



Illegal dumping prevention and clean up

A handbook for public land managers: consultation draft

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Cover photo credits

Main photo: Illegal dumping is a criminal activity that looks unsightly and may lower the value of land, R. Barry. Other photos left to right: Gates provide a physical barrier that can restrict access to land and effectively reduce dumping, B. Graham; NSW maritime monitors illegal dumping by boaters, NSW maritime; Abandoned cars are one type of waste illegally dumped in state forests, Forests NSW.

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About this handbook

This handbook is part of a series of illegal dumping handbooks published by the Office of Environment and Heritage (OEH). The following illegal dumping handbooks for local councils and Aboriginal communities are available from the OEH website at: www.environment.nsw.gov.au/waste/dumping

- For councils: Crackdown on illegal dumping: a handbook for local councils.
- For Aboriginal communities: Illegal dumping prevention and clean-up: handbook for Aboriginal communities.

This handbook contains advice and information for public land managers responsible for dealing with illegal dumping. It may also be useful to other individuals, groups or organisations that manage land with similar issues to those of public land managers. This guide has been developed for, and in consultation with, public land managers in NSW.

Important! Take action to prevent illegal dumping and clean up waste dumped on land.

This handbook will help public land managers:

- understand the environmental, social and financial impacts of illegal dumping
- improve knowledge of their roles and responsibilities for managing public land impacted by illegal dumping
- improve knowledge of who is responsible for dealing with illegal dumping
- report incidences of illegal dumping to the appropriate authorities
- undertake safe clean-up activities
- put tailor-made measures in place to prevent and deter illegal dumping
- develop partnerships to tackle illegal dumping
- obtain support from neighbouring landholders, peers and senior managers.

This handbook is divided into the following sections:

- **Chapter 1**
Describes illegal dumping
- **Chapter 2**
Contains advice and information for public land managers who deal with illegal dumping
- **Chapter 3**
Introduces the law preventing illegal dumping
- **Chapter 4**
Outlines steps for dealing with illegal dumping and gives options for cleaning up illegal dumping
- **Chapter 5**
Includes tips for preventing illegal dumping
- **Chapter 6**
Gives recommendations for maintaining illegal dumping data and working with others
- **Chapter 7**
Outlines steps for implementing a strategic approach that prevents illegal dumping.

The case studies and examples provided throughout the handbook show that public land managers can deter and prevent illegal dumping on their land. Public land managers are encouraged to develop their own ideas by improving their knowledge of illegal dumping, understanding the factors that influence illegal dumping on their land and then implementing tailor-made solutions.

1 Consequences of illegal dumping

What is illegal dumping?

Illegal dumping – the unlawful deposit of waste larger than litter onto land. It includes waste materials that have been dumped, tipped or otherwise deposited onto land where no licence or approval exists to accept such waste. Illegal dumping varies from small bags of rubbish in an urban environment to larger-scale dumping of waste materials in isolated areas, such as bushland.

What is illegally dumped?

All kinds of waste are illegally dumped. The most common waste that is illegally dumped is household waste. Illegally dumped bulk household wastes include household whitegoods (such as fridges and washing machines), furniture and mattresses. Other wastes include garden waste, car bodies, tyres, building and demolition waste, animal carcasses and vehicle parts (see Chapter 8, Further reading, Local illegal dumping resources, DECC 2008).



Photo: courtesy Forests NSW

Domestic waste illegally dumped in Kiwarrak State Forest, near Wauchope.

1.1 Environmental and social impacts of illegal dumping

For public land managers, illegal dumping may:

- degrade public land and lower its value
- lower the value of surrounding properties
- impact the visual amenity of land
- lead to degradation of land, including eroding land and degrading plant and animal habitats.

Illegal dumping on public land may also impact others in the community. For example, illegal dumping can:

- result in land being less desirable to visitors or persons pursuing recreation
- impact the health of the people of NSW
- destroy local bushland, reduce biodiversity value and hinder revegetation
- contaminate local waterways
- pose a fire risk by arson, which can lead to damaged property and bushland
- result in loss of valuable resources because many dumped items can be recycled such as garden waste, beverage containers, fridges, computers, tyres and car bodies.

1.2 Financial costs

Illegal waste-dumping incurs costs to individuals, communities and the government. The cost of cleaning up after waste dumping can be devastating for landowners or occupiers.

During consultation for development of this guide a state government stakeholder commented that "...[they] assign an annual budget of more than \$500,000 for clean-up and disposal of illegally dumped waste in the Sydney region".

Other individuals in a community can also suffer financial losses from illegal dumping. For example, landfill operators, resource recovery facilities and recycling facilities undergo loss of income for every tonne of waste that is illegally dumped. Waste transportation companies also lose out when competitors gain unfair advantage by not paying landfill fees.

What motivates illegal dumpers?

Research carried out by the Department of Environment and Conservation (DEC) in 2004 (see Chapter 8, Further reading, Community awareness, DEC 2004) found that councils nominated the unwillingness of offenders to pay, an uncaring attitude and convenience as factors that motivated illegal dumpers. Responses overall were similar for urban and rural councils, with the exception that rural councils rated the limited operating hours of, or distance to, a disposal site as relatively important, whereas this was not mentioned by urban councils.

Who does it?

- householders who place unwanted items on footpaths or back lanes in the hope that someone will take them or council will remove them
- shop owners who place commercial waste beside or into public street bins
- commercial operators who have been paid to dispose of waste but choose to dump waste
- businesses and householders who transport and dump their own waste
- builders and contractors who dump construction and demolition waste or hazardous materials, such as asbestos and chemicals.

Where is waste typically dumped?

During the development of this guide, NSW land managers reported that the typical places they find waste being dumped include:

Urban areas

Nature-strips and roadside, bushland, laneways, drains, parks, sporting grounds, private property, vacant land, train stations, electricity substations.

Regional areas

Remote areas such as national parks and state forests, recreational areas, including camping grounds, land that buffers water catchment areas and electricity substations, alongside access roads to remote areas, vacant land in close proximity and existing residential estates, rail corridors.



Photo: S. Gillis, Penrith City Council

Remote areas are one place that may be used to dump waste.

1.3 What is the NSW Government doing about this problem?

The NSW Government is committed to tackling illegal dumping in NSW. It is introducing a range of preventative actions and measures including:

- Allocating funding to waste compliance programs to enhance and expand OEH's compliance programs, particularly in relation to illegal dumping.
- Taking strong action against illegal operators. OEH has completed a number of strategic prosecutions in the Land and Environment Court and local courts, targeting the illegal handling or dumping of waste, including for negligent disposal of waste in a manner which harms or is likely to harm the environment. In April 2011 the EPA Board approved and OEH instituted a Tier 1 prosecution, the most serious offence, for alleged illegal waste disposal.
- Working consistently and strategically to tackle illegal dumping. OEH uses a broad range of tools such as licensing, targeted inspections, sector compliance programs, enforcement and investigative actions, education and cleaner industry programs. Councils and Regional Illegal Dumping (RID) Squads are key partners in the delivery of compliance campaigns (see Case Study 2).
- Increasing the penalties for illegally dumping waste. Under the *Protection of the Environment Operations Act 1997* (the POEO Act) the courts can impose a maximum penalty of \$5 million in the case of a corporation and up to seven years imprisonment in the case of an individual if an offence is found to cause harm to the environment. Offenders can also be liable to pay the costs of clean-up.

CASE STUDY 1: Operation Eyes in the Sky

OEH uses aerial surveillance as part of its strategic compliance program to identify illegal dumping hot spots. Operation Eyes in the Sky identifies illegal dumping that would otherwise go undetected by undertaking regular aerial surveillance using a helicopter fitted with special cameras and GPS equipment to help pinpoint and photograph dump sites. OEH has worked collaboratively with several local councils to identify and follow-up the dump sites identified, and carry out investigations to prosecute offenders.

In June 2010, in partnership with the Great Lakes Council, the program was used to survey land in the Great Lakes Council area. Fifty dump sites were identified. The campaign was promoted by the Newcastle Herald and by Prime News to raise the profile of the issue and tell offenders that they will be caught for illegal dumping. Together, OEH and the Great Lakes Council issued fines and penalties for illegal dumping.

In June 2011 another overflight occurred, in the Gosford/Wyong and Southern Lake Macquarie council areas. Forty-six dump sites were identified. The campaign was promoted by the Express Advocate.



Hawkesbury City Council and OEH officers planning the flight route over the Hawkesbury local government area.

Photo: OEH

- Assisting councils to crackdown on illegal dumping. OEH has published *Crackdown on illegal dumping – handbook for local government* (DECC 2008), which includes a section on how to investigate and prosecute illegal dumpers. It also provides insights into what motivates illegal dumpers and focuses on ways of minimising the opportunities that give rise to illegal dumping in NSW.
- Working with councils to identify important environmental issues and compliance problems and help communicate compliance messages and outcomes of compliance activities to the regulated community.
- Supporting Aboriginal people in caring for Country by recommending actions to prevent illegal dumping and to clean-up waste. OEH published *Illegal dumping prevention and clean-up – handbook for Aboriginal communities* (DECC 2008a) which is now being followed up through targeted campaigns with specific local communities. This handbook aims to help Aboriginal communities plan, gain funding for and undertake projects that prevent illegal waste dumping and enable the clean up of lands where dumping has occurred.
- Providing funding to Local Aboriginal Land Councils (LALCs) who partner with their local councils to clean up and prevent illegal dumping on Aboriginal owned lands under the Aboriginal Lands Clean-up Program.
- Supporting two RID squads that, alongside OEH and partner councils, focus solely on and tackle the problem of illegal dumping. The Western Sydney and the Greater Southern RID Squads operate across member council boundaries to investigate and enforce breaches of NSW regulations on illegal dumping and illegal land filling (see Case Study 2 and Chapter 8, Further reading, for more information).
- Publishing information about disposing of waste lawfully and the fines and penalties for illegal dumping. OEH has provided information for home renovators, for demolition and excavation companies, builders, contractors, project managers and property developers, for landscaping, tree and gardening service providers, for tyre retailers and retreaders, for waste transporters and for landholders (see Chapter 8, Further reading, for more information).

CASE STUDY 2: Regional Illegal Dumping Squad – illegal dumper fined

In late July 2005, the Greater Southern RID Squad of the Shoalhaven City Council located five large loads of household waste dumped in Chessell Lane, Sanctuary Point. The waste consisted of whitegoods, household furniture and rubbish. The waste was traced to a bay and basin cleaning contractor. The offender was subsequently interviewed, ordered to clean up the waste and fined \$4500. It is a costly reminder to all dumpers that disposing of waste illegally can result in being ordered to remove the waste as well as being fined anywhere between \$750–\$5000 on the spot by the RID Squad.

Patrols of known dumping ‘hot spots’ are conducted on a regular basis and residents should be aware that local bushland areas are not tips and all waste is to be taken to a lawful facility. Indiscriminate dumping of rubbish in the bush can have a significant impact on the local environment and costs the community thousands of dollars each year in clean-up costs.

Dumpers who are caught will be fined by the RID Squad. To report an illegal dumping incident please call the RID Squad on 131 555 and ‘dob in a dumper’ to help protect our environment.

2 Roles and responsibilities of land managers

2.1 Legal information for public land managers

Public land managers should follow these simple rules for managing illegal dumping on their land.

- Each public land manager has defined responsibilities to maintain the land they oversee and to minimise risks to visitors.
- Public land managers must not permit the land that they control to be used for the unlawful dumping of waste. Table 2.1 outlines the general duties of NSW public land managers.
- Under the law, land managers are responsible for taking action to ensure that waste generated by them and waste that is illegally dumped on the land they manage is disposed of at a place that can lawfully accept that waste (see Box 2.1). Land managers must also ensure that whoever is selected to transport and dispose of the waste transports it to a place that can lawfully accept it. Box 4.4 provides tips for selecting reputable contractors.
- Dangerous waste may be listed as trackable waste in the Protection of the Environment Operations (Waste) Regulation 2005. If so, land managers are required to comply with the obligations for consignors of trackable waste under that regulation.
- Land managers are required to manage waste that is illegally dumped on the land they control to ensure that any duty of care that may be owed to any persons on the land is not breached (whether or not they were invited to be there; for more information see the *Civil Liability Act 2002* and the *Occupational Health and Safety Act 2000*).
- NSW legislation has provisions aimed at responding to illegal dumping of waste, unwanted articles and discarded items in public places, hence protecting land managers from dumpers and providing land managers with tools to deal with illegal dumping. A summary of the legislation is provided in Chapter 3.
- Land managers are required to be aware of the roles and responsibilities of other land managers, in particular, the roles and responsibilities of neighbours. Refer to Table 2.1 for a list of the responsibilities of NSW public land managers.

Things land managers can do to deal with illegal dumping

The law helps land managers deal with the impacts of illegal dumping on land they are responsible for managing.

- Laws on trespass can be used to tackle illegal dumping. The police have powers to arrest and remove trespassers, or court proceedings can be commenced to seek an injunction to restrain a person from interfering with the use or enjoyment of the land (i.e. by trespassing on it).
- Any person in NSW can take a prosecution for illegal dumping offences under the POEO Act if the Land and Environment Court gives them leave to do so. In practice, most prosecutions are taken by local councils and the Environment Protection Authority (EPA).
- Some public authorities have powers to impound abandoned or unattended articles under the *Impounding Act 1993* (see Chapter 3).
- Some public land managers have powers to direct persons to clean up waste illegally dumped on their land (see Chapter 3).
- Special legislation applies to some areas of public land and creates offences for the illegal dumping of waste on that land (see Chapter 3). The relevant public land manager can prosecute or issue a penalty notice to a person who commits one of those offences.
- Land managers who build rapport and establish relationships can tackle illegal dumping with neighbouring landholders, partner with councils and other government agencies, as well as gain support from the local community. Chapters 4 and 5 contains tips and information about how to do this.



Photo: R. Barry, Penrith City Council

Illegally dumped garden waste.

Box 2.1 Know your responsibilities – it's the law

- **Land managers must lawfully manage waste** they generate and waste illegally dumped on their land (see Chapter 8, Further reading, Local illegal dumping resources, DECC 2008). This includes storing waste in an environmentally safe manner and ensuring that the waste is transported in a lawful manner and disposed of at a lawful place. It is a good idea to keep accurate written records about all waste, such as who transported the waste, and copies of waste dockets or receipts for the waste facility that accepted the waste. Chapter 4 contains information about the written records that should be kept.
- **Select a reputable person** to transport the waste and a lawful waste facility to dispose of the waste. Chapter 4 provides tips for selecting reputable contractors and keeping accurate written records.
- **Beware! Relying on advice from others**, such as consultants, contractors or managers of waste facilities, is no defence for transporting waste to a place that cannot lawfully be used as a waste facility.

More rules about waste that land managers should know

- **Allowing waste¹ onto your land.** Land managers will typically need consent from their local council or a licence from the EPA to allow waste onto their land. Without the appropriate consent or licence they may be breaking the law. Schedule 1 of the POEO Act sets out the activities, including waste and resource recovery activities, that require licensing. Local councils or the Environment Line (131 555) can provide further information.
- **Rules for applying waste to land.** Waste is usually not permitted to be applied to land in NSW unless the land is covered by a licence or has an exemption from licensing. Many waste-derived materials are not suitable to apply to land because of potential contamination to the land.

Illegal dumping is a crime

Incidents of illegal dumping can also be reported to local police. Contact details for local police stations can be found in the phone directory, on the police webpage at www.police.nsw.gov.au or call Crime Stoppers on 1800 333 000.

1. Land managers should check the relevant legislation to determine what 'waste' it applies to as this can vary. Waste might not only include rubbish and discarded, rejected, unwanted, surplus or abandoned substances. For example, it might also include substances intended for processing, recycling, reuse or recovery; excavated material such as dirt, sandstone and soil; building and demolition waste (such as asphalt, bricks, concrete, plasterboard, timber and vegetation); and asbestos and contaminated soil.

Table 2.1 Summary of the responsibilities of NSW public land managers.

