



LITTER  
ENFORCEMENT  
OFFICER NETWORK

# Warm welcome to the **Illegal Waste Forum**

8<sup>th</sup> September 2021



# Objectives

## What this forum will achieve



Explore the  
scale and  
impacts of  
illegal waste in  
Victoria



See how  
different land  
managers are  
affected



Participate in a  
moderated  
discussion on  
issues your  
organisation  
faces

# AGENDA

<b>10:00am -10:10am</b>	<b>Welcome and snapshot of Victorian illegal waste</b> <i>Travis Finlayson</i> <i>Litter Prevention Champion</i> Monash City Council
<b>10:10am -10:20am</b>	<b>Overview of the Environment Protection Act 2017 and fine structure</b> <i>Clare Dawson</i> <i>Program Leader - Financial Assurance and Landfill Levy</i> Environment Protection Authority
<b>10:20am – 10:30am</b>	<b>Update on the Litter Report Line</b> <i>Amy Wait</i> <i>Team Leader, Infringements, Compliance Programs Unit</i> Environment Protection Authority
<b>10:30am – 10:50am</b>	<b>2019-20 Annual Illegal Waste Survey overview and insights</b> <i>Samuel Lawson</i> <i>Research and Project Coordinator</i> Keep Victoria Beautiful

# AGENDA

<b>10:50am -11:00am</b>	<b>How illegal waste is impacting Parks Victoria and how we can work together</b> <i>Chris Mercier</i> <i>A/ Senior Manager Enforcement and Regulatory Services</i> Parks Victoria
<b>11:00am -11:10am</b>	<b>How illegal waste is impacting SVDP and how we can work together</b> <i>Gail Wilkins</i> <i>Loss Prevention Manager</i> St Vincent De Paul Society Victoria
<b>11:10am – 11:20am</b>	<b>General Q&amp;A</b> <i>Travis Finlayson</i> <i>Litter Prevention Champion</i> Monash City Council

# AGENDA

**11:20am -11:50am**

**Moderated discussion**

*David Cocks*

*Manager - Victoria, Tasmania*

MRA Consulting Group

**11:00am -11:10am**

**Summary and call for interested parties**

*Travis Finlayson*

*Litter Prevention Champion*

Monash City Council



# Welcome

## Snapshot of Victorian Illegal Waste

Travis Finlayson

Litter Prevention Champion, Monash City Council  
Lead Trainer, Litter Enforcement Officer Network

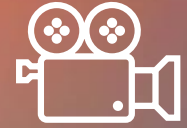








# Housekeeping



 **Remain muted**

 **Gallery view**

 **“Name – Organisation”**

 **Get involved – chat and mentimeter**

 **Need help?**



# Environment Protection Act 2017

## Overview of the Act and new fine structure

Clare Dawson

Program Leader - Financial Assurance and Landfill Levy,  
Environment Protection Authority

Clare Moran

Senior Program Manager, Regulatory Standards &  
Enforcement, Environment Protection Authority





# Victoria's new litter & other waste laws

8 September 2021

Environment Protection Authority Victoria

# New litter & waste laws are here!



- The *Environment Protection Act 2017* is now in force
- The litter and other waste laws can be enforced by **litter authorities** including EPA, Councils, DELWP, Parks Vic
- Litter authorities can appoint their staff as **litter enforcement officers**
- Litter authorities & LEOs continue have range of powers under the new Act





# What's changed?

- Greater penalties for dangerous litter and larger volumes of dumped waste
- Clearer powers and better enforcement tools for litter authorities and litter enforcement officers
- Aim of new framework is to:
  - discourage littering and illegal dumping
  - protect people and the environment from harm
  - support liveable communities
- New resources from EPA to help litter authorities do their job



# Joint regulation of litter and waste



\* and dangerous litter.

\*\* EPA has additional powers to deal with industrial waste and priority waste offences

# Unlawful deposit of waste



## The Act included escalating offences for unlawful deposit of waste

Deposit of waste occurs when a person parts with the possession of litter or other waste.

This includes the burning of waste, and where waste blows from or falls or escapes from a premises or place.

Offences are broken up by volume of waste, as well as waste type in the case of dangerous litter

## Section 115: Unlawful deposit of waste

- (1) A person must not deposit waste that is **litter** other than in circumstances specified in sub-section (5).
- (2) A person must not deposit waste that is **dangerous litter** other than in circumstances specified in sub-section (5).
- (3) A person must not deposit waste of more than **50 L but not more than 1000 L** other than in circumstances specified in sub-section (5).
- (4) A person must not deposit waste of **more than 1000 L** other than in circumstances specified in sub-section (5).

