

DEMOLITION AND CONSTRUCTION WASTE

Illegal dumping is a major problem tackling NSW communities. A problem which not only affects the health and amenity of local environments but one which costs NSW local governments an estimated \$10 million on an annual basis.

What is illegal dumping?

"Illegal dumping is the unlawful deposit of waste larger than litter onto land that is waste materials dumped, tipped or otherwise deposited onto private or public land where no licence or approval exists to accept such waste".

Who is responsible?

The **owner of the waste and the transporter are each guilty of an offence** when waste is transported to a place that can not lawfully accept it.

Section 143 of the Protection of the Environment Operations Act 1997 states: "If a person transports waste to a place that cannot lawfully be used as a waste facility for that waste, or causes or permits waste to be so transported the person, and if the person is not the owner of the waste, the owner are each guilty of an offence".

What are the maximum penalties?

Maximum Penalty:

In the case of a corporation: \$1,000,000 or

In the case of an individual: \$250,000



Avoiding fines and penalties

To ensure you and your business are not subject to heavy penalties:

- **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.
- Know the waste that will be generated throughout all phases of demolition and construction.
- Prepare and implement a waste management plan that includes:
 - Details of the developer, including business name, address and contact details for the site manager.
 - Name, address and licence number of proposed waste management facility.
 - A list of waste materials and the proposed waste management action. (i.e. reused/recycled/disposed)
 - Details of procedures in place to ensure the lawful disposal of waste.
- Provide training for employees about the waste management plan and protecting the environment.
- Keep accurate written records of:

- 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)

Protect your business

For further information regarding your legal responsibilities as the owner and/or transporter of waste please refer to the brochure 'Know your responsibilities: managing waste from construction sites' produced by the Department of Environment and Climate Change (DECC). For a copy of the brochure please contact Council's Environmental Health Officers on 9911-6555 or access it online at <http://www.environment.nsw.gov.au/waste/manbuildingwaste.htm>.

Report illegal dumping

If you know or suspect someone of handling waste unlawfully or illegally dumping please contact DECC's Environment Line on 131 555.