<p>Office of Environment and Heritage (OEH)</p> <p>OEH Parks and Wildlife Group manages more than 875 national parks and reserves that comprise more than 8% of land in NSW².</p>
<p>The Land and Property Management Authority (LPMA) is the largest public land manager in NSW responsible for the sustainable and commercial management of Crown land. The LPMA administers approximately 36 million hectares of Crown land (including the three nautical mile zone and Western Crown land).</p>
<p>Local councils are responsible for certain activities within their area such as land-use planning and development. They manage public land including local roads, parks and reserves, community land and open spaces. They deal with most types of small-scale illegal dumping. The NSW Government provides support to local councils to clean up small quantities of asbestos waste that has been illegally dumped on council land.</p>
<p>Forests NSW is part of the Department of Trade and Investment, Regional Infrastructure and Services. It manages more than two million hectares of native and planted forests to internationally recognised standards for a wide range of economic, environmental and social values³.</p>
<p>Rail Corporation NSW (RailCorp) provides a CityRail metropolitan train service covering 3236 kilometres of track as well as long distance services via CountryLink. It provides railway passenger services in the Sydney, Central Coast, Hunter, Blue Mountains, and Illawarra regions. It owns and maintains the metropolitan rail network and its corridor and supervises access to other freight and passenger operators⁴.</p>
<p>Roads and Traffic Authority (RTA) manages 17,932 kilometres of state roads and 2946 kilometres of regional and local roads in NSW⁵ and reserved road corridors.</p>
<p>Sydney Catchment Authority manages the water catchments of the Warragamba, Upper Nepean, Blue Mountains, Shoalhaven, and Woronora regions, covering an area of almost 16,000 square kilometres. More than four million people in Sydney, the Illawarra, the Blue Mountains and the Southern Highlands (about 60% of the NSW population) rely on these catchments and river systems to supply their drinking water⁶.</p>
<p>Sydney Water Corporation is Australia's largest water utility managing 12,700 square kilometres of land⁷. It sources water from dams managed by the Sydney Catchment Authority and manages land that houses sewage treatment facilities, pumping stations and other easements. Sydney Water Corporation is a statutory corporation wholly owned by the NSW Government.</p>

<p>Hunter Water Corporation supplies water and sewerage services to more than 500,000 people in the local government areas of Cessnock, Lake Macquarie, Maitland, Newcastle, Port Stephens, Dungog and small parts of Singleton covering 5366 square kilometres of land⁸.</p>
<p>State Water Corporation is NSW's rural bulk water distribution corporation and annually delivers about 5500 gigalitres of water to regional NSW along 7000 kilometres of rivers. As part of water sharing plans, they also deliver about 9000 gigalitres of water for the environment. They also manage and operate 20 dams, and more than 280 weirs and regulators to distribute water for town water supplies, industry, irrigation, stock and domestic use, riparian and environmental flows⁹.</p>
<p>Origin has around 4500 employees in 146 customer and field service centres across NSW – as well as eight regional offices and four business centres. The network spans 95% of NSW¹².</p>
<p>TransGrid is the owner, operator and manager of the NSW high voltage network connecting generators, distributors and major end users in NSW and the ACT. Electricity is generated at power stations then transmitted by the network through 12,656 kilometres of high voltage transmission lines and underground cables, along with 91 substations. The electricity is finally delivered to homes, factories and businesses by electricity distributors such as AusGrid, Essential Energy and Endeavour Energy.¹³</p>
<p>Endeavour Energy is an electricity network business spanning 24,500 square kilometres in NSW. It builds and renews major substations, upgrades and constructs new transmission lines, maintains poles and wires, restores power after storms, reads metres and repairs street lights. It also raises public awareness about electrical safety.¹⁴</p>
<p>Ausgrid is a state-owned corporation whose shareholder is the NSW Government. The Ausgrid electricity network provides power to 1.6 million homes and businesses throughout Sydney, the Hunter and the Central Coast.</p>
<p>Sydney Harbour Foreshore Authority is responsible for land set aside as Sydney's historic and culturally significant waterfront locations, including The Rocks and Darling Harbour. Land owned by the Authority includes sites at White Bay Power Station, Rozelle railway yards and Ballast Point¹⁵.</p>
<p>The Maritime Authority of NSW is responsible for marine safety, regulation of commercial and recreational boating and overseeing port operations. The Authority is also responsible for property management of submerged lands in Sydney Harbour, Newcastle Harbour, Botany Bay and Port Kembla. The Authority provides strategic advice to the NSW Government concerning ports and maritime matters¹⁶.</p>

Livestock Health and Pest Authorities work collaboratively with rural producers, government and industry to safeguard agriculture in NSW. There are 14 authorities located in almost 60 places throughout NSW. Staff provide frontline animal health services and manage land reserved as travelling stock reserves. Other areas of responsibility include animal health, pest animal and insect control¹⁷.

Local Aboriginal Land Councils (LALCs) own and manage land in NSW. There are 121 LALCs in NSW¹⁸. LALCs collectively manage a range of support services delivered at a local level to their communities, including housing, legal affairs, employment, training, property acquisition and management.

2. www.environment.nsw.gov.au/nationalparks/default.aspx
3. www.dpi.nsw.gov.au/forests/
4. www.railcorp.nsw.gov.au/
5. www.rta.nsw.gov.au/
6. www.sca.nsw.gov.au/
7. www.sydneywater.com.au/
8. www.hunterwater.com.au/
9. www.statewater.com.au/
10. www.energyaustralia.com.au/Common/About-EnergyAustralia/EnergyAustralia-retail-business-has-been-sold.aspx
11. www.integral.com.au/wps/wcm/connect/IntegralEnergy/NSW/NSW+Homepage/ourNetworkNav/?%20/
12. www.countryenergy.com.au/content/origin-sale-info
13. <http://www.transgrid.com.au/aboutus/Pages/default.aspx>
14. <http://www.integral.com.au/wps/wcm/connect/integralenergy/nsw/nsw+homepage/ournetworknav/faq>
15. www.shfa.nsw.gov.au/
16. www.maritime.nsw.gov.au/
17. www.lhpa.org.au/
18. www.alc.org.au/land-councils/overview.aspx

2.2 Who to contact

Regardless of whether land is public or private, land managers should report illegal dumping. There is no single point of contact for reporting illegal dumping. The flowchart in Figure 2.1 provides a simple guide for who to contact and Table 2.2 provides a detailed list of contacts.

Local councils are responsible for investigating most types of small-scale illegal dumping, which typically includes waste from residential, commercial and development (demolition or construction) sites. OEH usually investigates larger incidents (e.g. dumping involving several tipper loads of waste), incidents involving organised crime, or types of waste that could pose a significant risk to the environment or public health.

Illegal dumping incidents can also be reported to local police. Contact details can be found in local phone directories, at www.police.nsw.gov.au or contact Crime Stoppers on 1800 333 000.



Photo: courtesy Forests NSW

Illegally dumped waste in Dog Rocks State Forest located west of Oberon.

Report illegal dumping. It's important!

Regardless of whether the land is public or private, illegal dumping should be reported.

Figure 2.1 Who to contact when you discover illegal dumping on your land

This is a simple summary. If in doubt, call Environment Line on 131 555.

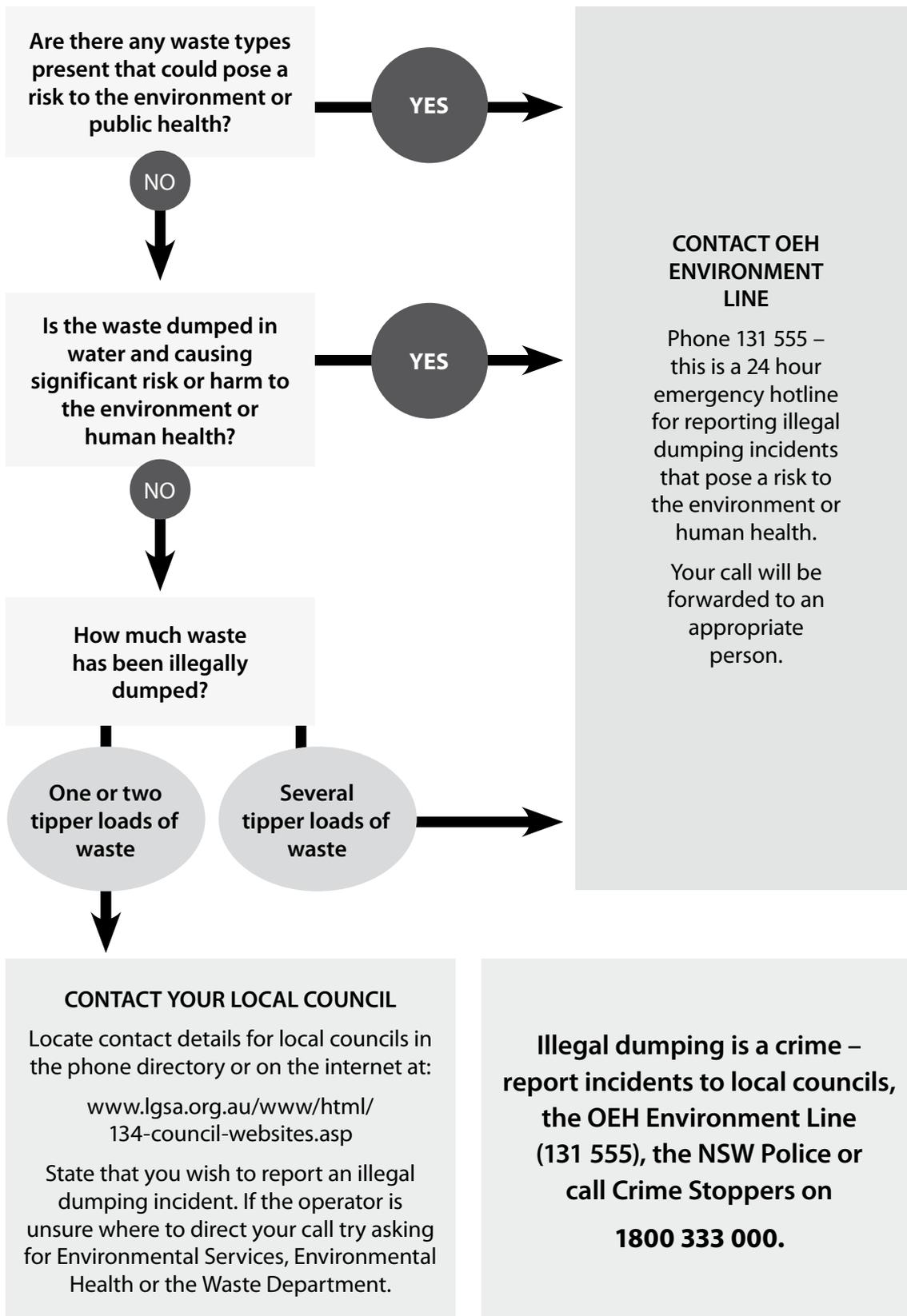


Table 2.2 Reporting illegal dumping

Pollution type or source	Organisation responsible	Telephone
Illegal dumping of solid and liquid wastes	OEH Local councils	131 555 See local phone book
Fertilisers, pesticides, herbicides	OEH	131 555
Dumped cars	Local councils Police Assistance Line	See local phone book 131 444
Illegal dumping on beaches	Local councils	See local phone book
Grease, oil and odours on beaches	OEH	131 555
Illegal dumping on major roads and highways	RTA	131 700
Illegal dumping and roadside rubbish on local roads	Local councils	See local phone book
Illegal dumping in national and state parks, historic sites and nature reserves	OEH	131 555
Illegal dumping in council parks	Local council Park trustee	See local phone book
Illegal dumping on vacant Crown land	OEH	131 555
Illegal dumping in state forests	OEH	131 555
Illegal dumping on private property	Local councils	See local phone book
Illegal dumping in the Bankstown City Council, Fairfield City Council, Holroyd City Council, Liverpool City Council, Parramatta City Council, Penrith City Council and The Hills Local Government Areas	Western Sydney RID Squad	(02) 4732 7446
Littering from NSW registered vehicles	OEH	131 555
Illegal dumping in the rail corridor	RailCorp	1300 656 999

3 Illegal dumping and the law

3.1 The Protection of the Environment Operations Act 1997

Illegal dumping is a crime. The POEO Act provides a tiered range of illegal dumping offence provisions and significant on-the-spot fines and court penalties (see Table 3.1). If a corporation is caught illegally dumping waste, they can be fined \$1500 on-the-spot by councils or OEH officers. If a corporation illegally dumps more than two tonnes or one cubic metre of waste, or any quantity of hazardous or asbestos waste, they can be fined \$5000 on-the-spot. Corporations can also receive court-imposed penalties of up to \$5 million for illegally dumping waste. Directors and managers of corporations that commit these offences are deemed to have committed the same offences unless they can prove they could not influence the conduct of the corporation or exercise due diligence to prevent the fine.

Table 3.1 The POEO Act provides a tiered range of illegal dumping offence provisions.

Tier 3 – penalty notices
<ul style="list-style-type: none">• \$750 on-the-spot fine¹⁹ for individuals for illegal dumping with a maximum on-the-spot fine of \$1500• \$1500 on-the-spot fines for corporations for illegal dumping with a maximum on-the-spot fine of \$5000.
Tier 2 – use of land by an owner or occupier as a waste facility without lawful authority; unlawful transporting or deposition of waste
<ul style="list-style-type: none">• maximum penalty in the case of an individual: \$250,000 and, in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues• maximum penalty in the case of a corporation: \$1,000,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues.
Tier 1 – disposal of waste in a way which harms or is likely to harm the environment
<ul style="list-style-type: none">• maximum penalty in the case of an individual: \$1,000,000 and/or seven years imprisonment if the disposal was done wilfully, and \$500,000 and/or four years imprisonment if the disposal was done negligently• maximum penalty in the case of a corporation: \$5,000,000 if the disposal was done wilfully, and \$2,000,000 if the disposal was done negligently.

19. Officers don't have to issue 'on-the-spot' fines 'on-the-spot', but can issue them within a reasonable time after gathering evidence for the offence.

3.2 Penalty notice offences

The Protection of the Environment Operations (General) Regulation 2009 enables particular classes of officers or staff members of certain organisations to issue penalty notices. A staff member of an organisation can only issue penalty notices if the organisation has authorised him or her to carry out the functions of an enforcement officer (see Table 3.2). Officers from some organisations can only issue penalty notices for offences that occur in certain areas.

A list of organisations, particular illegal dumping offences and associated penalties is provided in Table 3.3.

Only EPA enforcement officers can issue penalty notices for illegal dumping offences where:

- the offence relates to activities carried on by the state or by a public authority, or
- the offence relates to activities authorised or controlled by an environment protection licence.

Table 3.2 Classes of persons that can issue penalty notices for illegal dumping offences under the POEO Act (without being authorised by their organisation).

Class of persons	Short description of the environment protection offence	Penalty
Police officers	Section 143. Transport waste, comprising asbestos waste, hazardous waste or any other waste greater than one cubic metre in volume or two tonnes in weight, to a place that cannot lawfully be used as a waste facility.	Individual \$1500 Corporation \$5000
Police officers	Section 143. Transport waste other than asbestos waste, hazardous waste or any other waste greater than one cubic metre in volume or two tonnes in weight, to a place that cannot lawfully be used as a waste facility for that waste.	Individual \$750 Corporation \$1500
Police officers Marine park rangers	Section 120. Pollution of waters.	Individual \$750 Corporation \$1500
Police officers	Section 144. Permit land to be used unlawfully as a waste facility.	Individual \$750 Corporation \$1500

Table 3.3 Organisations that can authorise their officers to issue penalty notices for illegal dumping offences under the POEO Act.

Organisation	Short description of the environment protection offence	Penalty
Local councils and RID Squads Lord Howe Island Board Western Lands Commissioner ²⁰ OEH Sydney Catchment Authority	Section 143. Transport waste, comprising asbestos waste, hazardous waste or any other waste greater than one cubic metre in volume or two tonnes in weight, to a place that cannot lawfully be used as a waste facility.	Individual \$1500 Corporation \$5000
Local councils and RID Squads Lord Howe Island Board Western Lands Commissioner OEH Sydney Catchment Authority	Section 143. Transport waste other than asbestos waste, hazardous waste or other waste greater than one cubic metre in volume or two tonnes in weight, to a place that cannot lawfully be used as a waste facility.	Individual \$750 Corporation \$1500
Local councils and RID Squads Lord Howe Island Board Western Lands Commissioner OEH Port Corporation Sydney Water Corporation Hunter Water Corporation Other water supply authorities ²¹ Department of Trade and Investment, Regional Infrastructure and Services Department of the Arts, Sport and Recreation Parramatta Stadium Trust Australian universities Sydney Olympic Park Authority Western Sydney Parklands Trust Sydney Catchment Authority Maritime Authority of NSW	Section 120. Pollution of waters.	Individual \$750 Corporation \$1500
Local councils and RID Squads Lord Howe Island Board Western Lands Commissioner OEH	Section 142A. Pollution of land.	Individual \$750 Corporation \$1500
Local councils and RID Squads Lord Howe Island Board Western Lands Commissioner ²² OEH Sydney Catchment Authority	Section 144. Permit land to be used unlawfully as a waste facility.	Individual \$750 Corporation \$1500

20. Western Lands Commissioner refers to the Western Division, except any part of the Western Division within the area of a local council.

21. 'Other water supply authorities' refers to a water supply authority within the meaning of the *Water Management Act 2000*. Currently, these authorities include Benerambah Irrigation District Environment Protection Trust, Cobar Water Board, Upper Parramatta River Catchment Trust, Gosford City Council, Sydney Olympic Park Authority, Wyong Council, and the Australian Inland Energy Water Infrastructure. It also currently includes the State Water Corporation (but only in relation to the Fish River water supply scheme within the meaning of the *State Water Corporation Act 2004*).

22. Western Lands Commissioner refers to the Western Division, except any part of the Western Division within the area of a local council.

3.3 Environment protection notices

The POEO Act enables an appropriate regulatory authority, by notice in writing, to direct persons to take clean-up action or when an activity is carried on in an environmentally unsatisfactory manner to direct persons to take action (see Table 3.4).

