

**Submission
No 21**

MANAGEMENT AND DISPOSAL OF WASTE ON PRIVATE LANDS

Organisation: Gosford City Council
Name: Mr Shannon McKiernan
Position: Acting Manager Education and Compliance
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Committee on Environment and Regulation
Chris Patterson
Parliament of New South Wales
Macquarie Street
SYDNEY NSW 2000.

Dear Mr Patterson
Committee on Environment and Regulation

I refer to your letter dated 28 June 2013, in relation to the management and disposal of waste on private land. Please find information provided below in relation to the points raised in your letter.

Section (a)

A number of environmental health concerns arise from the accumulation of waste and vegetation on a premise. These concerns include disease, pests, injury, odour emission and/or dilapidated structures posing a risk.

Overgrown vegetation often harbours vermin and pests. It is these vermin and pests that are capable of transmitting disease to humans. These diseases include Ross River Fever and Dengue Fever.

Furthermore overgrown premises tend to accumulate litter and waste which contribute to attracting pests and vermin to the land. As waste and food material accumulates on a premise the emission of offensive odour is inevitable.

Often premises that don't maintain vegetation will not maintain the structure of the building. It is these dilapidated buildings that pose a significant risk to the public as falling structures can significantly harm or kill people in close proximity. When these structures fall to the ground or materials are accumulated and allowed to hang, lean or sit on boundary lines of the premises the public are exposed to injury such as cuts, scrapes and punctures.

All of these concerns pose a significant risk to the public living in the near vicinity and passing by the premises.

It should also be noted that there is an increasing amount of Orphan waste (Asbestos) be dumped around Gosford's Local Government Area (LGA), at a considerable cost to Council to clean up and dispose of safely.

Section (b)

The powers afforded to Council to manage the accumulation of waste on private premises do not allow for its successful management due to the length of time required to complete the current legislative requirements.

Due to the financial implications involved in forcing a cleanup of private property to occur, Council commonly finds that the property owners often opt to secure the property to reduce the risk to the public as this is cheaper than the cleanup.

Section (c)

In addition to the cost of cleaning up a premise the time and cost of the authorised officer to complete the work also needs to be included. The following information highlights other associated costs with a site cleanup:

- In some cases the cost of the courts if a warrant to enter the premises is required.
- The legal assistance to ensure documents have been prepared correctly.
- The clean up supervision by Environmental Health Officers
- The ongoing work between the property owner and Council's community officer

The abovementioned associated costs are not forwarded onto the home owner. Although Council's are able to put the cleanup costs onto the rates of the property however these costs are often never fully recovered.

Currently hoarding is often associated with a mental health condition and further to this it is evident that although Council may clean up a hoarders premises, the ongoing behavioural matter may require assistance from other health services. It has also been highlighted by health specialists that due to the aging population there have been a significant increase in people hoarding on their premises and this trend is likely to increase.

An example of the financial implications on council to maintain premises considered a health or safety concern generally due to hoarding behaviour. In the first month of the 2013/2014 financial year council are required to maintain a premise that has a cleanup quote of \$30,000. If this trend were to continue in the future Council's current financial position would be unable to sustain ongoing costs of this nature into the future.

Section (d)

Council officers are of the opinion that providing health services with the power to manage premises used to hoard material may be a beneficial and successful action.

In the case where waste has been dumped on public property Council is often left with the cost of cleanup however in the case of waste on private land Council has some existing power to Order the property owner to be kept the property in a safe or healthy condition.

Section (e)

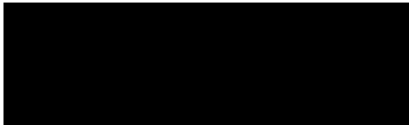
Council provides funding for roadside litter removal (illegal dumping) that cost around \$75,000 per year in the Gosford LGA. Some of the Council incurred costs are for disposal, transport, plant and equipment and PPE.

Council has identified a trend in Illegal dumping having coincided over the past number of years at the same time disposal costs to landfill have risen and in particular the NSW EPA Waste and Environment levy of \$107.80 per tonne of waste disposed at landfill. While the original intention of the levy was to encourage of recycling some wastes such as Asbestos cannot be recycled and require disposal to landfill. This waste if illegally dumped on private or public land poses a health risk to the general public and Council staff.

Orphan waste such as Chemicals or other liquids require Hazmat intervention and laboratory testing prior to disposal at appropriate facilities. The testing and disposal for a single 20ltr drum can equate to excess of \$ 550.00.

Should you have any further enquiries in relation to this matter please do not hesitate to contact Warren Murphy on [REDACTED].

Yours faithfully

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Shannon McKiernan
Acting Manager Education and Compliance