

# CORRECTED VERSION

## STANDING COMMITTEE ON ENVIRONMENT AND PLANNING

### LEGISLATION COMMITTEE

#### Subcommittee

#### **Inquiry into Environment Protection Amendment (Beverage Container Deposit and Recovery Scheme) Bill 2011**

Adelaide — 28 November 2011

#### Members

Mr A. Elsbury  
Ms S. Pennicuik

Mrs I. Peulich  
Mr J. Scheffer

Chair: Mrs I. Peulich

#### Staff

Secretary: Mr K. Delaney

#### Witnesses

Ms C. Atkinson, general manager, intergovernmental relations, and  
Mr S. Thompson, policy officer, waste and environment, Local Government Association of South  
Australia.

**The CHAIR**—I welcome you to the public hearings of the Victorian Legislative Council Environment and Planning Legislation Committee. Today's hearing is in relation to the inquiry into the Environment Protection Amendment (Beverage Container Deposit and Recovery Scheme) Bill 2011, which is a private member's bill.

I welcome your organisation, being the Local Government Association of South Australia. I will ask you to introduce yourselves in a moment and indicate the position that you occupy in that organisation and also a contact address for the transcript.

I remind you that all evidence that is taken at this hearing is protected by parliamentary privilege, as provided under the Victorian Constitution Act 1975 and, further, subject to our Victorian Parliamentary Committees Act 2003, as well as the Defamation Act 2005 and, where applicable, the provisions of other reciprocal legislation in other Australian states and territories. Obviously, any comments you make outside the hearing are not protected by parliamentary privilege.

All evidence is being recorded by Hansard, and you will be provided with a proof of the transcript within the next few days and have the opportunity to correct any typographical errors, obviously leaving the rest of the evidence intact.

If you could speak perhaps for about five to 10 minutes and then committee members will have some questions for you. If you need more time, that is fine. We have allowed till 12 o'clock, but we can go a little over if we need to. Thank you very much for being here, if you could introduce yourselves and indicate your positions and contact details.

**Ms ATKINSON**—Thank you very much. My name is Cate Atkinson. I am general manager of intergovernmental relations at LGA, although this week I am acting CEO of the organisation. I have with me Simon Thompson, policy officer for waste and environment. The address is Local Government Association, 178 Frome Street, Adelaide.

Thank you for the opportunity to speak with you today. We have prepared a few notes which I will refer to but look forward to the more interactive discussion following that. South Australia has been recycling beverage containers since 1897, so for a very long time.

**The CHAIR**—1887 or 1897?

**Ms ATKINSON**—1897, I think.

**Mr THOMPSON**—When you think back to returning milk bottles and beer bottles for refilling, that is where it really started, a long time ago.

**Ms ATKINSON**—I think South Australia has always had a tradition of recycling containers that can be used again, and I certainly remember that when I was a child. Those containers originally were milk and beer bottles but, as we now know, that has been extended to drink containers generally. The community embracing recycling occurred in the 1970s, when single-use non-refillable beverage containers became the norm and South Australia wanted to deal with the litter issue. So our legislation was really based around the government wanting to address litter, and the container legislation was the mechanism to do that.

In 2003 the Container Deposit Scheme was extended to include other containers. Originally it was principally around soft drinks but we now, as you would be aware, have collection of flavoured milk containers and fruit juice containers. The deposit was also increased from 5c to 10c, and we have actually seen a shift in community acceptance of recycling because of that change in return.

The CDL has had a number of important links with local government. I should outline for you that the LGA represents 68 councils in South Australia.

**The CHAIR**—Is that the full total?

**Ms ATKINSON**—That is the full total, yes. We have 19 metropolitan councils, including the Adelaide City Council, and the remaining councils are in our country areas. They vary in size. Our population base varies from about 930 residents through to 165,000 residents, so a considerable span of resource abilities within our

local government, and the Local Government Association represents all of those councils. Each one of them is a member of our association. Our principal role is to advocate on their behalf with the state and Commonwealth governments and also to assist them in their program management. We provide training and development opportunities and many guides and documents that provide them with some guidance in terms of how to manage their business.