Table 3.4 Under the POEO Act the Environment Protection Authority and local councils can issue environment protection notices to direct persons to clean up illegal dumping.

Environment protection notice	Offence for non-compliance
Clean-up notice (s91)	
<p>The EPA or local council may direct an occupier of a premises at or from which the EPA or a local council reasonably suspects that a pollution incident has occurred or is occurring, or direct a person who is reasonably suspected of causing or having caused a pollution incident to clean up the area in a time-frame specified in the clean-up notice.</p>	<p>Individual – \$250,000 and, in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues. Corporation – \$1,000,000 and, in the case of a continuing offence, further penalty of \$120,000 for each day the offence continues.</p>
Prevention notice (s95)	
<p>The EPA or local council may direct an occupier of a premises or a person carrying on an activity to take action to ensure the activity is carried on in future in an environmentally satisfactory manner (e.g. carry out works, cease to use equipment, carry on an activity only during particular times).</p>	<p>Individual – \$250,000 and, in the case of a continuing offence, a further penalty of \$60,000 for each day the offence continues. Corporation – \$1,000,000 and, in the case of a continuing offence, further penalty of \$120,000 for each day the offence continues.</p>



Photo: A. Reece, OEH

Enforcement officers can issue penalty notices of \$5000 for illegal dumping.

3.4 Other statutory instruments for illegal dumping

Table 3.5 provides a summary of some of the tools that might be relevant for land managers. Some of these pieces of legislation only give powers to particular land managers or officers of those land managers. Therefore, land managers will need to check the relevant legislation to assess whether they have the power to issue orders or to take enforcement action. Land managers will also need to check the legislation to see whether there are any definitions and defences that are relevant.

Illegal dumping and the law

Illegal dumping is a crime. Legislation and penalties can be imposed by certain authorities for the illegal dumping of waste. A summary of the statutory instruments used by the authorities for illegal dumping is provided in Table 3.5.

Table 3.5 Summary of statutory instruments for illegal dumping.

<i>Protection of the Environment Operations Act 1997 (the POEO Act)</i>	The POEO Act defines waste and provides a number of regulatory tools to prevent illegal dumping. It helps ensure that transporters and owners of waste accept responsibility and lawfully dispose of their waste. It defines offences for waste transporters and owners of waste who are responsible for illegal dumping. Refer to Table 3.3 for a list of offences.
<i>Environmental Planning and Assessment Act 1979 (and Regulation 2000)</i>	Allows orders to be given or enforcement action to be taken in certain circumstances; for example, by a consent authority where there is a breach of development consent.
<i>Impounding Act 1993</i>	A person appointed as an 'impounding officer' by an impounding authority ²³ may impound motor vehicles and abandoned and unattended articles, such as trolleys and skip bins. Cost recovery and offence provisions are available to the impounding authority under the Act.
<i>Local Government Act 1993 (s124) Order No. 22</i>	A local council can order the owner/occupier of land or premises, or person responsible for the waste or for a receptacle or container in which the waste is contained, to store, treat, process, collect, remove, dispose of or destroy waste which is on land or premises in the manner specified in the order, provided that it is not inconsistent with regulations made under the POEO Act and the waste is not regulated by an environment protection licence or environment protection notice under the POEO Act. A person who fails to comply with an order given to the person is guilty of an offence. The maximum penalty is 20 penalty units (currently \$2200).

23. Impounding authorities include: a council, the Forestry Commission, the Minister administering the Ports and Maritime Administration Act 1995, the Chief Executive of OEH, the Minister administering the *Crown Lands Act 1989*, the Rail Corporation NSW, the RTA, the Sydney Catchment Authority, the Western Lands Commissioner, the Centennial Park and Moore Park Trust, a livestock health and pest authority, the Sydney Harbour Foreshore Authority, the Sydney Olympic Park Authority, the Western Sydney Parklands Trust or a public authority set out in the impounding regulation as an impounding authority for a particular place or class of places.

<p>Local Government Act 1993 (s124) Order No. 22A</p>	<p>If an environmental health officer believes waste on any residential premises is causing or likely to cause a threat to public health or the health of an individual, then the local council can order the owner/occupier of the premises to remove or dispose of the waste or to refrain from keeping waste on those premises. A person who fails to comply with an order given to the person is guilty of an offence. The maximum penalty is 20 penalty units (currently \$2200).</p>
<p>Crown Lands Act 1989 (s155) and the Crown Land Regulation 2006 (cl45)</p>	<p>It is an offence under the Crown Lands Act to deposit or leave various types of waste on public land (this includes public roads). The maximum penalty is 20 penalty units (currently \$2200).</p>
<p>Roads Regulation 2008 (cl11 (1))</p>	<p>It is offence under this provision for a person to place anything on a road (or footpath) that is likely to injure any person or damage any vehicle, or restrict or endanger the use of a road by the public or interfere with public convenience. Additionally, a person must not allow any liquid or any loose waste material escape onto a road. The maximum court penalty of 20 penalty units (currently \$2200) may be imposed under this regulation.</p>
<p>Inclosed Lands Protection Act 1901 (s4)</p>	<p>It is an offence under this provision for any person who, without lawful excuse, enters into the inclosed lands of any other person, without the consent of the owner or occupier or a person apparently in charge of the land, after being requested by the owner or occupier or person apparently in charge of those lands to leave those lands. A person is liable to a penalty not exceeding 10 penalty units (currently \$1100) in the case of prescribed premises (such as a public school, child-care service or hospital), or five penalty units (currently \$550) in any other case.</p>
<p>National Parks and Wildlife Act 1974 (156A)</p>	<p>It is an offence under this provision to damage any vegetation, rock, soil, sand, stone or similar substances or an object or place of cultural value in or on land reserved under the Act or acquired under Part 11 of the Act. Maximum penalty in the case of a corporation is 10,000 penalty units (currently \$1,100,000). Maximum penalty in the case of an individual is 1000 penalty units (\$110,000) or six months imprisonment, or both.</p>

<p>National Parks and Wildlife Regulation 2009 (cl11)</p>	<p>It is an offence under this provision to:</p> <ul style="list-style-type: none"> • deposit or leave waste in a park; a 'park' refers to lands reserved under the National Parks and Wildlife (NPW) Act, or acquired by the Minister under Part 11 of the NPW Act, and all roads and waters within the boundaries of those lands; clause 11(6) sets out certain things that are considered to be 'waste' • deposit or leave any litter in a park except in an area or receptacle provided by the park authority for that purpose. Clause 4(1) sets out certain things that are considered to be 'litter' • deposit, discharge or leave in a park any offal, filth, dung or dead animal, or any noisome, noxious, offensive or polluting substance, matter or thing • deposit, leave or abandon a vehicle or part of a vehicle in a park; clause 4(1) defines 'vehicle'. <p>The maximum court penalty for these offences is 30 penalty units (currently \$3300).</p>
<p>National Parks and Wildlife Regulation 2009 (cl18)</p>	<p>It is an offence under this provision to damage or destroy any vegetation in a park. The maximum penalty is 30 penalty units (currently \$3300).</p>
<p>Forestry Act 1916 (s27)</p>	<p>It is an offence under this provision to destroy or damage:</p> <ul style="list-style-type: none"> • timber or products on Crown-timber lands, or • forest materials on any state forest or flora reserve. <p>Maximum penalty not exceeding 50 penalty units or imprisonment for a period not exceeding six months, or both such penalty and imprisonment. Where, in the commission of the offence, any tree is destroyed or damaged an additional penalty may be imposed not exceeding \$10 for each such tree.</p>
<p>Crimes Act 1900 (s195)</p>	<p>Under this provision a person who intentionally or recklessly destroys or damages property belonging to another is liable to a maximum penalty of imprisonment for five years. If the destruction or damage is caused by means of fire or explosives, the maximum penalty is imprisonment for 10 years.</p>
<p>Crimes Act 1900 (ss212 & 213) in relation to rail offences.</p>	<p>A person who endangers the safety of any person who is on, or who is being conveyed on, a railway by an unlawful act or negligent omission is liable to imprisonment of three years. Additionally, a person who intentionally and without lawful excuse conducts an act, or omits to conduct an act, which causes the passage or operation of a locomotive or other rolling stock on a railway to be obstructed is liable for imprisonment of two years.</p>

<p>Sydney Water Catchment Management Act 1998 (s62B)</p>	<p>The Sydney Catchment Authority may, by written notice, give a direction to take corrective action in relation to an activity in a special area or controlled area that has or is likely to have caused damage to, or detrimentally affected, the quality of any water or the catchment health of any land managed by the Sydney Catchment Authority. It is an offence for the person given the direction to fail to comply with it.</p> <p>A person who does not comply with the notice is guilty of an offence. Maximum penalty in the case of a corporation is \$250,000 and, in the case of a continuing offence, a further penalty of \$30,000 for each day the offence continues. Maximum penalty in the case of an individual is \$120,000 and, in the case of a continuing offence, a further penalty of \$15,000 for each day the offence continues.</p>
<p>Sydney Harbour Foreshores Authority Regulation 2006</p>	<p>Gives authority to the Sydney Harbour Foreshores Authority, ranger or police officer to order the removal of obstructions from public areas; however, this does not include motor vehicles (cl24). It is an offence for the person given the direction to fail to comply with it. The maximum penalty is 20 penalty units (currently \$2200).</p>
<p>Local Government Act 1993 (s632)</p>	<p>A person in a public place within the area of a council who fails to comply with a notice erected by the council is guilty of an offence. The maximum penalty is 10 penalty units (currently \$1100).</p> <p>The terms of the notice may relate to:</p> <ul style="list-style-type: none"> • the doing of anything in the place, or • the use of the place or any part of the place.
<p>Rail Safety (Offences) Regulation 2008 (cl37)</p>	<p>A person must not deposit any litter or deposit anything that may endanger any person or property on any train or in any public area (other than in a container provided for that purpose). The maximum penalty is 10 penalty units (currently \$1100).</p> <p>A person must not abandon any building material on any train, any part of a railway or any railway premises. The maximum penalty is five penalty units (currently \$550).</p>
<p>Rail Safety (Offences) Regulation 2008 (cl41)</p>	<p>A person must not, without reasonable excuse, go onto or into, remain on or in:</p> <ul style="list-style-type: none"> • the restricted area of a station • any running lines or associated part of any rail infrastructure • any other railway premises. <p>The maximum penalty is 50 penalty units (currently \$5500).</p>

<p>Parramatta Trust Regulation 2007 (cl16)</p>	<p>A person must not, except with the written permission of and in the manner approved by the Trust or the Director, do any of the following:</p> <ul style="list-style-type: none"> • bring any waste onto the trust lands • abandon a vehicle on the trust lands • leave any litter other than in a receptacle provided and designated for the receipt of litter of that kind • deposit any oil or similar product, or any hot liquid, or allow such a product or liquid to escape, on the trust lands. <p>The maximum penalty is 10 penalty units (currently \$1100).</p>
<p>Sydney Olympic Park Authority Regulation 2007 (cl31)</p>	<p>The Authority or a police officer may order the removal of anything which obstructs or encroaches on any part of land at Sydney Olympic Park. The order may be given to either or both of the following:</p> <ul style="list-style-type: none"> • the person who caused the obstruction or encroachment • a person using the thing causing the obstruction or encroachment. <p>A person to whom such an order is given must comply with the order. The maximum penalty is 20 penalty units (currently \$2200).</p>
<p>Western Sydney Parklands Regulation 2007 (cl4 (1) f)</p>	<p>A person must not, on Trust land, dump or litter if prohibited by a public notice erected by the Trust. The maximum penalty is 10 penalty units (currently \$1100).</p>

Trespassing and illegal dumping

If a person deliberately or carelessly does something that directly causes interference with another person's land, the person commits a trespass. It is not usually a crime, but it is a civil wrong, and the land manager may sue the person for doing it even when no damage is caused. It is trespassing to dump rubbish on someone else's land.

A person can be guilty of trespass if they:

- trespass in a public place and neglect to leave after being warned
- enter a private place or scheduled public place without express authority unless for a legitimate purpose or
- neglect to refuse to leave a private place or scheduled public place after being given a warning and do not have a lawful excuse.

(See Chapter 8, Further reading, Trespassing and illegal dumping, for more information.)

4 Dealing with illegal dumping

4.1 Ensure it is safe to take action

Before you take action, make sure it is safe to do so.

Be extremely careful. Some wastes contain asbestos or can be hazardous. Do not open bags or drums unless the necessary precaution is taken, such as wearing personal protective equipment or identifying the contents. Piles of soil may be contaminated or may be hiding dangerous wastes.

Remember that offenders are doing something illegal and they are unlikely to welcome people observing them, taking notes or photographs.



For information, advice or assistance from WorkCover NSW, call **13 10 50**.



Photo: OEH

Drums of grease and oil, car batteries and asbestos roof tiles were illegally dumped. In this instance a third-party was contracted to clean-up and dispose of the waste.

4.2 Simple steps you can take to deal with illegal dumping

1. Record as many details as possible

If you are a victim of illegal dumping, you should record as many details as possible. This will help the relevant authorities investigate the incident and take action against offenders to stop them illegal dumping in the future. Box 4.1 lists information the authorities require as evidence to issue penalty notices.

Use the form in Appendix 2 at the back of this guide to help you.

Take photographs of the waste as you found it. Talk to your neighbours to see if they saw anyone or anything suspicious.

2. Report the incident by contacting the relevant authority

Regardless of whether land is public or private, if you find illegal dumping you should report it. Chapter 3 contains information about who to contact for reporting illegal dumping incidents.

Prior to contacting the relevant authority, use the form in Appendix 2 at the back of this guide to help you. This sets out the information needed to report the incident.

3. Secure the waste

Make sure the waste cannot escape or be interfered with. You may need to erect a temporary fence or bund (raised embankment). As well as protecting people and the environment until the waste can be removed, this will ensure that the evidence is left intact for any investigation.

You will then need to decide how to deal with the waste that has been dumped on your land and pay for the cost of disposal. Your local council or state government will not clean up the waste for you, although they may be able to provide some type of assistance or advice.

4. Clean up the waste

If you are managing removal of the waste, you are responsible for ensuring that the waste is disposed of lawfully (see Box 4.2). To protect your liability, keep written records about how the illegally dumped waste was managed (see Box 4.3).

Consider your options for cleaning up waste (see section 4.3, Options for cleaning up waste), and select the option that best suits the illegal dumping incident you are dealing with.

Use our tips for selecting a reputable waste contractor (see Box 4.4, Tips for selecting a reputable waste contractor).

Take extra precautions when managing hazardous wastes and asbestos (see Box 4.5, Dealing with asbestos and hazardous wastes).

Before cleaning up the waste, ensure that all relevant details have been collected and recorded to ensure further evidence is not needed for any subsequent investigation.

5. Prevent it happening again

Chapters 5, 6 and 7 contain tips on how to stop repeat offenders.

Box 4.1 Evidence required for issuing penalty notices

It is important to remember that a person issued with a penalty notice has the right to elect to have the alleged offence dealt with by a court. Therefore, before the penalty notice is issued, the facts must be established and evidence collected. As a guide, the officer issuing the penalty notice will at least need information that answers all of the following questions:

- What particular offence was committed?
- What was the date the offence was committed?
- What was the time the offence was committed?
- Who committed the offence?
- What is the person's address? (If it is littering from a vehicle, record the registration number, model and colour of the car, and find out who is the registered owner.)
- Where did the offence take place?
- Have I collected enough evidence to prove the elements of the offence?

Box 4.2 Did you know?

Land managers are liable for proving that waste has been transported to a place that can lawfully be used as a waste facility.

Under the POEO Act, the **owner of the waste** and the **transporter** are both legally responsible for proving the waste was transported to a lawful place and if found guilty on not complying with this, penalties of up \$1 million or seven years in jail apply.

That's right! You, as the land manager, and the transporter may each be guilty of an offence when waste is transported to a place that cannot lawfully be used as a waste facility. Relying on advice from others, such as consultants, contractors or managers of waste facilities, is no defence for transporting waste to a place that cannot lawfully be used as a waste facility.

Box 4.3 Simple actions for land managers to protect their liability under s143 of the POEO Act

Keep accurate written records such as:

- who transported the waste (company name, ABN, vehicle registration and driver details, date and time of transport, description of waste)
- copies of waste dockets/receipts for the waste facility (date and time of delivery, name and address of the facility, its ABN, contact person).

Prior to transport of the waste, check the council development consent and/or environment protection licence for the waste facility to make sure they can lawfully accept the waste. You may also wish to check with the waste facility. Be prepared to answer questions about the waste (such as the type and quantity). Contact your local council and check the POEO public register, which is available at www.environment.nsw.gov.au/publicregister

4.3 Options for cleaning up waste

Recycling and reusing wastes

Many waste materials that are illegally dumped are a valuable resource that can be recycled and in some cases reused, such as scrap metal, bricks, concrete, fridges, computers, car bodies and old tyres. Imported material and illegally dumped materials may be suitable to create earth mounds to prevent access but they must be fit for the purpose and pose minimal risk of harm to the environment and human health. Check the requirements of the Resource Recovery Exemptions²⁴ and also whether planning consent is needed.

