

Environment Protection Authority

Local Nuisance and Litter Control Bill

Public consultation report

Local Nuisance and Litter Control Bill – Public consultation report

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Executive summary

The development of the *Local Nuisance and Litter Control Bill 2015* has been underway since late 2012 when the government determined to develop legislation to improve nuisance and litter management in South Australia. A discussion paper was released in March 2013 and formal consultation on the draft Bill commenced in July 2015

Consultation has included six regional public meetings across the state as well as direct contact and discussions with stakeholders. A total of 49 submissions were received during the consultation period. Support for the Bill was varied with approximately one third of councils who made submissions supportive, a further third silent on whether they supported the Bill or otherwise, and the remaining third opposing the proposed reforms. Private citizens who made submissions were all supportive of the proposed reforms within the Bill.

Key issues raised include the need for the Bill to limit potential resource impacts on councils and the need to reconsider what constitutes 'class A hazardous litter' within the Bill. The consultation has also resulted in valuable suggestions to improve the operation and scope of the Bill and to limit the resource implications for councils. The proposed amendments as a result of consultation are included in section 6 of this report.

1 Introduction

In December 2012, the concept of a Local Nuisance and Litter Control Bill was endorsed at the State/Local Government Minister's Forum by the previous Minister for Sustainability, Environment and Conservation Hon Paul Caica MP, former Minister for Local Government Hon Russell Wortley MLC, and past President of the Local Government Association (LGA) Kym McHugh. A discussion paper was released in March 2013 to commence consultation directly with Local Government. Five regional meetings, across the state, were held with local councils to support consultation on the discussion paper.

In July 2015, the *Local Nuisance and Litter Control Bill 2015* was released for public consultation for a seven-week period. The process included direct communication with local councils, the Local Government Association of South Australia, regional local government associations, Members of Parliament (MP), industry groups, government agencies and other relevant stakeholders. Six public meetings were held across the state in Adelaide, Karoonda, Naracoorte, Wudinna, Victor Harbor, and Port Pirie and advertised in local newspapers and *The Advertiser*. A total of 49 submissions were received during the consultation period – 30 from councils, two from LGAs, five from private citizens, two from MPs, nine from government agencies, and one from a non-government organisation.

Littering and activities that cause nuisance such as noise, smoke and dust impact on our enjoyment of local areas. The aim of the draft Local Nuisance and Litter Control Bill 2015 is to reduce the prevalence of nuisance complaints through a greater understanding of nuisance and improved methods of resolution, and to lower the prevalence of litter across South Australia, particularly in tourist and shopping precincts.

There is considerable confusion within the community about state and local government roles and responsibilities related to local nuisance issues. Local government is better placed to respond quickly and effectively to local nuisance issues as they have a local presence and community expectation of local government with regard to policing environment protection matters is very high¹. South Australia is the only state where local government responsibility in this area is not legislated to some degree.

Current litter provisions are inflexible and do not allow for tiered offences depending on litter type (eg lit and unlit cigarettes, syringes etc) or quantity (small items versus illegal dumping). The ability to link a litter or illegal dumping offence to the owner of a vehicle involved in the offence does not exist in South Australia and limits the ability to establish an effective public litter reporting program and reduces the efficacy of surveillance activities at illegal dumping hotspots.

The legislation proposes to formalise the role of local government in managing local minor nuisances to provide consistency of service across councils, better tools for enforcement and more effectively deal with vexatious complaints. The legislation proposes a modern legislative scheme for litter control in South Australia including tiered offences depending on the type of litter (small vs large quantities, dangerous and hazardous litter), improvements for the use of surveillance for evidence gathering in the case of illegal dumping (linking an offence to the registered owner of a vehicle), allowing non-government organisations to undertake compliance activities (subject to approval), and would facilitate the establishment of a 'dob in a litterer' scheme.

The benefits for the community will be significant. In relation to nuisance the legislation will establish consistency in the management of nuisance across South Australia and provide the community with more effective local management of nuisance complaints. Councils will have better tools to manage complaints including provisions to deal with vexatious complaints that are a significant drain on council and Members of Parliament resources. The litter elements of the legislation will benefit the community through providing modern tools for policing litter and illegal dumping, and ultimately result in a cleaner environment, particularly in peri-urban and regional areas where illegal dumping is a considerable problem.

¹ Local Government Association community surveys, McGregor Tan Research, (2001, 2003, and 2006) indicated considerable community sentiment that local government are best placed to monitor and police pollution: 2001–53% of respondents; 2003–72%; and 2006–66%.

2 Genesis of the Local Nuisance and Litter Control Bill

The state government, through the Environment Protection Authority (EPA), has been negotiating with local government for more than 20 years to find better solutions for dealing with local environmental nuisance (noise, dust, smoke. etc). This has included state funded trials of councils taking on greater responsibility, ‘opt in’ legislative amendments to the *Environment Protection Act 1993* (EP Act), and written agreements.

Only one (Whyalla City Council) of 68 councils has taken on the voluntary ‘administering agencies’ provisions within the EP Act that were developed in partnership with the LGA as an ‘opt in’ measure to encourage local government to better manage local environmental nuisance in 2005 [*Environment Protection (Miscellaneous) Amendment Act 2005*]. The administering agencies concept of allowing councils to ‘opt in’ has clearly not worked. A list of attempts at voluntary agreement since 2003 is included as [Appendix A](#). None have been successful hence the determination of the government to mandate responsibility through this legislation.

Recommendation of the Statutory Authorities Review Committee of Parliament

In September 2011, the LGA presented as a witness to the Statutory Authorities Review Committee (SARC) of Parliament’s enquiry into the operation of the EPA. The LGA indicated that councils do not see environmental nuisance as their responsibility and, without legislation compelling councils to act, this would likely continue to be the case.

The LGA stated ‘local government doesn’t see that it has responsibility for dealing with those nuisance issues’ and ‘because it is nuisance and low level, there’s this expectation that local government may be in the best place to resolve it—and we might be, but legally we’re not required to’ (SARC Hansard 1/9/11).

The SARC has subsequently recommended (56th report, recommendation 4) that legislative reform be considered to clearly define the responsibilities of the EPA and other authorities (eg local councils) with regard to dealing with local nuisance issues, providing additional backing for the reform.

State/Local Government Minister’s Forum

The concept of a Local Nuisance Bill was endorsed at the State/Local Government Minister’s Forum by the previous Minister for Sustainability, Environment and Conservation Hon Paul Caica MP, then Minister for Local Government Hon Russell Wortley MLC and the previous President of the LGA Kym McHugh in December 2012.