Over the years local government has maintained very important links with container deposit legislation and how it is managed from a community perception, a litter reduction perception and also the recycling itself. Not all of our councils actually run their own recycling systems but some of them do, so we will talk about that in a minute.

Given that the CDL has been operating for so long in South Australia, I think one of the issues that we face is that it is a given-as-of-right service and it is seen as just another framework within which local government operates. I do not think we actually hold it up as anything special in many ways and our communities, as I said, consider it as of right.

I think because it has been operating for so long, the Local Government Association itself and/or councils have not done a significant amount of research in terms of the financial aspects of it, but we have a lot of incidental information in terms of the community benefits that derive from it.

I think the community perception is very important. Ninety per cent of South Australians are aware of the container deposit legislation, and the survey work that the EPA has done—and I am not quite sure if they ran through these figures for you, did they?

**Ms PENNICUIK**—Sort of.

**Ms ATKINSON**—That indicates that 92 per cent of South Australians support CDL. So we have a very strong culture of it within the state. Most South Australians agree that CDL is good for the environment and they equate that with a clean environment. I think the increase in relation to the refund has certainly encouraged the community to return their containers either to their recycler or to support their local community groups in terms of fundraising drives.

Sixty per cent of South Australians return their beverage containers to the depots, so we see quite a high rate of people attending those depots versus using the kerbside recycling system. Eighty per cent of people actually know where their recyclers are and, as you just heard, there are a lot of recycling facilities, particularly around the metropolitan area, and most people know where they are.

In terms of litter reduction, as I said, the original and fundamental objective of the container deposit legislation was around litter control. Whilst the recyclers have a strong role in that, councils also promote it through their educational programs. In some waste collection services we see that they run quite significant educational programs, and always at the top of the list is the importance of recycling.

I will not go through much of the EPA, because I am sure you have heard from them, but we believe that over 27,000 tonnes of recyclables were received in 2009-10. That is a significant amount of recyclables that would have otherwise been potentially sitting on the roadside.

**Mr THOMPSON**—And that was just in one of Adelaide's subsidiary waste management areas, that 27,000 figure.

**Ms ATKINSON**—That was from the northern region, that particular provider of services for councils in the northern region, and they have recently taken on a country council adjoining their region, so about a quarter of the metropolitan area.

The overwhelming support for CDL is potentially seen in how community groups also utilise it. I think that is part of the community philosophy around how to support local communities. We certainly see a lot of community groups running fundraisers, and they will utilise this legislation as an income source.

One of the issues that is not addressed by recyclables is other glass other than drink containers, and we would certainly be very keen to investigate that further with Zero Waste. We have ongoing discussions with Zero Waste in terms of how to potentially extend the system, so through to other glass bottles and jars. At the

moment there does not seem to be a market for that, but it is something that we are having ongoing discussions with them about.

In terms of local government's role, as I said, most of our councils subcontract out their waste collection services and now do not actually collect their own waste streams, but many of them facilitate the recycling systems. Of course, the waste is going to a sorting system and the recyclables are being pulled out of that. The Local Government Association facilitates programs with our councils for other recycling schemes. We have recently facilitated a television recycling scheme, with the digital turnover, and we are looking at another e-waste program coming up next year.

So the association itself helps councils facilitate the service. Most of our councils subcontract that service out to collectors, such as the ones you had here previously, and waste providers. I think the community sees them as a very valuable service to them.

One of the issues that we have considered in the past is people collecting containers on streets. We do see community members out collecting containers. Whilst local government has not received any complaints in relation to that, there is a perception that some people are out there just collecting those containers from bins et cetera. From a social perspective, I always consider that that is assisting them in their social need and something that potentially we should not have too many negative views on, albeit there have been a couple of views expressed in our general meetings around whether that is a good approach or whether council should have greater control over the actual litter sitting in bins, but we have not pursued how to address that issue.

**The CHAIR**—In Victoria many of our councils fine people who take the more valuable recyclables out of the litter, because it impacts on their contractors.

