



The Hon Tony Kelly MLC  
Minister for Justice  
Minister for Juvenile Justice  
Minister for Emergency Services  
Minister for Lands  
Minister for Rural Affairs  
Leader of the House - Legislative Council

*Recd 12/9/06.*

Min06/415

Kevin Greene MP  
Chair Legislative Assembly Standing Committee on Public Works  
Parliament House  
SYDNEY NSW 2000

4 APR 2006

Dear Mr Greene

Thank you for the opportunity to provide input to the current Legislative Assembly Standing Committee on Public Works Inquiry into Municipal Waste Management.

A submission prepared by the Department of Lands is attached for consideration by the Inquiry.

Yours faithfully

A handwritten signature in cursive script that reads 'Tony Kelly'.

Tony Kelly MLC  
**Minister for Lands**

## LEGISLATIVE ASSEMBLY STANDING COMMITTEE ON PUBLIC WORKS INQUIRY INTO MUNICIPAL WASTE MANAGEMENT IN NSW

### SUBMISSION BY THE DEPARTMENT OF LANDS

Crown land under the administration of the Department of Lands can generally be categorised as follows:

1. Reserved Crown land
2. Tenured Crown land eg under lease or licence from the Crown
3. Crown roads
4. Unallocated Crown land
5. Submerged land below mean high water mark, including rivers and estuaries and extending three nautical miles out to sea.

While much of the reserved Crown land is managed by trusts, and lessees are responsible for leased land, a large proportion of the Crown estate remains under the direct management of the Department of Lands. This land is spread throughout the State and is mainly without fences or signage.

Many council managed waste depots are on Crown land reserved for that purpose and are made available at no charge to the local council as reserve trust manager.

General observations regarding municipal waste management with respect to Crown land and suggestions that might be considered by the Inquiry are set out below.

#### A. General Observations

##### Illegal dumping

1. Dumping on Crown land is an ongoing problem, without an easy solution that has significant ongoing environmental management and financial implications for the Department.
2. There have been a number of workshops and strategies addressing illegal dumping such as the Macarthur Waste Board Illegal Dumping Strategy 2000.
3. The Department of Lands is moving to a more proactive role in the management of Crown land but resources available to counter illegal dumping remain limited.
4. Local councils undertake cleanup of dumped materials on council land and, in some instances, local council officers are authorised to undertake cleanup of Crown land.
5. While the *Crown Lands Act 1989* provides for penalties for illegal dumping, these penalties are insufficient to cover the surveillance, enforcement, clean-up and rehabilitation required as a result of illegal dumping.
6. The success rate, across all agencies, in tracing dumped material to its owner is understood to be low.
7. Barriers and signage are impractical and financially unattainable in rural areas and, while they may reduce dumping, they do not prevent it. For example, dumped rubbish is found at the base of 'no dumping' signage and barriers are pushed down.
8. Education is helpful in changing behaviour but financial incentives (both positive and negative) are just as important.

## Waste Management

9. While it is acknowledged that municipal waste depots need to charge for this service, the imposition of waste management fees is likely to be a contributor to dumping on Crown land.
10. The argument for waste depot fees (in addition to fee for service) is that fees encourage people to reduce waste and recycle. The Department of Lands is not aware of any evidence for this presumption although it may exist.
11. The management of some (if not many) waste depots actively discourages separation of waste. For example, the drop-off areas for recyclable waste are inside the weigh station so it is easier for people to dispose of the load only once and not sort the waste. This is evident both in the open pit style waste depots adjoining small country towns and villages as well as modern waste transfer stations.
12. There is a growing acceptance of the need to recycle and a willingness by many to do so but recycling needs to be as easy as possible and there needs to be an obvious financial incentive at waste depots.
13. Waste depots are usually well fenced and have limited hours of opening. Lack of access to the waste depot can result in waste being dumped in nearby bushland which is often unfenced Crown land.
14. Regular or on demand Council managed waste collection services may significantly reduce the dumping of rubbish. If a household purchases a new refrigerator or washing machine, for example, they will want to dispose of the existing machine as soon as possible.

## **B. Suggestions for consideration**

1. The penalties for illegal dumping should be consistent across local and State governments and be increased to cover the real costs of the surveillance, enforcement, clean-up and rehabilitation required. High penalties may also be more of a deterrent to illegal dumping.
2. Additional council waste collection services should be frequent and include all waste types including household goods such as whitegoods.
3. The pricing of waste disposal at depots should encourage use of the service (as opposed to dumping). For example, consideration could be given to a minimal fee or free disposal of rubbish provided it contains no recyclable materials such as bottles, green waste, paper, useful household items, etc.
4. Waste depots should be organised in a way that encourages pre-sorting and disposal of all reusable waste and disposal of reusable waste should be free or at a minimal fee.
5. All waste depots including transfer stations should have designated areas for different classes of waste, for example:
  - building material recycling eg bricks and tiles that can be crushed and reused as road-base
  - green waste collection – this can either be mulched (for sale on site) or burnt (subject to restrictions)
  - white goods
  - scrap metal and cars
  - recyclables collected at kerbside eg paper and cardboard, tins, PET bottles, glass etc.
6. The opening times of waste depots should be extended to the maximum possible, seven days a week, particularly in areas where illegal rubbish dumping is high.