As a result of the forum, a discussion paper was released in March 2013 to commence consultation with councils. A Ministerial Working Group was also established at the request of the Ministers’ Forum to guide the creation of drafting instructions. The Ministerial Working Group consists of representatives from the EPA, LGA, Department of Health and Ageing, SA Police (SAPOL), KESAB and the Office for Local Government.

LGA Local Excellence Expert Panel

In 2013, the LGA established a Local Excellence Expert Panel consisting of the Honourable Greg Crafter AO, retired Judge Christine Trenorden and Professor Graham Sansom to establish a vision for the ‘Council of the Future’.

This culminated with the publication of the report, *Strengthening South Australian Communities in a Changing World ‘The Council of the Future’*, in December 2013. A recommendation of that report was that ‘the responsibility for investigating and resolving matters of local environmental nuisance be accepted as part of the function of a regional Council on condition that the EPA provide support in the form of expertise and equipment’.

LGA Reference Group

The LGA established a reference group to assist with development and review of the detail of the drafting instructions that informed the Bill. The reference group consisted of local government officers from the City of Charles Sturt, City of Salisbury, Rural City of Murray Bridge, and Alexandrina Council as well as representatives from Eastern Health Authority, LGA and the EPA. The reference group's refined drafting instructions were then presented to the Ministerial Working Group for endorsement through to the Minister and for the consideration of Cabinet.

3 Consultation on the draft Bill

Consultation to develop the Local Nuisance and Litter Control Bill has been extensive. A discussion paper was released in March 2013 to commence consultation directly with local government. Five regional meetings, across the state, were held with local councils to support consultation on the discussion paper.

A Ministerial Working Group was established at the request of the Ministers' Forum, to guide the drafting of legislation and provide governance for the project. The Ministerial Working Group consisted of representatives from the EPA, LGA, Department of Health and Ageing, SA Police (SAPOL), KESAB and the Office for Local Government. The Ministerial Working Group approved drafting instructions for consideration by the Minister for Sustainability, Environment and Conservation on 20 January 2015.

The LGA also established a reference group to assist with development and review of the detail of the drafting instructions. The reference group consists of local government officers from the City of Charles Sturt, City of Salisbury, Rural City of Murray Bridge, and Alexandrina Council as well as representatives from Eastern Health Authority, LGA and EPA. The reference group met regularly over an 18-month period.

In July 2015, the Local Nuisance and Litter Control Bill 2015 was released for public consultation for a seven-week period. The consultation process included direct communication with local councils, the Local Government Association of South Australia, regional local government associations, Members of Parliament, industry groups, fast food businesses, government agencies, and other relevant stakeholders.

Six public meetings were held across the state in Adelaide, Karoonda, Naracoorte, Wudinna, Victor Harbor, and Port Pirie and advertised in local newspapers and *The Advertiser* and 95 people attended across the public meetings. A total of 49 submissions were received during the consultation period – 30 from councils, two from LGAs, five from private citizens, two from MPs, nine from government agencies, and one from a non-government organisation. A full list of submitters is included as [Appendix B](#).

In addition to formal consultation mechanisms, considerable informal consultation was undertaken.

3.1 Pre-draft Bill consultation

Between December 2012 and the release of the draft Bill for consultation in July 2015, the following consultation activities took place:

1 Local Government

- LGA Circular with EPA Discussion Paper on draft legislation (7 March 2013)
- LGA Reference Group: consisting of Eastern Health Authority, City of Charles Sturt, Rural City of Murray Bridge, Alexandrina Council, City of Salisbury, City of Onkaparinga, LGA (18 months to November 2014) – consultation to refine drafting instructions
- LGA Conference attendance: EPA stand in 2013 and 2014
- LGA Mayors' and Chairpersons' residential seminar: EPA Chief Executive presentation including Local Nuisance Bill
- Environmental Health Australia Inc: Public Health Special Interest Group (Council Environmental Health Officers)
- Authorised Persons Association: presented to annual conference on 21 May 2015. Approximately 100 persons in attendance
- LGA Chief Executive: direct meetings
- LGA Director Legislation: direct meetings
- LGA Director Environment: direct meetings

- Regional meetings (February–March 2013)
 - Port Lincoln: City of Port Lincoln, District Council of Cleve, District Council of Tumby Bay and District Council of Franklin Harbour
 - Port Pirie: Wakefield Regional Council, Port Augusta City Council, Clare and Gilbert Valley Council and Port Pirie Regional Council
 - Berri: Renmark Paringa Council, Berri Barmera Council, Loxton Waikerie Council and Coorong Council (in transit)
 - Mount Gambier: Naracoorte Lucindale Council, City of Mount Gambier, Kingston District Council and South East Local Government Association.
- 2 *EPA Board* – meeting with two members to discuss drafting instructions and complaints data analysis
- 3 *KESAB* – meeting to discuss authorised officers.
- 4 *Ministerial Working Group* – comprising SAPOL, KESAB, Department of Health and Ageing, Office for Local Government, EPA and LGA (five formal meetings)
- 5 *Ombudsman* – regarding complaints management elements
- 6 *Office for Local Government* – liaison throughout the project and involvement in Ministerial Working Group
- 7 *Department for Planning, Transport and Infrastructure* – access to motor vehicle registration and overall review of drafting instructions
- 8 *Attorney General’s Department* – potential repeals to legislation
- 9 *Surf Lifesaving SA* – direct meetings regarding potential interest in enforcement of litter laws on beaches (not interested due to priority being people safety)
- 10 *Zero Waste SA*
 - general briefings
 - ‘Dob in a litterer app’ with Ministerial Working Group.
- 11 *Victoria Environment Protection Authority* – litter elements including public reporting
- 12 *Queensland Department of Environment and Heritage Protection* – litter elements
- 13 *Tasmania Environment Protection Authority* – litter elements
- 14 *New South Wales Environment Protection Authority* – litter elements.

3.2 Post-draft Bill consultation

The Local Nuisance and Litter Control Bill 2015 and an explanatory report were released for consultation on 16 July 2015 for a seven-week period. The consultation was advertised in *The Advertiser*, on the EPA website and Your SAy website, and through a LGA circular (memo). Documents were available on the EPA website from that date. Letters were also sent to council chief executives, MPs, regional local government association executive officers, Natural Resources Management Boards, environment groups, industry groups, major fast food retailers and other stakeholders.