**Ms ATKINSON**—Yes.

**The CHAIR**—Ms Atkinson, is that about it?

**Ms ATKINSON**—Yes.

**The CHAIR**—I will just kick off, given that we are talking about expense. Do councils in South Australia incur any costs or expenses as a result of the Container Deposit Scheme, such as paying someone to sort containers collected via kerbside?

**Ms ATKINSON**—They do that through their contractual obligations with their collecting agent. Where there is a collecting agent, the service fee builds in the sorting process and that is on-charged to each household.

**The CHAIR**—Do we know what that charge is, on average, here in South Australia?

**Mr THOMPSON**—I would not have the figure off the top of my head. When the recyclables that are collected go to the recycler, they redeem the deposit on the containers. So theoretically that should offset some of the cost to councils, based on that stream of income.

**The CHAIR**—Are you able to tell us what type of litter is normally found in South Australia and what may be the total cost of clean-up of that litter?

**Ms ATKINSON**—I think councils grapple with a range of litter issues. Illegal roadside dumping is a significant issue for councils. We do not see that litter as domestic litter—as container litter generally or paper litter.

**The CHAIR**—It is mattresses and—

**Ms ATKINSON**—Most of it is hard waste, which is very difficult to dispose of. That costs councils a significant amount of money and is an ongoing issue for them. In terms of everyday litter, councils contract to Correctional Services to collect paper litter on major roads and they also will collect other litter, like containers, principally on the main thoroughfares, so on the roads leading out of Adelaide—Main North Road and the freeways. Councils can contract with Correctional Services to have that collected. That is on a fee-for-service basis as well. Unfortunately I do not have the figures in relation to that.

In terms of other collection costs, if a council runs a particular collection scheme they will build that cost into their budget as a specific program. Some councils will run a specific collection scheme. We have seen the hard waste collection scheme becoming more mainstream with many of our councils, so they will have a particular collection style, whether it is for furniture or for chemical waste.

**Mr THOMPSON**—So a couple of times a year or a voucher.

**Ms ATKINSON**—Yes, and there are different ways of doing that, whether it is by collection on the roadside or whether it is an at-call collection system or whether you come to the depot and drop off your items. There is no one common approach. Councils determine that for themselves. The most effective system apparently is the on-call system, where a household can book a collection and they will then put their items just within their fence line for collection on a particular day. That is the most cost-effective system currently available, but not all councils run that system.

In terms of smaller items, we have not seen a lot of programs other than through the recyclers, where people will run a promotional advertising campaign—'Bring in your recyclables'—or a community group will run a program. Councils may support that by providing a facility for that community group to drop their containers off. We have seen that in country councils, particularly if it is a very small country council where the community is part of the council almost, and so the council may offer a site where a community group could have their items collected.

**The CHAIR**—If I may just digress—and I apologise to committee members; I usually ask the last questions—but the illegal dumping of rubbish of course is an issue in Victoria as well. This is digressing from the bill.

**Ms ATKINSON**—Sure.

**The CHAIR**—Is there any particular reason why it is an issue in South Australia? What have been the contributing factors that you have heard?

**Ms ATKINSON**—Certainly the gate price is a contributing factor and is quite a deterrent for householders to take hard waste and/or green waste to the gate. We will see that sort of waste dumped on roadsides. We will also see contractors dumping commercial waste on roadsides. Zero Waste has a very good program in identification in relation to that and has been working very hard to crack down on those operators. In the more fringe areas, where there are fewer people and there is less surveillance going on, most of the waste is based around hard-to-dispose-of items: televisions; fridges; mattresses; horticultural products, so chemical containers. There is only one site in Adelaide that receives chemical containers, and the distance to that site is an issue for many of our market gardeners, so we see that sort of waste as well.

**The CHAIR**—Thank you.

**Mr SCHEFFER**—I am wanting to ask you to flesh out a bit about the relationship with the work that the recycling centres do. You would be aware—I think you were here—that Recyclers of South Australia came in. The sense I got from them was that, because the state for historical reasons puts a price on a certain waste line—that's not a pun!—a certain waste product, that then accords it a value that then makes it worth their while to process. As well as that, they then will take the profitable products—scrap metal and a range of other things—that they will be able to then sell on into the waste cycle, the recycling stream.

