



Business Paper

Shire Infrastructure and Public Domain Committee

Monday, 2 September 2019

6:30pm

**Committee Rooms 203 and 204,
Level 2, Administration Building,
4-20 Eton Street, Sutherland**

SUTHERLANDSHIRE

ORDER OF BUSINESS

- 1. ACKNOWLEDGEMENT OF COUNTRY**
- 2. APOLOGIES**
- 3. DISCLOSURES OF INTEREST**
- 4. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS**
- 5. PRESENTATIONS**
- 6. REPORTS FROM OFFICERS**
 - INF014-19 Sutherland Shire Community Recycling Centre
 - INF015-19 Disposal of Coal and Ash from BBQs in Public Parks
- 7. QUESTIONS**
- 8. CONSIDERATION OF BUSINESS IN CLOSED SESSION**
- 9. CONFIDENTIAL REPORTS FROM OFFICERS**

INF014-19 SUTHERLAND SHIRE COMMUNITY RECYCLING CENTRE

Attachments: Nil

EXECUTIVE SUMMARY

- In December 2017 Council resolved not to proceed with the construction a Community Recycling Centre (CRC) as the State Government funding was inadequate to cover both capital and ongoing operating costs.
- Negotiations with the NSW Environment Protection Authority (NSW EPA) have failed to achieve an improved funding model.
- The nominated material to be collected at a CRC has historically been collected and funded by the NSW EPA who has accountability for managing problem waste. Council assuming this role can be viewed as a cost shifting by the NSW Government.
- The EPA grant program is administered by the Environmental Trust which is funded from the collected s88 waste levies. In 2018 Sutherland Shire Council paid \$8,132,740 in s88 levies and received \$229,740 in contestable grants.

REPORT RECOMMENDATION

THAT:

1. Council receives and notes the final outcome of the negotiations with the NSW Environment Protection Authority.
2. Council only consider a Community Recycling Centre when an improved funding model from the NSW Environment Protection Authority is provided.

PURPOSE

To advise Council on the outcomes of the negotiations with the NSW EPA and Southern Sydney Regional Organisation of Councils (SSROC) member councils for an improved funding model for a CRC. This report recommends Council not proceed with the construction of a CRC located at 441 Princes Highway, Kareela until an improved funding model is provided by the NSW EPA.

BACKGROUND

In December 2017 a report was submitted on the proposed Sutherland Shire CRC. Council resolved;

RESOLVED: (Councillor Johns/Councillor Scaysbrook)

THAT:

- 1. Council advises NSW EPA that it no longer wishes to proceed with the construction of the Community Recycling Centre as detailed due to the current funding arrangements, restrictions and limitations.*
- 2. Council advises NSW EPA that it wishes to enter into discussions with NSW EPA to seek an improved funding model for Community Recycling Centres and possibly in partnership with other SSROC Councils.*
- 3. That a further report on this process be provided to this Council within seven months as to the progress of these discussions prior to any decision being made.*

A further report was submitted to Council on 6 August 2018 detailing the negotiations and actions undertaken, these were listed as:

- 17 January 2018 - EPA advised of Council Resolution.
- 7 March 2018 - Meeting with EPA – EPA agreed to provide response after reviewing Council report and operating cost estimates.
- 7 June 2018 – Meeting with EPA to discuss improved funding model and SSROC Council participation. EPA agreed to provide further information on improved operating cost models and reduced Capital expenditure options based on other CRCs' that are operating.
- 28 June 2018 – Council emailed SSROC Waste Managers to meet and work on an improved funding model.
- 11 July 2018 – Meeting of SSROC Waste Managers (Woollahra, Bayside, Georges River, Canterbury Bankstown, Randwick, and Sutherland). Improved funding model distributed to councils for discussion with General Managers.

Council resolved;

RESOLVED: (Councillor Simpson/Councillor Scaysbrook)

THAT:

- 1. Council receives and notes Council's domestic waste diversion in 2017/18 was 50%.*
- 2. A further report on the final outcome of the negotiations with the NSW EPA and SSROC be provided to Council.*

DISCUSSION

Benefits of CRC

The operation of a CRC is an adjunct to typical yellow and green bin recycling to divert household problem waste such as paint, gas bottles, batteries etc which cannot be picked up by Council collection services. A CRC could also potentially become a community recycling hub for other recycling services such as E-Waste and Paintback. These additional services could be supplied with minimal additional resources required to operate a CRC. It will also play a crucial role in improving environmental outcomes and reducing the amount of waste sent to landfill.

