breaks and the Commonwealth Bank Conference Dinner	\$450.00
Day Two Member Registration	Day Two Program - including Workshops, Plenary Speakers, Refreshment Breaks and MAV Insurance Awards for Excellence	
LGAT Commonwealth Bank Conference Dinner	Dinner ticket	\$160.00
LGAT MAV Insurance Awards for Excellence	MAV Insurance LGAT Awards for Excellence	\$65
Additional Event	(Numbers are limited)	
Spirit Super Women in Local Government Networking Event – Supporting the role of women in local government	In addition to the Conference Program. You will need to register separately for this event at <u>Local Tickets</u> . This event will run for one hour prior to the Conference dinner.	\$75

<sup>\*</sup>Note that all registration/ticket prices listed above include the booking fee from Local Tickets. When you first select tickets the price will originally appear as less as the amounts above. Once booking fees are added they will reach the prices specified.

#### Accommodation

Guests must book their own accommodation. LGAT has secured rooms at Wrest Point at a special rate. To view accommodation options and book please click on this link.

<sup>\*</sup>Talk to us about non-Member registration

# With thanks to our sponsors already on board

## MA®V INSURANCE

















1. APPLICANT DETAILS

# CENTRAL HIGHLANDS COUNCIL COMMUNTY DONATIONS PROGRAM APPLICATION FORM

Please ensure you have read and understand the Program Guidelines prior to completing this form.

Contact Details Residential Address:   Schow Street Bothwell	
Phone: (Business hours)	
Mobile:	
Fax:	
Email: 22 danga gmail.com	
Email: 22 danga gmail.com  Signature of Backs	
Amount Applied for \$ As Courcil Sees fit (Maximum as per Guidelines)	
2. INTERSTATE OR INTERNATIONAL REPRESENTATION	
Where are you competing/attending? Victoria, South Australia,	
Where are you competing/attending? Victoria, South Australia, Queenstand, Northern Territoria What sport/activity are you competing in, and at what level?	4
If you are a sports competitor, are you competing as an amateur? $\mathcal{N}_{\!$	
What dates are you competing/participating? March 2021 to July 2021	

3. MEDICAL ASSISTANCE  What type of medical/rehabilitation treatment will you be receiving?  N/A  Where will the treatment be administered?  N/A  Please provide any additional information to support your request.	3. MEDICAL ASSISTANCE What type of medical/rehabilitation treatment will you be receiving?  N/A  Where will the treatment be administered?  N/A	Please provide details to support your application
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N/A	N/A	N/A
N/A	N/A	
N/A	N/A	
		Where will the treatment be administered?
		N/A
Please provide any additional information to support your request.	Please provide any additional information to support your request.	
Please provide any additional information to support your request.	Please provide any additional information to support your request.	
		Please provide any additional information to support your request.



### CENTRAL HIGHLANDS COUNCIL COMMUNTY GRANTS PROGRAM APPLICATION FORM

Please ensure you have read and understand the Program Guidelines prior to completing this form. Please enclose your group/club's current financial statement.

1. APPLICATION & ORGANISATION DETAILS
Name of Project: Brooks Motorsport
Amount of Grant Requested: As Council Sees Fit
Estimated Total Project Cost:
Applicant Organisation: Brooks Motorsport
Contact Person's Name: Diniel Brooks
Contact Details Address: 1 Schow Street Bothwell
Phone: (Business hours)
Mobile:
Fax:
Email: 22danopaagmail.com
Signature
Name Position in Organisation Date
What is the overall aim/purpose of the applying organisation? We are a motorsport fear Competing and representing tasmania What is the membership of the organisation?  President Secretary  Treasurer N/A  Public Officer/s

2. ELIGIBILITY (see Community Grant Program Guidelines)
Is the organisation:  □ Representative of the interests of the Central Highlands Community □ Incorporated □ Not for Profit □ Unincorporated □ A Hall Committee
OR XAn individual community member
Have you previously received funding from the Central Highlands Council? (Please attached additional pages if required)
If yes; Name of Project:
Date Grant received:
Amount of Grant:
3. PROJECT DETAILS
Project Start Date: March 2021
Project Completion Date: 509 2021
Project Objectives: See Attached
4. COMMUNITY SUPPORT
What level of community support is there for this project? We are very Lucky with the support we receive from the Community. From the Kind messages to the wearing our Clothing to the Cheering on the side lines.