The Bill also featured in a number of regional newspapers, *Messenger Press* newspapers, Business Environment Network website, Resource Recovery.Biz website, and Channel 7 News. A number of law firms circulated articles to councils regarding the Bill and some hosted seminars or webinars for councils.

During the consultation period the following consultation activities took place:

- 1 *Public meetings* were held in early August, in the following locations:
 - Wudinna: Eyre Peninsula Local Government Association
 - Port Pirie: Central Local Government Region

- Karoonda: Murray Mallee Local Government Association
- Naracoorte: South East Local Government Association
- Victor Harbor: Southern and Hills Local Government Association
- Adelaide: Metropolitan councils (two meetings, one north and one south).

2 *Local government*

- High attendance at public meetings
- LGA: Director Environment – direct meetings
- LGA Circular: announcing consultation period
- City of Charles Sturt: provided three years of EPA customer service data for the council and the summary
- Various telephone discussions with council staff.

3 KESAB

- Presentation to the KESAB Board
- Discussions at Keep NSW Beautiful (KNSWB) Litter conference.

4 *Department for Planning, Transport, and Infrastructure*

- Discussion regarding linkages with the proposed planning legislation
- Correspondence regarding application to harbours, heavy vehicle noise, and disposal of abandoned vehicles in out-of-districts area.

5 *Department of Correctional Services* – email correspondence regarding Correctional Services Regulations

6 *Attorney General's Department* – discussion regarding the interaction with Liquor Licensing Amendment Bill

7 *Primary Industries and Regions SA (Forestry)* – discussion regarding application to forestry reserves

8 *Department of State Development* – discussion regarding application of the legislation to extractive industries (quarries)

9 *Department for Environment Water and Natural Resources*

- Meeting with Botanic Gardens staff regarding application within the gardens in the context of litter offence with that organisation's regulations.
- Discussion regarding application across national parks, pastoral land and crown land in the context of litter offence with that organisation's regulations.

10 *New South Wales Environment Protection Authority* – discussions regarding the Bill at KNSWB Litter conference

11 *Queensland Department of Environment and Heritage Protection* – discussions regarding the Bill at KNSWB Litter conference.

4 Submissions received during consultation on the draft Bill

A total of 49 submissions were received during the consultation period – 30 from councils, two from LGAs, five from private citizens, two from MPs, nine from government agencies, and one from a non-government organisation.

The views of submitters varied, with some supportive of the Bill, others not indicating support or otherwise but providing suggested improvements, and some others indicating opposition to the Bill. A full list of submitters is included as [Appendix B](#).

4.1 Summary of key issues raised

4.1.1 Support for the principle of local nuisance and litter being dealt with locally

Almost one third of submissions from local councils (nine of 30) indicated support for the principle of local nuisance and litter being most effectively dealt with by local government. The South East Local Government Association (SELGA), representing seven councils, also conveyed their support for the Bill. Only one of the councils represented by SELGA made an individual submission (dissenting). A further 10 councils provided feedback but did not indicate opposition or support and 11 councils indicated that they did not support the Bill. 17 councils that attended public meetings did not make a submission to the EPA. Four of the five private citizen submissions also indicated support for the principle of local nuisance and litter being most effectively dealt with by local government.

One rural council, that indicated opposition to the introduction of the Bill, noted in their submission that the reason EPA statistics for nuisance complaints from their region were so low is because of the perception that ‘no one from the EPA will attend matters this far from Adelaide’. This comment supports the principle of local nuisance and litter being better dealt with locally and a significant driver for reform; to ensure equivalent access to service across the state.

4.1.2 Resourcing impacts of the Bill on councils

The majority of councils that made submissions commented that the Bill in its current form could have considerable resourcing impacts. There were a number of comments made that the definition of nuisance was broader than is currently entertained and there would be more issues being reported as nuisance and reasonable noise such as from schools, community events, and fireworks for example, would also need to be regulated.

It was also commented that the Bill overlapped other legislation that addressed nuisance matters (ie dog barking under the *Dog and Cat Management Act 1995*) and that the responsibilities being placed on councils included proactive detection which was beyond existing controls.

There was also comment made that local councils would likely deal with complaints in a more resource-intensive way than the EPA does in that there would be an expectation to investigate each complaints rather than trying to resolve through letters providing education and awareness as a preliminary step. These issues are being considered in refining the draft Bill.

No submissions made reference to potential for resource savings or net benefit from reduced litter and illegal dumping clean-up costs associated with improved controls in the draft legislation. This was however raised during the public meetings and it was commented that one metropolitan council spends \$912k annually on its illegal dumping clean-up program.

4.1.3 Cost shifting

Separate to the issue of resource impact, a number of councils also considered the Bill to be ‘cost shifting’ from state government to local government. It was articulated in consultation documents and at public meetings that the EPA resources currently undertaking the residual nuisance complaints across the state (4.0 FTE) would be retained to assist

implementation and support councils in the longer term to improve service to the community. It may be that 'cost shifting' and 'resourcing impacts' have been used interchangeably by councils.

4.1.4 Suggested improvements to the Bill

The majority of council submissions utilised legal advice from various law firms in developing their submissions. Included in these submissions were a number of suggested improvements. This has provided some valuable feedback to improve the Bill and also to help limit the potential resource impacts to councils. The majority of these suggestions are being considered in refining the Bill.

4.1.5 Class A hazardous litter

A major concern identified by most council submissions was the inclusion of 'listed wastes' from the EP Act as a form of litter. 'Listed wastes' include numerous chemicals that are not easily identified and are hazardous. The intention of this inclusion was to provide a greater penalty for asbestos dumping which can often be readily identified and is a significant cost to councils to clean up. The reference to 'listed waste' has been removed from the draft Bill and is now limited to asbestos. Most councils send staff to asbestos awareness training so that work health and safety risks are managed.

4.1.6 Support for elements of the Bill

The majority of submissions received identified elements of the Bill that were supported. A number of council submissions presented a thorough assessment of each clause of the Bill and noted support or otherwise or proposals for amendment. All of these detailed suggestions are discussed in the following section. This contribution has been invaluable to improve the Bill.

5 Issues – clause by clause

Clause 1 – Short title

No issues raised during consultation.

Clause 2 – Commencement

A number of submissions highlighted that the Bill made no mention of a staged commencement nor provided lead-in time to allow for implementation activities to occur.