The materials listed to be collected at a CRC has historically been collected and funded by the NSW EPA and Sydney Water. Council undertaking this role can be viewed as cost shifting by the NSW Government. EPA and formerly Sydney Water have accountability for managing problem waste so they don't end up in waterways.

Further discussions and emails occurred between Council officers and EPA staff on 3 and 17 August 2018 and 12 November 2018. EPA advised there would be no changes made to the existing funding model for CRC Grants.

Sutherland Shire Council - Waste & Recycling Working Party

The recommendation contained with this report was presented to the Waste & Recycling Working Party on 24 June 2019 for discussion. Working party members were emailed a copy of the report on 2 August 2019 for consideration and comment.

SSROC Councils

Only two SSROC councils have taken up the option to operate a CRC. Georges River Council was successful in gaining a grant and have not yet found a suitable site. Bayside Council have committed to support the Georges River CRC with funding but have not been required to do so as yet.

A number of other SSROC councils have indicated they are not willing to undertake the operation of a CRC due to a number of different issues including lack of a suitable site, grant guidelines are too restrictive and lack of ongoing funding commitment from NSW EPA.

NSW Waste Levy

The NSW Government applies a waste levy (s88) as part of NSW Protection of the Environment Operations (Waste) Regulation 2014. The levy applies to any material that is disposed to landfill, the contribution aims to reduce the amount of waste being landfilled and promote recycling and resource recovery.

The levy for 2018/19 is \$142.10 per tonne and increases annually with CPI. In 2017/18 Sutherland Council contributed \$8,132,740. NSW half-yearly budget forecasts expected \$769M to be collected in 2018/19.

The NSW EPA administers the funding of the Waste Less, Recycle More program and has committed more than \$802M over nine years, consisting of tied and untied grants. Levy paying councils receive untied grants from the Better Waste and Recycling Fund. In 2016 Sutherland Shire Council received \$480,000, this amount has reduced annually, in 2018/19 Council received \$229,000 and EPA has advised Council will receive \$223,500 in 2019/20.

RESOURCING STRATEGY IMPLICATIONS

Following Council's decision the previous grant offer was returned in 2018.

STRATEGIC ALIGNMENT

This project is consistent with the Community Strategic Plan Outcomes and Deliverables identified below.

Community Strategic Plan Strategy	Delivery Program (2017-2021) Deliverables
Sutherland Shire: A beautiful, protected and healthy natural environment. 2.1. Effectively manage and conserve our resources	2E. Review, revise, and implement the Waste Management Policy and Strategy

POLICY AND LEGISLATIVE REQUIREMENTS

Sutherland Shire Council Local Waste Management Plan - *Sutherland Shire Council will continue to work with the NSW EPA Change to locate an appropriate collection point and promote the Household Chemical Clean-out to residents.*

CONCLUSION

The collection, operation and funding for these materials remains the responsibility of the NSW EPA. The introduction of a CRC centre within Sutherland Shire can provide a readily accessible drop off point for problem waste. Council should only undertake the collection and operation of these materials on behalf of NSW EPA if they are fully funded by the NSW EPA.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Group Manager Operational Services, Mark Wood, who can be contacted on 9710 0876.

File Number: 2015/212675

INF015-19 DISPOSAL OF COAL AND ASH FROM BBQS IN PUBLIC PARKS

Attachments: Appendix A [↓](#)

EXECUTIVE SUMMARY

- Council considered this matter on 20 May 2019 (INF007-19) which it deferred subject to further discussion.
- The report recommends a trial of Coal Ash bins at Shelley and Gunnamatta Parks at a total cost of \$11,700 to be funded from the Capital Works Reserve.
- Physical implementation of a trial will require a period of education of park users to the new rules including the introduction of exclusion zones before enforcement actions will be commenced.
- An application to fund these strategies will be made to the Environment Protection Authority (EPA) as part of the NSW Council Litter Prevention Grants.