Does the project involve the community in the delivery of the project?
How will the project benefit the community or provide a community resource?
Racing at the level we do, and the
proves that all though we come from
Racing at the level we do, and the Success we have been lucky to have proves that all though we come from a small town if you are really passionate about something and are dedicated it will pay off. We are froud 5. COUNCIL SUPPORT WE come from Bothwell all over
Are you requesting other Council support? E.g. parks, halls, telephones, fax, photocopying, computers, office accommodation, cleaning facilities, street closure.  If yes, please give details.
Are you requesting participation by Councillors or Council Staff? If yes, please give details.
If your application is successful, how do you plan to acknowledge Council's contribution? Our Facebook Page and representation of the Council Rogo on our cor.
6. FUTURE APPLICATIONS AND THE SUCCESS THIS PROJECT
Do you anticipate the organisation will apply for funding in future years?
No

How will you mo	onitor/evalua	ite the succes	s of this projec	<b>!?</b>	

7. PROJECT BUDGET
Note: Amount from Council must not exceed half the project cost

Please provide a breakdown of the project expenditure and income:				
Expenditure	Amount \$	Income	Amount \$	
Capital		Guarantee	7	
Refurbishment		Government Grants		
Equipment		Trust/Foundations		
Premises		Donations from		
		Business		
Vehicles		Special Funding		
Other:		Gifts in Kind		
Other:		Other:		
Subtotal		Other		
		Subtotal		
Revenue		Anticipated		
Salaries (including super)		Government Grants		
Short-term contract fees		Central Highlands Grant		
Running costs		Trust/Foundations		
Production of		Donations from		
information PR materials		Businesses		
Training staff/volunteers		Special Fundraising		
Travel		Gifts in kind (details)		
Rent		Cash Reserves		
Reference materials		Other:		
Other:				
Subtotal		Subtotal		
TOTAL		TOTAL		

Brooks Motorsport is a family and friends run sporting crew who rely solely on the support of its community and sponsors. Racing in the AMCA National Division through the speedway circuit, Daniel Brooks takes the wheel of his own made "Evolution Car" a car which has been highly competitive over the years.

Daniel has raced speedway for many years, and although in the beginning it did not come naturally, he has certainly come a long way from where he started. Daniel is now classed as one of the best drivers not only in Tasmania, but Australia wide having competed in most high-end AMCA events.

His record speaks for itself winning 5x Tasmanian Titles, various State series, AMCA Cups, Mark Triffitt Memorials and many more feature race wins, and this is just Tassie alone.

He has competed in Australian Titles where he has had a podium finishes, wins in the Northern River Classics, NSW Title Winner just to name a few, and this current national season alone he has managed podium finishes in 5 of the 6 meets including wins at Dubbo and the Northern River Classics, Second in the SA Title and a Third in the Victorian Title.

Daniel and the Team are incredibly proud of their achievements and are proud of where we come from and the support from our community we receive. We have the great pleasure each meet of showing off our car with many community sponsors featured and seeing the support in the crowed from the people wearing our colours.

Racing speedway is an expensive time-consuming sport from tools, spares, repairs, fuel, services, entries, licences, transport just to name a few and this is before you add on the further expenses of the travelling to go to the mainland. We honestly could not do what we do and represent not only Tasmania, but our hometown of Bothwell without our sponsors and the help and support we receive from our family and friends.

Daniel and the Brooks Motorsport team now endeavour to travel to compete in the Northern Territory State Title to be held in Darwin in July later this year. The only place Daniel and the Team have not represented Tasmania. As you can imagine travelling to Darwin is an awfully expensive adventure driving up and returning to Tasmania.

We ask that you please consider our application and help us represent our small Town and Tasmania at this Title.

Kindest Regards

Daniel Brooks & The Brooks Motorsport Team

10-5-21

Minister for Primary Industries and Water Minister for Energy and Emissions Reduction Minister for Resources Minister for Trade Minister for Veterans' Affairs



Level 5, 4 Salamanca Place HOBART TAS 7000 Australia GPO Box 123 HOBART TAS 7001 Australia

Phone: +61 3 6165 7678 Email: <a href="mailto:guy.barnett@dpac.tas.gov.au">guy.barnett@dpac.tas.gov.au</a>

8 June 2021

Mayor Loueen Triffitt Mayor Central Highlands Council Email: council@centralhighlands.tas.gov.au

### Dear Mayor

The Australian Government has a program to support the development of rural water infrastructure across Australia. The objectives of the National Water Grid Fund (the Fund) include to support primary industries by improving water access and security for agricultural use. This includes increasing water supply certainty for farmers and the businesses relied on by primary industries participants.

