



NOTICE OF SPECIAL COUNCIL MEETING

To: Mayor Jan-Claire Wisdom

Councillor Ian Bailey
Councillor Kirrilee Boyd
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Linda Green
Councillor Malcolm Herrmann
Councillor John Kemp
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Andrew Stratford

Notice is hereby given pursuant to the provisions under Section 82 of the *Local Government Act 1999* that a Special meeting of the Council will be held on:

Tuesday 17 September 2019
6.30pm
63 Mt Barker Road Stirling

Business of the meeting:

1. Circular Procurement Pilot Project
2. Road Closure Taste the Hills Special Stirling Market Event

A copy of the Agenda for this meeting is supplied under Section 83 of the Act.

Meetings of the Council are open to the public and members of the community are welcome to attend. Public notice of the Agenda for this meeting is supplied under Section 84 of the Act.

Andrew Aitken
Chief Executive Officer
13 September 2019



AGENDA FOR SPECIAL COUNCIL MEETING

**Tuesday 17 September 2019
6.30pm
63 Mt Barker Road Stirling**

ORDER OF BUSINESS

1. COMMENCEMENT

2. OPENING STATEMENT

“Council acknowledges that we meet on the traditional lands of the Peramangk and Kaurna people and we recognise their connection with the land.

We understand that we do not inherit the land from our ancestors but borrow it from our children and in this context the decisions we make should be guided by the principle that nothing we do should decrease our children’s ability to live on this land.”

3. APOLOGIES/LEAVE OF ABSENCE

3.1. Apology

3.2. Leave of Absence

4. DECLARATION OF INTEREST BY MEMBERS OF COUNCIL

5. PRESIDING MEMBER’S OPENING REMARKS



6. BUSINESS OF THE MEETING

6.1. Circular Procurement Pilot Project

1. *That the report be received and noted.*
2. *To approve participation in the Circular Procurement Pilot Project.*
3. *That the Chief Executive Officer be authorised to execute the Memorandum of Understanding as contained in Appendix 1 of this report.*
4. *That the Council endorses, in principle, the following targets:*
 - a. *subject to the procurement needs and requirements of Council in 2020/21 purchasing recycled plastic products or materials equivalent to 10% of the weight of plastic collected within the Council area, which is equivalent to approximately 25 tonnes based on 2017/18 data.*
 - b. *subject to the procurement needs and requirements of Council commencing in 2021/22 Council will increase its purchasing of recycled plastic products or materials thereafter until it is equivalent to 50% of the weight of plastic collected within the Council area, which is equivalent to 124 tonnes based on 2017/18 data.*
5. *That a report be provided to Council in early 2021/22 providing an update on the Council's participation in the Circular Procurement Pilot Project for the period 2020/21.*

6.2 Road Closure Taste the Hills Special Stirling Market Event

That the report be received and noted.

7. CONFIDENTIAL ITEM

Nil

8. CLOSE SPECIAL COUNCIL MEETING

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 17 September 2019
AGENDA BUSINESS ITEM**

Item: 6.1

Originating Officer: John McArthur, Manager Waste and Emergency Management

Responsible Director: Peter Bice, Director Infrastructure & Operations

Subject: Circular Procurement Pilot

For: Decision

SUMMARY

The purpose of this report is to seek Council's endorsement for our participation in the Circular Procurement Pilot Project (Pilot Project) coordinated by the Local Government Association of South Australia (LGA). It is proposed Council participates in the pilot which requires committing to a Memorandum of Understanding (MOU) to prioritise the purchase of products with recycled-content through the procurement process.

There are several councils participating in the Pilot Project who are taking strong and decisive action to address the impacts of the China National Sword Policy. The overarching objective of the Pilot Project and the MOU is to help develop local markets for recyclable materials by increasing market demand for recycled-content products and materials. This outcome assists to ensure the ongoing commercial viability of recycling services in South Australia and ultimately reduced waste management costs for councils.

Involvement in this Pilot Project and adoption of the MOU is recommended as it aligns with Council's strategic, environmental and waste management commitments. Further, participation in the Pilot Project shows that Council is willing and able to take a leadership role in maintaining and improving a circular recycling industry locally and at the national level.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
- 2. To approve participation in the Circular Procurement Pilot Project.**
- 3. That the Chief Executive Officer be authorised to execute the Memorandum of Understanding as contained in Appendix 1 of this report.**
- 4. That the Council endorses, in principle, the following targets:**
 - a. subject to the procurement needs and requirements of Council in 2020/21 purchasing recycled plastic products or materials equivalent to 10% of the weight**

- of plastic collected within the Council area, which is equivalent to approximately 25 tonnes based on 2017/18 data.
- b. subject to the procurement needs and requirements of Council commencing in 2021/22 Council will increase its purchasing of recycled plastic products or materials thereafter until it is equivalent to 50% of the weight of plastic collected within the Council area, which is equivalent to 124 tonnes based on 2017/18 data.
5. That a report be provided to Council in early 2021/22 providing an update on the Council's participation in the Circular Procurement Pilot Project for the period 2020/21.
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1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Strategic Plan

Goal 3 *Places for people and nature*

Strategy 3.1 *We will work with our community to encourage sustainable living and commercial practices*

Strategy 3.7 *We will drive further reduction in waste consigned to landfill*

Participating in the Pilot Project is a key mechanism for Council to operate in a more sustainable manner and to drive further reduction in waste to landfill.

Procurement Policy (FIN-01)

At the 27 August 2019 Council Meeting a revised Procurement Policy was adopted by Council Members. The Policy defines the methods by which Council can acquire goods, works or services.

The Policy contains an objective to preserve, protect and improve the natural environment and includes six Procurement Principles one of which is Sustainable Procurement. Within the Sustainable Procurement policy principle the following elements are relevant to the Circular Procurement Pilot:

- promote the purchase of environmentally friendly goods and services that satisfy value for money criteria
- Council recognises the need to act in an environmentally sound manner in relation to procurement activities undertaken and its ability to drive sustainable outcomes through contributing to local and national markets for recycled goods and adhering to circular economy principles
- align the Council's procurement activities with principles of ecological sustainability
- purchase recycled and environmentally preferred products where possible
- integrate relevant principles of resource recovery and waste minimisation and consider those products that can be recycled at the end of life where resources allow.

Noting the above, the recently adopted Procurement Policy administratively provides for and is consistent with the Circular Procurement Trial.

Resource Recovery and Recycling Strategy

One of the core objectives of the Resource Recovery and Recycling Strategy recently adopted by Council is to “*practice and promote circular economy principles*”. Goal 4 of the Resource Recovery and Recycling Strategy relates to sustainable procurement and includes the following strategies:

<i>Goal 4</i>	<i>Sustainable procurement</i>
<i>Strategy 4.1</i>	<i>We will participate in a sustainable procurement pilot with other councils towards establishing a sustainable procurement target</i>
<i>Strategy 4.2</i>	<i>We will measure and report on the amount and origin of recycled material used in Council’s Capital Works programs, at least annually</i>
<i>Strategy 4.3</i>	<i>We will participate in relevant working parties and consultations to maintain and improve knowledge of sustainable procurement</i>
<i>Strategy 4.4</i>	<i>Undertake investigation and research into Circular Economy products for use at Adelaide Hills Council</i>
<i>Strategy 4.5</i>	<i>In partnership with others, lobby for changes to packaging standards towards improved environmental and recycling outcomes</i>

➤ Legal Implications

Applicable laws relating to procurement include section 49 ‘Contracts and Tenders’ of the *Local Government Act 1999*. Section 49 requires councils to develop and maintain procurement policies, practices and procedures.

Clause 2.9 of the proposed MOU states that being a party in the MOU is not legally binding, and therefore does not invoke any liability on Council. In addition, Council may terminate its participation in the MOU and has no liability whatsoever to the LGA for doing so.