REPORT RECOMMENDATION

THAT:

1. Council commits to a trial of one coal bin and signage at both Gunnamatta Park and Shelley Park at a total capital cost of \$11,700.
2. Council amends the Operational Plan 2019/20 to include the Coal bin trial at Shelley and Gunnamatta Parks to be funded by an allocation of \$11,700 from the Capital Works Reserve.

PURPOSE

This report addresses Council's resolution in INF007-19 dated 20 May 2019:

THAT:

1. *This matter be deferred back to the Shire Infrastructure Committee for further consideration.*
2. *A breakdown of the \$11,700 capital cost be provided.*

BACKGROUND

In addition to electric barbeques (BBQs) provided by Council, portable fuel-based BBQs are often a feature of community gatherings in Council's regional parks. Council provides guidelines for the use of portable BBQs on its website.

Several recent complaints about the use of charcoal BBQs in parks have been received. Complaints generally concern:

- Safety associated with coal disposal: Coals are being disposed of on the ground, in garden beds or at the foot of taps, with water being used to cool down the coals. This may be a safety and fire risk;
- Littering: The used coals are often left on the ground;
- Smoke: Excessive smoke from the BBQs may present a health and nuisance issue as it drifts across the park.

Other potential safety issues associated with charcoal BBQs are:

- Smoke inhalation
- Air Pollution
- WHS issues with coals being placed on the ground still hot
- General inconvenience
- Asthma
- Fire danger

The peak period for the use of portable BBQs is over the Christmas holiday period and public holiday weekends. The large number of portable BBQs at peak times can lead to the issues reported above.

DISCUSSION

This issue is far from unique for Councils and as indicated above is generally seasonal in nature.

As this is an issue in common with other councils, advice was sought from other councils regarding strategies employed to manage the issue and a 2014 report, which was prepared for Southern Sydney Regional Organisation of Councils (SSROC) entitled "Informing Charcoal Bin design and Use in Public Parks", was reviewed. Though not part of the case study, the findings of the report are relevant to Sutherland Shire Council. The contents and findings of the SSROC report have been considered in drafting this report.

Options available to Council to manage the issue are:

- Enforcement of exclusion zones in certain parks and around playgrounds;
- Installation of coal bins;
- Information and education on the use of portable BBQs.

Enforcement of Exclusion Zones

Installation of coal disposal bins will not alleviate the issue of smoke drift from the BBQs as most of the smoke drift is generated from the actual cooking rather than the coals themselves. The introduction of a 20 metre portable BBQ exclusion zone from homes and playgrounds is seen as a reasonable means to manage the problem of smoke drift in parks. The creation of exclusion zones greater than 20 metres would rapidly diminish the available area for BBQs to very limited sections of parks.

Sutherland Shire Council's approach on the issue of smoke and coal disposal is education first and enforcement second in terms of dealing with problems as they arise.

Coal Disposal Bins

The SSROC research indicates that the littering rate of coals was very high when there were no proper disposal facilities and that the rate reduced considerably when facilities were readily accessible.

Bayside Council, Canterbury Bankstown Council, Cumberland Council, Canada Bay and Western Sydney Parklands have installed coal bins in their public parks for the disposal of hot coals. There are a number of types of bins available on the market and all consist generally of a steel bin surrounding a steel hot coal box. Whilst effective if used as intended there are some issues associated with the bins.

The following table illustrates the issues and proposed mitigation strategies.

Issue	Mitigation
Other types of rubbish placed in the bin.	This can be alleviated by installation close to other litter bins.
Fires in bins.	Advice from other councils indicates that this is generally not an issue but, if a fire were to occur, it would be contained in the coal box.
Spilt coal on paths.	This has been an issue for councils where the bins were placed adjacent to a path. The risk can be mitigated by careful placement of the bins away from paths but still within a line of sight.
Hot Coals.	Coal bins are best placed adjacent to a tap in case of burns, or so that coals can be cooled before tipping into a bin.

Coal disposal has been identified for Sutherland Shire Council as an issue on a number of sites:

- Cronulla Park
- Shelly Park
- Oak Park
- Gunnamatta Park
- Roger Summers Reserve

The key areas for complaint have been Gunnamatta and Shelley Parks and it is suggested that a trial be undertaken in these two parks with a single bin and signage for a period of twelve months to determine whether the broader investment is of value. This would cost a total of \$11,700. The detail of this cost is contained in attachment 1. A briefing with A Ward Councillors has also been undertaken.

