



CITY OF HOBART

AGENDA

City Infrastructure Committee Meeting

Open Portion

Wednesday, 4 May 2022

at 5:15 pm

Council Chamber, Town Hall

SUPPLEMENTARY ITEM

ORDER OF BUSINESS

- 12. SOUTHERN TASMANIAN REGIONAL WASTE AUTHORITY 3**

The Chief Executive Officer reports:

“That in accordance with the provisions of Part 2 Regulation 8(6) of the *Local Government (Meeting Procedures) Regulations 2015*, these supplementary matters are submitted for the consideration of the Committee.

Pursuant to Regulation 8(6), I report that:

- (a) information in relation to the matter was provided subsequent to the distribution of the agenda;
- (b) the matter is regarded as urgent; and
- (c) advice is provided pursuant to Section 65 of the Act.”

12. Southern Tasmanian Regional Waste Authority
File Ref: F22/39198; 2016-0192

Report of the Cleansing & Solid Waste Policy Coordinator, the Head of City Projects and the Director City Life of 3 May 2022.

Delegation: Council

REPORT TITLE: SOUTHERN TASMANIAN REGIONAL WASTE AUTHORITY**REPORT PROVIDED BY:** Cleansing & Solid Waste Policy Coordinator
Head of City Projects
Director City Life**1. Report Purpose and Community Benefit**

- 1.1. The purpose of this report is to provide an update on the creation of the new Joint Authority (with other Southern Tasmanian Councils) to form the Southern Tasmanian Regional Waste Authority and to advise of the public consultation process undertaken.

2. Report Summary

- 2.1. The Council at its meeting of 15 February 2022, authorised the Chief Executive Officer to undertake all necessary actions to progress the establishment of the new Joint Authority in accordance with Sections 30, 31, 32 and 33 of the *Local Government Act 1993*.
- 2.2. *The Local Government Act 1993* includes a requirement to undertake public consultation as a part of the process to establish the new Joint Authority. The consultation was undertaken during the period 25 March 2022 to 17 April 2022.
- 2.3. No submissions were received during the public consultation period, and no amendments to the draft rules are proposed.
- 2.4. The next steps in the statutory process are for the Director of Local Government to be given certification that the rules have been made in accordance with the Act, and for each participating Council to complete its final certification process approving the rules.
- 2.5. The final action to complete the process is to have the rules gazetted, which can occur after each Council has provided their certification.

3. Recommendation***That:***

1. ***The Council notes that no submissions were received during the public consultation process undertaken as a component of the establishment of the Southern Tasmanian Regional Waste Authority.***
2. ***The proposed rules of the Southern Tasmanian Regional Waste Authority, as notified in accordance with Section 31 of the Local Government Act 1993, be approved.***
3. ***The City's Chief Executive Officer be authorised to undertake all necessary actions to enable the establishment of the new Joint Authority in accordance with the Local Government Act 1993, including providing certification to the Director of Local Government that the rules have been made in accordance with the Act.***

4. Background

- 4.1. The Council has earlier resolved to work with the 12 Southern Tasmanian Councils to establish a new Joint Authority. A copy of the draft rules for the proposed Joint Authority have been considered and it was resolved to authorise the City's CEO to undertake the required statutory processes to enable the establishment of the Joint Authority.
- 4.2. One component of the process is to undertake a public consultation process. This was conducted, calling for submissions using the City's 'Your Say' platform, commencing 25 March 2022 and closing 17 April 2022.
- 4.3. Section 32(1) of the *Local Government Act 1993* requires that after considering any submissions lodged and making any alterations to the proposed rules of a proposed single authority or joint authority, a council may approve the proposed rules.
- 4.4. No submissions were received. As no submissions were received through the public consultation process, no alterations to the rules are proposed.
- 4.5. To summarise the extensive process for establishing a new Joint Authority, the following steps have been now been undertaken:
 - The Council resolution to establish the Authority, this was completed on 5 July 2021;
 - Publishing a notice of the intent to establish the Authority, providing details and inviting submissions, this was undertaken during the period 25 March to 19 April 2022;
 - The provision of copies of the notice to the Director Local Government and the public;
 - Consideration of submissions received and inclusion of any adjustments required. No submissions received as such no adjustments proposed.

The final steps of this process are to:

- Provide final approval of the draft rules (the subject of this report);
- Certification of the rules by a legal practitioner – Page Seager has indicated that they are prepared to provide this certification;
- Provision of a notice of the establishment of the Authority in the Government Gazette.

5. Proposal and Implementation

- 5.1. It is proposed the outcome of the public consultation process be noted, that the draft rules of the new Southern Tasmanian Regional Waste Authority be approved and the process associated with the establishment of the Joint Authority be progressed.

- 5.2. Once established, arrangements will be made for the appointment of the inaugural Chief Executive Officer, who will convene the inaugural STRWA Local Government Forum to enable the election and appointment of the new Board.

6. Strategic Planning and Policy Considerations

- 6.1. The implementation of the *Waste Management Strategy 2015-2030* is identified in the City's Strategic Plan (3.2.5).
- 6.2. The actions contained within this report focus upon the key focus area of Advocating for change, (Section 1) of the *Waste Management Strategy 2015-2030*, in particular

Action 1.6 – Support the establishment of, and be represented on an adequately resources Regional Waste Authority.

7. Financial Implications

- 7.1. Funding Source and Impact on Current Year Operating Result
 - 7.1.1. As noted in previous reports, a commitment has been provided by the State Government to allocate a portion of the new waste levy to the region.

This allocation is expected to cover costs associated with the operation of the new Joint Authority, with the Council funding the initial establishment period.
- 7.2. Impact on Future Years' Financial Result
 - 7.2.1. It is anticipated that the State Government allocation of the portion of the new waste levy will meet all future operational costs of the new Joint Authority.
- 7.3. Asset Related Implications
 - 7.3.1. The City will contribute 20% of the cost of furnishing and a vehicle, and will acquire perpetual ownership of these assets accordingly.

8. Legal, Risk and Legislative Considerations

- 8.1. The *Local Government Act 1993* provides the ability for the establishment of a single or a Joint Authority.
- 8.2. Advice has been obtained from Page Seager Lawyers in relation to the process for the establishment of a Joint Authority, the drafting of the rules and also the ACCC approval process to undertake a joint procurement process.

9. Marketing and Media

- 9.1. At the appropriate time, announcement and promotion of the new Joint Authority will be undertaken with LGAT and member Councils.

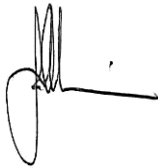
10. Community and Stakeholder Engagement

10.1. As a requirement of the statutory process, the draft rules of the proposed Joint Authority we required to be publicly advertised for comment. The rules were advertised on the City's 'Your Say' community engagement platform inviting submissions, commencing 25 March 2022 and closing 17 April 2022. No submissions were received from this community engagement process.

11. Delegation

11.1. The matter is delegated to the Council.

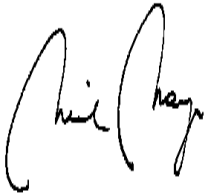
As signatory to this report, I certify that, pursuant to Section 55(1) of the Local Government Act 1993, I hold no interest, as referred to in Section 49 of the Local Government Act 1993, in matters contained in this report.



Jeff Holmes
**CLEANSING & SOLID WASTE POLICY
COORDINATOR**



Glenn Doyle
HEAD OF CITY PROJECTS



Neil Noye
DIRECTOR CITY LIFE

Date: 3 May 2022
File Reference: F22/39198; 2016-0192