The Environment Protection (Waste to Resources) Policy 2010 promotes the waste management hierarchy and resource recovery in South Australia. The Guiding Principles of the *Green Industries SA Act 2004* includes “*the principles of the circular economy*” along with “*the waste management hierarchy*”.

➤ Risk Management Implications

The execution of the MOU and participating in the Pilot Project will assist in mitigating the risk of:

Council not committing to the MOU and Pilot Project leading to the foregoing of the experience, knowledge and benefit that will result from participating in the project.

Inherent Risk	Residual Risk	Target Risk
High (2B)	High (2B)	Low (1D)

It is deemed that the risk to Council in executing the MOU is low as Council is able to discontinue without liability and is not legally bound by the MOU whilst still being able to incorporate circular economy principles into their procurement process.

➤ **Financial and Resource Implications**

Financial Implications

It is unknown if participating in the Trial Project will lead to increased, unchanged or reduced costs as a result of purchasing goods made of recycled content.

Given this cost uncertainty and to protect against adverse financial implications it is proposed that Council's Procurement Framework and Procurement Templates include the following clause:

- 1 If, after evaluating the responses received for the purchase of a good, the responsible officer forms the view that proceeding with the purchase cannot be managed within available budgets as a result of the recycled content then the responsible officer can dismiss that good and proceed with the next highest ranked good from the evaluation that is within available budget.*

Prior to instigating this clause the responsible officer is to refer the matter to their People Leader for review and approval.

- 2 The responsible officer shall only use the aforementioned clause in genuine cases where unmanageable budget outcomes will result from the purchase of a good with recycled content.*

Provision of the clauses outlined above in Council's procurement processes will ensure that participating within the Pilot Project can be managed within current budgets.

Longer term, the financial impact of the Pilot project will be regularly assessed. If participating in the Pilot results in additional costs on a sustained basis this will be reported to Council for consideration with a view to these costs being captured in the Long Term Financial Plan.

Noting the above however, if the Pilot is successful and more councils procure goods with recycled content economies of scale will most likely take effect within the market that may lead to reduced prices for recycled goods.

Resource Implications

Participating in the Pilot Project will be resourced using existing staff, an internal project team and assistance from the formal Pilot Project Steering Committee lead by the LGA. To assist and provide support to the Pilot Project, an internal project team has been established consisting of the following staff members:

- Manager Waste & Emergency Management
- Manager Civil Services
- Waste Management Coordinator
- AHRWMA, Waste Strategy Coordinator
- Procurement Coordinator
- Sustainability Officer

The Pilot Project will result in additional administration including the development of relevant forms and templates to enable the collection of data. Further, reporting of Council's progress in relation to the Pilot Project is required under the MOU. It is anticipated that the format in which this is supplied to the LGA be electronic to minimise the time taken to complete and provide relevant and accurate information.

➤ **Customer Service and Community/Cultural Implications**

Participating in the Pilot Project demonstrates to the community that Council is prepared to act in relation to moving towards circular economy principles.

➤ **Environmental Implications**

Participating in the Pilot Project represents a significant initial step towards developing local markets for recyclable materials in South Australia and towards establishing a truly circular economy. These actions will help to ensure the ongoing commercial viability of the recycling system and reduce material destined to landfill and the extraction, refining, transporting and processing of raw materials.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Director Infrastructure & Operations
Director Corporate Services
Manager Civil Services
Manager Open Space
Manager Financial Services
Procurement Coordinator
Sustainability Officer
Waste Management Coordinator
Waste Strategy Coordinator (AHRWMA)

Community: Not Applicable

2. **BACKGROUND**

Council is committed to the ongoing development of kerbside recycling practices and activities with the aim of minimising the impact on the environment and minimising cost for residual waste disposal.

Examples of this commitment include adoption of a Waste and Resources Management Strategy and a Resource Recovery and Recycling Strategy. Further, Council has committed to measuring and reporting on the amount and origin of recycled material it uses in

Council's Capital works programs. The proactive actions taken thus far by Council's Infrastructure and Operations Directorate relating to the use of recycled material in the Capital Works Program include:

- Use of 10 - 20% of Recycled Asphalt Product in reseal program – this equates to approximately 385 tonnes of recycled asphalt
- Reconstruction of Heathfield Road – 425 tonnes of recycled asphalt used
- Recycled Bollards to control traffic flow movements – off street car park, Aldgate
- Recycled concrete as footpath base and maintenance (current quantities unknown)

The above actions are in addition to the actions contained within Council's Resource Recovery and Recycling Strategy relating to Circular Procurement highlighted previously in this report.

At the state level, Green Industries SA (GISA) released funding focused on increasing resource recovery and use of recycled content in products. The LGA sought Expressions of Interest (EOI) from councils and subsequently obtained funding under the Recycling Market Development Grant to develop what is now known as the Circular Procurement Pilot Project.

Council submitted a response to the EOI in November 2018 and was selected to participate in the Pilot Project along with the following Councils:

- Mount Barker District Council
- City of Burnside
- City of Charles Sturt
- City of Norwood, Payneham, St Peters
- City of Onkaparinga
- City of Port Adelaide Enfield
- City of Prospect
- Rural City of Murray Bridge

A formal Pilot Project Steering Committee has been established and Council is represented by the Waste Strategy Coordinator from the AHRWMA and Council's Waste Management Coordinator.

To participate in the Pilot Project councils are required to execute a MOU which is discussed in the Analysis section of this report.

3. ANALYSIS

The overarching objective of the Pilot Project is to help develop state and national markets for recyclable materials by increasing market demand for recycled-content products and materials. The project will achieve this by assisting councils to increase the purchasing of these products and materials. The specific goals of the Circular Procurement Pilot Project are:

- To provide councils with an incentive to purchase recycled content products through meeting a target to purchase recycled plastic products (further information on the target is provided below)

- To identify and record the barriers to purchasing recycled-content products and to develop and test a range of supporting tools and guiding documents to help councils overcome these barriers.

The proposed Memorandum of Understanding (MOU) has a term of five (5) years. Council is however not obligated to continue participating in the Pilot Project and may terminate being a party in the MOU without liability.

Implementation of the MOU will require changes to current procurement processes. These changes are summarised below with further detail provided in the MOU (*refer **Appendix 1***). The MOU commits participating councils to:

- Prioritising recycled-content through the procurement process for **all** purchases of goods or services **or** purchases of these selected goods:
 - stationery/paper
 - fixtures (bollards, decking, park bench seats etc.)
 - construction materials
 - compost and other organic materials
- Tracking recycled-content purchasing by weight and reporting to the LGA information and data that becomes available through each procurement process
- Publicly reporting on the amount (number of tonnes) of recycled-content products and materials purchased
- Establishing systems and processes to support the MOU in year 1 (2019/20)
- Purchasing recycled plastic products or materials equivalent to 10% of the weight of plastics collected based on 2017/18 data in each council area in year 2 of the project (2020/21)
- Gradually increase purchasing each year until they are buying-back recycled plastic products equivalent to 50% of the weight of plastics collected through the kerbside recycling services in their council area (**Appendix 1**, Schedule 3)

The MOU requires revision to existing procurement processes to facilitate participation in the Pilot Project. These changes are outlined in Schedule 2 of the MOU (*refer **Appendix 1***). This work will be undertaken by the internal project team and communicated to all staff as required.

Practical application

The MOU provides flexibility for councils to prioritise recycled-content through the procurement process for all purchases of goods or services or purchases of the following select goods:

- Office stationery/office paper
- Fixtures (meaning any product that is currently made of plastic, or is capable of being made of plastic, that is generally used in council operations including, but not limited to, street furniture, drinking fountains, bollards, fencing, decking, garden edging, planter boxes, fitness equipment, wheel stops, speed humps, bins, pipes and signage)
- Materials used for construction and maintenance
- Compost or other organic materials used in parks and gardens

Given there are resource implications to set up and administer the Circular Procurement Pilot Project it is proposed that Council limit the application of the Pilot Project to the select goods outlined above as opposed to incorporating all purchases undertaken throughout Council. Overtime, and subject to the outcome of the Trial, the application of the project can be broadened to include other goods that Council procures.