Response: The provision in clause 2 allows the Act to come into operation on a date to be fixed by proclamation. Section 7(3) of the *Acts Interpretation Act 1915* enables the proclamation to fix different dates for different provisions of the Act to come into operation; or suspend the operation of specified provisions of the Act until dates can be fixed by subsequent proclamation or proclamations.

A proclamation is made after the Bill passes Parliament and can commence the Act as a whole or in a staged manner. The timing of commencement will be determined in consultation with councils, LGA, and other stakeholders.

Clause 3 – Interpretation

No issues raised during consultation.

Clause 4 – Objects of Act

No issues raised during consultation.

Clause 5 – interaction with other Acts

One submission commented that application of the Act to mobile operators licensed under the EP Act (whereas all other EPA licensed activities are excluded) should be reconsidered and that the application of the Act should be limited to litter, or that they should be referred to the EPA for investigation and such matters be included as conditions of licence. The same submitter sought to exclude noise from licensed premises (under the *Liquor Licensing Act 1997*) from the legislation.

A number of submissions from councils made general comments requesting a tightening of the application of the legislation so that matters of nuisance are adequately addressed through other means, under other legislation, be excluded from the Act. Examples given were dog barking under the *Dog and Cat Management Act 1995* and noise from licensed premises under the *Liquor Licensing Act 1997*.

Response: The inclusion of mobile operators licensed under the EP Act was requested by the LGA Reference Group that assisted with refining drafting instructions. The addition was considered necessary to ensure consistent application of the legislation to all road users and avoid the administrative burden of checking complaints against a register of vehicles that are EPA licensed before progressing with an investigation or expiation.

A review has been done of legislation dealing with nuisance through other means and recommended a number of pieces of legislation be excluded from application of the legislation. Activities to be excluded from the definition of nuisance will also appear within a schedule of the Bill rather than via regulation as proposed in the draft. Examples of these include events approved by a council, fireworks displays, and noise from schools.

Clause 6 – Territorial and extra-territorial application of Act

No issues raised during consultation.

Clause 7 – Functions of councils

A number of council submissions commented the Bill extended the role of councils in litter and nuisance management into proactive and preventative functions that have previously been discretionary. The concern was that this additional responsibility would unreasonably require councils to resource such activities rather than allowing discretionary resource allocation for such endeavours. There was also a submission that ‘prevention was better than cure’ and the Bill had the right focus requiring councils to proactively reduce nuisance in the community.

It was also commented that assessment for nuisances within development and events, whilst fitting into the category of proactive and preventative management, may also be beyond what is considered development under the *Development Act 1993*. Suggestions to improve this included removal of the provision and consideration of inclusion in the revision of development legislation currently underway.

Response: It is agreed that many nuisances are not presently covered by development legislation and requiring assessment may prove difficult to implement. This provision has been removed and the issue has been raised with the Department of Planning, Transport and Infrastructure for consideration within planning reforms.

Clause 8 – Cooperation between councils

A few submitters considered allowing the Minister to direct councils to cooperate was not necessary. It was also noted that there is an existing provision in clause 7 of the Bill requiring cooperation of councils.

The Local Government Association sought better clarification of when the EPA would become involved in larger issues.

Response: Clause 8 will be removed in its entirety noting that clause 7(2)(b) already requires cooperation.

Referral to the EPA will occur when thresholds of material environmental harm with the meaning of the EP Act are exceeded. The definition of material environmental harm includes ‘environmental nuisance of a high impact or a wide scale’. This is included in clause 32 of the draft Bill. Cooperation between councils is envisaged at a higher level than the individual complaint.

Clause 9 – Council failing to perform function under Act

Council submissions generally felt that this provision impinged on their ability to prioritise their resources based on community priorities and needs, and gave too much power to the Minister.

Response: This clause will be removed in its entirety. There are existing provisions within part 3 of the *Local Government Act 1999* to address non-performance by councils

Clause 10 – Annual reports by councils

Some councils sought guidance as to what needed to be outlined in annual reports so that customer service data can be aligned to reporting requirements.

Response: It is envisaged that requirements for annual reporting will be defined in regulations. The level of detail does not belong in the Bill. Regulations will be developed in liaison with the LGA and councils [see section 54(6)] with the intent to minimise resource intensiveness for local government.

Clause 11 – Administering bodies

A question was raised during consultation as to how an administering body would be regulated regarding adequate service provision.

It was raised by the LGA and one other submitter that councils be notified when an administering body is established and that more guidance should be provided on dealing with multiple complaints.

Response: An administering body would be controlled through any conditions set out in the regulation made to approve them as such a body. If performance or other circumstances warrant the administering body having their approval revoked; this would occur through revocation of that regulation.

All regulations will be developed in liaison with the LGA and councils [see s.54(6)] so there will be notification of councils during the process of establishing an administering body via regulation. The regulations will also provide requirements for how an administering body must operate. This may include requirements to ensure there is no duplication of reports made to councils and administering bodies.

Clause 12 – Delegation

No issues raised during consultation.

Clause 13 – Periodic reports by administering bodies

No issues raised during consultation.

Clause 14 – Authorised officers

No issues raised during consultation.

Clause 15 – Identity cards

There was support for the provision that only required authorised officers to produce identification upon request. Feedback from some councils was that there should not be a requirement for a separate identity card.

Response: Alternative approaches to approval of identity cards will be considered.

Clause 16 – Powers of authorised officers

Rural council submissions noted that it is not always possible to access a magistrate in country areas for the purpose of obtaining a warrant and that accessing a Justice of the Peace (JP) would be a more suitable requirement for this type of offending.

There was also comment that the power of forced entry should be extended to include the opening of things within a vehicle or premises and that the offence for hindering or obstructing an authorised officer should carry an expiation.

Response: It is proposed that the Bill be amended to allow for a JP to approve a warrant and to extend the powers of forced entry to include items within a premises or vehicle. Due to the personal nature of the ‘hindering or obstructing’ offence it is not considered appropriate for the officer involved to issue an expiation and instead a court should consider the merits of such a case in all circumstances.

Clause 17 – Limit of area of authorised officers appointed by councils

The consultation draft limited the extension of powers beyond the council area to those matters related to nuisance. Comments were received that this should be extended to litter provisions. Further, comments were made that powers of authorised officer should extend beyond the council area where an investigation is being undertaken that requires enquiries to be made outside of the council area.

Response: Powers will be extended beyond the council for the purpose of investigating a complaint. The clause will also be aligned with territorial and extra-territorial application of the legislation.

