

FACT SHEET

ILLEGAL DUMPING – WHAT YOU NEED TO KNOW

Background/Purpose

Illegal dumping is an environmental crime that can cause serious environmental pollution, pose a risk to human health, and impact local amenities and community pride. Businesses and individuals illegally dump to avoid either disposal fees or the time and effort required for proper disposal. Cleaning up illegally dumped material is a significant cost for local communities, councils, public land managers and private land owners.

Combating illegal dumping is a key priority for the NT EPA and local communities.

The purpose of this fact sheet is to raise the awareness of the NT community to this ever increasing problem and provide them with information on what can be done to tackle it head on. It is hoped that this will reduce the incidence of illegal dumping and reduce the social, environmental, health and financial impact of illegal dumping. It will help the community to report illegal dumping activities.

It also provides a set of resources and further references to assist land owners and land managers when they come across illegal dumping.





What is illegal dumping?

Illegal dumping is the unlawful disposal of any waste that is larger than litter to land or waters. Illegal dumping is where waste materials are dumped, tipped or otherwise deposited on private or public land. This also includes aboriginal land.

Illegal dumping may vary from small bags of rubbish or household waste in an urban environment to larger scale dumping of materials such as construction and demolition waste in more isolated areas. Waste may include dangerous materials like asbestos. Illegal dumping also involves the dumping of liquid waste to land and to waterways.

Illegal landfilling¹ is a form of illegal dumping where waste is used as a 'fill' with or without the consent of the owner or occupier of the land without the necessary planning or licencing approvals. Construction and demolition waste is used as illegal fill for reclamation works, roads, noise mounds, and landscaping. Illegal fill material may be contaminated with hazardous chemicals or asbestos.

¹ See NTEPA Fact Sheet titled: **HOW TO AVOID THE DANGERS OF ACCEPTING ILLEGAL FILL ONTO YOUR LAND** March 2015.



Nature and extent of illegal dumping in the Northern Territory

It is a challenge to build accurate information on the nature and extent of illegal dumping in the NT because the intent behind dumping is to keep it out of sight, undetected and anonymous.

There is limited information about illegal dumping in the NT. Local government and other land managers collect information relating to the clean-up of illegally dumped waste, but the data are insufficient to gain a realistic assessment.



Where is waste being dumped?

In the NT there are a number of places where waste is typically dumped.

Urban areas

Nature-strips and on roadsides, bushland, laneways, drains, parks, creeks, sporting grounds, private property, vacant land, adjacent to mine leases, aboriginal land, building and civil development sites and electricity substations.

Regional areas

Remote areas such as national parks and reserves, recreational areas, including camping grounds, and land that buffers water catchment areas and electricity substations. Other areas include alongside access roads to remote areas, vacant land within close proximity to existing residential estates, and transport corridors.

Aboriginal land is particularly susceptible to illegal dumping because it is often located in remote areas.

The NT EPA regularly receives reports of illegal dumping from the community and actively investigates these to identify the offenders so that they can bear the cost of any clean up as well being prosecuted in court.



What waste is illegally dumped?

All kinds of waste are illegally dumped. The most common waste that is illegally dumped is household waste. Illegally dumped bulky 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, vehicle parts and batteries.

Certain waste types are more of a problem than others. In general, household waste, garden waste, tyres, construction and demolition waste (such as plaster, bricks, tiles, plastic, steel, concrete, grout, and paint), asbestos waste and contaminated soils are the major problems.

Illegal dumping can be grouped into six distinct types:

- waste illegally dumped within the vicinity of multi-unit developments (MUDs) such as general household waste, rubbish, larger domestic items such as mattresses, furniture and white goods, abandoned vehicles, car part and shopping trolleys
- the same type of waste as above illegally dumped within the vicinity of single unit dwellings (e.g. houses)
- commercial and municipal waste illegally dumped (up to 2 cubic metres)
- construction and demolition waste, tyres, contaminated fill containing chemicals, asbestos and other hazardous waste transported to unlawful waste facilities by

unscrupulous individuals or companies using organised networks (greater than 2 cubic metres)

- green waste (garden organic material) and contaminated fill illegally dumped by commercial operators (e.g. in bushland or open spaces)
- landowners accepting waste such as contaminated excavated waste on private properties with and without knowledge of the potential risks and legal liabilities i.e. illegal fill







Who does the dumping?