Plastic Goods Targets

To ensure a focus on stimulating demand for recycled content products that are produced from plastic sourced from the kerb side recycling bin the MOU includes preliminary targets in relation to purchasing goods with recycled plastic content. The targets do not apply to the other goods outlined above i.e. office stationary/office paper, construction and maintenance materials and compost or other organic materials. Targets were not applied to the other goods as the participating councils were concerned at the lack of information and data in relation to some product types. Therefore, the participating councils were more comfortable focusing on the target for recycled plastic products.

In summary the preliminary targets for plastic goods are:

- In year 2 of the Pilot Project (2020/21) participating councils will purchase recycled plastic products or materials equivalent to 10% of the weight of plastics collected in the council area based on 2017/18 data
- Councils will increase their purchasing each year until they are buying-back recycled materials equivalent to 50% of the weight of plastics collected through the kerbside recycling service in their council area.

The period to reach the 50% target is set at the participating council's discretion. Schedule 3 of the MOU contained in **Appendix 1** provides further detail on the preliminary targets.

To achieve the 10% target outlined for year 2 of the project would require Council to purchase recycled plastic products that, in total, contain 25 tonnes (equivalent to 10% of kerbside plastics collected in 2017/18) of recycled plastic content. The target would then increase, over time, to 125 tonnes (equivalent to 50% of kerbside plastics collected in 2017/18). It is proposed that the targets be adopted subject to them being met within the context of Council's procurement needs and requirements.

In the spirit of the MOU and to experience and learn from the setting of the plastic targets it is proposed that Council adopts, in principle, the targets outlined above and as recommended by this report.

In regard to the other products i.e. office stationary/office paper, construction and maintenance materials and compost or other organic materials the 10% and 50% targets do not apply. The aim for these goods is to simply prioritise and maximise the purchase of products with recycled content.

The LGA has funding for 1 year only however the term of the MOU is 5 years. It is unclear at the time of writing who will administer the findings and maintain the Pilot Project going forward in the event that the LGA does not secure more funding from GISA. In a worst case scenario where the Pilot does not continue beyond the term of the current funding it is still considered beneficial to participate. Lessons learnt and experience gained from even short term participation can be applied to any future standalone sustainable procurement framework Council may want to put in place or continue with.

A signing ceremony media event to announce the commencement of the project has been set for 18 September 2019. The LGA President, along with Mayors and/or CEOs of participating councils are likely to be present at the ceremony. As the project has been funded by Green Industries SA, Minister Speirs may also be present at the event.

Since the full impact of China Sword was realised during 2018 there have been calls for action within the sector to develop and support local and national markets using the recycling material collected by local government. Without these markets the recycling industry will continue to remain vulnerable. All stakeholders in the recycling sector including governments and industry need to participate in the change process.

The Circular Procurement Trial Project provides a non-binding opportunity for Adelaide Hills Council to affect change with the other participating councils and therefore it is recommended that Council participate in the Trial Project.

4. OPTIONS

Council has the following options:

- I. Execute the Memorandum of Understanding as this aligns with strategic direction and supports the development of local markets for recyclable materials in South Australia and establishing a circular economy (Recommended)
- II. Cease participation in the Circular Procurement Pilot Project, do not execute the Memorandum of Understanding and maintain current procurement processes. (Not Recommended)

5. APPENDIX

- (1) Memorandum of Understanding (Circular Procurement – Increased purchase of Recycled Content)

Appendix 1

*Memorandum of Understanding (Circular Procurement
– Increased purchase of Recycled Content)*

Memorandum of Understanding (Circular
Procurement – Increased purchase of
Recycled Content)

**Implementation of Circular Procurement
Scheme into Council Procurement Processes**

Private and Confidential

Local Government Association of South Australia

and

Participating Councils

[dd mmm yyyy]

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Memorandum of Understanding

Date [Insert]

Parties **Local Government Association of South Australia**
ABN 83 058 386 353 of 148 Frome Street, Adelaide SA 5000
(LGA)

Participating Councils

(Participating Councils)

-
- Recitals
- A. The Local Government Association of South Australia (**LGA**) is seeking to implement a scheme to increase Council purchasing of recycled materials (**Scheme**). The establishment of the Scheme has been made possible by the support of Green Industries SA (**GISA**) through the provision of a Circular Economy Market Development Grant. The LGA and Participating Councils are grateful to GISA for its support. The LGA notes that the funding that has been made available for the Scheme is for one year only (2019-2020).
 - B. The purpose of this Memorandum of Understanding (**MoU**) is to create a mechanism for Councils who wish to participate as members of the Scheme to do so.
 - C. The LGA and the Participating Councils are taking action through the Scheme to increase demand for recyclables, ensure the ongoing commercial viability of recycling services in South Australia and ultimately reduce waste management costs for Councils.
 - D. The MoU identifies inputs into procurement activities to implement the Scheme and place a greater emphasis on the purchase of goods made from recycled materials. The MoU also identifies targets that the Participating Councils will seek to meet in year 2 of the Scheme (2020-2021) and thereafter.
 - E. The parties do not intend to be legally bound by the terms of this MoU.

The parties agree:

1. Definitions and interpretation clauses

1.1 Definitions

In this MoU:

Biannual Procurement Report	means a report as described in Clause 5.2.
Business Day	means any day other than a Saturday, Sunday or public holiday in Adelaide, South Australia.
Commencement Date	means [xxx].
Contact Person	means the details of a party to this MoU as in Clause 6.2(a).
Financial Year	means the period from 1 July to 30 June, occurring annually.
LGA	means the Local Government Association of South Australia.
MoU	means this document and all of its attachments.
Notice	means any notice, demand, approval, consent or other communication under this MoU.
Notice Period	means the twenty-eight (28) day period after Notice has been provided.
Participating Councils	means the councils who have signed this MoU expressing their intention to participate in the Scheme.
Preliminary Targets	means the targets provided in Schedule 3.
Procurement Laws	means procurement laws as applicable to a procurement from a Participating Council, including: <ul style="list-style-type: none"> (a) the <i>Local Government Act 1999</i> (SA); (b) the common law; and (c) relevant Participating Council procurement policies.
Procurement Process	means any process by which a Participating Council purchases any goods or services including, but not limited to, direct source, by quotations or by tender.

Procurement Report	means a report complying with Clause 5.1.
Recycled Content	means goods or Selected Goods that are produced using a quantifiable portion of recycled material.
Review Date	means the agreed dates as set out in Clause 2.7.
Scheme	means the encouragement of Councils to increase the purchase of Recycled Content as provided by this MoU.
Selected Goods	means the goods identified in Schedule 1 of this MoU.
Steering Committee	means the LGA steering committee for the Scheme comprised of one member from each Participating Council and a representative from the LGA with the Participating Council members set out in Schedule 4 as amended from time to time.
Term	means the period of time ending five (5) years from the Commencement Date.

1.2 Business Day

If anything under this MoU is required to be done by or on a day that is not a Business Day that thing must be done by or on the next Business Day.