Clause 18 – Meaning of local nuisance

The main comments relating to this clause were regarding the potential breadth of nuisances covered by the legislation. There were also queries about how various nuisances would be assessed.

A number of submitters also commented on the provisions allowing nuisances to be prescribed and for other things to be declared by regulation not to constitute a nuisance. The main considerations put forward were those activities or events that should not constitute a nuisance such as events approved by the council.

Some councils wrote in support of the inclusion of ‘unsightly premises’ and ‘insanitary condition’ whereas others were not supportive or required detail as to what would constitute ‘unsightly premises’ which is to be defined via regulation.

Response: The clause is structured so that the concept of what constitutes a local nuisance can evolve with the needs of local government to manage local nuisance in the community. The ability to declare something to constitute a local nuisance or not constitute a local nuisance is included to this end. Such declarations would require consultation with the LGA and councils under clause 54(6) of the Bill. Given the comments from local government that the starting definition of local nuisance is too broad it is recommended that ‘light’ and ‘heat’ be removed from the definition and should there be a need for regulation of such matters in the future they may be prescribed as a type of local nuisance. The EPA has not dealt with many nuisances related to light or heat so their removal is supported.

Everyday occurrences (noise from schools, council approved events, etc) will be defined in Schedule 1 as not constituting nuisance either within the Bill to further focus the role of councils in managing nuisance in their community.

The EPA is developing compliance standards to assist officers in determining nuisances of various types. This is included under regulation making powers at clause 22(d).

The inclusion of ‘insanitary condition’ and ‘unsightly premises’ have been included as a result of feedback from consultation with councils. It is important to note that these provisions operate in the context of nuisance rather than health risk so are different to what might be dealt with under public health legislation. ‘Unsightly premises’ is to be prescribed by regulation so that councils can develop an agreed understanding of what constitutes an unsightly premise.

Clause 19 – Causing local nuisance

A number of submitters considered that the penalties for causing local nuisance were too low and would reduce the likelihood of councils pursuing prosecution.

Response: The penalty levels are aligned to the EP Act and no changes are proposed.

Clause 20 – Person must cease local nuisance if asked

A number of submitters considered that the penalties were too low and did not provide an adequate deterrent.

Response: The penalty will be increased to match the similar provision for litter at clause 25 and the maximum penalty will be increased to \$5,000 to align with the differentiation between expiation fee and maximum penalty for the minor general littering offence. This penalty is in addition to the penalty at clause 19 and acts as an additional deterrent rather than providing a deterrent on its own.

Clause 21 – Exemptions

The key comments raised for this clause related to the potential administrative burden on councils of the proposed exemption process. The notification timeframes were noted as being too generous and the notification process, relying on newspapers, not reflecting modern communication techniques such as use of council websites.

There were two submissions that advocated centralised assessments for exemptions by the EPA. It was also suggested that permanent exemptions should be prescribed by regulation such as ANZAC Day ceremonies, New Year's Eve celebrations and the like.

Response: An alternative approach has been developed to allow a council to approve an exemption directly subject to the requirement of a site nuisance plan to the satisfaction of council where there is unavoidable nuisance. It is also intended that a list of activities where some level of nuisance may be unavoidable (such as fireworks, council approved events, etc) are exempted from nuisance provisions either within the Bill itself or within regulations. The Bill is primarily for local government and there is no legislated role proposed for the EPA. This is to ensure that there is no confusion in the community as to responsibility for nuisance as has occurred over the past 20 years under the EP Act.

Clause 22 – Regulations for purpose of division

No specific issues raised during consultation. A general comment regarding regulations was that they should be drafted as soon as possible and given ample time for consultation with councils so that councils can understand the legislation in full and the likely resourcing impacts.

Response: Regulations will be drafted upon successful passage of the Bill. Regulations will be drafted with assistance of the LGA and councils and will also go through a thorough consultation process.

Clause 23 – Disposing of litter

There were a number of varying comments regarding this clause. These covered the tiering of littering offences, class A hazardous litter, measurement of littering volumes, extension of powers to private land and waters, inclusion of abandoned vehicles, and expiation amounts. These are outlined below.

Tiering of offences

Comment was made that the tiering of offences was complicated and not easily understood.

Response: The 'one size fits all' approach currently available has not been used a great deal because it is considered too high for minor litter and too low for illegal dumping types offences. The tiered approach is designed to provide an appropriate penalty to the offending. The tiers have been designed to differentiate between handheld quantities of litter and those requiring a vehicle as well as between benign litter and litter that may cause an immediate danger (such as glass) or a hazardous situation (such as asbestos illegal dumping). Although the definitions are specific, these general concepts can be applied in communicating the tiered approach. Tiered approaches are also used in other states of Australia.

Class A hazardous litter

A number of council submitters and the LGA commented that the concept of 'class A hazardous litter' is beyond the scope of the legislation in its current form. Class A hazardous litter currently includes all 'listed wastes' as defined in Schedule 1 of the EP Act. It was also commented that identification of such materials within litter would be impossible for council officers and would also pose an unacceptable occupational risk for staff. One submitter suggested that if the intent of the provision was to capture asbestos dumping then that is what it should be limited to.

Response: It is acknowledged that listed wastes under the EP Act are difficult to identify and would require specialised testing. The intent of 'class A hazardous litter' within the Bill is to allow for significant penalties for the worst of offending that may put communities at risk. The most common type of this offending is the illegal dumping of asbestos material. The definition of 'class A hazardous litter' has been pared back to only include asbestos and maintain the provision that allows this definition to be expanded upon via regulation as needed.

Measurement of littering volumes

Two submissions sought to have quantities of litter changed from litres to cubic metres on the basis that it would be simpler to measure.

Response: Litres and cubic metres are measured in much the same way except that cubic metres provides much less differentiation between volumes. One cubic metre is the equivalent of 1,000 litres. If cubic metres were to be used in the Bill the criteria between offence levels would be 0.05 m² which is an impractical measure that is very difficult to communicate. Litre is the measure used for garbage bags and wheelie bins so is more readily identifiable.

Extension of powers to private land and waters

Comment was made by some councils that the Bill extends the responsibilities of councils to managing litter on private land and in waters whereas currently it is limited to public places and public roads.

Response: Litter is itself an element of nuisance and has been treated in the same way as local nuisance within the Bill whereby a council or an administering body may be asked to investigate the nuisance of litter on a private property. Also, the Bill also includes significant civil remedies available to private citizens to pursue such matters where they impact private property. It is also important to note that council's jurisdiction finishes at the high water mark. Administration of the legislation in coastal waters would need to be done by an administering body or government agency with authorised officers under the legislation.