Asbestos waste must be disposed to landfill. It cannot be reprocessed or recycled.

Before removing a dumped car, find out whether there is an owner or report it as abandoned. Contact your local police or call Crime Stoppers on 1300 333 000.

Scrap metal, such as tin roofing and old car bodies, can be taken to metal recycling yards where it can be made into new products. Some metal recycling companies will pay money for scrap metal or will remove it from your land at no cost.

To find out more about how you can recycle or reuse wastes, contact the Recycling Near You hotline on 1300 733 712 or visit www.recyclingnearyou.com.au.

Contact the Business Recycling Hotline on 1300 763 768 or visit www.businessrecycling.com.au for further recycling and reuse options for a large range of materials.

Skip bins

Arrange to have a skip bin delivered to your site. Make sure it is delivered on or close to the day of clean-up because an empty skip bin is an invitation for others to fill it with their own waste for which you will have to pay.

Machinery and vehicles

You may have access to machinery or vehicles to move or transport waste, consider transporting waste yourself to recycling or disposal facilities. You could also try to schedule clean-up activities for a time when you need equipment for other works such as road construction or maintenance. Check whether your local council or neighbouring land managers can help you access machinery.

Waste contractors

Hire a waste contractor to clean-up and dispose of waste on your behalf (see Box 4.4 for tips on selecting a reputable waste contractor).

24. Rules for applying waste to land. Under the law, waste is not permitted to be applied to land in NSW unless it is covered by an exemption. Many waste-derived materials are not suitable to apply to land because of potential contamination to the land. On 28 April 2008, OEHL introduced 'Resource Recovery Exemptions' under clause 51 of the Protection of the Environment Operations (Waste) Regulation 2005 to enable the reuse of waste or waste-derived materials; for example, as fill or fertiliser. Further information about the 'Resource Recovery Exemptions' is available at www.environment.nsw.gov.au/waste.

Box 4.4 Use these tips to select a reputable waste contractor

- If a quote for managing waste is low, find out why. The company may be avoiding costs by transporting the waste to a place that cannot lawfully be used as a waste facility.
- Ask other land managers in your local area if they can recommend a waste contractor.
- Check the local papers or the Yellow Pages for the services needed, and ask the waste contractor where they will take the waste.
- Ensure the waste contractor will provide you with copies of disposal dockets so you can check the waste was taken to a waste facility that can lawfully receive it.
- Ensure the waste contractor will take their own waste away with them too. The best way to do this is to make it a written condition in the quote.

Box 4.5 When dealing with asbestos and hazardous wastes

- Be safe. Asbestos and hazardous wastes (such as chemical drums) should be cleaned up by people who are trained to deal with such wastes.
- Ensure occupational health and safety considerations are implemented at the site to protect your staff. You may need to seek advice from WorkCover NSW.
- Ensure compliance with the special requirements relating to asbestos waste under Clause 42 of the Protection of the Environment Operations (Waste) Regulation 2005.
- Asbestos waste must be disposed of in a landfill that can lawfully accept it. It cannot be reprocessed or recycled.
- A list of landfills throughout NSW that accept asbestos waste for disposal is available for download from the OEH webpage at www.environment.nsw.gov.au/waste/asbestos/index.htm.
- Always contact the landfill beforehand to find out when asbestos waste is accepted and any requirements for delivering asbestos to the landfill.
- The OEH brochure titled 'Safely disposing of asbestos from your home' may contain useful information. It is available for download at www.environment.nsw.gov.au/waste/asbestos/index.htm.
- NSW fire brigades and the Rural Fire Service can provide advice about dealing with hazardous wastes. If you are unsure of the contents of drums or containers, you should seek expert advice.

4.4 Tips for engaging others to clean up, investigate or prosecute

- Find out what priorities you have in common with others and identify the common key priorities that may be used to help convince others that the issue of illegal dumping is important to them (see Table 4.1).
- Find out ways in which others work, then recognise and respect these ways.
- Build trust and cooperation with others.
- Establish a working group with others and, if needed, develop a protocol for working together.
- Learn what information is needed by authorities for a successful prosecution or infringement notice to be actioned (see Chapter 3).
- Use the forms provided in Appendix 2 to record as much as you can about the incident; take photographs (see Chapter 4).
- Report the illegal dumping incident (see Chapter 2).
- Offer to share the economic cost of clean-up with others and jointly advertise to your local community that your organisations are 'cooperative and responsible corporate citizens'.
- Telling others and promoting your clean-up and illegal dumping prevention programs can help establish new partnerships and enhance existing partnerships with others. It can also motivate others to help you in future clean-up or prevention initiatives (see Chapter 5).



Photo: courtesy Forests NSW

Abandoned car body illegally dumped in NSW State Forest.

Table 4.1 The roles and key illegal dumping priorities for land managers in NSW.

Authority	Relevant roles	Illegal dumping key priorities
LPMA	Sustainable management of state-owned lands for the benefit of the people of NSW.	Responsible management of Crown land and conservation of its natural resources (such as water, flora, fauna and scenic beauty) whilst encouraging public use and enjoyment of land ²⁵ .
Local councils	Environmental management – more and more councils are incorporating environmental considerations into their traditional responsibilities, such as road maintenance, administration and service provision ²⁶ .	Check the priorities of your specific local council by communicating with them or viewing their webpage. Common priorities may include: <ul style="list-style-type: none"> • improving and protecting community amenity • conserving local habitats and waterways.
OEH	Develop and coordinate programs to address the impacts of climate change in NSW, protect and conserve the environment and Aboriginal heritage, manage national parks, marine parks and other aquatic and terrestrial reserves, protect wildlife and ensure sustainable management of natural resources, including coastal environments and floodplains ²⁷ .	Achieve a healthier and cleaner environment protecting ecological and human health; crackdown on illegal dumping.
Forests NSW	Sustainably manage more than two million hectares of native and planted forests for a wide range of economic, environmental and social values to internationally recognised standards ²⁸ – all within the framework of running a profitable business for the people of NSW.	Protect biodiversity in state forests, achieve other environmental benefits and provide community amenities.

25. www.lands.nsw.gov.au/crown_land

26. www.lgsa.org.au/www/html/248-environment.asp

27. www.environment.nsw.gov.au/whoware/index.htm

28. www.dpi.nsw.gov.au/forests/about-forests-nsw

Authority	Relevant roles	Illegal dumping key priorities
RailCorp	Deliver safe, clean and reliable railway passenger services to the people of NSW ²⁹ .	Commuter and staff safety and security, property protection, enhance visual amenity.
RTA	Protect the safety and health of road users and the general public ³⁰ .	Improve road safety and enhance the local amenity.
Sydney Catchment Authority	Capture, store and supply quality raw water from well-managed catchments ³¹ .	Healthy catchments and quality water ³¹ .
Sydney Water Corporation	Delivering essential and sustainable water services for the benefit of the community ³² .	To protect public health and the environment; to be a successful business ³³ .
Hunter Water Corporation	Operate, manage and maintain systems for the supply of drinking water, collection and treatment of wastewater, the provision of recycled water and stormwater services.	Protect drinking water catchments, provide a reliable supply of drinking water, manage the stormwater and wastewater infrastructure to ensure a healthy environment, responsibly manage land and property assets (e.g. control illegal dumping) ³⁴ .
State Water Corporation	Distribute town water supplies, irrigation, industry, irrigation, stock and domestic use, riparian and environmental flows.	Deliver water and services for people, agriculture, industry and the environment, to be an integral service industry supporting sustainable growth in regional NSW; respect and enhance the environment ³⁵ .
Origin	Delivering essential services to communities across NSW ³⁶ .	Respecting the environment and community and upholding the needs of future generations.

29. www.railcorp.info/about_railcorp

30. www.rta.nsw.gov.au/aboutus/index.html

31. www.sca.nsw.gov.au/about-sca/sca-vision-role-and-values

32. www.sydneywater.com.au/

33. www.sydneywater.com.au/WhoWeAre/

34. www.hunterwater.com.au/files/EnvMgtPlan_2008-2013.pdf

35. www.statewater.com.au/

36. www.countryenergy.com.au

Authority	Relevant roles	Illegal dumping key priorities
AusGrid	Asset ownership and management of an electricity network; infrastructure-related construction and maintenance services ³⁷ .	Commitment to safety, integrity, reliability, respect for its people, community and environment and commercial success ³⁷ .
TransGrid	Operate the transmission network, using the latest control and monitoring equipment to guarantee the highest level of availability and reliability of our high voltage system ³⁸ .	By integrating safety, health and environmental considerations into all aspects of our business, we protect our employees, our communities and the environment. We also achieve sustainable growth and drive compliance with all applicable regulations. ³⁹
Sydney Harbour Foreshore Authority	Be an expert place-maker by managing places profitably and sociably, promoting places effectively, developing places responsibly and managing an efficient organisation ⁴⁰ .	To generate unique places in Sydney that the world talks about ⁴¹ .
Maritime Authority of NSW	Responsible for marine safety, regulation of commercial and recreational boating and oversight of port operations ⁴² .	Committed to improving safety and protecting the environment on the State's navigable waterways ⁴³ .
Livestock Health and Pest Authorities	Manage traveling stock reserves in NSW.	Manage the land to strike a balance between the needs of travelling or grazing stock and the conservation of native species ⁴⁴ .
Local Aboriginal Land Councils (LALC)	Service Aboriginal and Torres Strait Islander peoples and the broader community in cultural, economic, social and spiritual services ⁴⁵ .	Check the priorities of specific local land councils by communicating directly with them or by viewing their webpage. Common priorities may include: <ul style="list-style-type: none"> • to acknowledge the traditional custodians of land • protect land for future Indigenous Australians.

37. www.countryenergy.com.au

38. www.transgrid.com.au/aboutus/Pages/default.aspx

39. www.transgrid.com.au/she/Pages/default.aspx

40. www.shfa.nsw.gov.au/

41. www.shfa.nsw.gov.au/content/library/documents/47D9FA53-0C13-A865-D908FC6571185FEF.pdf

42. www.maritime.nsw.gov.au/

43. www.maritime.nsw.gov.au/rec_boating/hbrclean.html

44. www.lhpa.org.au/travelling-stock-reserves

45. www.alc.org.au/land-councils/overview.aspx

5 Preventing illegal dumping

5.1 Understanding factors that influence illegal dumping on your land

Prevention techniques are specific in their effect – what works for a particular problem in one area may not necessarily work for other problems in other areas. It is important to understand the factors that influence illegal dumping on your land so you can make informed decisions about suitable prevention techniques.

Use these simple steps to help you understand the factors that influence illegal dumping on your land. This will help you make informed decisions about illegal dumping and help you identify suitable techniques for preventing illegal dumping.

Step 1. Learn about illegal dumping
Learn about the common factors that influence illegal dumping (what motivates illegal dumpers, who does it and where is waste typically dumped). See Chapter 1.
Step 2. Gather information
Gather information about illegal dumping on your land. Box 5.1 lists ways to gather information.
Step 3. Interpret the information
Use the information you have gathered to answer the illegal dumping questions in Box 5.2.
Step 4. Gather more information
Identify knowledge gaps where further information is needed. Implement a plan to collect more information.

Table 5.1 summarises the five main illegal dumping prevention mechanisms and lists techniques you can use to tackle illegal dumping.

Box 5.1 lists ways to gather new information about your illegal dumping problem.

Table 5.1 Prevention mechanisms for illegal dumping.

Prevention mechanism	Prevention techniques for public land managers
<p>1. Increase the effort: stop dumpers accessing your land</p>	<ul style="list-style-type: none"> • install physical barriers: <ul style="list-style-type: none"> ○ concrete blocks, logs and boulders, earth mounds ○ fencing and locked gates.
<p>2. Increase the risk of illegal dumpers getting caught</p>	<ul style="list-style-type: none"> • strengthen surveillance and patrolling: <ul style="list-style-type: none"> ○ use cameras and signs to indicate the area is being watched ○ patrol hot spots ○ encourage members of the community to report instances of illegal dumping • install lighting to help increase visibility of offenders • design landscaping and revegetation to increase the visibility of offenders • carry out periodic high-profile compliance or enforcement action (may include working with others) • publicise your efforts.
<p>3. Reduce the rewards: deny financial benefits</p>	<ul style="list-style-type: none"> • let dumpers know they will get caught • issue fines to offenders (or work with others that have authority) • require offenders to clean up (or work with others that have authority) • establish and maintain working partnerships (private landholders, government agencies, educational institutes, LALCs and local councils).
<p>4. Reduce provocations: don't give illegal dumpers a reason to dump</p>	<ul style="list-style-type: none"> • clean up waste and keep areas free of illegal dumping • use landscaping, revegetation and beautification to foster community pride and enhance the area's aesthetic appeal • promote the value of your land • install signs.
<p>5. Remove excuses: educate and inform the community</p>	<ul style="list-style-type: none"> • help inform the community about your local waste services • carry out education programs outlining responsibilities and the hefty fines and penalties for illegal dumping • install signs • publicise your efforts.

5.2 Keeping illegal dumping data

To understand the nature, extent and cause of the illegal dumping problem and to then effectively manage these problems, a robust data-collection system needs to be in place.

It is important to ensure that the data-collection process adequately obtains and records the required information. Collecting appropriate information will help land managers to select suitable prevention techniques and put strategic action plans in place to effectively manage the problem. Information about your illegal dumping problem will also help identify the dimensions of the issue, its location(s), the target audience and any other program objectives. It can also form the springboard for identifying your organisations needs and formulating program evaluations and reporting (see Case Study 3).

OEH has prepared the Illegal Dumping Data Collection Methodology and Guidelines (see Appendix 1; the table in Appendix 1 is available to download at: www.environment.nsw.gov.au/warr/IllegalDumpingMethodology.htm). These guidelines were designed to inform councils and/or land managers about the relevant data to collect on illegal dumping and land filling issues and why.

CASE STUDY 3: Gathering and interpreting illegal dumping data

RailCorp illegal dumping 'hotspot' register

RailCorp developed and implemented an Illegal Waste Dumping Register for several of its CityRail sectors impacted by illegal waste dumping. The register contains information about illegal dumping within station precincts (including car parks and bus interchanges). The register did not include the rail corridor because management structures and maintenance regimes differ for these locations. Prior to the development of the register, very little was known about the type, origin or frequency of waste dumped at stations within the CityRail sectors.

Benefits of a 'hotspot' register

The register has helped RailCorp managers to identify waste dumping 'hotspots' and develop an integrated and consistent approach to reducing and managing incidents of illegal waste dumping within station precincts. 'Hotspots' are now more closely monitored and inspections of the hotspots are undertaken as part of daily station duties. Some 'hotspots' are partly owned or managed by RailCorp and local councils, so routine inspection and clean-up arrangements have been made in partnership with councils or other relevant authorities.

Overall the Illegal Dumping Register provided a way forward in managing illegal dumping incidents at RailCorp stations. Information gathered by the register has improved knowledge of 'hotspots' and the type of waste dumped. Knowledge gained from the register has helped RailCorp make informed decisions for monitoring, reporting, cleaning up and disposing of illegally dumped waste. It also helped to identify partnerships for collaborative action to tackle illegal dumping with local councils.



Photo: courtesy RailCorp

An Illegal Waste Dumping Register is helping RailCorp manage illegal dumping within station precincts.

Best practice data collection should help managers:

- understand the problem
- monitor the problem
- effectively manage individual incidents
- coordinate clean-up activities
- monitor regulatory responses and time frames.

When illegal dumping occurs it is important to record information about the incident to feed into your database. This information may help identify dumpers and assist with prosecutions, and it may also assist with understanding and tackling the illegal dumping issues on your site. The Appendix outlines the data collection parameters you should consider recording for illegal dumping incidents.

Box 5.1 Ways to gather information about illegal dumping problems

- internal databases (records of customer complaints, records of illegal dumping incidents, records of trespassing incidents)
- local community, NSW Police and neighbours (reports of illegal dumping and trespassing, reports of vehicles on site)
- local council (nearby illegal dumping hotspots, patterns of dumping in the local area)
- map dumping hot spots, locations and materials as well as land features using a Geographic Information System or Land Information System
- survey your local community to ask them why the community is dumping on your land
- analyse surveillance footage and photographs
- visit dumping sites and gather information regarding the materials being dumped and the method of dumping most suited to dealing with the problem.

Box 5.2 Information needed to help decision makers

To help identify suitable prevention techniques for your illegal dumping problem interpret the information you have gathered to answer the following questions:

- What waste is being dumped?
- Where on your land is it being dumped?
- Who do you think may be responsible for the dumping?
- Are there any places where it consistently reoccurs (i.e. hot spots)?
- Is there anything about the dump sites that might make illegal dumping there easy?
- Are there any timing and seasonal patterns?
- Where is the waste coming from?
- How was the waste dumped?
- Would a regulatory approach assist?
- What you know about the likely offenders?
- What is the available time for response?
- What funding and resources are available?