1.3 Interpretation

In this MoU unless a contrary intention is expressed:

- (a) headings and italicised, highlighted or bold type do not affect the interpretation of this MoU;
- (b) the singular includes the plural and the plural includes the singular;
- (c) other parts of speech and grammatical forms of a word or phrase defined in this MoU have a corresponding meaning;
- (d) a reference to anything (including any right) includes a part of that thing, but nothing in this Clause 1.3(d) implies that performance of part of an obligation constitutes performance of the obligation;
- (e) a reference to a clause, party, annexure, exhibit or schedule is a reference to a clause of, and a party, annexure, exhibit and schedule to, this MoU and a reference to this MoU includes any clause, annexure, exhibit and schedule;
- (f) a reference to a document (including this MoU) includes all amendments or supplements to, or replacements or novations of, that document;

- (g) a reference to any legislation includes all delegated legislation made under it and includes all amendments, consolidations, replacements or re-enactments of any of them, from time to time;
- (h) a reference to a document includes any agreement or contract in writing, or any certificate, notice, deed, instrument or other document of any kind;
- (i) a provision of this MoU may not be construed adversely to a party solely on the ground that the party (or that party's representative) was responsible for the preparation of this MoU or the preparation or proposal of that provision;
- (j) a reference to a body, other than a party to this MoU (including an institute, association or authority), whether statutory or not, which ceases to exist or whose powers or functions are transferred to another body, is a reference to the body which replaces it or which substantially succeeds to its powers or functions;
- (k) the words 'include', 'including', 'for example', 'such as' or any form of those words or similar expressions in this MoU do not limit what else is included and must be construed as if they are followed by the words 'without limitation', unless there is express wording to the contrary;
- (l) a reference to a day is to the period of time commencing at midnight and ending twenty-four (24) hours later;
- (m) if a period of time is specified and dates from a day or the day of an act, event or circumstance, that period is to be determined exclusive of that day; and
- (n) if an act or event must occur or be performed on or by a specified day and occurs or is performed after 5.00 pm on that day, it is taken to have occurred or been done on the next day.

2. Purpose of this MoU

2.1 Objectives

- (a) The objectives of this MoU are to:
 - (i) establish a framework for Participating Councils to participate in the Scheme;
 - (ii) identify how Participating Councils can implement the Scheme in their procurement;
 - (iii) identify how Participating Councils can apply a weighted criteria in the non-financial evaluation of tenders for Recycled Content to place a greater emphasis on purchase of goods with Recycled Content and Materials; and

- (iv) establish reporting and amendment processes to monitor the effective implementation of the Scheme.

2.2 Execution by Participating Councils

- (a) A Participating Council executes this MoU by its chief executive officer signing the execution page.
- (b) A list of all Participating Councils is provided in Schedule 4.
- (c) Schedule 4 will be publically available on the LGA Website.

2.3 Term

This MoU will commence on the Commencement Date and, unless sooner terminated, will continue for the Term.

2.4 Procurement Processes in the Scheme

- (a) Participating Councils will be actively participating in the Scheme if Participating Councils, in their Procurement Processes:
 - (i) adopt the requirements of this MoU in their Procurement Processes; and
 - (ii) comply with the reporting requirements in Clause 5.
- (b) For the purposes of Clause 2.4(a), a Participating Council will be deemed to participate in the Scheme by inserting Schedule 2 (or amended versions of Schedule 2 but to the same effect) into the relevant documents in their Procurement Processes and carrying out the requirements of this MoU in procurement evaluation.
- (c) Participating Councils should take the objectives of this MoU into account when purchasing any goods or services.

2.5 Application of the Scheme

- (a) Participating Councils may, in the Procurement Process, implement the Scheme in relation to:
 - (i) all purchases of goods or services; or
 - (ii) purchases of Selected Goods.
- (b) A list of Selected Goods is provided in Schedule 1.

2.6 Implementation of the Scheme

- (a) Participating Councils will be deemed to implement the Scheme to the terms of this MoU only if they have complied with the Procurement Process requirements in Clause 2.4.
- (b) Participating Councils will use reasonable endeavours to assess the claims of participants in a Procurement Process as to the percentage of Recycled Content.
- (c) Provided Participating Councils use reasonable endeavours in assessing Recycled Content, any errors or inconsistencies or misrepresentation by a supplier in a calculation of Recycled Content will not be utilised by a Participating Council to amend or change the result of a Procurement Process and will not affect the validity of a Procurement Process.

2.7 Review of the Scheme

- (a) The parties will review the operation and outcomes of this MoU on the Review Date.
- (b) Proceedings on the Review Date may include:
 - (i) granting parties equal opportunity to suggest and agree on amendments to the Scheme and this MoU;
 - (ii) tracking progress on any targets of the purchase of Recycled Content; and
 - (iii) any other business relating to the Scheme and this MoU.
- (c) The parties will agree on a Review Date (or Review Dates) however if no Review Date is agreed the Review Date is the anniversary of the date of execution by the LGA.

2.8 Inconsistency with Procurement Laws

Procurement Laws prevail over the terms of this MoU to the extent of any inconsistency.

2.9 Not legally binding

- (a) The parties do not intend this MoU to be legally binding upon them.
- (b) This MoU and the Scheme do not create any binding legal contract or any liability on either the LGA or a Participating Council.
- (c) A breach of any terms or obligations under this MoU will not give rise to any legal rights or remedies to either the Participating Council or the LGA.
- (d) The LGA and each of the Participating Councils hold each other harmless from any effects whatsoever of the Scheme.

3. Amendment to the MoU

3.1 Review Date variations

- (a) A party to this MoU may propose a variation on the Review Date.
- (b) A variation under Clause 3.1(a) will have effect if:
 - (i) two-thirds of Participating Councils agree to the variation on the Review Date; and
 - (ii) the proposed variation is expressed in writing.
- (c) A variation on the Review Date will take effect twenty-eight (28) days after the Review Date, unless the variation states a date to the contrary.

3.2 Variations to Schedule 1

- (a) A variation to the list of Selected Goods in Schedule 1 of this MoU may occur if requested in writing and agreed by the Steering Committee.
- (b) Subject to Clause 3.2(a) the LGA must provide Notice of all variations to Schedule 1 to all Participating Councils within twenty-eight (28) days of an agreed variation.
- (c) A Notice of amendments to Schedule 1 under Clause 3.2(b) will take effect twenty-eight (28) days after the LGA notifies of a change under Clause 3.2(b), unless:
 - (i) a dispute to the Notice of variation to Schedule 1 is provided in writing; and
 - (ii) two-thirds of Participating Councils have signed the dispute of the Notice of variation to Schedule 1 on or before the effective date in Clause 3.2(b).

3.3 Variations to Schedule 3

- (a) A variation to the Preliminary Targets in Schedule 3 of this MoU may occur if requested in writing and agreed by the Steering Committee.
- (b) Subject to Clause 3.3(a) the LGA will provide Notice of all variations to Schedule 3 to all Participating Councils within twenty-eight (28) days of an agreed variation.
- (c) A Notice of amendments to Schedule 3 under Clause 3.3(b) will take effect twenty-eight (28) days after the LGA notifies of a change under Clause 3.3(b), unless:

- (i) a dispute to the Notice of variation to Schedule 3 is provided in writing; and
- (ii) two-thirds of Participating Councils have signed the dispute of the Notice of variation to Schedule 3 on or before the effective date in Clause 3.3(b).

3.4 Variations to Schedule 4

- (a) Schedule 4 cannot be varied except for the methods permitted under this Clause 3.4, Clause 4 and Clause 6.
- (b) Schedule 4 of this MoU will be updated with the Contact Person and Term of each Participating Council.
- (c) Subsequent agreements from new Participating Councils will automatically vary Schedule 4 of the MoU for all previous Participating Councils that did not include the Contact Person or Term of later signing Participating Councils.

4. Expiry, extension and opt-out

4.1 Expiry

This MoU will expire at the end of the Term, subject to any extension agreed prior by the LGA and any Participating Councils.

4.2 Extension

- (a) A Participating Council may offer to extend the Term of the MoU by a period of time measured in twelve (12) month increments by providing Notice to the LGA at least twenty-eight (28) days before the expiry of the Term.
- (b) The LGA will affirm or deny the extension of the Term by a Participating Council before the end of the Notice Period.
- (c) Any extension of the Term by a Participating Council must be:
 - (i) included in Schedule 4; and
 - (ii) communicated in writing to all other Participating Councils.