- householders who place their unwanted items on the nature strip or back lane in the hope that someone will take them or council will remove them
- the shop owner who places his or her commercial waste beside or into a public street bin
- commercial operators who have been paid to dispose of waste appropriately but who choose to dump waste
- businesses and householders who transport and dump their rubbish in other areas
- builders and contractors who dump construction and demolition waste or hazardous materials, such as asbestos, chemicals and contaminated soil



What motivates illegal dumping?

Illegal dumping is carried out by all types of people in all parts of the community, from householders to businesses and other organisations. Depending on the type of waste illegally dumped, there are four recurring reasons that motivate illegal dumpers. These are:

- convenience
- using organised networks, particularly with regard to waste generated by businesses
- an unwillingness to pay
- an uncaring attitude



Environmental and social impacts of illegal dumping

Illegal dumping can:

- lead to degradation of the environment, including eroding land and degrading plant and animal habitats
- alter the normal drainage course of runoff and make areas more susceptible to flooding and erosion when waste blocks creeks, stormwater drains and gutters
- degrade public land and lower the value of surrounding properties
- catch fire either by spontaneous combustion or arson, which can damage property and bushland
- impact the visual amenity of land i.e. reduce aesthetic amenity and deter people from visiting areas where there is frequent illegal dumping
- attract further illegal dumping

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

- destroy local bushland, reduce biodiversity value and hinder revegetation
- contaminate soil and water sources, such as lakes, creeks and drinking water supplies via run off
- damage Aboriginal land and culture
- attract rodents, insects and other vermin that pose health risks. "Dump sites with scrap tyres provide an ideal breeding ground for mosquitos, which can multiply 100 times faster in the warm stagnant water standing in scrap tyre castings
- impact the health of the people of the NT

- result in land being less desirable to visitors or persons pursuing recreation
- result in loss of valuable resources as many dumped items can be recycled such as garden waste, beverage containers, fridges, computers, tyres and car bodies
- block access on public land, which is a particular concern in relation to emergency vehicle access
- prevent and hinder maintenance works of roads, fire trails, bushfire protection zones and other property
- generates thousands of volunteer hours which are spent participating in clean up initiatives, such as Clean Up Australia Day, Keep Australia Beautiful and Tidy Towns, at a significant cost to the community's resources
- increase hazards and risk to fire fighters and property maintenance staff by exposing them to potentially hazardous wastes or asbestos, or preventing access to roads
- create physical (protruding nails or sharp edges) and chemical (harmful fluids or dust) hazards for anyone who does visit the site



Financial costs

Illegal waste dumping costs individuals, communities and the government. The cost of cleaning up dumped waste can sometimes be devastating for landowners or occupiers.

Individuals in a community 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 lose out when competitors gain an unfair advantage by not paying landfill fees.

Local governments' expenditure is used up on clean-up activities associated with illegal dumping. The community bears the cost of lower property prices because the area is less attractive to prospective commercial and residential landowners.

In the Northern Territory, the City of Darwin and Crown Lands collectively spend well in excess of \$100,000 a year cleaning up illegally dumped material which is on an upward trend.

Reporting illegal dumping

The community is strongly encouraged to report incidences of illegal dumping to the NT EPA's Pollution Hotline on **1800 064 567** or email your report to pollution@nt.gov.au

More information about how to report illegal dumping is available at: <http://www.ntepa.nt.gov.au/waste-pollution/hotline>

When making a report, providing additional information such as photographs and registration details of vehicles involved in dumping will greatly assist the NTEPA in its investigations.



What can you do to stop illegal dumping?

Freehold land

Stop dumpers accessing your land (making dumping harder)

In most cases, illegal dumping takes very little effort. It can be harder to dispose of waste legally than to dump it illegally. Preventing people from dumping will save you a lot of time and money, as clean-up is time consuming and expensive.

Where there is only one access point to your site such as a lane, fire break or private road, a secure barrier that stops vehicles from entering may reduce dumping. Fences, posts, bollards and rocks have all been used as barriers to prevent vehicle access on small allotments. Lockable gates can be used, but first consider availability of access for fire authorities and other emergency services. Local councils and other land managers can install other infrastructure such as more lighting and restrictive landscaping as well.

Let dumpers know they will get caught

When a person decides 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 be caught, this may stop them from illegally dumping.

Areas subject to frequent dumping should be visited regularly, and dumped waste removed as quickly as possible. Waste dumpers often know the areas in which they dump and visit these sites beforehand.

People who do not know the area may dump if there is waste on the land already; they may think the area must be an easy place to dump waste without being caught. If waste has been removed and they see people in the area these people may be deterred from dumping waste.