These are infringement offences and can be prosecuted in the Magistrates Court





# Offences – littering (<50L)



A person must not deposit waste that is litter	Court penalties: 20/100 p.u	Infringement 2/10 p.u. <b>\$363 / \$1,817</b>
A person must not deposit dangerous litter	Court penalties: 60/300 p.u	Infringement: 4/20 p.u <b>\$727 / \$3,635</b>



# What is dangerous litter?

Dangerous litter means litter (less than 50L) that is wholly or partly comprised of one or more of the following –

- oil, fuel, grease, paint or solvents
- a lit cigarette or lit cigarette butt
- glass
- a syringe
- any substance, material or other thing prescribed by Regulations

Priority wastes listed in Schedule 5 of the Regulations are also 'dangerous litter' in volumes less than 50L



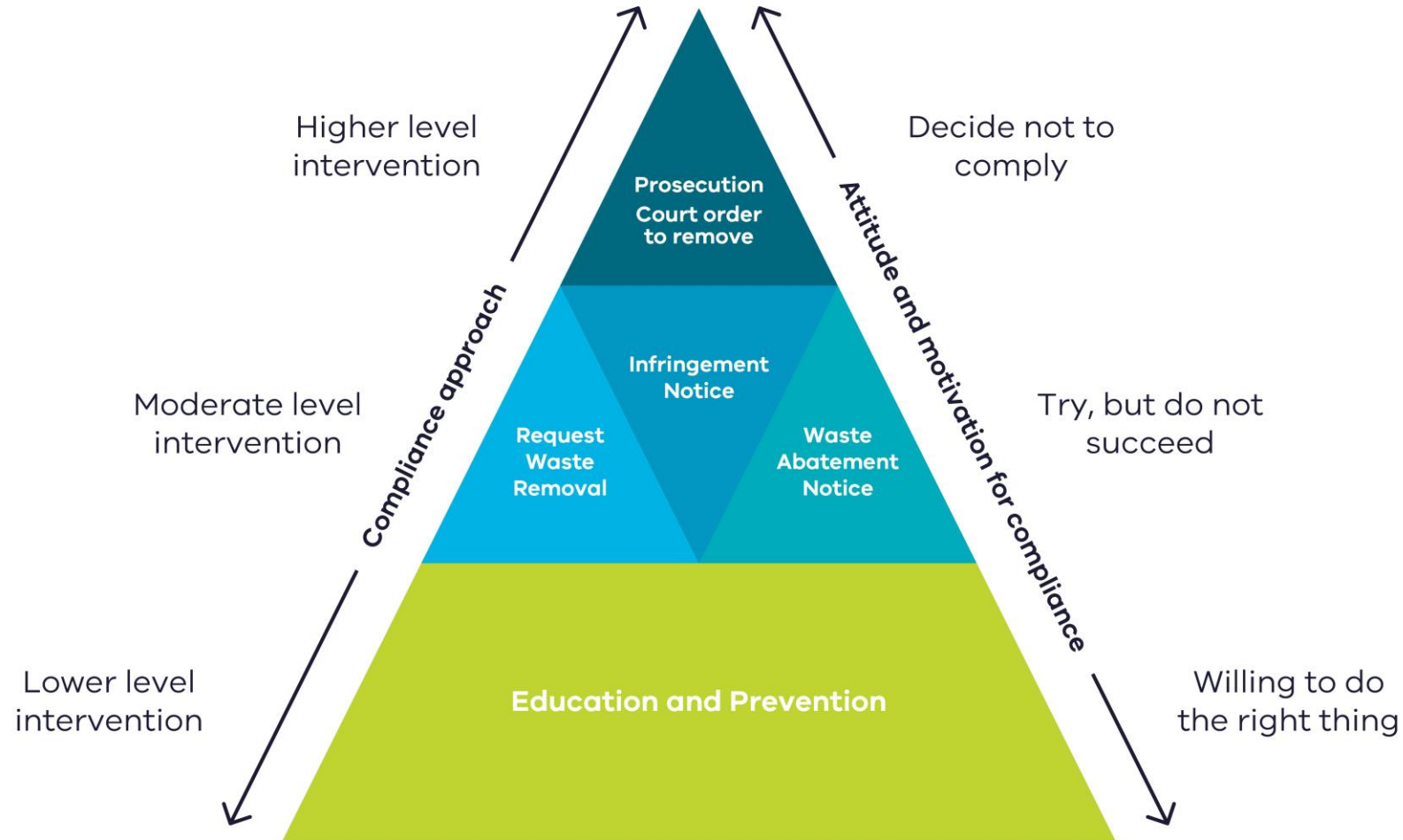
# Offences for unlawful deposit of larger volumes of waste