4.3 Termination by LGA

- (a) The LGA in its sole and unlimited discretion may terminate its participation in this MoU by providing twenty-eight (28) days' Notice to the Participating Councils.
- (b) Termination by the LGA will cease the operation of this MoU after the Notice Period.

- (c) If the LGA terminates this MoU the LGA has no liability whatsoever to any Participating Council.

4.4 Termination by Participating Council

- (a) A Participating Council may in its sole and unlimited discretion terminate its participation in this MoU by providing twenty-eight (28) days' Notice to the LGA.
- (b) The LGA must, during the Notice Period, if a Participating Council has decided to terminate its participation in this MoU:
 - (i) provide Notice to all Participating Councils; and
 - (ii) remove the terminating Participating Council from Schedule 4 before the end of the Notice Period.
- (c) Termination by a Participating Council of this MoU does not affect the implementation of the Scheme by other Participating Councils.
- (d) If a Participating Council terminates its participation in this MoU the Participating Council has no liability whatsoever to the LGA.

5. Reporting

5.1 Procurement Report

- (a) Each Participating Council is required to submit a one page Procurement Report to the LGA on each Procurement Process which applies the Scheme.
- (b) A sample one page Procurement Report is annexed at Annexure A.

5.2 Biannual Procurement Report

- (a) In order to measure the benefits of the Scheme Participating Councils are required to provide a Biannual Procurement Report to the LGA on an aggregated basis for all Procurement Processes during the reporting period:
 - (i) the goods tendered for;
 - (ii) the number of tenders submitted;
 - (iii) the amount of Recyclable Content in each of the tenders;
 - (iv) in general the effect of the Scheme on the Procurement Process outcomes;
 - (v) Recycled Content purchased outside of the Procurement Process;

- (vi) whether any Recycled Content target was satisfied;
 - (vii) overall if the Participating Council is of the view that the Scheme has increased the purchase levels of goods with Recycled Content and any evidence to support such view.
- (b) The Biannual Procurement Report must be submitted to the LGA each six (6) months during the Term of the Scheme.
 - (c) Participating Councils may format the Biannual Procurement Report using any guidelines, provided the Biannual Procurement Report addresses all of the measures in Clause 5.2(a).

5.3 Scheme targets

- (a) The Preliminary Target currently agreed by Participating Councils is provided at Schedule 3.
- (b) Participating Councils may publically outline other targets to achieve during a Financial Year, including:
 - (i) an increase in Recyclable Content based on the previous Financial Years' result; or
 - (ii) meeting a target of purchasing Recycled Content equivalent to a certain percentage of the weight of recyclables (or particular recyclables) collected annually in their Participating Council area.
- (c) Participating Councils should include an evaluation of whether a target (including the Preliminary Target) has been successfully achieved in their Biannual Procurement Report.

6. Notices

6.1 Notice requirements

Any Notice under this MoU must be:

- (a) sent by email; or
 - (b) sent by regular post (or airmail if posted to or from a place outside Australia)
- to the Contact Person.

6.2 Contact Person

- (a) For the purposes of this MoU, the Contact Person of the LGA and all Participating Councils is set out in Schedule 4.

- (b) The LGA may update their Contact Person by delivering Notice to all Participating Councils.
- (c) The Participating Councils may update their Contact Person by delivering Notice to the LGA.
- (d) Schedule 4 of this MoU will be updated with any variations to Contact Persons.

7. Liaison

Each Participating Council to this MoU authorises the LGA or another Participating Council to contact them through the Contact Persons identified in Schedule 4.

Schedule 1 List of Selected Goods

The Participating Councils would like to prioritise the purchase of recycled-content products and materials when undertaking Procurement Processes for the following products or product types:

- Office stationary/office paper;
- Fixtures (meaning any product that is currently made of plastic, or is capable of being made of plastic, that is generally used in council operations including (but not limited to): street furniture, drinking fountains, bollards, fencing, decking, garden edging, planter boxes, fitness equipment, wheel stops, speed humps, bins, pipes and signage);
- Materials used for construction and maintenance; and
- Compost or other organic materials used in parks and gardens.

For a more comprehensive list of some products for which Participating Councils are seeking to increase purchasing of recyclable material, see **Annexure B**.

Note: these lists are not intended to be exhaustive and Participating Councils acknowledge that there will be additional products and materials with recycled-content available in the marketplace of which the participating councils are not yet aware.

The LGA will use its best endeavors to keep the lists of recycled-content products and materials available in South Australia up to date throughout the life of the MoU.

Schedule 2 Draft wording for inclusion in market approach documentation and evaluation plans

1. RFT Amendments

- 1.1 Council is a participant in a Memorandum of Understanding (**MoU**) between a number of South Australian Councils for Increased Use of Recycled Materials (**the Scheme**).
- 1.2 The Scheme aims to increase the use of recycled materials in Local Government purchasing.
- 1.3 The Scheme requires that the non-financial evaluation criteria for purchased goods covered by the Scheme include to what extent purchased goods include recycled material. This will form a part of the evaluation of the tender responses to this EOI/RFT and a factor of [20%] of the non-financial score will be applied to all tenderers responses to this tender request.
- 1.4 The Council will use all reasonable endeavours to assess the claims of tenderers regarding recycled material of goods, including assessing the goods through a technical expert during any evaluation process of a Procurement Process.
- 1.5 Tenderers agree by participating in the tender process that they will not challenge the validity of a tender process on the basis of Council's reasonable endeavours to assess the amount of recycled material.
- 1.6 Tenderers are required to include in their tender responses a response to Schedule ## Recycled Content.
- 1.7 The Council reports under the Scheme on a regular basis and tenderers hereby agree that Council may use data from the tender to provide to the South Australian Local Government Association to measure the benefits of the Scheme. This may include:
 - (a) pricing of purchased goods which will be provided to the LGA and will be used by the LGA only for the purposes of measuring the effectiveness of the Scheme; and
 - (b) aggregated pricing (i.e. any effect of pricing of the use of recycled content) and other aspects of the submitted tender. This information will only be used for the purposes of evaluating the effectiveness of the Scheme.

Any reports, or other written material, produced by the LGA in relation to the Scheme will only refer to pricing information in aggregated and de-identified form.

2. Evaluation of Non-Price Component of a Tender

An example of non financial evaluation criteria that may apply to the purchase of goods is as follows:

"Previous Experience of Organisation - 20%

Experience of Proposed Personnel - 20%

Compliance with Required Specification - 30%

Delivery and Compliance with Programme - 10%

The extent to which the goods delivered by the tenderer include recycled material - [20%]".

3. Schedule ## - Recycled Content

Tenderers are to complete the following information and provide evidence to the extent possible to verify the statements:

The extent to which recycled material has been taken into account in the manufacture of the goods and demonstrated by the tenderer.

The elements of the goods being provided are as follows and the percentage of recycled material in each element is as follows:

Elements of Goods To Be Provided	Element or part of the Goods that are made from Recycled Content	Recycled Percentage of Material in this Element	Evidence for Recycled Content Claim
e.g. park bench	Seating portion	40	Certificate from [...]
e.g. swing set		25	N/A

Schedule 3 Preliminary Targets

The Participating Councils have agreed that, in addition to executing the MoU, Participating Councils will undertake the following actions in order to inform and support the goals of the pilot project:

- Councils will establish the systems and processes to support the MoU in year 1 (2019-20);
- Councils will commit to purchasing recycled plastic products or materials equivalent to 10% of the weight of plastics collected in their council area in year 2 (2020-21);
- Councils will increase their purchasing each year until they are buying-back recycled materials equivalent to 50% of the weight of plastics collected through the kerbside recycling services in their council area (see below).