Inclusion of abandoned vehicles

There were varied responses regarding the inclusion of abandoned vehicles as an element of litter. Some councils considered the existing provisions within the Local Government Act 1999 as appropriate whereas others considered there was merit in transferring them and there was an opportunity to reduce administrative burden by doing so.

Response: The inclusion of abandoned vehicles within the Bill was an attempt to transition the entirety of chapter 11, Part 3 of the Local Government Act 1999. Through consultation it has been made clear that the management of abandoned vehicles is not straightforward and that, in order to consider it within the Bill, it would need to have considerable standalone provisions to support the notification and sale processes unique to abandoned vehicles. For this reason, so as not to overcomplicate the Bill, abandoned vehicles provisions will be retained under the Local Government Act 1999 but vehicles beyond repair or burnt out will be included as litter without the associated notification requirements.

Expiation amounts

A number of councils commented that the proposed expiation fee for general litter less than 50 litres was lower than the existing penalty of \$315 and that the penalty should be increased.

Response: Feedback from councils during the development of the Bill has been that there is a general reluctance to issue expiations at the \$315 value in that it is a considerable penalty for minor littering. This was taken into consideration when setting expiation amounts.

Clause 24 – Bill posting

Some councils wanted assurance that the bill posting provisions would not compromise existing council 'election signs' policies.

Response: The current provisions for bill posting in the *Summary Offences Act 1953* are not being applied to election signage. To put the issue beyond doubt election signage may be excluded from the application of the legislation via regulation if sought by local government.

Clause 25 – Litterer must remove litter if asked

A number of submitters considered that the penalties were too low and did not provide an adequate deterrent.

Response: This penalty is in addition to the penalty at clauses 23 and 24 and so acts as an additional deterrent rather than providing a deterrent on its own. It is suggested that the maximum penalty be increased to \$5,000 to align with the differentiation between expiation fee and maximum penalty for the minor general littering offence.

Clause 26 – Citizen’s notification

The LGA and some councils commented that there should be centralised coordination of citizen’s notifications and that reporting safeguards be implemented.

Response: The government has developed an ‘app’ and a website to support this function. Work is underway regarding implementation of the system. Councils may also accept citizen’s notifications and this will be supported with guidelines for doing so and support with appropriate notification forms.

Clause 27 – Seizure of abandoned vehicles

Some comments were made regarding the structure of this clause and whether cars parked lawfully would be captured by this provision.

Response: As discussed under clause 23, it is recommended that abandoned vehicles be retained under the Local Government Act 1999 but that vehicles beyond repair or burnt out be included as litter without the associated notification requirements.

Clause 28 – Seizure of other goods

There were a number of comments received regarding this clause. There were concerns regarding compensation provisions and also the timeframe for commencing proceedings (three months) which was deemed too short. There were also comments made that the compensation provisions could be applied to litter cleaned up by councils.

Response: It is recommended that the compensation provisions be amended to remove the reference to ‘loss’ in clause 28(2)(d). This will align the legislation to the EP Act and limit compensation liabilities to councils.

It is further recommended that the period within which proceedings must commence before compensation is due is extended to six months or a longer period as determined by the Court. This would also align to the EP Act.

These seizure provisions only relate to the powers of authorised officers regarding seizure stipulated in clause 16(1)(b) of the Bill which relates to inspection of premises or a vehicle. These provisions do not apply to clean ups.

Clause 29 – Liability of vehicle owners

One comment was made by a council, possibly through not reading the provision properly, that clause 29(14)(c) excluded littering provisions from the passenger of a vehicle and that this should be amended.

Response: Clause 29(14) relates to public transport and taxis only.

Clause 30 – Defence of due diligence

There were comments made that the concept of due diligence needed further explanation and that the regulations should include such guidance.

Response: The EPA recommends that guidance in the form of regulations or guidelines are developed for the legislation.

Clause 31 – Alternative finding

No issues raised during consultation.

Clause 32 – Notification to EPA of suspected serious or material environmental harm

A number of council submissions considered that this notification requirement was unreasonable as council officers would not be able to easily determine if a complaint could be categorised as material or serious environmental harm under the EP Act 1993. There was reference made to existing notification requirements under sections 83 and 83A that applies penalties for non-compliance

Response: The purpose of this provision is to ensure any complaints received by councils that are beyond the scope of nuisance are referred to the EPA for investigation. This is to support the clear delineation between council and EPA responsibility. There is no penalty attached to the provision. The EPA recommends that the clause be reviewed by Parliamentary Counsel taking into account feedback received during consultation.

Clause 33 – Nuisance and litter abatement notices

A number of submissions requested that the expiation fee attached to these notices be standardised as the proposed provision was complicated in how an expiation fee should be reached.

Response: The EPA agrees and will suggest a standard expiation of \$500.

Clause 34 – Action on non-compliance with notice

No issues raised during consultation.

Clause 35 – Appeals

No issues raised during consultation.

Clause 36 – Civil remedies

A submission was received that sought payment of exemplary damages to a council where the action is brought by the council. The Bill limited such payment to the Consolidated Account.

Response: The EPA agrees that payment to a council is appropriate where a council brings the action and recommends amendment of the provision.

Clause 37 – Minister or relevant council may recover civil penalty in respect of contravention

A number of councils identified that the clause contained a possible drafting error in that payment of a civil penalty was limited to the Minister and that this should be extended to councils as the principal authorities responsible for administering the legislation

Response: There was a drafting error in the draft Bill. The EPA will seek an amendment to this provision to allow payment of a civil penalty to a council.

Clause 38 – Constitution of the Environment, Resources and Development Court

No issues raised during consultation.

Clause 39 – Delegation by Minister

No issues raised during consultation.

Clause 40 – Service of notices or other documents

It was identified during consultation that the need for personal service of litter abatement and nuisance abatement notices was inconsistent with other notices used by local government and that service should be extended to normal methods of service provided for other documents within the Bill.

Response: The EPA agrees that service options should be broader for notices and recommends that this be amended in the Bill.

Clause 41 – Immunity

No issues were raised during consultation however it was identified that the clause could be improved to better accommodate immunity for authorised officers acting on behalf of administering bodies.

Clause 42 – Protection from liability

No issues raised during consultation.

