

## WASTE AUDITING

**Unlawful dumping of demolition and construction waste is a significant problem tackling many communities within NSW, comprising an estimated 55% of total incidents of illegal dumping in urban areas and 83% in rural areas. Illegal dumping of waste not only contributes to the degradation and contamination of local environments but it also presents a serious risk to human health where hazardous materials such as asbestos are involved.**

### 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?

Where waste is found to be transported to a site that can not lawfully accept waste both the **owner and the transporter** of waste **are guilty of an offence** and subject to penalties up to \$1,000,000 in the case of a corporation and \$250,000 in the case of an individual.

### What is Council doing?

Under the provisions of the Protection of the Environment Operations Act 1997 Council's authorised officers will be auditing demolition and construction sites to ensure waste generated on site is transport to waste facilities that can lawfully accept it.



### Powers of Authorised Officers

In accordance with section 198 of the Protection of the Environment Operations Act 1997 Council's authorised officers may, at any premises lawfully entered undertake any of the following:

- Examine and inspect any works;
- Take and remove samples;
- Make such examinations, inquiries and tests as the authorised officer considers necessary;
- Take such photographs, films, audio and other recordings as the authorised officer considers necessary;
- Require records to be produced for inspection;
- Examine and inspect records;
- Copy any records;
- Seize anything that the authorised officer has reasonable grounds for believing is connected with an offence against the Act or the regulations.

## What will the audit involve?

During the audit Council officers may:

- Examine the type of waste onsite;
- Observe how waste is being stored/managed onsite;
- Assess the level of compliance with their approved Waste Management Plan;
- Request receipts/documentation proving the lawful disposal of waste;
- Request information relating to the business and the persons transporting waste.

## 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)