The Target

Councils' plastics collected in tonnes (2017/18 year) – from EPA/NEPM recycling returns¹

Council	Plastics collected (tonnes)	10% Year 2 Milestone 1 (2020-2021)	20% Milestone 2	30% Milestone 3	40% Milestone 4	50% Milestone 5
Onkaparinga	1,085	108.5	217	325.5	434	542.5
Charles Sturt	201.89	20.19	40.38	60.57	80.76	100.95
PAE	647	64.7	129.4	194.1	258.8	323.5
Burnside						
Adelaide Hills	249.1	24.91	49.82	74.73	99.64	124.55
NPSP	238	23.8	47.6	71.4	95.2	119
Mount Barker	173.91	17.39	34.78	52.17	69.56	86.96
Murray Bridge	95.57	9.56	19.11	28.67	38.22	47.79
Prospect	122.4	12.24	24.48	36.72	48.96	61.2
TOTAL	2812.87	281.29	562.57	843.86	1125.15	1406.94

¹ National Environment Protection (Used Packaging Materials) Measure, Annual Recycling Report by Local Government Authorities, Item 9 Table 1: Amounts of Materials Collected at the Kerbside, Sent for Secondary Use/Energy Recovery and Contamination (waste) disposed of to landfill: *Total Plastics: Kerbside Recycling Sold or Sent for Secondary Use including energy recovery by material type (in tonnes)*, 1 July 2017 – 30 June 2018.

Schedule 4 Participating Councils to this MoU

Council	Contact Person	MoU Term Duration
Adelaide Hills Council	Aliza Fuller Waste Management Coordinator afuller@ahc.sa.gov.au	July 2024
Adelaide Hills Council Mount Barker District Council	Sarah Barrett AHRWMA, Waste Strategy Coordinator 0419957310 s.barrett@ahrwma.com	July 2024
City of Burnside	Phillip Roetman Environment and Sustainability Officer (08) 8366 4141 PROetman@burnside.sa.gov.au	July 2024
City of Charles Sturt	Loren Mercier Environmental Management Officer (Waste + Recycling) (08) 8408 1576 lmercier@charlessturt.sa.gov.au	July 2024
City of Norwood, Payneham, St Peters	Naomi Prunckun Sustainability Officer 8366 4532 NPrunckun@npsp.sa.gov.au	July 2024
City of Onkaparinga	Ben Calder Senior Strategic Planner (08) 8384 0686	July 2024

Council	Contact Person	MoU Term Duration
	Ben.calder@onkaparinga.sa.gov.au	
City of Port Adelaide Enfield	Mark Stewart Procurement and contract management advisor (08) 8405 6902 Mark.stewart@cityofpae.sa.gov.au	July 2024
City of Prospect	Mark Elton Senior Financial Officer (08) 8269 5355 Mark.elton@prospoect.sa.gov.au	July 2024
Rural City of Murray Bridge	Tim Vonderwall General Manager Corporate Services (08) 8539 1168 t.vonderwall@murraybridge.sa.gov.au	July 2024

Annexure A Procurement Report

Participating Council:		
Goods purchased:		
Date:		
Category of goods purchased (please circle): 1. Office stationary/office paper; 2. Fixtures (plastic products including street furniture, bollards, fencing, decking, garden edging, wheel stops, speed humps, pipes and signage); 3. Materials used for roads construction and maintenance; 4. Compost and other organic materials used in parks and gardens; 5. Other.		
Procurement process undertaken (please circle): 1. Direct purchasing; 2. Request for quotes; 3. Request for Tender; 4. Other.		
Date commenced:	Date completed:	
List of suppliers contacted/responded (attach if need): 1. ... 2. ... 3. ...	Recycled content (product and %): 1. ... 2. ... 3. ...	
Successful supplier:		
Relevant considerations in the success of the supplier (tick all relevant):		
	Yes	No
1. Price; 2. Recycled-content; 3. Quality – aesthetics; 4. Quality – longevity; 5. Supplier – demonstrated experience etc; 6. Other. (please specify):		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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Annexure B List of Goods and Services

See attachment 2.

Signing page

Executed by #[Insert name of signatory]#
in the presence of:

Signature of witness

Signature of #[Insert name of signatory]#

Full name of witness (print)

Address of witness (print)

Executed by #[Insert name of signatory]#
in the presence of:

Signature of witness

Signature of #[Insert name of signatory]#

Full name of witness (print)

Address of witness (print)

Recycled content product and company list

Rawtec, August 2019



Document verification

Date	Version	Title	Prepared by	Approved by
17/4/19	1	Recycled content product and company list - draft	Kristian Le Gallou and Matt Allan	Matt Allan
14/6/19	2	Recycled content product and company list - final	Kristian Le Gallou and Matt Allan	Matt Allan
9/8/19	3	Recycled content product and company list - final (August 2019)	Kristian Le Gallou and Matt Allan	Matt Allan

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Recycled content product and company list

This document provides a list of companies that may sell products to Australian Councils (and other organisations) containing recycled content. There are five broad product categories:

1. Bins
2. Construction materials
3. Fixtures
4. Miscellaneous
5. Office and stationery
6. Organic materials

Each product is also designated a subcategory to allow a refined search in the next stage of the project, the excel tool. Note that some companies offer many products. Individual entries for each available product may not be included, instead grouped together with indicative guidance on the range of products available.

This list is based on a desktop review only and we do not guarantee that every organisation that sells products containing recycled content will be included in this list. We also do not guarantee that the companies in this list will sell products with recycled content – further investigation would be required as this is a guide/ starting point only.

At the back of the document is a list of companies currently excluded from the product list. The table outlines information on their products, why they have been excluded at this stage and any follow up actions required.

Bins

Company name	Sub category	Product name/type	Recycled materials	Manufacture location
Bin Shift	Indoor bin	Indoor Waste Separation and Recycling Bins	Cardboard	SA
Biobag World	Kitchen Caddies	Kitchen caddy	TBC	
Commercial Systems Australia	Public place	Slat litter bins (Enviroslat only) Bin enclosures (Enviroslat only)	Timber, Plastic (TBA)	Kilsyth, Vic
Eco Bin	Residential & Commercial bins	Office bins (60 litre Flip bin)	PP (plastic)	TBA
Mastec	Residential & Commercial bins	Bins (various)	HDPE (plastic)	Edinburgh, SA
Source Separation Systems	Kitchen Caddies	Kitchen caddy	TBC	NSW
Trident	Residential & Commercial bins	Bins (various)	HDPE, PP (both plastics)	St Clair, SA

Construction materials

Company name	Sub category	Product name/type	Recycled materials	Manufacture location
ACM Redefining Green	Misc.	E-crete (concrete)	Fly ash, Blast furnace slag	Epping, Vic
	Aggregate	Various incl sand		
Adelaide Resource Recovery	Roads	Bitumen	TBA	Wingfield, SA
	Pavement/paths	Concrete pavement (various)		
Advanced Plastics Recycling (APR)	Walls/edging	Retaining walls Garden edging	Wood, HDPE (plastic)	Kilburn SA
Alex Fraser (note this is unlikely to be sold at a commercially competitive rate to SA)	Roads	Road base (various)	Concrete, Bricks, Asphalt	
	Roads	Asphalt	Asphalt	Various, Vic and Qld
	Aggregate	Various (e.g. concrete, rock) Sand	Concrete, rock Glass	
Bitu Mill	Roads & footpaths	Asphalt/ bitumen, profiling, footpaths	Asphalt, rubble, aggregate	
Boral	Pavements/roads	To confirm	TBC	
Downer Group	Roads	Tonerpave Reconophalt & TonerPlas	Tyres, Printer toner/cartridges, Acrylic paint Printer toner/cartridges, LDPE, Glass, Asphalt	Wingfield SA (National)
Enviro Rubber	Groundcover	Flooring (e.g. playground matting etc)	Tyres	Cheltenham, Vic
Fulton-Hogan	Roads	Plastiphalt	HDPE	Christchurch, NZ
Old Red Brick Co.	Fencing	Brick fencing	Bricks	SA
ResourceCo.	Aggregate	Various (e.g. concrete, rock)	Concrete, rock, rubble, aggregate	SA
SAMI Bitumen Technologies	Roads	SAMIseal (crumb Rubber)	Tyres	Various, NSW
Stabilco	Roads	Pavement stabilisation	TBA	Benalla West, Vic
Stabilised Pavements Australia	Roads	Pavement stabilisation	TBA	Head office, NSW
		Stormwater and drainage pipes (various)		
The Green Pipe	Water/Drainage	Valves and fittings (various) Crossings, culverts, headwalls	HDPE	Moama, NSW
Topcoat Asphalt	Asphalt (roads)	Asphalt	Asphalt, tyres	SA
Vonmac	Walls/edging	Plastipiile (plastic piling)	Likely to be LDPE (plastic)	Berri, SA