5.3 Techniques for preventing illegal dumping

Clean up waste and keep areas free of illegal dumping

Cleaning up illegal dumping will remove hazards and health risks, help return land to its natural state and improve visual amenity. Chapter 4 describes the options for cleaning up waste.

Removal of dumped waste can also discourage other people from dumping. People who do not know the area may be more inclined to dump if there is already waste on the land because they may think the area is an easy place to dump waste without being caught. If waste is removed and people are seen in the area, this may deter others from dumping waste.

Important! Prior to cleaning up the waste...

- record as many details as possible
- report the incident by contacting the relevant authority
- secure the waste, and then
- clean up the waste.

For further information see Chapter 4 Dealing with illegal dumping.

Where appropriate, a combination of mechanisms, if used strategically, can be more effective than one method alone (University College London 2006).

Routine clean-up action helps prevent illegal dumping

The RTA will often clean up waste illegally dumped in the road reserve, even when it is not the land owner. For example, where the RTA has stockpiled virgin materials for use in road works and maintenance they may find building and demolition waste illegally dumped adjacent to their stockpiles. The RTA will engage professional services to investigate and assess contamination and clean up the waste.

There are several reasons why the RTA chooses to clean up the illegally dumped waste and pay for the professional services for its disposal. Prompt clean up means:

- deterring others from adding to the illegally dumped waste
- reducing the risk of contaminating virgin material
- protecting workers and the community from potential safety risks posed by asbestos or hazardous wastes.

The RTA routinely provides information to OEHL and other public land managers to assist identifying illegal dumpers.

Landscaping, revegetation and beautification

Landscaping and revegetating a site can indicate that it is valued, monitored and used. Simple landscaping activities, such as grass cutting and weed removal, can be enough in some areas to suggest that a site is cared for and maintained, which will deter some of the nuisance dumping offenders. Beautification, such as benches, pathways, picnic tables, murals, sculptures or flowerbeds, can change a community's perception of a site and increase its use. Many communities will become involved in projects that build community pride and can lead to increased community value and increased community surveillance, which contribute to increasing the likelihood of witnessing illegal dumping.

Promote the value of your land

Showing that a site is cared for and valued can change the way a community feels about the place. Promoting the natural or cultural values of the site through interpretive signage may assist with improving the community's appreciation or pride in the land.



Photo: A. Hanson, Hunter Water

Signs may promote the cultural and natural values of a site.

Let dumpers know they will get caught

When a person is deciding whether to illegally dump waste, they often compare the risk of getting caught with the money they can save if they dispose of the waste illegally. If the person thinks that they are more likely to get caught, this may prevent them from illegally dumping.

Techniques that can help you let dumpers know they will get caught include:

- surveillance and patrolling
- community surveillance
- signage
- cameras (and signs)
- lighting
- publicising your efforts.

For further information about these techniques refer to the relevant sections in this chapter.



Photo: OEH

Coloured flags and signs can identify an illegal dumping site and help deter others.

Help inform the community about your local waste services

The waste and recycling services provided to your community may be perfectly adequate; however, people may not be aware of them. Distribute information about ways of recycling or disposing of various types of waste. Information may include bin locations or tip opening times and costs. Consider working with councils to inform and remind householders of the collection dates that are specific to your community.

Publicise your efforts

Local publicity, such as a press release sent to local media, can inform the local community of the problems of illegal waste dumping and what actions have been taken to prevent and clean up the dumped waste. Publicising court convictions for illegal dumping can add significantly to the success of deterrence programs. Clean-up and prevention programs can also be publicised directly to visitors or customers through notice boards, customer service officers, brochures and other hand outs.

Clean-up efforts and prevention programs must be recognised as cooperative efforts, and success needs to be shared with all parties involved to validate their participation, gain additional support, and allow others to benefit from lessons learned. Publicity can reinforce partnerships between landholders, government agencies, and the community.

Well targeted publicity should aim to:

- reinforce the general population's understanding that illegal dumping is criminal behaviour
- raise awareness of the extent of penalties that can be imposed
- reassure the community that effective action is being taken to deal with such problems
- indicate that offenders are being caught and fines imposed for illegal dumping activity
- encourage reporting and identification of other offenders
- deter others from offending through the example of prosecution and embarrassment because of the publicity from committing such offences.

Media release: Every day is clean up Australia day on Sydney harbour

A dedicated team of men and women are out cleaning our iconic harbour, 365 days a year, 12 hours a day.

Minister for Ports and Waterways, Paul McLeay, paid tribute to their tireless work and encouraged Sydney-siders to get out and help as part of Clean-Up Australia Day on Sunday March 7.

"These people are unsung heroes, they work around the clock to keep our iconic harbour sparkling," said Mr McLeay.

"Much of the debris comes from our streets and is washed into the waterways through the storm water drains. This is a reminder for everyone to be aware of what they leave on our streets – as it can end up in our waterways."

Mr McLeay said recent heavy rains had washed material such as household rubbish and even large trees into the harbour.

"Not only are the environmental services crews helping to keep Sydney Harbour clean, they are also removing debris which could be potentially hazardous for boats. The most common items found in the daily clean-ups are fast food packaging, plastic containers, cigarette butts, plastic shopping bags and parking meter tickets."

NSW Maritime has four environmental services boats and 14 officers who work seven days a week to keep the harbour and other waterways clean. The area consists of 5020 hectares of waterways and a combined foreshore of 270 kilometres. In 2009 they collected almost 3000 cubic metres of debris.

For the environmental services crew, every day is Clean-Up Australia Day, and they will be out in force on the harbour on Sunday," Mr McLeay said. "I encourage everyone who lives and spends time on our waterways to take some time on Sunday to be part of the national clean-up."

Media Contact: Anna Burns (02) 9228 5798 or 0438 379 784

Media release: Sydney serial dumper caught, prosecuted and fined

Covert surveillance operations and 'waste' tags have led to a Colyton transport company owner being ordered to pay more than \$133,000 for four separate incidents of illegal dumping on sites across Western Sydney.

Dib Hanna Abdalla Hanna pleaded guilty in the Land and Environment Court to four charges of dumping building waste, including asbestos, at sites in Rooty Hill, Bankstown, Minchinbury and Liverpool between July and October 2009.

He also ignored orders by DECCW [now OEH] to clean up the dumped material, which resulted in taxpayers footing the bill.

In sentencing Mr Hanna, Justice Craig described the string of dumping offences as a "deliberate course of criminal behaviour", penalising him \$104,000 and ordering him to pay \$8000 in clean-up costs and \$21,000 in legal fees.

Justice Craig said that Mr Hanna had been paid to transport and dispose of the rubbish to a lawful facility but chose to dump the waste and maximize his profits rather than taking it to a lawful landfill.

A serial offender, Mr Hanna has been the subject of various levels of regulatory action by many councils in Western Sydney, including Liverpool Council which successfully prosecuted him on 2 September 2009 for three separate illegal dumping offences.

Acting DECCW Director General, Simon Smith, said DECCW had a team of dedicated investigators whose methods were both exhaustive and sophisticated.

"Mr Hanna was caught red handed by DECCW investigators, who filmed his illegal activities twice during surveillance operations. However it was the joint operations with Bankstown, Liverpool and Blacktown councils and the Western Sydney Regional Illegal Dumping Squad that helped get the convictions and I am pleased that the Land and Environment Court viewed the offences seriously."

Mr Smith said illegal dumping would not be tolerated.

"Mr Hanna operated with complete disregard for and indeed in defiance of the law. The community expects DECCW to protect the environment and their neighbourhoods from illegal dumpers," he said.

"Illegal dumping is not only a blot on the landscape, it threatens the health of our waterways and, in the case of asbestos, the health of our communities. It also costs taxpayers, councils and the community hundreds of thousands of dollars in clean-up costs every year."

Mr Smith urged people contracting waste removal companies to check their credentials carefully because they are also responsible for ensuring their waste is disposed of legally.

"People need to choose their waste transport contractors wisely and not assume they will 'do the right thing' with waste.

"I would encourage anyone employing a waste transporter to make sure that the waste will be disposed of properly," he said.

Mr Smith said DECCW officers were continuing to investigate the building sites where the waste originated from.

DECCW obtained a court order forcing Mr Hanna to pay the fines into the Environmental Trust which is used as emergency funding to clean up illegally dumped waste and environmental pollution.

Media release: Crack down on forest dumping

Sifting through other people's rubbish is not high on anyone's list of fun.

Nor is it for Forests NSW and Nambucca Shire Council staff, who have been doing just that with piles of rotting household garbage, discarded toys, decomposing animal carcasses and other muck in Nambucca State Forest, opposite the turn off to the Nambucca waste management facility.

But the awful task has paid off.

"Forests NSW and council staff found material that suggests one family is a consistent dumper of rubbish in the State forest opposite the council's waste management facility," said Nambucca Shire Council Environmental Compliance Officer, David Bell. "We will be giving those people 48 hours to clean up the site or we will issue an infringement notice.

Rotting rubbish litters Nambucca State Forest.

"In recent times residents have been recording vehicle registration and other details of people acting suspiciously in state forests, and forwarding this information to Forests NSW and council.

"We encourage concerned residents to continue recording as much information as possible and forwarding it on to ensure successful prosecutions."

Forests NSW community liaison forester, David Wilson, said the illegal dumping of rubbish in state forests was a continuing problem.

"This usually occurs near residential areas," Mr Wilson said. "It becomes an unsightly and unhygienic mess which other people have to contend with. And it is all because a few people in our community refuse to pay a small amount for proper disposal of waste they are creating themselves."

Forests NSW and Nambucca Shire Council have joined forces to combat the problem. Staff from both organisations will be patrolling forests and council land to carry out surveillance of the worst areas.

"The council has ordinance inspectors and we have rangers who will be keeping an eye out in these areas," Mr Wilson said. "As much as we hate sifting through rubbish, we will do so to discover who is befouling the forests that are there for everyone to use in the proper manner."

Forests NSW has patrols in the area throughout the week and at weekends.

"Householders are not the only offenders," Mr Wilson said. "There are heaps of green waste and what appear to be discarded trees and stumps from tree lopping operations.

"There are also areas of dumped white goods, and a continuing risk of weed infestation from garden waste. State forests are not the place to be dumping unwanted exotic plants or banana cuttings."

Burning piles of old tyres and exploding pressure cans have hampered firefighters over a number of recent seasons in Nambucca State Forest. "These articles pose a threat to the safety of firefighters and to nearby communities," Mr Wilson said.

Fines for illegal dumping in State forests range up to \$5500.

Media release: Asbestos dumped in national park

The National Parks and Wildlife Service (NPWS) is appealing to the community for information on the dumping of asbestos in the World Heritage-listed Gardens of Stone National Park.

Approximately one tonne of asbestos sheeting was discovered last week by a local NPWS field officer. Upper Blue Mountains Area Manager Richard Kingswood said he was concerned by this kind of careless and illegal act.

“The Gardens of Stone National Park has been included on the World Heritage list for its unique and special features,” Mr Kingswood said. “Illegal dumping of asbestos is potentially harmful to the environment and an eyesore in the otherwise pristine natural environment.

“In addition it was dumped in the middle of a fire trail so causing a potentially hazardous obstruction to emergency vehicles. The clean-up will divert rangers and field staff from other important work managing the national park.

“ I would encourage anyone with any information on where this may have come from to come forward so we can make sure such an act is not repeated.”

Mr Kingwood said disposing of asbestos sheeting must be done properly in a safe manner and depending on the size, may need to be handled by a licensed operator.

“Asbestos waste should be dampened and wrapped in plastic, or put in lined bins or vehicles,” he said. “It must be disposed of at a site which is licensed to take it.

“The Lithgow Solid Waste Facility is a mere five kilometres from the site where this material was dumped and is licensed to take asbestos.”

Illegal dumping can attract up to \$5000 in on-the-spot fines plus expensive clean-up costs or up to \$1 million if it goes to court.

Further information

Contact the local NPWS office or phone Environment Line on 1300 361 967.



Photo: OEH

Illegally dumped asbestos waste.

CASE STUDY 4: NSW Maritime uses targeted media campaigns

NSW Maritime is an active regulator that will, from time to time, target dumping by boaters. For example, during the 2008 Anzac Day long weekend NSW Maritime conducted an education and compliance campaign encouraging boaters to contain rubbish and refuel responsibly. It also reminded vessel operators that dumping sewage is illegal and informed them about ways to manage waste (www.maritime.nsw.gov.au/news/media-dumping.html).

NSW Maritime Boating Safety Officers are continually monitoring compliance of environmental legislation where it relates to pollution from vessels. Conducting specific campaigns like this one, which was publicised in the media, is a way to remind boaters that the laws are being enforced and, at the same time, help educate them about ways they can protect themselves and the environment while enjoying their time afloat.



Photo: courtesy of NSW Maritime

NSW Maritime Environmental Services Crew clean up litter and illegal dumping at Neutral Bay

Further information

NSW Maritime, Manager Communications 9364 2428

Signage

Signs are useful to deter dumpers. They can:

- tell people that dumping of waste is illegal and hefty fines apply
- provide information about who people should contact if they witness illegal dumping
- inform people that there are regular patrols or surveillance of the area
- promote the cultural and natural values of the site.

Signs need to be placed where they are easy to see with large-sized words used to create a simple, effective and direct message. Signs may require maintenance if they are vandalised. For signs to be an effective deterrent they need to be well-maintained at all times.

Suggested messages for signs include:

- 'Waste dumping is illegal. Heavy penalties apply'
- 'Witness illegal dumping? Report offenders to 131 555'
- 'Warning – severe penalties apply for illegal dumping. Area under surveillance and patrol'

Signs could also include information about the cultural or natural significance of the site.

Examples of messages are:

- 'Protect this place, home of the endangered glossy black cockatoo'

Consider the potential for vandalism

When planning your prevention techniques consider the potential for vandalism and factor in maintenance or the additional cost of vandal-resistant materials. At a number of sites, vandal-resistant locks, locking bollards and sturdy fence materials have successfully been used.

Cameras

Cameras can assist in gathering intelligence about illegal dumping. They may also act to deter illegal dumpers. However, they can be prone to vandalism and be expensive to install and operate. Sourcing adequate power for prolonged operation of cameras in remote areas can be problematic. Cameras should not be relied upon for capturing images as evidence for investigation purposes. Images are unlikely to capture registration details of vehicles or accurately identify offenders. Also consider their use in relation to privacy issues. Cameras installed on your land may provide a false sense of security.

Lighting

When lighting is used as part of a crime prevention strategy it can be an effective deterrent in otherwise poorly lit or remote areas. This prevention technique may therefore be useful where dumping occurs under the cover of darkness. Lighting may help increase the visibility of the offender and hence increase the risk of being caught. It may also deter offenders.

Cleaning up a site plus introducing signs, lighting, physical barriers, landscaping or increasing its visibility can contribute to reducing or eliminating continued dumping.

Surveillance and patrolling

Patrolling and visiting dumping sites that are used frequently can be an extremely effective way of gathering intelligence, collecting evidence for prosecutions and deterring would-be dumpers. Areas subject to frequent dumping should be visited regularly, and dumped waste removed as quickly as possible. People who dump waste often know the areas in which they dump and visit these sites beforehand.

Gather data about the frequency of dumping, the type of materials being dumped, times of the day or night and times of the year that dumping occurs. This will allow you to form a pattern of the illegal dumping problem and will assist you in devising a plan to deal with the illegal dumping (see Box 5.3. What details should be recorded?).

Community surveillance

Encourage members of the community to anonymously report instances of illegal dumping. Provide them with information about what constitutes illegal dumping and what information they will be required to provide (see Box 5.2).

Box 5.3 What details should be recorded?

Collecting evidence for issuing penalty notices

Evidence needs to be collected to establish the facts for issuing penalty notices (see Chapter 3, Box 3.1). You should record as many details as possible to help authorities investigate the incident and take action (see Chapter 3). Use the information in the Appendices at the back of this guide to help you.

Gathering information to inform decision makers

Information is needed to help decision makers identify and select suitable prevention techniques. Seeking answers to the questions in Box 5.2 will help you select suitable prevention techniques. Chapter 5 introduces the Illegal Dumping Data Collection Methodology developed by OEH, which is designed to assist councils and land managers decide what data needs to be collected and why.

Stop dumpers accessing your land

In most cases illegal dumping takes very little effort. It can take more effort to dispose of waste legally than to dump it illegally. Physical barriers (such as boulders, earth mounds and logs) can reduce accessibility to popular illegal dumping sites, increasing the effort required to carry out illegal dumping as well as the risk of being caught, thereby deterring offenders.



Photo: B. Graham, courtesy Sutherland Shire Council

Gate erected to restrict vehicular access.



Photo: W. Willis, RID Squad Coordinator

A vandal-resistant gate.

CASE STUDY 5: Fencing stops illegal dumping of waste

Problem

In 1990 Orica purchased the Southlands Remediation and Development Site. It is a large parcel of land located in metropolitan Sydney. The site is bordered by private property, a railway line and a public road.

Historically the site was commonly used for the dumping of fridges and other bulky household items, as well as building and demolition waste, including asbestos. This illegal activity has contaminated the site.