Clause 43 – Statutory declarations

No issues raised during consultation.

Clause 44 – False or misleading information

No issues raised during consultation.

Clause 45 – Confidentiality

No issues raised during consultation.

Clause 46 – Offences

The main comment regarding this clause was that a council should also be able to commence proceedings. The reasoning included that individual staff may move one during a prosecution and also that there were work, health and safety considerations if an individual were to be named as the person commencing proceedings against someone.

Response: The EPA agrees that a council should be able to commence proceedings and recommends that the clause be amended to reflect this.

Clause 47 – Offences and Environment, Resources and Development Court

No issues raised during consultation.

Clause 48 – Orders in respect of contraventions

No issues raised during consultation.

Clause 49 – Offences by bodies corporate

No issues raised during consultation.

Clause 50 – Continuing offences

No issues raised during consultation.

Clause 51 – Recovery of administrative and technical costs associated with contraventions

Some council submitters sought that the calculation of costs to council of an investigation [in Cl51(1)(c)] that were proposed to be prescribed be amended so that they are calculated as the reasonable costs incurred by the council, similar to the provisions at clauses 51(1)(d) and (e).

Response: The EPA agrees that the costs sought via this provision should be those reasonably incurred by the council and recommends amendment.

Clause 52 – Assessment of reasonable costs and expenses

No issues raised during consultation.

Clause 53 – Evidentiary provisions

One submitter suggested that it would be of value to allow authorised officers to determine that litter was of a specific class (ie class A, class B, or general litter) so that there was a reverse burden of proof for this element of the offence, in addition to the volume.

Response: The EPA agrees that this would be valuable to authorised officers dealing with littering offences and recommends that an amendment is made.

Clause 54 – Regulations

A number of councils submitted that there should be the ability for the regulations to cover transitional provisions to ensure smooth transition to the new legislation.

Response: The EPA agrees that allowing transitional elements to be prescribed by regulation would be an improvement to the Bill

Schedule 1

A number of councils also sought transitional arrangements within Schedule 1 to provide for orders and authorisations made under existing legislation as well as the commencement of proceedings under existing laws within statutory limits.

Response: The EPA has recommended inclusion of a number of transitional elements recommended by councils.

6 Summary of recommended changes to the draft Bill

Clause	Recommendation
Clause 1 – Short title	No changes recommended
Clause 2 – Commencement	No changes recommended
Clause 3 – Interpretation	No changes recommended
Clause 4 – Objects of Act	No changes recommended
Clause 5 – interaction with other Acts	Add a schedule of activities that do not constitute nuisance under the legislation and include nuisances dealt with under other legislation within that schedule where appropriate.
Clause 6 – Territorial and extra-territorial application of Act	No changes recommended
Clause 7 – Functions of councils	Remove 'detect, prevent and' from subclause 7(2)(a) but leave as is in subclause 7(2)(d) as it relates to education. Remove subclause 7(2)(c) as it is clear that some nuisances do not fit within development assessment powers.
Clause 8 – Cooperation between councils	Remove the clause in its entirety as clause 7(2)(b) provides sufficient emphasis on cooperation between councils.
Clause 9 – Council failing to perform function under Act	Remove the clause in its entirety as similar provisions exist within Part 3 of the <i>Local Government Act 1999</i> to manage performance of councils.
Clause 10 – Annual reports by councils	No changes recommended.
Clause 11 – Administering bodies	No changes recommended.
Clause 12 – Delegation	No changes recommended.
Clause 13 – Periodic reports by administering bodies	No changes recommended.
Clause 14 – Authorised officers	Minor typographical change.
Clause 15 – Identity cards	Parliamentary Counsel to consider alternative mechanisms for approval of identity cards.
Clause 16 – Powers of authorised officers	Allow a warrant to be signed by a Justice of the Peace given scarcity of magistrates in country areas. Extend powers of entry to include opening of things within a premises or vehicle.
Clause 17 – Limit of area of authorised officers appointed by councils	Consider amending to better align with clause 6 and extend to litter provisions.
Clause 18 – Meaning of local nuisance	Remove 'light' and 'heat' from definition of local nuisance to create a narrower starting point that can be extended, with local government guidance, via regulation over time (not immediately).

Clause	Recommendation
Clause 19 – Causing local nuisance	Extend the concept of nuisance from an activity to include where it is caused by a failure to act.
Clause 20 – Person must cease local nuisance if asked	Amend the expiation fee to \$210 to align with clause 25 and increase maximum penalty to align with differentiation between expiation and maximum penalty for minor littering offence.
Clause 21 – Exemptions	Replace the provisions within this clause with the ability for a council to require a site nuisance management plan from a proponent where an activity is likely to cause unavoidable nuisance. The details required in such a plan are to be prescribed.
Clause 23 – Disposing of litter	<p>Apply responsibility for littering from a place or premises to the occupier or person in charge.</p> <p>Remove clause 23(2)(a).</p> <p>Remove clause 23(2)(b) as abandoned vehicle provisions will remain in the Local Government Act 1999.</p> <p>Amend definition of ‘class A hazardous litter’ to only include asbestos. This narrows the definition but can be extended via regulation should local government seek to do so.</p> <p>Amend the definition of ‘general litter’ to qualify that vehicles are in the context of those that are not in an operable condition in the opinion of an authorised officer.</p>
Clause 24 – Bill posting	Include an exclusion for election signage.
Clause 25 – Litterer must remove litter if asked	Increase maximum penalty to \$5000 to align with differentiation between expiation and maximum penalty for littering offence.
Clause 26 – Citizen’s notification	No changes recommended.
Clause 27 – Seizure of abandoned vehicles	Remove all elements related to abandoned vehicles so that they are retained in the Local Government Act 1999.
Clause 28 – Seizure of other goods	<p>Clarification is made that this does not apply to the removal, clean up or disposal of litter that has been unlawfully disposed of so as to align with sections 234 and 297 of the Local Government Act 1999.</p> <p>Amend clause 28(2)(a) to mimic the ‘prescribed period’ provided for in section 89 of the <i>Environment Protection Act 1993</i> of six months or such longer period as the Environment, Resources and Development Court (ERD), on application, may allow.</p> <p>Allow for release of property prior to proceedings, subject to conditions.</p> <p>Remove clause 28(2)(d) to align with seizure provisions of the <i>Environment Protection Act 1993</i>.</p> <p>Add a provision allowing sale or disposal of seized goods if the owner cannot be established or the goods have not been claimed after a period of six months from seizure.</p>