Fixtures

Company name	Sub category	Product name/type	Recycled materials	Manufacture location
Advanced Plastics Recycling (APR)	Bollards	Bollards (various - round, square, rectangle, custom)	Wood, HDPE	Kilburn, SA
	Decking	Decking (various types)		
	Furniture	Tables (made to order)		
		Seats and Benches (made to order)		
		Signs and markers (various)		
	Traffic control	Vehicle stops		
	Profiling	Profiles (various - rectangular)		
		Profiles (various - square)		
		Profiles (various - round)		
		Screening profile		
Platforms	Various (e.g. bridge, pontoon, viewing platform)			
Fencing	Fencing (various - post and rail)			
Commercial Systems Australia	Furniture	Seats and benches (Enviroslat only)	Timber, Plastic (TBA)	Kilsyth, Vic
Draffin Street Furniture	Furniture	Benches etc	Plastics	Bayswater, Vic
Egans	Furniture	Office furniture (reuse - various)	Reuse	Hindmarsh, SA
Enviro Rubber	Traffic control	Speed humps/cushions	Tyres	Cheltenham, Vic
	Misc.	Kerbing/edging		
eWood Solutions	Garden fixtures	Wheelchair ramps	TBA - computers ink cartridges televisions and car parts.	TBA
		Raised garden bed kit		
		Raised garden bed joiner kit		
		DIY Planks (plank, rail or sleeper)		
		Retain it - End, corner and joiner post		
Felton Industries	Furniture	Sandpit - Sandbox kit	Timber, Plastic (TBA)	TBA
Tables (Peak Street range only)				
Future wood	Decking	Seats and benches (Peak Street range only)	Timber, Plastic (TBA)	Kilsyth, Vic
		Decking (various types)		
	Profiling	Cladding (various)		

Company name	Sub category	Product name/type	Recycled materials	Manufacture location
Green Cities	Screening	Screening (various)		
	Garden fixtures	Gro-Wall (vertical gardens)	PP	
Integrated Recycling	Furniture	Tables (various)		
		Seats and Benches (various)		
	Bollards	Bollards (various - square and rectangular)		
		Bollards (various - round)		
	Decking	Decking (various types)		
	Profiling	Profiles (various - Square)	TBA - Agricultural films, bottles, pipes and drums combined with organic fibre	Mildura, Vic
		Profiles (various - rectangular)		
		Profiles (various - round)		
	Garden fixtures	Tree stakes (various - square and round)		
	Screening	Screening		
	Misc.	Rope ladder (floating)		
	Traffic control	Wheel stops		
	Misc.	Canoe launch ramp		
Decking	Static deck			
Modwood	Decking	Decking (various types)	HDPE	Campbellfield, Vic
	Screening	Screening (various)		
Plastic Forests	Traffic control	Mini wheel stops		
	Garden fixtures	Garden edging	LDPE	North Albury, NSW
		Root barrier		
Replas	Bollards	Bollards (various - square, flat top, marine etc.)		
	Decking	Decking (various types)		
	Fitness	Dog agility (various - balance beam, weave pole etc.)		
	Fencing	Fencing (various - post and rail, picket)	TBA	Carrum Downs, Vic
	Fitness	Fitness trails (various)		
	Furniture	Seats and Benches (various)		
	Public place	Drinking fountain		
Bike stand				

Company name	Sub category	Product name/type	Recycled materials	Manufacture location
		Planter box		
	Garden fixtures	Sandbox		
		Tree guard		
	Screening	Wheelie bin screen		
		Sheeting		
	Profiling	Profiles (various - rectangular)		
		Profiles (various - square)		
	Traffic control	Wheel stops		
		Rumble bars		
		Speed hump		
	Signage	Signs and plaques (various - podium, plank etc.)		
Safe Roads	Traffic control	Wheel stops	Rubber	Pakenham, Vic
TPS Group	Traffic control	Wheel stops (recycled plastic or rubber)	Rubber or TBA	TBA
Wagners Composite Fibre Technologies	Decking and boardwalks	Decking and boardwalks	TBA - potentially plastic	Toowoomba, Qld

Miscellaneous

Company name	Sub category	Product name/type	Recycled materials	Manufacture location
AA Second Hand Pallets	Misc.	Recycled/ reconditioned/ repaired pallets	Timber	SA
Adelaide Pallet Recycling	Misc.	Recycled pallets	Timber	SA
Garden city plastics	Misc.	Plant pots	PP (plastic)	Head Office, Dandenong South, Vic
Plastic Forests	Misc.	Cable Cover	LDPE (plastic)	NSW

Office and stationery

Company name	Sub category	Product name/type	Recycled materials	Manufacture location
A Plus Plastics	Misc.	Enviro crates (various)	PP (plastic)	Minto, NSW
Buy Eco Green	Stationery	Miscellaneous products (100% recycled)	TBA	TBA
Cartridge World	Office other	Re-filled cartridges	Toner cartridges	TBA
Close the Loop	Stationery	Enviroliner (pen)	PP, Toner cartridges, PCR ink	TBA, Vic
Floorsome	Misc.	Recycled cotton rugs	Leather and Textiles	TBA
Interface	Misc.	Carpet made from old carpet	Leather and Textiles	TBA
J Burrows	Misc.	Recycled bags/laptop sleeves	TBA	TBA
Naturale	Consumables	100% recycled content toilet paper/paper towel/tissues	Paper	TBA
Rugs a million	Misc.	Rugs made from clothing, hemp, recycled t-shirts, grass and tree fibres	Leather and Textiles	TBA
Seventh Generation	Consumables	100% recycled content toilet paper/paper towel/tissues	Paper	TBA
Tork	Consumables	100% recycled content toilet paper/paper towel/tissues	Paper	TBA
Who Gives a Crap	Consumables	100% recycled content toilet paper/paper towel/tissues	Paper	China
Various suppliers (e.g. Buy Eco Green, Winc, Office Max, Staples, Planet Ark)	Stationery and paper	100% recycled content toilet paper/paper towel/tissues	Paper	TBA
		100% recycled envelopes	Paper	TBA
		100% recycled notebooks/post it notes	Paper	TBA
		100% recycled copy paper	Paper	TBA
		Recycled content pens/markers	TBA	TBA

Note that the Excel Tool points out that there are various suppliers of office paper containing recycled material and that the list are examples only.