Solution

In the early 1990s Orica erected a 750 metre length of 2-metre high hurricane fencing alongside the public road. The fence, railway line and private property together provide a boundary that prevents access to the site.

Immediately after installation of the fence the dumping of waste ceased. Repairs are periodically required to the fence, as there is a lot of heavy vehicle traffic in the area, but acts of vandalism are rare.



Photo: courtesy Orica

Prior to 1990 illegal dumping occurred on the Southlands Remediation and Development Site.

Install physical barriers

Physical barriers that restrict access can be effective for reducing dumping in areas with a single point of entry, such as lanes, fire trails and private roads. Fences, posts, earth mounds, bollards and rocks have all been used to prevent vehicle access. Each site is unique and therefore physical barriers need to be carefully managed and planned. On some sites a single barrier that blocks access may be all that is required. In some cases offenders may be able to continue to dump over a barrier, although this increases the risk of being caught and may deter the majority of offenders.

- **Concrete blocks** can be fairly cheap and effective, although they may not fit in with the natural environment and can look unattractive, especially if they attract graffiti.
- **Logs and boulders** used as barriers are deemed consistent with broader environmental principles and are relatively well accepted by the community; however, they do present some problems. Logs biodegrade over time which can lead to the barrier being compromised. There are also reports of four-wheel vehicles driving straight over logs because the drivers see them as a part of the natural environment and not as a barrier. Boulders, although they are more expensive, will not decompose over time and should not need replacing as often as logs.
- **Boulders** placed close together will deter many motor vehicles from entering a site. Boulders can be difficult to get and there are potential environmental consequences if they are taken from the natural environment. The machinery required to transport and move suitably sized rocks into place can be expensive.



Photo: W. Willis, RID Squad Coordinator

Logs used as physical barriers may fit into the natural environment and are relatively well received by the community.



Photo: W. Willis, RID Squad Coordinator

Above and below: Boulders placed closed together can deter many motor vehicles from entering a site.



Photo: W. Willis, RID Squad Coordinator

- **Earth mounds** are more accepted by the community, do not attract graffiti and deter many vehicles used to transport materials for illegal dumping. Earth mounds can also be landscaped which will reduce the visual impact of this form of barrier. Working within broader environmental values, mounds can be formed from earth taken from your site. Imported material and illegally dumped materials may also be suitable for mound construction but they must be fit for purpose, and pose minimal risk of harm to the environment and human health. Land Managers should consider the expense and time required in preparing earth mounds as well as the additional costs of maintenance, site rehabilitation and establishing plants on the mounds.

Earth Mounds – Joint initiative to install physical barriers

Wyong and Sutherland councils received co-operation from the RTA when they built earth mounds to limit access to sites.

The councils noted that ‘sites where more natural methods were used seemed to be accepted more by the local community’.



Earth mounds being created to prevent access to land.



Photos: B. Graham, courtesy Sutherland Shire Council

Establishing plants on the earth mounds will help maintain their form and reduce the visual impact of the barrier.

Table 5.2 The pros and cons of various techniques for preventing illegal dumping.

Technique	Pros	Cons
Lighting	Can be an effective deterrent in poorly lit areas. Increases the risk of offenders being caught.	May be prone to vandalism. Relies on a source of electricity or the presence of street lighting.
Landscaping, revegetation and beautification	Involving the local community may increase community pride and respect for the site. Shows the site is cared for. Improves amenity and may increase community visitation to the site.	Ongoing site maintenance may be an issue. Management of increased visitors may be a consideration.
Fencing and locked gates	Restricts site access. May increase community pride and respect of the site.	Offenders may continue to dump over barriers or have vehicles that can drive over barriers. Initial installation expense. Ongoing expense of checking and maintaining any degraded or vandalised barriers. Access issues need to be discussed with fire authorities and other emergency services. May impact community recreational use.
Concrete blocks	Cheap and effective.	May not fit with natural environment. May look unattractive. May attract graffiti.
Logs	May fit into natural environment. Relatively well accepted by community.	Logs biodegrade over time. Logs may not prevent access of four-wheel drive vehicles.
Boulders	Boulders do not rot over time. Can prevent many vehicles entering a site.	Boulders can be expensive. Require machinery to move into place, which can be expensive. Environmental consequences if taken from natural environment.
Earth mounds	More accepted by the local community. Do not attract graffiti. Deter many vehicles. Can be landscaped or revegetated.	Risk of importing contaminated fill. Construction can be expensive and time consuming.

Technique	Pros	Cons
Surveillance/ patrolling	<p>Assists in gathering intelligence and evidence.</p> <p>Presence deters illegal dumpers.</p> <p>Increases the perception that there is a risk of being caught and fined.</p>	<p>Can be resource and time intensive.</p> <p>Technique is not warranted where the frequency of dumping incidences is low.</p> <p>Aerial surveillance can be difficult in areas of dense canopy cover.</p>
Community surveillance	<p>Can assist in gathering intelligence, evidence and deterring illegal dumpers.</p> <p>Can improve community pride in land.</p>	<p>Response from engaging the community may be varied.</p> <p>Community may be reluctant to report offenders.</p>
Cameras	<p>Can assist in gathering intelligence, evidence and deterring illegal dumpers.</p>	<p>May be prone to vandalism.</p> <p>May be expensive for few rewards.</p> <p>May be time-consuming for collecting footage and maintaining the power source.</p> <p>May prove difficult to capture images for investigation purposes.</p> <p>May breach privacy issues or provide a false sense of security to other visitors.</p>
Signage	<p>Informs visitors that dumping is illegal and dumpers risk getting caught.</p> <p>Informs illegal dumpers of the fines and penalties.</p> <p>Can highlight natural and cultural significance of the land.</p>	<p>Vandalism may be an issue and can increase maintenance costs.</p>
Publicise your efforts	<p>Reinforces dumping as a criminal activity.</p> <p>Reinforces that offenders are being caught and fined.</p> <p>Sends a message to illegal dumpers that their behaviour is unacceptable.</p> <p>Encourages reporting and identification of offenders.</p> <p>Publicises clean-up and prevention programs.</p> <p>Sends messages to the community about being a good citizen.</p>	<p>May be difficult to gain media coverage in some areas.</p>

5.4 Monitor the outcomes of your prevention techniques

Once you commence implementing your illegal dumping prevention techniques, you will then need to monitor how it is done and the outcomes. Many areas continue to experience illegal dumping problems after the site has been cleaned up. Monitoring will help to identify the need for any further intervention. This may involve refining the initial response, or if necessary trying something completely different. It may also be necessary to keep an eye on newly emerging problems so that they can be dealt with as quickly as possible.

What defines a successful project?

According to the *Illegal dumping prevention guidebook* (US EPA 1998), any illegal dumping prevention program must address the contributing factors in the area where it is implemented. However, successful programs are founded on:

- leadership and support from peers (including local officials)
- cooperation among authorities, communities and industry
- an integrated approach that uses several strategies that complement one another, including:
 - site maintenance and controls
 - community outreach and involvement
 - targeted enforcement
 - program measurement
- Publicising your successes.

6 Working with others

6.1 Gaining support from senior managers

Gaining support from senior managers has obvious advantages when planning and implementing illegal dumping prevention programs (e.g. staff, tools, skills and financial assistance). Gaining their support also contributes to raising awareness of the issues and encouraging others to participate in your project. It also helps your motivation when you encounter 'hurdles' during your project. Box 6.1 provides some tips on how to gain support.

Box 6.1 Tips for gaining support from senior managers and your peers

- Build a convincing case around why illegal dumping is a problem, such as the impact illegal dumping has on the amenity, social and economic value of land. Use the information provided in Chapter 1.
- Explain the roles of land managers and the legal responsibilities for duty of care. Use the information provided in Chapter 2.
- Provide estimates on the costs of annual clean-up of waste illegally dumped on your land.
- Use the case studies provided throughout this guide to demonstrate that simple things, often at low cost, can make a real impact to help prevent being a victim of illegal dumping.

CASE STUDY 6: Implement actions that raise the profile of illegal dumping within your organisation

RailCorp illegal dumping tool box talk

RailCorp has developed and implemented an 'Illegal Dumping Tool Box Talk' and presenters notes for use by its line managers. The 'Illegal Dumping Tool Box Talk' is periodically presented to front-line staff and information about illegal dumping is published in monthly safety briefings.

The 'Illegal Dumping Tool Box Talk' is used to raise awareness of illegal dumping and inform staff of the localised impacts of illegal dumping on RailCorp property. It provides staff with information about safe practices that must be implemented when responding to illegal dumping incidents and encourages RailCorp staff to monitor 'hotspots' and report illegal dumping. It also has information about RailCorp procedures for cleaning up illegal dumping.

6.2 Establish and maintain working partnerships

Involving stakeholders and partnerships early in the development of your illegal dumping program ensures ownership of the program, which is more likely to result in support and promotion of the program.

Some stakeholders to consider involving include:

- neighbouring landholders (including private landholders, LALCs, government agencies and local councils)
- local councils
- community members/organisations
- business partnerships.



Photo: OEH

Illegally dumped packaging waste.

Tips for establishing and maintaining partnerships

- focus on mutual illegal dumping priorities (see Chapter 4, Table 4.1)
- identify opportunities to exchange information, skills and share knowledge
- respect the priorities of partner organisations and try to work out how you can align your work and theirs (see Chapter 4, Table 4.1)
- build trust, do not expect it from the outset
- recognise and respect the ways in which your partners work
- establish a working group or squad with your partners and develop protocols for working together.

6.3 Working with neighbouring landholders

Neighbouring landholders can include private landholders, other government agencies, educational institutes, LALCs, and local councils. Table 2.1 (see Chapter 2) provides a summary of the responsibilities of NSW land managers and Table 4.1 (see Chapter 4) outlines the roles and key priorities for land managers in NSW. Use the table to identify suitable land managers to contact.

It is possible that your neighbouring landholders may share common land management issues, such as access and illegal dumping issues. Involve your neighbours in the planning of your clean-up and illegal dumping prevention work as early as possible and take steps to carry out the following:

- find out what issues and priorities you both have in common
- discuss what resources and assistance you can both provide for cleaning up and preventing illegal dumping
- find out how your neighbours want to be involved and how they are prepared to work with you
- discuss the best ways for involving the community with the landholders; some people will consider that face to-face-meetings will be necessary, for others, phone calls or email will be all that is required
- listen to suggestions for ways to prevent illegal dumping
- share experiences, as others may know strategies that will succeed.



Photo: R. Barry

Illegally dumped waste.

NSW Maritime engages the community

“The NSW Maritime is committed to providing a service to our foreshore residents,” said the Environmental Services Manager. Our Environmental Services Officers have worked hard to build effective relationships and respond efficiently to incidents. As a result the foreshore residents are very good at informing the NSW Maritime of illegal dumping.

The NSW Maritime encourages the community to report illegal dumping to its Info Line on 13 1256.

Regional illegal dumping squads

Illegal dumping is a significant challenge facing councils located around major urban fringes such as Western Sydney and the South Coast/Southern Highland areas. As a means of providing support for councils confronting this issue, OEH has supported the development and operation of two RID squads – one that operates in Western Sydney and the other in the South Coast/Southern Highlands area. The Western Sydney RID Squad represents six councils and the Greater Southern RID Squad represents three councils, which are all strongly committed to the enforcement and clean-up of illegally dumped material. Both RID squads operate across member council boundaries to investigate and enforce breaches of NSW regulations on illegal dumping and illegal land filling. Specifically, RID squads aim to:

- encourage a more strategic coordinated approach to dumping incidents
- investigate incidents and take action against offenders
- organise clean-ups
- track down illegal landfills
- identify changes and trends in illegal dumping across a regional area
- deter and educate community members about illegal dumping.

Western Sydney Regional Illegal Dumping Squad

The Western Sydney RID Squad was established in 1999 to deal with illegal dumping incidents. With support from OEH, RID members including Bankstown City, The Hills Shire, Fairfield City, Holroyd City, Liverpool City, Penrith City and Parramatta City councils have formed a partnership to ensure illegal dumping issues are addressed in a regional manner.

To report illegal dumping in Western Sydney, call the Western Sydney RID Squad on (02) 4732 7446.

Greater Southern Regional Illegal Dumping Squad

The Greater Southern RID Squad was established in March 2004 as a collaboration between OEH, the councils of Shoalhaven, Wingecarribee and Eurobodalla, the Sydney Catchment Authority and OEH's National Parks and Wildlife Division.

The Greater Southern RID Squad has identified substantial dumping sites and investigated illegal dumping of household waste, garden organics, building and construction material, asbestos, as well as illegal landfilling.

6.4 Partnering with local councils and other government agencies

Councils have the ability to investigate illegal dumping incidents, issue penalty notices and enforce clean-up action. Authorised officers are appointed by councils to exercise functions under the POEO Act.

Council rangers may be able to patrol areas where dumping is likely to occur, which helps catch dumpers in the act. High profile 'crackdowns' using patrols made up of rangers or police officers also make it more likely that offenders will get caught.

Some councils may have developed illegal dumping education materials that could assist you. Councils may also partner with you to publicise successful prevention and clean-up projects.

Memorandums of Understanding (MOUs) can be useful in developing ongoing partnerships and cooperation, particularly when there is staff turnover. An MOU is signed by each organisation and can be referred to by new staff members to understand the history of cooperation in a partnership.

CASE STUDY 7: RailCorp partnering with local councils

Problem

Illegal dumping around railway stations was identified by RailCorp as impacting the conservation and amenity value of land. Wastes commonly dumped included household rubbish, bulky household items such as whitegoods, furniture and mattresses, and asbestos. The roles and responsibilities for managing and implementing clean up and developing proactive responses to the dumping was unclear.

What did they want to do?

- deter illegal dumping
- gain support from neighbouring land owners to cooperatively tackle illegal dumping
- encourage the community to report illegal dumping incidents
- develop and implement proactive techniques to prevent illegal dumping.

What did they do?

- contacted the neighbouring local councils
- profiled the types of waste commonly dumped
- developed a strategy with council for identifying, recording and cleaning up the waste.

What were the outcomes?

- established working partnerships with councils
- developed and implemented procedures for recording and reporting illegal dumping
- raised the profile of illegal dumping.

What now?

Together with local councils trial more techniques aimed at deterring and preventing illegal dumping.

Further information

RailCorp, Environment Division (02) 8202 2592

CASE STUDY 8: RTA working with partners to reduce illegal dumping

Problem

Illegal dumping along a 15 kilometre stretch of Heathcote Road in Southern Sydney was impacting the local amenity. It was used as a dumping ground for construction, industrial and domestic waste, and abandoned vehicles. This caused significant environmental and public health problems as well as creating an eyesore.

What did they want to do?

- reduce illegal dumping
- raise community awareness of illegal dumping
- encourage the local community to report illegal dumping incidents.

What did they do?

- actively participated in a working group that partnered with Sutherland Shire Council and Liverpool City Council, alongside the Australian Army, Gandangarra Aboriginal Land Council, WSN Environmental Solutions, NSW Rural Fire Service and the former Department of Environment and Climate Change (DECC)
- engaged council environment protection officers to carry out surveillance and identify the hotspots
- supported the installation of physical barriers to stop vehicle access
- supported an education campaign designed to raise awareness and encourage the community to report illegal dumping.

What were the outcomes?

The RTA reported a 96% decrease in material collected along Heathcote Road over a 12-month period following the campaign. This saved the RTA approximately \$45,000 in annual clean-up costs.

Funding and resources

The project was funded with significant state and local agency support. Its total cost was \$190,000, with a council contribution of \$60,000 and a \$25,000 state government grant. The remainder consisted largely of in-kind contributions from partner agencies and industry.



Photo: OEH

Illegally dumped building and demolition waste

Further information

RTA, Environment Branch (02) 8588 5765

6.5 Partnering with the community

Prevention and clean-up projects work best when they are supported by active community participation. Community partners include youth groups, bushcare groups, chambers of commerce, business operators and community organisations such as Clean Up Australia, Keep Australia Beautiful, Landcare, Greening Australia and Conservation Volunteers Australia.

Educational institutes such as schools, TAFE colleges, and universities may let their students participate in clean-up events and working bees or may even be interested in including clean-up projects as part of their curriculum.

Engage your local community

'Dob in a dumper' scheme

Many NSW councils have introduced a 'Dob in a dumper' scheme and hotlines to encourage residents to report instances of illegal dumping.

Some councils offer rewards up to \$1000 to residents who provide information about a dumping incident that results in a successful prosecution.

Voluntary surrender of vehicles

Some councils offer services to dispose of vehicles that are voluntarily surrendered, and some councils remove surrendered vehicles from public places.

Check with your council to obtain details about the services operating in your local area. Land managers can partner with their community and encourage them to use the local services.



Photo: courtesy Forests NSW

Four-wheel-drive club volunteers remove an old car body from Ourimbah State Forest in the Hunter Valley (west of Newcastle) during an Australia Day clean up.

6.6 Check the availability of grants and financial assistance

Not every clean-up and illegal dumping prevention project will require funding. Grants may be available for a range of environmental and crime-prevention projects.