Clause	Recommendation
Clause 29 – Liability of vehicle owners	No changes recommended.
Clause 30 – Defence of due diligence	No changes recommended.
Clause 31 – Alternative finding	No changes recommended.
Clause 32 – Notification to EPA of suspected serious or material environmental harm	<p>Remove reference to clause 24 as bill posting will not constitute the more serious offences under the Environment Protection Act 1993.</p> <p>Reword the clause to the effect that where a council investigates a complaint and considers it may equate to material or serious environmental harm the EPA must be referred the complaint.</p>
Clause 33 – Nuisance and litter abatement notices	Amend clause 33(9) to establish a single expiation of \$500.
Clause 34 – Action on non-compliance with notice	No changes recommended.
Clause 35 – Appeals	No changes recommended.
Clause 36 – Civil remedies	Amend clause 36(1)(g) to provide for payment of exemplary damages to a council where the action is brought by the council.
Clause 37 – Minister or relevant council may recover civil penalty in respect of contravention	Amend clause 37(5) so that 'the court may order the person to pay to the Minister or the relevant council an amount as a civil penalty...'
Clause 38 – Constitution of the Environment, Resources and Development Court	No changes recommended.
Clause 39 – Delegation by Minister	No changes recommended.
Clause 40 – Service of notices or other documents	Allow broader means of service for litter and nuisance abatement notices.
Clause 41 – Immunity	Ensure provisions extend to authorised officers from administering bodies.
Clause 42 – Protection from liability	No changes recommended..
Clause 43 – Statutory declarations	No changes recommended.
Clause 44 – False or misleading information	No changes recommended.
Clause 45 – Confidentiality	No changes recommended.
Clause 46 – Offences	Add 'councils' to allowable entities under clause 46(1).
Clause 47 – Offences and Environment, Resources and Development Court	No changes recommended.
Clause 48 – Orders in respect of contraventions	No changes recommended.
Clause 49 – Offences by bodies corporate	No changes recommended.

Clause	Recommendation
Clause 50 – Continuing offences	No changes recommended.
Clause 51 – Recovery of administrative and technical costs associated with contraventions	Amend subclause 51(1)(c) to align with subclauses 51(1)(d) (e).
Clause 52 – Assessment of reasonable costs and expenses	No changes recommended.
Clause 53 – Evidentiary provisions	Amend clause to allow an authorised officer to determine that matter was class A, class B or general litter.
Clause 54 - Regulations	Provision be made to allow for transitional arrangements to be included via regulation
Schedule 1	Include transitional provisions for various orders and authorisations made under existing Acts to continue to have effect.
Expiations	Consider use of penalty fee units that can have their monetary value amended as necessary via regulation.

Appendix A Attempts at voluntary improvements to service delivery for nuisance management

2003: An EPA and local government (LG) subcommittee formed to seek agreement on how both parties would share responsibility using the EP Act.

2004: Communication between EPA Chief Executive and LGA regarding ongoing negotiations (since 1994) about shared provisions of environmental protection services by local government.

2005: Consequent amendments to the EP Act passed through Parliament enabling LG to 'opt in' to become administering agencies and included cost-recovery provisions.

March 2006: The EPA Board approved a draft memorandum of understanding (MOU) and LGA State executive resolved to 'note the agreement as the basis of negotiations between the EPA and individual councils regarding sharing responsibilities with the EPA'.

December 2006: The LGA/EPA subcommittee negotiated the development of the MOU and also advised the EPA Board on issues affecting the LG/EPA relationship. Working groups were formed to investigate issues/improvements including the setting of cost recovery fees.

January 2009: Regulations were gazetted enabling administering agencies to recover administrative and technical costs associated with contraventions.

May 2009: Whyalla City Council requested to become an administering agency. It was the first and only council that has sought to become an administering agency.

July 2009: A High Level Group (HLG) of CEOs and Directors was formed to resolve the continuing impasse between LG and EPA to share roles and responsibilities. The MOU was significantly revised to accommodate councils, however no other council has sought to take up the administering agency option.

June 2010: A working group was formed by the HLG to explore a new approach. The working group focused on identifying state and local government service delivery model to more efficiently service the community as an alternate to developing another MOU.

Feb 2011: A service model was developed and supported by the HLG who then asked for it to be presented to a LG workshop for feedback. The LG workshop gave in-principle support for the model but flagged its funding needed resolving at a higher level.

May 2011: The HLG was not confident funding could be secured for the service model and determined the specific issue needed now to be addressed at Minister level. The HLG then agreed to disband. The LGA representative proposed to pursue functional and legislative reform through a broader LG Excellence Program over the next two years.

December 2012: The concept of a Local Nuisance and Litter Control Bill was endorsed at the State/Local Government Minister's Forum by the former Minister for Sustainability, Environment and Conservation Hon Paul Caica MP, then Minister for Local Government Hon Russell Wortley MLC and past President of the Local Government Association (LGA) Kym McHugh.

Appendix B List of submitters to consultation on the draft Local Nuisance and Litter Control Bill

Private citizens

Ms Christina Schiansky

Mr J Campbell

Mr Ian McDowell

Mr Mike McRae

Messrs' Peter and John Hartley (joint submission)

Non-government organisations

KESAB Environmental Solutions

Members of Parliament

Jon Gee MP – Member for Napier

The Hon John Rau MP – Minister for Planning

Local government associations

South East Local Government Association

Local Government Association of South Australia

Councils

Adelaide City Council

Adelaide Hills Council

Alexandrina Council

Barossa Council

Berri Barmera Council

City of Burnside

City of Campbelltown

City of Charles Sturt

City of Holdfast Bay

City of Marion

City of Mitcham

City of Onkaparinga

City of Playford

City of Prospect

City of Payneham, Norwood and St Peters

City of Port Adelaide Enfield

City of Salisbury

City of Tea Tree Gully

City of Victor Harbor

City of West Torrens

Copper Coast Council

District Council of Grant

District Council of Streaky Bay

Light Regional Council

Mid Murray Council

Mount Barker District Council

Port Lincoln City Council

Rural City of Murray Bridge

Town of Gawler

Whyalla City Council

Government agencies

Department of Environment Water and Natural Resources – Botanic Gardens

Department of Environment Water and Natural Resources

Department of State Development – Minerals

Primary Industries and Regions SA – Forestry

Department of Planning, Transport and Infrastructure

Attorney General's Department

Arts SA

South Australian Museum

South Australia Police