Organic materials

Company name	Sub category	Product name/type	Recycled materials	Manufacture location
Adelaide Pallet Recycling	Mulch	Mulch and woodchips	Timber	SA
	Mulch	Various (e.g. forever red, forest mulch)		
Jeffries	Compost	Organic compost	Timber, garden organics, food organics, manure	Wingfield, SA
	Groundcover	Softfall		
	Potting Mixes	Various (e.g. regular, premium)		
	Sand, Soil, Loam	Various (e.g. veggie and garden, special soil)		
	Mulch	Various (e.g. cultured, urban)		
Peats Soil and Garden Supplies	Compost	Various (e.g. garden, mushroom)	Timber, garden organics, food organics, manure	Willunga, Brinkley, Dublin, SA
	Groundcover	Various (e.g. soft fall)		
	Potting Mixes	Various (e.g. seedling, native)		
	Sand, Soil, Loam	Various (e.g. loam, peat mix, cricket pitch clay)		
SA Composters	Compost	Compost	Garden organics, food organics, manure	SA
	Compost	Various (e.g. planting, veggie garden)		
Van Schaik's Bio Gro	Groundcover	Various (e.g. bark, soft fall)	Timber, garden organics, food organics, manure	Wandilo, SA
	Mulch	Various (e.g. bio mulch)		
	Potting Mixes	Various (e.g. regular mix, orchid mix)		
	Sand, Soil, Loam	Garden soil		

Excluded from the list/ Further information needed

Company name	Product name/type	Description	Action
Treadwell group	Wood plastic composite	Does not use recycled content	Removed from list.
Jade wheelie bins	Second hand bins	Not a practical option for councils	Removed from list.
Paramount Browns	Bins	Indicated they don't sell anything to councils that contains recycled content	Removed from list.
VolerWessels	PlasticRoad	Dutch company - doesn't seem practical to involve at this stage	Removed from list.
PolyTrade - MetroPlant (concrete contractor) - Swinburne University of Technology Research team - Wyndham City Council	Pavement	Not a commercial product, they are just trialling a pavement	Removed from list.
Tarac	Compost and other organics	Unlikely to sell products to Councils	Removed from list.

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 17 September 2019
AGENDA BUSINESS ITEM**

Item: 6.2

Originating Officer: Anisa Cadd, Events Officer

Responsible Director: David Waters, Director Community Capacity

Subject: Taste the Hills special Stirling Market event

For: Information

SUMMARY

This report provides information on the request for a single-instance special event by the Stirling Markets Inc. on Sunday 10 November 2019. The event will celebrate 30 continuous years of the monthly Stirling Markets and will be branded 'Taste the Hills'. This special market event sits outside the conditions of the existing business use permit issued to the Stirling Market Inc. so road closure consent is required for Druid Avenue and a single instance business use permit will be issued. Consultation on the road closure will be conducted and road closure subsequently approved or declined under the CEO's existing delegation.

The report is presented as an information report rather than a decision report as the timelines between the close of consultation and the need to formally approve the use of the road for the market will make it difficult to return the matter to the Council.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
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1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal 1	People and business prosper
Strategy 1.3	We will work towards making the Adelaide Hills the favoured tourism destination in the State.
Goal 2	Activities and opportunities to connect
Strategy 2.6	We will seek to bring events to our district that have social, cultural, environmental and economic benefits.

Council’s Strategic Plan recognises that events are an important contributor to economic and social prosperity. They offer an opportunity to bring communities together, welcome visitors to the area, and build community spirit.

➤ **Legal Implications**

Section 33 of the *Road Traffic Act 1961* provides the formal mechanism for closing roads for events. It will be necessary for the safe conduct of the event, and to ensure all pedestrian and vehicular movements within the closed area are lawful, for the markets to be declared an event to which that Section applies, and for a formal road closure order to be made.

Consultation will be conducted from 18 September through 10 October pursuant to Council’s Public Consultation Policy the *Local Government Act 1999* Section 223 1a:

223—Public consultation

- (1) If a council proposes to grant an authorisation or permit—
 - (a) that would result in any part of a road being fenced, enclosed or partitioned so as to impede the passage of traffic to a material degree; or
 - (c) in relation to a use or activity for which public consultation is required under the regulations,the council must, before granting the authorisation or permit, follow the relevant steps set out in its public consultation policy.

The CEO will give consideration to the consultation outcomes and consider whether or not to provide consent to the road closure order under his existing delegation.

➤ **Risk Management Implications**

The issuing of approval for the requested road closure will assist in mitigating the risk of:

Conflict between pedestrians/stallholders and vehicles, leading to potential road incidents.

Inherent Risk	Residual Risk	Target Risk
Extreme (4A)	Low (2E)	Low (2E)

By closing the road, the area can be used without risk to the general public and stallholders.

➤ **Financial and Resource Implications**

Council incurs general costs associated with the monthly running of the Stirling Markets in the way of power use, waste management, supply and cleaning of public toilets and staffing resources for the opening and closing of roads.

Council is expecting to incur costs of approximately \$880 for support of this one-off event.

➤ **Customer Service and Community/Cultural Implications**

The Stirling Market attracts thousands of visitors each year to Stirling and the surrounding areas. It is well liked by the broader community and provides a positive contribution to the community in terms of cultural experience and creating a 'sense of place'. The 'Taste the Hills' special event will celebrate the 30 year anniversary of continuous monthly Stirling Markets by featuring producers, makers from the Adelaide Hills region and celebrating local food, wine, cheese, crafts and art.

➤ **Environmental Implications**

No environmental impact is expected beyond that which the Market already mitigates and manages monthly. Subject to CEO approval a permit will be issued to the Stirling Market Inc. for this special event which will include conditions stating that all reasonable care must be taken to avoid and repair any damage to the landscaping and natural environs of the event area, and that all litter and waste must be removed immediately following market activities.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Manager, Communications, Engagement and Events
Manager, Economic Development
Manager, Property Services
Team Leader, Regulatory Services

Community: Community consultation will be conducted from 18 September through 10 October regarding the proposed road closure. The Stirling Business Association and local businesses (in Druid Avenue) opening on Sunday 10 November will be contacted to provide feedback during the consultation period. Most businesses in Druid Avenue do not open on Sundays. No resident homes are impacted by the closure.

2. **BACKGROUND**

The Stirling Market is a successful committee-run market that has been operating in the township in various locations and formats for 30 years. The Market moved from the Council lawns to Druid Avenue in 2006 due to the rebuilding of the Coventry Library and have remained there as the market has grown.

To celebrate their 30 year anniversary of continuous monthly markets, the Stirling Market Inc. approached Council to run a single-instance special market event on 10 November 2019 to occur in addition to the ongoing monthly market dates.

3. ANALYSIS

The Stirling Markets are a popular institution of the Stirling township and have amassed a significant following of regular attendees and stallholders over time including attendees from the greater Adelaide region. A special event celebrating the success and popularity of the markets is likely to be well-attended and will afford local makers and producers an excellent opportunity to showcase their products and the Adelaide Hills region to the residents of greater Adelaide as well as interstate and international tourists.

The businesses of Druid Avenue are supportive of the monthly markets. The professional services and childcare businesses are closed on Sunday and therefore experience no negative impacts, and the food and beverage providers enjoy a significant increase in trade on market day.

This special event will follow the existing market format, which has been shown to be both safe and successful. Council will arrange an additional instance of all monthly staffing, services and support usually provided once monthly to the markets. These costs are comprised of power use, waste management, supply and cleaning of public toilets and staffing resources for the opening and closing of roads and are expected to cost approximately \$880.

The closure of Druid Avenue for the use of the markets is well understood by the public and managed effectively by Council staff. No complaints have been received regarding the closure of Druid Avenue in the last 2 years.

Consultation will be conducted from 18 September through 10 October in accordance with Section 223(1a) of the *Local Government Act 1999* and Council's Public Consultation Policy so the permit can be issued and road closure approved.

As the timelines are not conducive to having the matter come back to Council for a decision, the Chief Executive Officer intends to use powers already delegated to him to consider the outcomes of the consultation and determine whether or not to issue a permit under Section 222 of the *Local Government Act 1999* and consent to the road closure under Section 33 of the *Road Traffic Act 1961*. Consideration of this report does, however, enable the Council to determine an alternative approach should it determine to do so.

4. OPTIONS

Council has the following options:

- I. To note the report as presented (Recommended)
- II. To determine any additional actions to be undertaken.

5. APPENDIX

Nil