There are several funding programs administered by federal, state and local governments, institutions, charitable trusts and other companies. Check for the availability and suitability of grants.

7 Bringing it all together

7.1 Implementing a strategic approach

The illegal dumping prevention techniques described in Chapter 5 will be more successful if used as part of a strategic approach or integrated illegal dumping program, rather than as isolated initiatives. Your strategic approach may follow the steps below.

Use the case studies and examples provided throughout the handbook and in this chapter to give you ideas about how to deter and prevent illegal dumping on your land.

Step 1
Improve your knowledge of illegal dumping (Chapters 1, 2 and 3)
Step 2
Deal with illegal dumping (Chapter 4)
Step 3
Understand the factors that influence illegal dumping on your land Keep illegal dumping data (Chapter 5)
Step 4
Gain support and work with others (Chapter 6)
Step 5
Implement suitable prevention techniques Publicise your efforts (Chapters 5 and 7)
Step 6
Monitor the outcomes of your prevention techniques; you may need to refine the initial response or try something different (Chapter 5)
Step 7
Keep an eye on newly emerging problems so that illegal dumping can be dealt with as quickly as possible.

CASE STUDY 9: Charity bins and illegal dumping

Problem

Charity bins on and around stations cause a number of problems including illegal dumping, vermin, fires and graffiti, as well as safety and security hazards. Many charity bins were located close to station entrances, adjacent to the rail corridor and in carparks. It was believed poor servicing of the bins as well as unregulated proliferation of the bins contributed to the illegal dumping problem.

What did they want to do?

RailCorp wanted to develop an approach to the illegal dumping problem that balanced security, safety and environmental concerns with the social benefit of providing a location for the charity bins.

What did they do?

- Conducted environmental assessments of all charity bin locations including the impact of illegal dumping, littering, the potential for dumping of hazardous materials and chemicals, the loss of amenity, the potential for liability in the event of an accident (pollution, injury, damage to private property), vermin and the public perception of RailCorp.
- Developed criteria to assess the controls for placement of charity bins (such as whether the bin was associated with a registered charity, whether the bin was maintained, whether the contact details of the owner were clearly stated on the bin, whether the bin impacted the local amenity, whether the bin was satisfactorily secured and locked).
- Developed criteria to assess the appropriateness of the location of the charity bins (such as whether the bin restricted vehicle access to a carpark or restricted traffic flow, was located at least a 100-metre linear distance from the station entrance, was located against a corridor boundary fence, blocked sightlines or the ability to view the station precinct, or obstructed drainage on the site).



Photo: N. Mirosch, RailCorp

RailCorp has taken action to tackle the illegal dumping problem around charity bins.

CASE STUDY 9: Charity bins and illegal dumping, continued

What were the outcomes?

- Environmental assessments for all charity bins were completed, suitable controls identified and responsibility for implementing actions was assigned.
- Suitable controls implemented included prior approval for placement of charity bins, monitoring the bins as part of periodic inspections of stations and removal of poorly serviced bins, implementing a process for responding to illegal dumping, developing a register for illegal dumping, and implementing procedures for reporting and cleaning up illegal dumping.
- Overall, this process resulted in improved control and management of illegal dumping around railway stations, carparks and the rail corridor.

What next?

A new risk-based process for assessment of charity bins at stations is being developed and controls are being implemented as part of routine sector-based environmental management plans for RailCorp property.

Further information

RailCorp, Environment Division
(02) 8202 2592



Photo: N. Miroshch, RailCorp

Illegal dumping of waste on land managed by RailCorp.

CASE STUDY 10: A tailored strategic approach by Forests NSW: Nambucca State Forest

Problem

Piles of rotting household garbage, discarded toys, decomposing animal carcasses and other waste were dumped in the Nambucca State Forest opposite the turn off to the Nambucca waste management facility. Householders were not the only offenders. There was a lot of green waste and discarded trees and stumps thought to be from tree lopping operations. In the past burning piles of old tyres and exploding pressure cans had hampered fire fighters in Nambucca State Forest. The dumping usually occurred near residential areas.

What did they want to do?

- deter people from dumping rubbish in the Nambucca State Forest
- encourage residents to report incidents of illegal dumping
- advertise the fines for illegal dumping of rubbish

What did they do?

- joined forces with Nambucca Shire Council to patrol forest and council land to carry out surveillance of the worst areas
- patrolled the areas throughout the week and at weekends
- reported in the media that a family proven to be a consistent dumper was given 48 hours to clean up the site or risk being issued an infringement notice for illegal dumping ranging up to \$5500
- encouraged residents to record as much information as possible and forward it to Forests NSW

What were the outcomes?

- ongoing co-operation between Forests NSW and Local Government
- promotion of illegal dumping in local newspapers
- forest signage was installed that advertised the penalties for dumping
- some clean up by Forests NSW of the worst sites
- co-operation from OEH for assistance in legal action where pollution might occur
- weekend patrolling where possible by council rangers of offending areas
- letters were prepared by Forests NSW for alleged offenders requesting immediate clean up or further legal action.

CASE STUDY 10: Nambucca State Forest, continued

What now?

- continued patrols by Forests NSW and council staff
- ongoing and routine clean up of worst sites by Forests NSW, when necessary
- erection of signs to deter illegal dumping
- regular newspaper highlights of illegal dumping and associated penalties
- letters are prepared to alleged offenders for clean up and warning of further action if illegally dumped waste is not cleaned up
- ongoing education of the general public about illegal dumping and reporting offenders.

Further information

Forests NSW, Coffs Harbour
Office, (02) 6652 0111

Nambucca Shire Council,
(02) 6568 2555 or email
council@nambucca.nsw.gov.au



Photo: courtesy Forests NSW

Illegally dumped domestic waste.

CASE STUDY 11: A tailored strategic approach by Forests NSW: Bungleboori Rest Area

Problem

Bungleboori Rest Area in Newnes State Forest is popular with weekend visitors from Sydney, the Blue Mountains and the Central West. Bins provided for visitors are misused. Visitors dump household items and domestic waste. The facilities provided were being quickly over-filled, creating a rest area that resembled a rubbish tip. The dumping of household rubbish was ruining the forest for other recreational users. The rubbish also posed an environmental and potential health problem. Unfortunately, it was a case where people viewed this part of the state forest as rubbish tip. Apart from general refuse, people also dumped electrical appliances, dirty oil, broken car parts and left other large items in the vicinity.

What did they want to do?

- deter people from dumping rubbish in state forests
- encourage people to report someone illegally dumping rubbish to NSW State Forest or the local police
- advertise the fines for illegal dumping of rubbish in state forests.

What did they do?

In the first instance, a major upgrade was undertaken only four years prior to further action. State Forest were disappointed that the upgrade did not deter further dumping.

Instead, the media was used to publicise the following messages:

- people should take their rubbish home and dispose of it responsibly
- people should leave an area in a clean state ready for the next visitor, rather than leave a mess for someone else to clean up
- Forests NSW spends one to two days a week cleaning up recreation areas in state forests in the Central West
- rubbish dumping in recreational areas is unsustainable, and NSW State Forests will be forced to close sites if they continue to be mistreated
- Forests NSW would be increasing its surveillance of the area and people undertaking illegal or anti-social activity would be fined
- people should be aware that there are fines applicable for illegal dumping of rubbish in state forests; fines vary from \$60 to \$200.

How were the messages promoted?

A series of news releases and photos of the illegal dumping sites were published by Department of Trade and Investment, Regional Infrastructure and Services.

CASE STUDY 11: Bungleboori Rest Area, continued

What were the outcomes?

- vandalism and rubbish dumping continues to be a problem in the Bungleboori Rest Area. It is a popular place for camping because of its proximity to the Sydney Basin
- large stockpiles of rubbish are dumped, particularly after long weekends and school holidays
- to stop vandalism, toilets were removed and relocated to another picnic area
- signs and picnic facilities were removed to eliminate the cost of repairs resulting from vandalism.

What now?

- rangers continue to patrol the site and pick up rubbish once a week
- during routine patrols further intelligence is being gathered about the nature of illegal dumping, and any evidence found is noted and gathered for follow-up and reporting
- continue to gather knowledge and intelligence to understand factors that influence illegal dumping at this site, so informed decisions about suitable prevention techniques can be made
- development of a strategic approach is planned for managing illegal dumping in the Newnes area
- establish and maintain working partnerships with other public land managers to learn from their experiences and share ideas.

Further information

Forests NSW, Bathurst office on (02) 6331 2044



Photo: courtesy Forests NSW

Bungleboori Rest Area in Newnes State Forest.

CASE STUDY 12: Publish a Regional Plan of Management – Macquarie Valley Weeds Committee

Problem

The rapid spread of *Cestrum parqui* (green cestrum) is a problem for land managers in the Macquarie Valley. Its extreme toxicity to humans and livestock, along with its ability to readily out-compete most other vegetation required action to be taken to control it. Illegal dumping of garden waste and cuttings was part of the problem.

What did they want to do?

- reduce illegal dumping of garden waste to reduce spreading of existing weeds and prevent new weed problems
- establish and define a coordinated approach that will address illegal dumping of garden waste
- improve coordination and cooperation of stakeholders.

What did they do?

- formed a working group with weed management officers in the Orange, Dubbo, Central West, Bourke and Wellington shires
- developed a Regional Weed Management Plan that contained actions to address illegal dumping of garden waste.

What were the outcomes?

- raised awareness of weeds issues in the region
- identified that illegal dumping of garden waste is a common problem for the spread of green cestrum and that a coordinated approach was needed
- The Regional Weed Management Plan outlines actions to inspect land and respond to illegal dumping, and develop on-ground weed management plans with neighbouring landholders, local councils and the Rural Land Protection Board (now Livestock Health & Pest Authorities)
- engaged the local council weed officers and the Rural Land Protection Board rangers.

Funding and resources

The majority of the financial support for the plan is provided as part of the participating local council and Rural Lands Protection Board weed control programs. Further support was provided by a Department of Trade and Investment, Regional Infrastructure and Services group project funding program.

Further information

Macquarie Valley Weeds Advisory Committee www.westernweeds.org

Megan Power, Regional Project Officer, (02) 6390 7128

CASE STUDY 13: Sydney Water cost saving action

Problem

Sydney Water owns about six hectares of land within the suburb of 'Cringila', overlooking the BHP Steelworks in Port Kembla.

The Sydney Water land contains a number of large-capacity water supply reservoirs and a network of underground water mains. The land also contains pockets of bushland, including a threatened flora community of remnant Kembla rainforest.

Adjacent to the Sydney Water land are privately owned lots and a large parcel of Wollongong City Council land. The Sydney Water land and adjoining Wollongong Council land were subject to ongoing waste dumping by local residents and others due to the isolated nature of the area.

Residents were dumping about one or two box trailers of household goods a month and businesses were dumping occasional large truckloads of commercial waste.

What did Sydney Water aim to do?

- prevent damage to gates
- prevent illegal dumping
- keep the area safe for ongoing operational activities.

What did Sydney Water do?

- talked to neighbours to outline the problems, advise of planned actions and gather information
- established patterns of dumping behaviour
- coordinated with council to restrict access to Sydney Water's land by locking a gate accessing council land
- installed heavy gates and fencing around the perimeter of the site to legally mark the property boundary
- installed security and warning signage
- advised staff to report dumping
- engaged random security patrols to attend the site and observe and report any fence breaches.

What were the outcomes?

- low profile response to illegal dumping
- costly in the short-term, effective in the longer-term
- illegal dumping now rarely occurs as a consequence of the actions taken.

What now?

- regular planned site inspections by Sydney Water staff
- ad hoc security deters vandalism of the fence
- some maintenance costs involved in managing the fence and signage
- overall cost saving in comparison to the cost of cleaning up illegally dumped waste.

Further information

Sydney Water, Asset Management Division, (02) 8849 4339

CASE STUDY 14: Remedial action plan helps tackle illegal dumping

Problem

The NSW RTA found that illegal dumping had occurred within the proposed site for the Kings Highway realignment, near Queanbeyan. The dumping included empty fuel drums, scrap metal, car bodies, non-putrescible waste and materials that contained asbestos. The issue of illegal dumping needed to be addressed to enable the works at the proposed site to proceed.

What did they want to do?

- safely remove and dispose of the illegally dumped waste, including protect the neighbouring landholders from potentially hazardous dust emissions and air borne asbestos particles
- prevent waste from being illegally dumped at the site.

What did they do?

- engaged professional services to assess the extent of the dumping, identify the wastes and monitor for airborne asbestos particles
- prepared a remedial action plan to clean up the waste, including dumped asbestos waste
- held small community meetings, as needed, with neighbouring landholders to consult and inform them of the planned action
- placed the remedial action plan on display so neighbouring landholders had the opportunity to provide comment; neighbouring landholders were also supplied with an electronic copy of the action plan
- installed signs at the site to advise the community about the proposed development.

What were the outcomes?

- the contractor engaged to assess the extent of dumping identified illegal dumping of waste, including asbestos, was a problem at the site
- in response to these findings and community involvement, federal government funding was assigned (as part of the proposed development) to clean up the illegally dumped waste.

What next?

- redevelopment of the site has meant that it no longer is used as a place to illegally dump waste.

Further information

RTA 13 22 13

8 Further reading

Asbestos waste

The OEH website (www.environment.nsw.gov.au) provides a list of licensed landfills that accept asbestos waste for disposal for each region in NSW.

DEC 2006, *Safely Disposing of Asbestos Waste*, this fact sheet contains important information on safely disposing of asbestos waste for home renovators and builders.

www.environment.nsw.gov.au/waste/asbestos/index.htm

DECCW 2009, *Guidance note: Asbestos and Fire Damaged Buildings*, this note provides information for use by councils and NSW Government agencies about asbestos and fire damaged buildings.

www.environment.nsw.gov.au/waste/asbestos/home.htm

The NSW Government's *Fibro and Asbestos: A Renovator and Homeowner's Guide* contains a safety checklist, advice about the safe disposal of fibro and some general tips about what to do if fibro is damaged.

www.nsw.gov.au/fibro

WorkCover NSW 2008, *Your Guide to Working with Asbestos*, contains safety guidelines and requirements for work involving asbestos.

www.workcover.nsw.gov.au/healthsafety/healthsafetytopics/Asbestos



Clean up of illegally dumped waste

The Yellow Pages directory provides information about clean-up providers under *Rubbish Removers and Asbestos Removal and/or Treatment*.

www.yellowpages.com.au

The OEH Hazardous materials (Hazmat) register contains information about providers that offer resources, equipment, products and advice to minimise the environmental effects of incidents involving hazardous materials.

www.environment.nsw.gov.au/hazmat/

The OEH Emergency Pollution Clean-up Program may contribute funds towards the costs of removing, dispersing or mitigating serious pollution when those measures need to be taken immediately.

www.environment.nsw.gov.au/grants/cleanup

Community awareness

DECC 2004, *An assessment of attitudes and behaviours amongst multi-unit dwelling residents in relation to illegal dumping*.

www.environment.nsw.gov.au/warr/MUDDumpResearch.htm

Construction and demolition waste

DECC's 2007 brochure, *Know your responsibilities: managing waste from construction sites*, contains important information for demolition and excavation companies, builders, contractors, project managers and property developers about managing waste from construction sites.

www.environment.nsw.gov.au/waste/manbuildingwaste.htm



Garden waste

DECCW's 2009 brochure,

Know your responsibilities: managing garden waste, contains important information for landscaping, tree and gardening service providers and those managing garden waste.

www.environment.nsw.gov.au/waste/mangardenwaste.htm

Illegal fill material

DECC 2006, *Avoiding the dangers of accepting fill on your land* brochure contains important information for landholders.

www.environment.nsw.gov.au/waste/Fillland.htm

DEC 2004, *Important information for waste transporters and the waste industry* describes covering loads, transporting waste to a legal facility and fines.

www.environment.nsw.gov.au/waste/coverload.htm



International illegal dumping resources

National Fly-tipping Prevention Group 2006, *Tackling Fly-tipping: a guide for landowners and land managers*, National Fly-tipping Prevention Group.

www.environment-agency.gov.uk/static/documents/Leisure/fin_1401786.pdf

National Fly-tipping Prevention Group 2006a, *Tackling Fly-tipping: a summary guide for landowners and land managers*, National Fly-tipping Prevention Group.

www.environment-agency.gov.uk/static/documents/Leisure/nftpg_summary_guide.pdf

US Environment Protection Agency's illegal dumping resources include the *Illegal Dumping Prevention Guidebook (1998)* and the *Illegal Dumping Economic Assessment model*.

www.epa.gov/reg5rcra/wptdiv/illegal_dumping/downloads/il-dmpng.pdf

The US National Centre for Environmental Decision-Making Research has developed a *Decision Maker's Guide to Controlling Litter and Illegal Dumping*.

www.ncedr.org/guides/litter/determine.htm

Iowa Department of Natural Resources 2006, *Take a Stand for Your Land: a community guide to combat illegal dumping*, Iowa Department of Natural Resources and Keep Iowa Beautiful. www.iowadnr.gov/waste/sw/files/cguide.pdf

University College London 2006, *Fly-tipping: Causes, Incentive and Solutions. A good practice guide for local authorities*, prepared by Jill Dando Institute of Crime Science, UCL, London, England.