Besides that process, they have the municipalities that are running their own various collection systems that you have described. You also said that you contracted out and sometimes you contracted to the members of Recyclers of South Australia, but they said they had nothing to do with councils. So I do not understand the relationship—

**Ms ATKINSON**—I will just correct you on that. I did not indicate that we contracted to Recyclers of South Australia, but councils can establish a contract for a service provider to collect their recyclables and/or as part of their domestic waste collection.

**Mr SCHEFFER**—Do the 114 recycling centres have a contract relationship with local government, or are you talking about another set of organisations that are collectors?

**Mr THOMPSON**—They might. I believe that most councils contract through the big recyclers purely for kerbside collection, like Visy, for example.

**Mr SCHEFFER**—So there are two systems operating.

**Mr THOMPSON**—Yes.

**Mr SCHEFFER**—My next question then is, is it fair to say—and this is the conclusion I drew from what was presented to us before—that the profitable parts of the waste stream are moving off to these recyclers and then the municipalities and the ratepayers have to pay for the non-profitable waste to be processed? Is that a reasonable picture?

**Mr THOMPSON**—I think, from the kerbside stream at least, there is an increasingly economic market for aggregated paper and cardboard for countries to send to China, for example, and that is only increasingly profitability, and the volume is increasing as well.

**Mr SCHEFFER**—And that is a line municipalities handle?

**Mr THOMPSON**—That goes through kerbside bins. It is generally packaging and cardboard and paper, like newspapers, for example, that end up in the kerbside bins, which is what councils would deal with, and then Visy, for example, will sort that, pull out the CDL containers that do make it into the kerbside system—so the ones that are not taken privately—and the rest is usually aggregated and then sold as a product.

To add to what Cate was saying before about glass, the issue is when glass makes it into kerbside bins and when it actually gets into the truck and the truck compacts the recyclables in the truck. It becomes a contaminated product. One of the issues is ensuring high-quality product and getting the best return from that, which ideally would be to be removing as much glass as possible from that kerbside stream.

**Ms ATKINSON**—If I can add to that, in terms of the funding of the collection system, I think it is fair to say that in relation to the waste collection—

**Mr SCHEFFER**—The kerbside stream, yes.

**Ms ATKINSON**—for councils, the ratepayer is certainly paying a fee for service for that and the collector is not receiving as significant an income from containers, because they are not making it into the recycling bin. Unfortunately, the issue with all communities is cost of disposal of waste. It is increasing. As we are seeing a much more significant drive for recycling, one of the incentives to reduce waste is to increase the cost of gate price to dispose of your waste, and that is being transferred to the community as a direct cost.

**Mr SCHEFFER**—Yes.

**Ms ATKINSON**—So strategies that seek to increase recycling, if they are through a punitive measure such as increased prices for disposal of waste, that is transferred to the householder.

**Mr SCHEFFER**—In relation to some of the stats that you gave at the beginning, you said there was widespread community support for the Container Deposit Scheme. What I am saying is that my sense is that this is an arbitrary historical decision that successive governments in South Australia just opted for, in my view for no good reason. You can extend that to e-waste, to car tyres, to any product line you wanted and that would then give it a monetary value that would then create successive levels and more and more would be taken out as independent processings that would just continue in that line. So what is the logic in the container deposit or is it that that's what you're stuck with?

**Ms ATKINSON**—I think the analogy you use is the right one, in that if you put a value on any sort of waste and withdraw it from the stream, you reduce the amount going into landfill and potentially the cost of that increases to the resident. As I said at the beginning, the basis of the legislation in South Australia was purely litter control, particularly on roadsides, and it has been very effective in relation to that.

The view of South Australians is that our roadside environment is a much cleaner environment than if we did not have the container deposit legislation. The incentive to actually dispose of that item, either dumping it—

**Mr SCHEFFER**—All I am saying is—

**Ms ATKINSON**—That is all it was.

**Mr SCHEFFER**—the logic is, you put a cost on everything.

**Ms ATKINSON**—That is right.

**Mr SCHEFFER**—Okay. A price on everything.

**Ms ATKINSON**—You could put a price on everything and you will potentially develop an industry around that once there is a value, and we have seen that in many areas.