The Australian Government has recently introduced a smaller projects element to the Fund, with reduced application requirements reflecting the lower risk associated with projects of lower capital value. To facilitate the timely uptake of opportunities for smaller projects, a short-term mechanism for funding approval has been introduced for project proposals received by the Australian Government by 30 June 2021. This will allow project approvals to be announced early in the 2021-22 financial year, rather than through the usual Budget and MYEFO processes.

To be eligible under the Fund projects must propose new or additional capital investment in infrastructure that increase the availability, reliability, efficiency and/or quality of water for agricultural or primary industry use. Projects must also provide demonstrable public benefit and be brought forward by a state or territory government. Projects would need to be able to be completed within a two year timeframe.

I am writing to make you aware of this opportunity and for Council to consider if you have any relevant projects that could be considered.

Under the Fund, the Australian Government will contribute no more than 50 per cent of the capital costs of approved projects and smaller projects are defined as those which seek a maximum of \$5 million in Australian Government support. Any proposal considered through this funding would require that Council and/or private investors contribute at least half the capital costs of a project.

In order to meet the current submission deadline, my Department will need to receive a completed project proposal form by 14 June 2021. This will assist DPIPWE to ensure the proposal stands the best

chance of success when it is formally submitted by the Government.

I recognise that the timing for this first opportunity to submit smaller project proposals is very tight, but it presents a good opportunity to bring forward a project or projects which will generate benefits for Tasmanian regional communities. Subject to the outcomes of this first round of small projects funding it is likely there will be further rounds so this may not be the only opportunity to access funds for small projects.

I draw your attention to information on the National Water Grid Authority's website: <a href="https://www.nationalwatergrid.gov.au/sites/default/files/documents/nwga\_factsheet\_infrastructure-investment.pdf">https://www.nationalwatergrid.gov.au/sites/default/files/documents/nwga\_factsheet\_infrastructure-investment.pdf</a>

Should you or your Council staff have any questions regarding this opportunity, or wish to obtain copies of the relevant proposal templates and information related to the Fund they can be directed to Stephen Apted, by phone to 0417 376 864, or by email to <a href="mailto:stephen.apted@dpipwe.tas.gov.au">stephen.apted@dpipwe.tas.gov.au</a>.

Yours sincerely

Hon Guy Barnett MP

Minister for Primary Industries and Water



# The Hon. Mike Gaffney, MLC

Member for Mersey



8 June 2021

Dear Mayors and GMs,

The End-of-Life Choices (Voluntary Assisted Dying) Act 2021 received Royal Assent on 22 April 21. As you are aware, this significant piece of legislation created significant community interest and 'by and large' VAD was supported by Tasmanians.

In February 2020, I presented 35 information forums in all 29 LGAs and they were usually well attended. My assistant Bonnie coordinated those forums and each Council was able to assist, to varying degrees.

Now that the Act is established, and the implementation period underway, I would be willing to present in any Municipality in the next 3 months. I am able to cover my accommodation and travel expenses, however, the coordination and advertising of the event would need to be a Council or local community group responsibility.

If your Council would like to offer the opportunity to your community an information session about the Tasmanian VAD process, journey and 'where to from here?', please feel free to contact Bonnie on 0364 22 3000 or bonnie.phillips@parliament.tas.gov.au to coordinate the date, place and time.

I can provide a Publisher-formatted/PDF flyer/document which might assist with the coordination and marketing of such an event in your Municipality.

Yours faithfully,

Mike Gaffney MLC

Michael Taffrey

E: michael.gaffney@parliament.tas.gov.au



### CENTRAL HIGHLANDS COUNCIL COMMUNTY GRANTS PROGRAM APPLICATION FORM

Please ensure you have read and understand the Program Guidelines prior to completing this form. Please enclose your group/club's current financial statement.

### 1. APPLICATION & ORGANISATION DETAILS

Name of Project: First Aid Training

**Amount of Grant Requested: \$2,500** 

**Estimated Total Project Cost:** \$5,000

Applicant Organisation: Health Action Team Central Highlands (HATCH)

Contact Person's Name: Tracey Turale

**Contact Details** 

Address: Ash Cottage Lyell Highway Ouse 7140

Phone: (Business hours) 6122 2018

Mobile: 0429 433 664

Fax:

Email: tracey.turale@ths.tas.gov.au

Signature

Name Tracey Turale

Position in Organisation Committee Member / Project Coordinator

**Date** 08/06/21

What is the overall aim/purpose of the applying organisation?

The purpose of HATCH is to support community participation in the development, delivery and review of health services provided for the current and future health and wellbeing of the Central Highlands community.