Signs are useful to deter dumpers. They can:

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

Signs need to be put where they are easy to see and the words should be simple and effective. Use few words in a large size, and make the message clear and direct. Signs may need maintenance if they are vandalised.

Signs that state the area has been cleaned up in a joint project between communities and the government show that the land is important and illegal dumping will not be tolerated.



Aboriginal Communities

Maintain a presence on Country

After waste is removed, return land to its natural state to show that it is cared for and to help maintain a presence on Country. This will also require ongoing maintenance.

Items such as benches, pathways, picnic tables and Aboriginal art help show that people visit regularly and can change the way the community feels about the place.

People will get involved in projects that build community pride. If people are known to regularly watch or visit the area, dumping will be deterred as dumpers know there is an increased risk that they will get caught. Encourage the community to report illegal dumping.

Those who dump illegally often make excuses for it. They may say they do not know how to dispose of waste properly, or that it is difficult, inconvenient or too expensive to dispose of waste legally. Encourage the local council to educate businesses and the community about proper ways to dispose of waste, including details of local landfills and recycling centres with their opening hours and contact details.

Stop community dumping on Country

If you suspect that community members are dumping waste on Country – particularly in rural and remote areas, you might want to conduct a survey of your community to identify why this is happening and how to stop it.

There are many reasons why people illegally dump waste. It may be that waste services are inadequate, people do not know when waste is scheduled to be collected or how to dispose of their waste properly, or people have not thought about the impacts of illegal dumping.

Consider developing a program to promote the value of Country and build respect for the land and educating them about ways in which illegal dumping harms community health and damages land, waters and Aboriginal culture.





Who takes action against illegal dumping?

The NT *Waste Management and Pollution Control Act* and the *Waste Management and Pollution Control (Administration) Regulations* provide the regulatory framework for managing waste, deterring people from illegal dumping, and investigating and prosecuting illegal dumping offences.

The NT EPA has the regulatory authority to enforce the provisions of the Act and Regulations, which contain strong penalties for polluting the environment with illegally dumped waste, including²:

- on-the-spot fines of \$119 for individuals and \$656 for corporations
- court-imposed penalties of up to \$11,473 for individuals and \$57,365 for corporations in relation to unlawful waste facility offences
- court-imposed penalties of up to \$573,650 for individuals and/or five years imprisonment and \$2,866,760 million for corporations in relation to illegal waste disposal that causes serious environmental harm
- issuing of environment protection notices such as pollution abatement notices, environmental audit notices and directions for investigation and clean-up of illegally dumped waste



² Please note that the amounts mentioned below are subject to change.



What else is the NT EPA doing to combat illegal dumping?

The NT EPA will work in partnerships with local councils, public land managers and the community to develop and implement illegal dumping strategies specifically tailored to address local situations. In developing effective prevention strategies, it is important to:

- understand why people illegally dump waste
- identify the context in which waste is illegally dumped, that is, who, what, where, why and how
- identify ways in which the context provides opportunities for illegal dumping of waste

Strategies that will be considered to be developed in conjunction with its partners by the NTEPA may include:

- Increasing the perceived risk of getting caught by targeted education campaigns to inform the community. It will emphasise the perceived increase in the likelihood of getting caught will deter some offenders from illegally dumping
- Raising the awareness of the community by producing information such as this fact sheet to make householders and business aware of their responsibilities when it comes to proper waste disposal

- Undertaking highly visible campaigns using a combination of billboards and posters, individual letters to rural landowners asking them to be vigilant about people illegally dumping waste on land adjoining their properties
- Reducing the rewards by denying the financial benefits. For businesses that generate large amounts of waste, such as builders, the financial savings from illegal dumping can be substantial. Financial disincentives to dump waste illegally will include issuing fines and requiring offenders to clean up dump sites
- Encouraging local councils and shires that collect waste to adopt best practice waste collection thus curtailing illegal dumping in their local government areas





Links and Resources

NEW SOUTH WALES EPA

<http://www.epa.nsw.gov.au/illegaldumping/resources.htm>

VICTORIAN EPA

<http://www.epa.vic.gov.au/get-involved/illegal-dumping>

SOUTH AUSTRALIAN EPA

http://www.epa.sa.gov.au/environmental_info/illegal_dumping

UNITED STATES ENVIRONMENT PROTECTION AGENCY

http://www.epa.gov/region5/waste/illegal_dumping/

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