**Ms PENNICUIK**—Following on from Mr Scheffer's line of argument, I agree that it is probably good to put some sort of incentive on all products, but I do not necessarily follow the line that containers that are used daily and once is equivalent to tyres or to e-waste, because I think that, while you might put a value on them that is redeemable, the way they are used and the length of time they are used and the way they are disposed of is totally different from the average containers which are used once and that is it. Also I think most people do not dispose of their tyres at home. If they have a car and are taking it to get new tyres, the old tyres are left at the service station and are not their problem, and I think they are actually recycled through that sort of system.

We have heard from the EPA and from the recyclers that one of the benefits is the lack of contamination, because so many of the containers are not going through the kerbside, so they are actually out of that stream and in through the CDL scheme. Do you know what percentage of redeemable containers are still going through kerbside recycling? My other issue, which has been playing on the back of my mind, is the issue of contamination of glass, because in Victoria we used to have a system where glass and bottles were in one bin and paper was in another, and so contamination was not an issue. I wonder whether putting it all in together was not the right thing to do. Do you have any thoughts on those matters?

**Ms ATKINSON**—The information we have is that about four per cent of households would dispose of their beverage containers in the general waste bin. I do not have a volume for that.

**Ms PENNICUIK**—So it is not very high?

**Mr THOMPSON**—I do not think it is a significant amount, but getting an exact figure is quite sensitive information from a commercial business.

**Ms PENNICUIK**—When it goes through the kerbside and it gets sorted by Visy, for example—they take the kerbside recycling and they pull out the containers—where does that 10c go? To them or to the council?

**Ms ATKINSON**—It goes to them, I think.

**Mr THOMPSON**—Yes. I understand that, once the material gets to their depot, that becomes their property.

**Ms ATKINSON**—The experience I have had with the service provider in the northern suburbs that I mentioned previously is that they collect the domestic waste and the recyclables and they take that to a transfer station and then sort the waste. They will compact the domestic waste and send it to their landfill and anything they have pulled out will be an income stream for them.

**Ms PENNICUIK**—Yes. So about the contamination of the paper and the glass?

**Mr THOMPSON**—I am not sure. I think, looking back, there was the crate system where there was a degree of separation. However, I think that comes down to economics and you have to start doing one, two, three passes with a truck to collect different materials on different occasions. I do not have a definitive answer.

**Ms ATKINSON**—The service provider in the northern suburbs moved from a crate system to a bin system and introduced one recyclable bin for all recyclates, not a split bin, and it was commingled. Their argument was it was much more efficient to sort and separate at their site and put up with the contamination that

might occur than maintaining a crate collection system, which in itself is an OH&S issue for the householder, and the uptake was not as great as when a householder can actually place their recyclates into a commingled bin and wheel it to the kerb.

**Ms PENNICUIK**—I am not saying go back to a crate system, but in Victoria we used to have a bin for bottles and cans and a bin for paper.

**Ms ATKINSON**—Some of our councils used to run a system where the paper would be stacked and you could bundle up your paper, that was put next to the crate and then the crate held the containers.

**Ms PENNICUIK**—But I am not talking about that.

**Ms ATKINSON**—No.

**Ms PENNICUIK**—I am talking about separate bins. We used to have paper and we used to have bottles and cans. The only other thing was just following up on the hard rubbish. We touched a little bit on it: I was just wondering about the number of hard rubbish collections the councils run, because it seems to me if you have got people dumping rubbish it is because they are not able to get their hard rubbish collected. With the council I live in, you can have up to three per year, so if you want to do a clean-out or something, you can ring up and say, 'I'm going to put some stuff out, an old fridge and everything,' and they come and get it.

**Mr THOMPSON**—I think one of the biggest issues is the commercial dumping, where that council service might not be available to them.