The emptying of the bins by shovel would be absorbed into existing annual maintenance and cleaning budgets.

Information and Education

The SSROC research indicates enthusiasm amongst park users about the prospect of facilities being installed to properly dispose of coal litter. Community level of awareness of coal bins and how to use them, however, is low.

If Council elects to install coal disposal bins in nominated parks, a customer service approach is advocated utilising education and information to explain the purpose of the coal disposal bins and exclusion zones. This, coupled with clear multilingual signage and easily identifiable bins, would also help to encourage their use.

RESOURCING STRATEGY IMPLICATIONS

Installation of bins and signage would be undertaken using internal resources. No funding is currently allocated in the 2019/20 Operational Plan. The trial option as indicated above is estimated to cost \$11,700.

Costs for education, enforcement and operations would be absorbed internally. Grant funding may be possible from the Environment Protection Authority (EPA) as part of the NSW Council Litter Prevention Grants. The grants close on 30 August 2019. A submission will be made. The documentation associated with the grant application is quite detailed in comparison to the size of the grant being sought.

In the absence of grant funding being available now it is proposed to fund the trial project from the Capital Works Reserve.

LTFP IMPACT TABLE		
WHOLE OF ASSET LIFE COST ASSESSMENT		
Capital Cost		\$11,700
Funding Sources		
Grant Funds		
Council Funds		\$11,700
Annual LTFP Impacts:		
Operational/Maintenance Costs (current dollars)		\$0
Annual Depreciation		\$1040
Operational Savings		0
Additional Income		0
NET ANNUAL IMPACT ON LTFP		\$1040
Expected Renewal Date #		2029

based on assumed useful life for bins 10 years and 15 years for signage

Within Council, consultation has taken place with Council's Waste Management Unit and Public Safety Unit on the management of the bins. Servicing can be undertaken as part of Council's normal waste management regime though monitoring of the bins will be required to ensure that coals are fully extinguished before loading into a garbage truck

COMMUNITY ENGAGEMENT

Feedback was sought from other local NSW Governments, being Bayside Council, City of Canterbury Bankstown, Cumberland Council, City of Canada Bay, Western Sydney Parklands and Georges River Council on their approach to disposal of hot coals and hot coal bins. No community engagement has been undertaken to date.

STRATEGIC ALIGNMENT

Community Strategic Plan Strategy	Delivery Program (2017-2021) Deliverables
6.3 Provide welcoming, safe and accessible places and spaces that encourage active lifestyles	6.3.1 Improve the design, accessibility and safety of our spaces and places.

POLICY AND LEGISLATIVE REQUIREMENTS

Though an initial education and information approach to the issue is proposed enforcement of exclusion zones can be carried out under section 632 under the *Local Government Act 1993* (LGA). This section is the provision normally relied upon to regulate activities by signage.

There is no existing policy covering the report subject matter.

CONCLUSION

It is considered the issues around the use of portable coal-fired BBQs in parks can be managed to acceptable levels of risk. SSROC research has identified a number of management strategies for the use of coal-fired BBQs in parks and these can be applied in Sutherland Shire. The main strategies are the creation of exclusion zones, installation of coal disposal bins, education and signage. The parks identified for the trial of coal bins are:

- Shelly Park (1 bin)
- Gunnamatta Park (1 bin)

Funding is not currently available for the installation of coal disposal bins or associated signage but an application for funding can be made through the Environment Protection Authority (EPA) as part of the NSW Council Litter Prevention Grants. In the absence of the grant being available now an allocation of \$11,700 is needed and the Capital Works Reserve is nominated as an interim funding source.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager Asset Management Services, Phillip Mansfield, who can be contacted on 9710 0104.

File Number: 2019/334091

Breakdown of Costs in Coal & Ash Bins

	Individual Cost (ex GST)	Total Cost (ex GST)
Emerdyn Hot Ash Bin (x 2)	\$4,934	\$9,868
Aluminium Sign 600mm x 900mm (x 4 - (regulatory and directional)	\$100	\$400
Installation of Signs (x 4)	\$88	\$352
Concrete Slab Install (x 2)	\$450	\$900
Freight of coal bins (x 1)	\$180	\$180
TOTAL COST		\$11,700