What is the membership of the organisation? President Pip Allwright Secretary Judy Aldridge Membership: Membership will consist of up to fifteen, with members drawn up as follows: Manager – Central Highlands Community Health Centre Employee - Health Promotion South - THS b) c) One (1) Central Highlands Council elected member d) Nine (9) community representatives One (1) General Practice representative from the CHGP e) f) One (1) General Practice representative from Bothwell Medical Centre g) A member of a Central Highlands school group, teacher or aide who is actively engaged in the school community. h) Additional members may be co-opted by the Committee as needed 2. ELIGIBILITY (see Community Grant Program Guidelines) Is the organisation: ✓ Representative of the interests of the Central Highlands Community □ Incorporated ✓ Not for Profit ✓ Unincorporated □ A Hall Committee OR □ An individual community member Have you previously received funding from the Central Highlands **Council?** (Please attached additional pages if required) No if yes; Name of Project:

#### 3. PROJECT DETAILS

Date Grant received:

Amount of Grant:

Project Start Date: 1/08/21

**Project Completion Date: 31/12/21** 

### **Project Objectives:**

Provide 2 x first aid courses in the Central Highlands

Select Safety Training \$165 per person HLTAID003 Provide First Aid 15-20 participants per course

1 x full course

1 x refresher course

Training to be conducted in Bothwell & another town to be decided Training made available to residents of the Central Highlands

\*HATCH provided a first aid course for volunteers in Hamilton on 3<sup>rd</sup> June \*HATCH provided a CPR & defibrillator information session to the Hamilton Men's shed in May

### 4. COMMUNITY SUPPORT

### What level of community support is there for this project?

First aid training has been conducted in the past and has always been well attended with waiting lists. First Aid training is very important for all community members, volunteers and workers in the area.

Does the project involve the community in the delivery of the project?

Yes, this project is provided for the community.

How will the project benefit the community or provide a community resource?

Community participants will acquire skills that can be used within the community as individuals, employees, volunteers, sporting clubs etc.

### 5. COUNCIL SUPPORT

Are you requesting other Council support? E.g. parks, halls, telephones, fax, photocopying, computers, office accommodation, cleaning facilities, street closure.

If yes, please give details.

Use of community halls/facilities for the training.

Are you requesting participation by Councillors or Council Staff? If yes, please give details.

No.

# If your application is successful, how do you plan to acknowledge Council's contribution?

Council will be acknowledged in marketing materials.

### 6. FUTURE APPLICATIONS AND THE SUCCESS THIS PROJECT

Do you anticipate the organisation will apply for funding in future years?

Not known

How will you monitor/evaluate the success of this project?

Number of people that attain first aid certification.

### 7. PROJECT BUDGET

Note: Amount from Council must not exceed half the project cost

Please provide a breakdown of the project expenditure and income:				
Expenditure	Amount \$	Income	Amount \$	
Capital		Guarantee		
Refurbishment		Government Grants		
Equipment		Trust/Foundations		
Premises		Donations from Business		
Vehicles		Special Funding		
Other: First Aid Training Select Safety Tasmania	5000.00	Gifts in Kind		
Other:		Other:		
Subtotal		Other		
		Subtotal		
Revenue		Anticipated		
Salaries (including super)		Government Grants		
Short-term contract fees		Central Highlands Grant	2500.00	
Running costs		Trust/Foundations		
Production of information PR materials		Donations from Businesses		
Training staff/volunteers		Special Fundraising		
Travel		Gifts in kind (details)		
Rent		Cash Reserves	2500.00	
Reference materials		Other:		
Other:				
Subtotal		Subtotal		
TOTAL	5000.00	TOTAL	5000.00	



# CENTRAL HIGHLANDS COUNCIL COMMUNTY GRANTS PROGRAM APPLICATION FORM

Please ensure you have read and understand the Program Guidelines prior to completing this form. Please enclose your group/club's current financial statement.

### 1. APPLICATION & ORGANISATION DETAILS

Name of Project: Meal Delivery Program

**Amount of Grant Requested: \$2,000** 

Estimated Total Project Cost: \$6,000 per year

Applicant Organisation: Health Action Team Central Highlands (HATCH)

Contact Person's Name: Tracey Turale

**Contact Details** 

Address: Ash Cottage Lyell Highway Ouse 7140

Phone: (Business hours) 6122 2018

Mobile: 0429 433 664

Fax:

Email: tracey.turale@ths.tas.gov.au

Signature //

Name Tracey Turale

Position in Organisation Committee Member / Project Coordinator

Date 08/06/21

What is the overall aim/purpose of the applying organisation?

The purpose of HATCH is to support community participation in the development, delivery and review of health services provided for the current and future health and wellbeing of the Central Highlands community.