**The CHAIR**—And they might be in transit anyway, moving from job to job.

**Mr THOMPSON**—That is right, but ultimately that is still going to be a cost to council when they have to clean it up.

**The CHAIR**—There is a fair bit of that in Victoria as well.

**Mr THOMPSON**—Yes. The EPA have now commenced a program to try and tackle that as well, although there are indications there will be a lot of work involved in that. But it has certainly progressed.

**The CHAIR**—So what way would we nip that in the bud?

**Mr THOMPSON**—Probably legislative change, from what I understand. At the moment I understand it is very difficult for councils to pin an illegal dumping incident on a person and then prosecute or expiate on that. The work involved in that is not worth it.

**Ms ATKINSON**—Councils in South Australia where there are some significant issues have established security cameras on hot spots.

**The CHAIR**—That is happening more and more often?

**Ms ATKINSON**—Yes, particularly in the fringe locations where there is not a high resident population for casual surveillance. There are a number of areas that illegal dumpers will use and some councils have successfully established a camera system. Potentially that might have moved the issue to another location and, as Simon indicated, it is extremely difficult to prosecute.

With the commercial contractors that are illegally dumping, if we can actually identify their vehicles then there is a much greater opportunity to prosecute and get some photographic evidence of that, and residents do do that. They will actually send photographs in to councils where there has been illegal dumping.

**The CHAIR**—So a good dobbing system could work. Mobile closed-circuit TV cameras or fixed?

**Ms ATKINSON**—They were fixed cameras, but they actually ran a scheme where the camera was relocated over a 12-month period. It went to four locations in the northern suburbs and seemed to actually have some deterrence. The issue really, I think, is where communities cannot access a suitable disposal site, so where the travel distance is extremely long or they cannot access a trailer for their own personal goods and the cost is



high. So the recycling schemes that councils facilitate in terms of an e-waste collection system or a chemical waste collection system are highly valued by the community.

We still see some problems with community members getting their goods to the site. That is why the at-call service is the most efficient and effective service, where a resident does not have to leave their property with the goods.

**The CHAIR**—And it may not be taken up, so there is an efficiency there as well.

**Ms ATKINSON**—Yes.

**The CHAIR**—In Victoria there have been substantial reports that illegal dumping of rubbish actually tends to proliferate in relatively close proximity to landfill. They might come to the gate, it might be closed or it might be more pricey than what they anticipated, and so that tends to be a common sight.

**Mr ELSBURY**—Thank you very much for coming here today to discuss this issue with us. My question is based on some observations I have made in my own electorate. I am out in the western suburbs of Melbourne. We have a number of recycling providers or recycling services out in the west and one in particular has got what they call Mount Pyrex. It is a pile of glass, contaminated, whether it is drinking glass, pyrex or mis-sorted glass that is unusable for recycling. It cannot be used for recycling at all. I also know that there is another business in the area that can actually get that particular material and grind it back down to sand. I am wondering whether or not your association or any of the councils that you represent actually has a policy of utilising recycled or re-used materials either in construction or in its day-to-day operations.

**Ms ATKINSON**—Some councils have investigated that and we do not have a state procurement system that encourages the use of recycled products, but there have been instances where councils have purchased products, particularly for use in landscaping, to facilitate the community education in terms of recycling products and as a pilot site. Those products can include sleepers and outdoor furniture et cetera. Really, our association does not have a policy in relation to that, and councils investigate that within their own resourcing and their own budgeting.

One of the issues, I think, has been whether the products that are actually made from the recyclates are products that are going to appeal to the market. Whilst we have seen products such as fence posts have quite a good market, and posts for the viticultural industry seem to have quite a good market, and, as I said, sleepers for retaining walls, other products have not seemed to be as well accepted generally by the community or the developers, and I think where the potential rests is ensuring the developers, particularly of master planned communities, have access to these sorts of products and can actually build those products into their urban design framework.

Councils can replace existing products with recyclable products, and we have seen park benches and tables and things like that, but if we can actually get the development industry to identify it as an opportunity as part of their development site then potentially we would have a better uptake of replacing like with like.

**Mr THOMPSON**—There is at least one company in Adelaide that takes large-scale construction and demolition waste as well, and they grind it into various products and it is utilised, and I believe they compete on a fairly even basis with other companies for things like road base. I believe there are even trials—I think in Victoria—using the ground glass in road construction as well. There are more and more markets being developed, I think, for different waste streams.