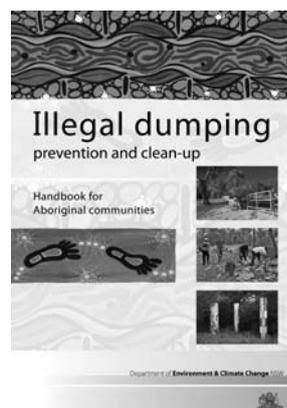
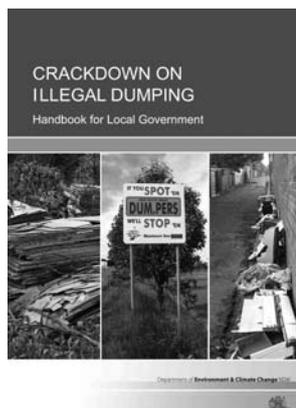
Local illegal dumping resources

DECC 2008, *Crackdown on illegal dumping – Handbook for local government*, DECC NSW. www.environment.nsw.gov.au/warr/IllegalDumpingHandbook.htm

DECC 2008a, *Illegal dumping prevention and clean-up – Handbook for Aboriginal communities*, DECC NSW. www.environment.nsw.gov.au/waste/illdumpabcommshandbook.htm

The DECCW *Illegal Dumping Data Collection Methodology Guideline* aims to assist councils and land managers to decide what data on illegal dumping and illegal land filling issues need to be collected and why. www.environment.nsw.gov.au/warr/IllegalDumpingMethodology.htm

OEH provides other resources on illegal dumping such as *The Regional Illegal Dumping Squad* brochure. www.environment.nsw.gov.au/warr/RIDSquads.htm

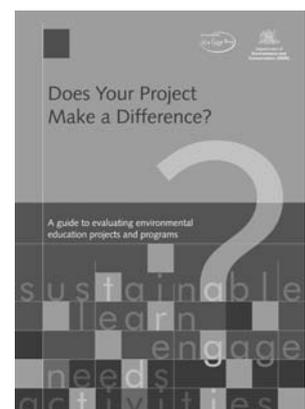
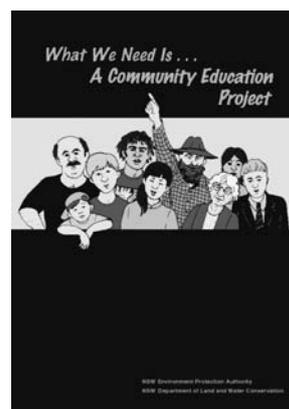


Project planning

The EPA's (reprinted 2000) *What we need is ... a community education project*, provides background information about community education, a step-by-step guide to planning a community education project, sample community education projects, and a summary of useful community education methods.

www.environment.nsw.gov.au/community/comengagement.htm

DEC's 2004 *Does your project make a difference?* is a guide to evaluating environmental education projects and programs. www.environment.nsw.gov.au/community/projecteval.htm



Recycling, reuse and alternatives to disposing of waste

The Planet Ark and Sensis *Recycling Near You* website (www.recyclingnearyou.com.au) enables the general public to search for up-to-date and reliable local recycling information by council, area or product. National Recycling Hotline: 1300 733 712.

Trolley Tracker is an information service that gives the general public the opportunity to call a free number and report abandoned shopping trolleys from participating stores. Trolley Tracker Hotline: 1800 641 497. www.trolleytracker.com.au

The OEH *Household Chemical Clean Out* scheme provides a drop off collection for old and leftover household chemicals. www.environment.nsw.gov.au/households/CleanoutGuide.htm

The OEH webpage provides information about resource recovery exemptions for waste-derived materials. www.environment.nsw.gov.au/waste/RRecoveryExemptions.htm

The online directory – www.BusinessRecycling.com.au – is designed to make it easy for businesses, especially small- and medium-sized businesses, to find recycling services in their area.

Trespassing and illegal dumping

The Law Handbook provides practical information on trespass and entry onto land, www.lawhandbook.org.au/handbook/ch10s02s03.php

Waste tyres

The DECCW 2010 publication *Know your responsibilities: important information for tyre retailers and retreaders*, encourages tyre retailers and retreaders to keep written records about their waste, how to avoid heavy fines and clean-up costs, and to take waste to a lawful place www.environment.nsw.gov.au/waste/wastetyres.htm



Appendix 1

Illegal dumping and illegal land filling data-collection parameters

Measure what?	What to measure?	Why measure this?	Incident and/or reporting level?	Data significance
Incident location	<ul style="list-style-type: none"> street number and/or lot/DP street name suburb LGA postal code GPS coordinates/ map name nearest cross street/identifying feature 	<p>It is necessary for incident management and reporting of illegal dumping and illegal land filling across locations. Recording the location of individual incidents and can be used to identify:</p> <ul style="list-style-type: none"> hotspots repeat offenders surveillance opportunities. <p>It is also necessary for the accurate issuing of:</p> <ul style="list-style-type: none"> Penalty Infringement Notices (PINs) notices; including clean up, prevention and cost recovery notices and for further legal action. 	Incident and reporting	IMPERATIVE

Measure what?	What to measure?	Why measure this?	Incident and/or reporting level?	Data significance
Date	Date of offence identified or date reported	<p>Identifying and reporting the date of illegal dumping and illegal land filling offence (incidence) is necessary for:</p> <ul style="list-style-type: none"> • accurate issuing of PINs, notices, and further legal action, if required • managers to determine whether seasonal variances affect the incidence of illegal dumping • accurate corporate reporting. 	Incident and reporting	IMPERATIVE
Time	Time offence reported or identified	<p>It is important to identify and report the time of illegal dumping and illegal land filling offence for:</p> <ul style="list-style-type: none"> • accurate issuing of PINs, notices, and further legal action, if required • managers to determine whether the incidence of illegal dumping is higher during different periods during the day. 	Incident	IMPORTANT

Measure what?	What to measure?	Why measure this?	Incident and/or reporting level?	Data significance
Land ownership	<ul style="list-style-type: none"> • private • Crown • Roads and Traffic Authority • National Parks and Wildlife Service • Sydney Water • Housing (DoH) • utilities Provider • Aboriginal owned land • other 	<p>It is necessary for the accurate issuing of:</p> <ul style="list-style-type: none"> • PINs • notices • further legal action (prosecution etc) • important for organising clean-up action. 	Incident and reporting	IMPERATIVE
Land owner and Land manager and Land occupier	<ul style="list-style-type: none"> • name • company name • ABN/ACN • phone • email • address • licence No 	<p>It is necessary for the accurate issuing of:</p> <ul style="list-style-type: none"> • PINs • notices • further legal action (prosecution etc) • organising clean-up action. 	Incident	IMPERATIVE

Measure what?	What to measure?	Why measure this?	Incident and/or reporting level?	Data significance
Generator or owner of the waste	<ul style="list-style-type: none"> name phone email address licence No 	<p>It is necessary for the accurate issuing of:</p> <ul style="list-style-type: none"> Penalty Infringement Notices (PINs) Notices further legal action (prosecution etc) organising clean-up action. 	Incident	IMPERATIVE
Alleged offenders details	<ul style="list-style-type: none"> name company name ABN/ACN phone email address registration of vehicle involved state of registration (if applicable) make, model and colour of vehicle involved (if applicable) gender approximate age appearance/nationality other identifying features 	<p>It is necessary for managers to record the details of offenders to ensure that the responsible party:</p> <ul style="list-style-type: none"> is correctly identified is appropriately penalised for the offence is made to clean-up the illegally dumped materials or remove illegal fill (if applicable) legal investigations and enforcement action. 	Incident	IMPERATIVE

Measure what?	What to measure?	Why measure this?	Incident and/or reporting level?	Data significance
Actioning officer	<ul style="list-style-type: none"> • name of officer taking necessary action • title of officer • organisation 	<p>It is necessary to record who the actioning officer is for:</p> <ul style="list-style-type: none"> • responsibility – to ensure that actioning officer is correctly identified for: <ul style="list-style-type: none"> ○ PINs ○ notices ○ further legal action (prosecution etc) • accountability – to ensure necessary action is being taken • continuity – to ensure follow-up actions are undertaken by the officer involved in the initial investigation. 	Incident	IMPERATIVE
Infringement issued/action taken	<ul style="list-style-type: none"> • PINs • clean-up notice • prevention notice • notice to provide information, etc 	<p>It is essential to determine what action has been taken over the offence on an incident level and at local and state reporting levels.</p>	Incident and reporting	IMPERATIVE
Amount (weight based)	<ul style="list-style-type: none"> • tonnages or cubic metres 	<p>It is necessary to determine the total amount of material. This allows council to determine the scope and significance of the incident as well as estimating required clean up costs and actions.</p>	Incident and reporting	IMPERATIVE

Measure what?	What to measure?	Why measure this?	Incident and/or reporting level?	Data significance
Cost of clean-up (actual)	dollar cost incurred who incurred the cost	<p>It is necessary to determine final cost involved for:</p> <ul style="list-style-type: none"> • management expenditure purposes • cost recovery purposes • information crucial to any legal actions (if required) • reporting on savings/costs to community/organisation. 	Incident and reporting	IMPERATIVE
Incident identified by?	<ul style="list-style-type: none"> • ranger on patrol • referral from other agency • reported by a member of the community 	<p>It is important to determine whether the illegal dumping and illegal land filling incident is reported or identified by council rangers, other council staff or by other relevant agencies such as DECCW or by a member of the public reporting the incident for:</p> <ul style="list-style-type: none"> • investigation purposes and legal action • for reporting purposes – who is identifying and reporting illegal dumping incidents. 	Incident and reporting	IMPORTANT

Measure what?	What to measure?	Why measure this?	Incident and/or reporting level?	Data significance
Informants details	<ul style="list-style-type: none"> • name • company • ABN/ACN • phone • email • address 	<ul style="list-style-type: none"> • If an illegal dumping and illegal land filling incident is reported by council rangers or other council staff, then the informant's details are easy to obtain. • If an illegal dumping episode is reported by another agency or member of the public, then it is important to obtain information that may help with the investigation. <ul style="list-style-type: none"> ○ Note: some members of the public may wish to withhold their contact details and remain anonymous ○ Note: some members of the public may wish that their details are not passed on outside of the organisation that they have reported the incident for fear of retribution. This must be honoured. 	Incident	IMPORTANT
Land type	<ul style="list-style-type: none"> • alley/laneway • roadside • curb • reserve/park • easement • bushland • waterway • yard • farmland/rural mixed use 	It is important to understand the problem and identify solutions such as structural barriers, lighting and surveillance. It is also helpful in identifying urgency of clean up and exposure or visibility of the waste.	Reporting	IMPORTANT

Measure what?	What to measure?	Why measure this?	Incident and/or reporting level?	Data significance
Material breakdown	waste type by description	It is important to breakdown the materials by percentage to a total of 100% to determine composition of waste materials.	Reporting	IMPORTANT
Waste category (general)	<ul style="list-style-type: none"> household construction and demolition industrial and commercial hazardous material litter 	<p>Collection of these details allows for an objective and reliable information database to be created for strategic illegal dumping action plans to be developed across the waste categories.</p> <p>It is also important for understanding the problem and likely dumper/business sector to target with education and enforcement campaigns. This is helpful in determining the urgency of clean up efforts.</p>	Reporting	INFORMATIVE
Treatment priority	<p>Urgent (e.g. environmentally harmful, hazardous waste)</p> <p>Medium (e.g. visible from road, large amount)</p> <p>Routine (as resources allow)</p>	<p>It is important to assess the level of risk that is posed to the environment by the illegal dumping and illegal land filling material. Risk is commonly assessed by considering the likelihood that the material will harm the environment and human health.</p> <p>A risk assessment matrix will allow council rangers to determine whether the illegally dumped material requires urgent, medium or routine attention. This will allow council to expend resources on those areas that require urgent attention first and foremost to reduce the level of risk within councils LGA.</p>	Incident and reporting	IMPORTANT

Measure what?	What to measure?	Why measure this?	Incident and/or reporting level?	Data significance
Cost (estimate)	estimate dollar cost incurred	Allows managers to determine monetary resources required for clean-up and therefore to determine scope of works etc.	Incident	IMPORTANT
Narrative description	description	Open ended narratives are extremely useful in allowing any other details the investigating officer feels is important in the investigation to be recorded.	Incident	IMPORTANT
Status of investigation	<ul style="list-style-type: none"> • under investigation • warning Issued • PIN issued • notice issued • referred to police • not enough evidence/Closed • complete/Closed • referred to DECCW 	<ul style="list-style-type: none"> • Measurement of the status of the investigation is required to determine: <ul style="list-style-type: none"> ○ The stage of the investigation. Is it currently being investigated, is action being taken or is the investigation closed? ○ The result of the investigation. ○ The action that was taken by council regarding the matter; e.g. PIN issued, notice issued etc. • This is also important for reporting requirements to gather an overall picture of the effectiveness of investigations within the area and whether other complimentary measures are required. 	Incident and reporting	INFORMATIVE

Measure what?	What to measure?	Why measure this?	Incident and/or reporting level?	Data significance
Date of action (i.e. clean-up)	date	It is important for council to show that action has been taken, reported or identified on illegal dumping and illegal landfilling incidents.	Incident	INFORMATIVE
Prevention measures implemented	<ul style="list-style-type: none"> • fences • signs • education • surveillance 	<p>It is important to show what actions have been taken or will be taken to reduce illegal dumping and illegal land filling in the long-term.</p> <p>By analysing the information collected, prevention measures such as those outlined in 'Crackdown on Illegal Dumping-Handbook for Local Government' DECC (April 2007) can be put in place. Once prevention measures have been applied they can be measured and tracked through time.</p>	Reporting	INFORMATIVE

Department of Environment, Climate Change and Water NSW

59–61 Goulburn Street, Sydney

Phone: (02) 9995 5000 (switchboard)

Fax: (02) 9995 5999

TTY: (02) 9211 4723

Email: info@environment.nsw.gov.au

Website: www.environment.nsw.gov.au

DECCW 2009/723 November 2009

Note: This table is available to download at: www.environment.nsw.gov.au/warr/IllegalDumpingMethodology.htm

Appendix 2

Illegal dumping reporting form

1. CONTACT DETAILS

Person completing this form.

Your name:	<input type="text"/>	Organisation:	<input type="text"/>
Telephone:	<input type="text"/>	Email:	<input type="text"/>
Today's date:	<input type="text"/>	Time:	<input type="text"/>

2. INCIDENT DETAILS

Incident originally identified by (please circle): **Same as section 1 / other person**

If incident originally identified by other person, complete details below:

Officer/name:	<input type="text"/>	Organisation:	<input type="text"/>
Telephone:	<input type="text"/>	Email:	<input type="text"/>
Date of incident: (if known)	<input type="text"/>		

3. INCIDENT LOCATION

Details about the location of illegal dumping

Local government area:	<input type="text"/>
Who is the land manager?	<input type="text"/>
Lot/section/DP:	<input type="text"/>
Street number and name:	<input type="text"/>
Suburb/locality/area:	<input type="text"/>
Other identifying features:	<input type="text"/>
Further Details: i.e. Map name, easting and northing, GPS coordinates	<input type="text"/>
How was the land accessed to dump waste?	<input type="text"/>

Attach a mud map of the affected area, if needed.

4a. DETAILS ABOUT THE ALLEGED OFFENDER

If you saw people dumping the waste, complete the relevant details.

How many people were at the incident location?

Name:

Telephone:

Drivers licence:

Address:

Narrative description
(e.g. gender, hair colour,
distinguishing features).

Further details:
Inspection of dumped
materials. Were there any
identifying objects?
i.e. receipts, bills, mail,
labels etc.

For more than one alleged offender, attach additional page.

4b. VEHICLE OBSERVATIONS

If you observed a vehicle at the location, complete the relevant details.

If incident originally identified by other person, complete details below:

Registration:

State:

Make:

Model:

Colour:

Narrative
description of
the vehicle
(e.g. signs,
writing,
markings).

5. DETAILS ABOUT WASTE

How much waste?
e.g. tonnes/units, number of bags, a van load, multiple loads

Waste type: **Household/commercial and industrial/construction and demolition/mixed**

Hazardous chemicals: **Yes/No If yes, describe:**

Description of the waste:
Estimate by percentage
the constituent waste
streams totalling 100%

Treatment priority: **Low/Medium/High.**

6. ACTION REQUIRED

Organisation/party responsible for clean up:

Referred to: Date:

Referred by:

Officer/name: Organisation:

Telephone: Email:

Estimated cost of clean up: \$

7. ACTION TAKEN

Describe action taken:

If no action taken,
detail reasons why not:

Describe
recommendations for
action:

8. FOLLOW UP ACTION

Date clean-up completed:

Actual clean-up costs:

Detail prevention and deterrence measures implemented.

Detail prevention and deterrence measures yet to be implemented (e.g. describe the actions planned and when they will be completed).

This form is available from: www.environment.nsw.gov.au/waste/landmanagers.htm

www.environment.nsw.gov.au