## What is the membership of the organisation? President Pip Allwright Secretary Judy Aldridge Membership: Membership will consist of up to fifteen, with members drawn up as follows: a)

- Manager Central Highlands Community Health Centre
- Employee Health Promotion South THS b)
- One (1) Central Highlands Council elected member c)
- d) Nine (9) community representatives
- One (1) General Practice representative from the CHGP e)
- One (1) General Practice representative from Bothwell Medical f) Centre
- A member of a Central Highlands school group, teacher or aide g) who is actively engaged in the school community

h) Additional members may be co-opted by the Committee as needed
2. ELIGIBILITY (see Community Grant Program Guidelines)
Is the organisation:  ✓ Representative of the interests of the Central Highlands Community  □ Incorporated  ✓ Not for Profit  ✓ Unincorporated  □ A Hall Committee
OR An individual community member
Have you previously received funding from the Central Highlands Council? (Please attached additional pages if required)
No
If yes; Name of Project:
Date Grant received:
Amount of Grant:
3. PROJECT DETAILS
Project Start Date: 1/07/21
Project Completion Date: 30/06/22

### **Project Objectives:**

Provide low cost healthy frozen meals to vulnerable people in the Central Highlands through the Meal Delivery Program

Provide reimbursement for out of pocket expenses to volunteers (e.g. use of private vehicle)

Provide adequate personal protective equipment (PPE) for volunteers and clients (e.g. hand sanitizer, gloves, cleaning products, money bags)

Provide training for volunteers (e.g. first aid, manual handling)

#### 4. COMMUNITY SUPPORT

### What level of community support is there for this project?

The meal delivery project has been very successful over the past 2 ½ years. The project was especially beneficial during the COVID-19 pandemic when people were not confident to travel to more populated areas for groceries and other supplies.

The program has about 50 registered clients and provides between 60-100 meals to clients every week. Over 90% of these clients are single older people living alone. Feedback from clients indicates they are very satisfied with the program and it assists them to eat healthy meals.

The clients also appreciate the home delivery and enjoy the additional company of the volunteers that deliver the meals and make time for a chat. It also allows the program to 'keep an eye' on vulnerable people and address other needs that might arise.

### Does the project involve the community in the delivery of the project?

Yes, community volunteers are provided with training and support in their roles. These volunteers are also available to assist with many other community activities and projects.

This project is provided for the community.

## How will the project benefit the community or provide a community resource?

As mentioned above the project provides the more vulnerable people in our community with access to affordable and healthy food options.

The home delivery component also means the clients have someone that visits them at home and can identify other services and supports they may require.

Importantly it provides a social connection between volunteers and clients.

### 5. COUNCIL SUPPORT

Are you requesting other Council support? E.g. parks, halls, telephones, fax, photocopying, computers, office accommodation, cleaning facilities, street closure.

If yes, please give details.

No

Are you requesting participation by Councillors or Council Staff? If yes, please give details.

Occasionally council staff assist by delivering meals to clients when it is not out of their way.

If your application is successful, how do you plan to acknowledge Council's contribution?

We see this program as a partnership with council. Council hold the funding for the program, and it addresses strategies in the Council Health & Wellbeing Plan.

Council is acknowledged in the marketing materials.

### 6. FUTURE APPLICATIONS AND THE SUCCESS THIS PROJECT

Do you anticipate the organisation will apply for funding in future years?

Yes

How will you monitor/evaluate the success of this project?

Clients & volunteers are surveyed every 6-12 months on their satisfaction of the program.

Number of meals provided

Number of clients

Number of volunteers

## 7. PROJECT BUDGET

Note: Amount from Council must not exceed half the project cost

Expenditure	Amount \$	Income	Amount \$
Capital		Guarantee	
Refurbishment		Government Grants	
Equipment – PPE - personal protection equipment	500.00	Trust/Foundations	
Premises		Donations from Business	
Vehicles		Special Funding	
Other: Admin/office expenses Emergency relief meals	200.00	Gifts in Kind	
Other:		Other:	
Subtotal	1000.00	Other	
		Subtotal	
Revenue		Anticipated	
Salaries (including super)		Government Grants	
Short-term contract fees		Central Highlands Grant	2000.00
Running costs		Trust/Foundations	
Production of information PR materials		Donations from Businesses	
Training staff/volunteers	700.00	Special Fundraising	
Reimbursement for volunteers for use of private vehicles to deliver meals	4500.00	Gifts in kind (details)	
Rent		Cash Reserves	4200.00
Reference materials		Other:	
Other:			
Subtotal	5200.00	Subtotal	
TOTAL	6200.00	TOTAL	6200.00