**Mr ELSBURY**—I cannot tell you how insanely excited I got the other day when I saw a government project actually using this recycled glass as sand for a construction project. I almost went off my tree. It was just an amazing sight to see this product that I know is out there, that is not being utilised by industries, council and government projects, actually being used, because it is a good local product. I was just wondering whether or not there was any sort of unified front that the councils are making in attempting to use product that comes about because of the recycling efforts that are being made in South Australia.

**Ms ATKINSON**—No, we do not have a state-wide approach in relation to that. We would see potential in a regional basis, where a product could be sold regionally, so where councils come together to source a particular service on a regional basis because there is a greater economic return to them. Where

councils come together as a group to purchase either a service provider in relation to road reseal or other services, there may be potential in that. But from a state-wide perspective, we do not have a particular position on that.

**Mr ELSBURY**—Thank you, Madam Chair.

**The CHAIR**—Could I ask one small question. Has the Australian Packaging Covenant been a success, in your view?

**Mr THOMPSON**—There has certainly been information published—I think even this week—about improved recycling rates for packaging. So to that extent it has had an influence on packaging producers, manufacturers and so on. There have been improvements in general packaging under the APC, or the National Packaging Covenant as it was previously.

**Mr SCHEFFER**—This is just one off the side as well. There has been some discussion with witnesses around people going through public rubbish bins. Ms Pennicuik has raised at different times how different designs could make it safer for people to do that, but I take it from your legislative regime that that is encouraged by the deposit scheme process—that people should go and pull cans and things out of wherever they can get them from to resell them. In Victoria the chair has said that that is prohibited in a lot of areas. I was wondering what the liability in there is. It might be a little bit far-fetched, but, for example, if a person who was doing this had contact with a sharp or something and contracted some disease or some problem, who would be liable?

**Ms ATKINSON**—Certainly local government has been concerned in relation to the liability issue of the public seeking to obtain recyclables from public bins, and it is certainly not encouraged. I do not think the container deposit legislation is there to encourage people to do that, and it certainly was not drafted on the view that people would almost become their own little local recycler by undertaking that activity. Councils could seek to have a strong stand in relation to that through potential public signage or through fining people. Of course, that requires a surveillance approach and the delegation to staff to be able to do that, and I think up until now many councils have not had the resources to actively do that.

**Mr SCHEFFER**—But, like I said, you could look at designing bins so people actually cannot get anything out of them. Once it is in, it is in.

**Mr THOMPSON**—In public places there are certainly bins that are locked and only have a small hole with rubber on them, so you can get the can or bottle in but it makes it difficult to retrieve it.

**The CHAIR**—I mean, if we cannot retrieve how-to-vote cards at polling booths—

**Mr ELSBURY**—Yes. There are some cutting comments on those how-to-vote cards!

**Ms ATKINSON**—Particularly after a large public event, some community members will seek to go around collecting items, and I think up until now we have tried to work alongside those people more so than anything else. With very large public events that are fenced, quite clearly contract arrangements are in place and the contractor will manage that on behalf of local government. A local community event, such as an Australia Day event, is a little bit harder to police and to have somebody standing by preventing that. There certainly are risks, and the councils understand there are risks in relation to that, but up until this point I guess we have not seen a resource or a mechanism to prevent that completely, other than, as you indicated, through the design of the bins.

**Mr SCHEFFER**—Thanks.

**Ms PENNICUIK**—There are the little metal containers that you can put bottles or cans in and people can just pick them up without having to rummage through anything.

**The CHAIR**—Like cup cake stands.

**Ms PENNICUIK**—Yes, they are very good. You mentioned that Correctional Services have contracts for roadside collection.

**Ms ATKINSON**—Yes.

**Ms PENNICUIK**—Can you elaborate a little bit on that, please.

**Ms ATKINSON**—Correctional Services run a program. They bus groups of people who are required to undertake community service to a location, they provide the training and the equipment. The council pays for that service and they will pay for that service potentially on a regular basis—it might be three or four times a year—to collect litter on particular sections of roadside. It certainly occurs where I have experience, in the northern suburbs, where we have a main road, and it was seen as an opportunity to provide a site for Correctional Services, because they do seek to have work for people who are required to do community service, and it was a very cost-effective program, rather than council having their staff on that sort of litter duty.

Council staff do collect litter through parks et cetera on a day-to-day basis, but on roadside it is extremely resource-hungry, and this was a way of delivering that service to maintain the amenity of the council area in a relatively cost-effective way.

**Ms PENNICUIK**—So it is only people who are on community based orders?

**Ms ATKINSON**—Yes.

**Ms PENNICUIK**—Do they do other places, like beaches or riversides or anything like that?

**Ms ATKINSON**—I think it is up to Correctional Services in terms of what they might tender for. I should indicate that my background has been working as a general manager in a council, and that is my experience. They tendered out that service and our parks group tendered for that and we had them as the service provider for that particular service.

**The CHAIR**—But there may well be health and safety issues there for those as well, because on some of those—

**Ms ATKINSON**—Correctional Services look after that

**The CHAIR**—They would. I am just thinking that—

**Ms ATKINSON**—That is right, but in paying for the service, we transfer that risk from council staff to the service provider. So one of the benefits of it was that our staff were not on the roadside collecting litter in an 80- or 100-kilometre speed zone.

**The CHAIR**—That is right.

**Mr THOMPSON**—It is probably worth adding that KESAB do a lot of litter audits as well. I think every second month they do pretty substantial litter audits, and less than two items per 100 container deposit legislation covered containers as well.

**The CHAIR**—Has the volume of the other litter increased or remained the same? In terms of your education campaigns, are they compromised by the fact that some items are recycled and others are not?

**Mr THOMPSON**—I think generally it has been declining. I think anecdotally you could say that there has been, because of the CDL, a real education campaign going for 30 years about littering. When the deposit went from 5c to 10c, there was an observed decline in litter because of that.

**The CHAIR**—A financial incentive.

**Mr THOMPSON**—Yes.

**The CHAIR**—Any further questions?

**Mr SCHEFFER**—No, thanks.

**The CHAIR**—Would you like to make any closing remarks?

**Ms ATKINSON**—I just wanted to touch, if I may, on the recyclers' locations. They generally are located in light industry, commercial areas. Notwithstanding the comment in terms of their amenity and noise, resident conflict with recyclers does occur when they are close to residential areas. They seem to operate quite successfully in a light industrial facility and have lower impact, but when they are adjacent to a residential area, there is a perceived amenity issue from the residents, as well as a perceived impact on their lifestyle because of the odour and the noise generated by those activities.

**The CHAIR**—Are there odours?

**Ms ATKINSON**—There are some odours, principally because not everybody rinses out their bottles. Of course you are going to get an odour from the site from the waste that is sitting in the bottles, between the beer and the wine et cetera. So the recyclers will actually smash the glass as they are emptying your trailer. They do not always keep the bottles intact. All of that odour commingles, so there can be a slight odour issue.

**The CHAIR**—In addition to that, of course, in much of Victoria recycling is not a prohibited use in many green wedge areas. So my issue is, is that the best use of our green wedge space, but I think that the take on industrial areas is probably a good point for us to take out.

**Ms ATKINSON**—And it provides better infrastructure for them in terms of road access as well. Where you have large-truck access to these sites to pick up their materials and/or a significant number of vehicles waiting to dispose of their materials, the impact on the amenity of course is less when it is an industrial area, because of the nature of the other activities around it.

**The CHAIR**—Thank you very much for the generosity of your time and for agreeing to speak with us today. I just remind you that the transcript will come your way in the next few days, and obviously you are free to correct any typographical errors but issues of substance will need to remain the same. If there are any follow-up questions, if we can liaise through the committee secretariat with you, that would be much appreciated.

**Ms ATKINSON**—Certainly. Thank you for the opportunity.

**The CHAIR**—Thank you very much. It is much appreciated.

**Witnesses withdrew.**

**Committee adjourned.**