A person must not deposit waste >50L but <1000L	Court penalties: 100/500 p.u.	Infringement: 6/30 p.u. <b>\$1090.44/ \$5452.20</b>
A person must not deposit waste >1000L	240/1,200 p.u.	Infringement: 10/50 p.u. <b>\$1,817.40/ \$9,087</b>





# Compliance and enforcement tools



# Role of litter enforcement officers



## Litter enforcement officers:

- appointed by litter authorities
- have powers under the EP Act to enforce the litter and other waste laws
- include EPA authorised officers & police
- EPA & police have state-wide powers
- Council LEOs can act in their municipal area
- LEOs from other litter authorities (like Parks Vic) can act in relation to lands under management or control of the agency



# Information and resources for litter authorities

## Local Government pages

<https://www.epa.vic.gov.au/about-epa/who-epa-works-with/local-government/litter-and-waste>

Regulating litter & other waste toolkit (publication 1927) <https://www.epa.vic.gov.au/about-epa/publications/1927>

Templates for notices – contact EPA or LEON

## Report illegal waste disposal to EPA

- Call EPA pollution hotline on [1300 372 842](tel:1300372842)
- Report litter from vehicles <https://www.epa.vic.gov.au/report-pollution/litter-from-vehicles/report-littering-from-a-vehicle>



# Environment Protection Act 2017

## Update on reporting litter from vehicles

Amy Wait

Team Leader, Infringements, Compliance Programs Unit,  
Environment Protection Authority





# EPA – Report Litter from Vehicles

8 September 2021

Environment Protection Authority Victoria

# Reporting litter from vehicles

## Section 131: Reports of littering offences to Authority or Council

A person who see another person committing an offence under this Part may inform the Authority or relevant council by submitting a signed written report containing.

To complete a report you'll need:

- vehicle details (rego, make, model, colour)
- the date, approximate time and place of the offence
- the nature of the waste
- willingness to attend court as a witness





# Litter you can report

Examples of litter which can be reported if you see someone litter from or near a vehicle they are using:

- cigarette butts (lit/unlit)
- organic waste (apple cores, food scraps)
- chemicals
- metal (aluminium cans)
- glass (beer bottles)
- plastic (food packaging, bags)
- PPE (face masks, gloves)
- items left beside charity bins or charity stores
- anything that blows from or falls from a vehicle



# VICTORIA

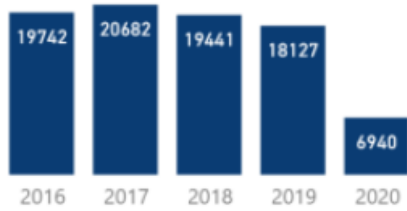
From:  
January 2016

To:  
June 2020

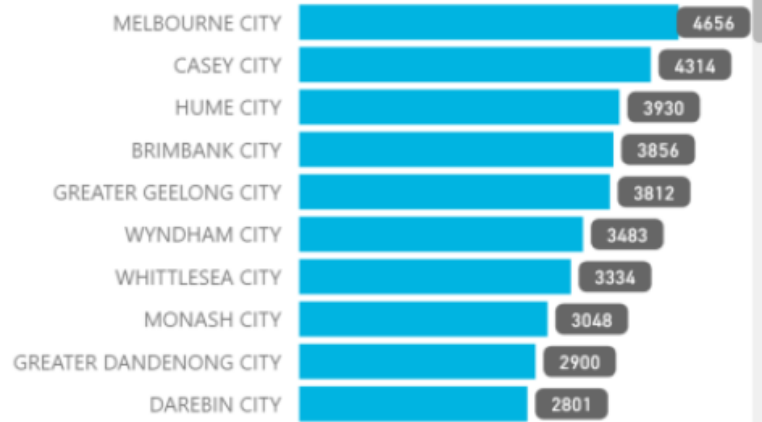
## Number of reports

84932

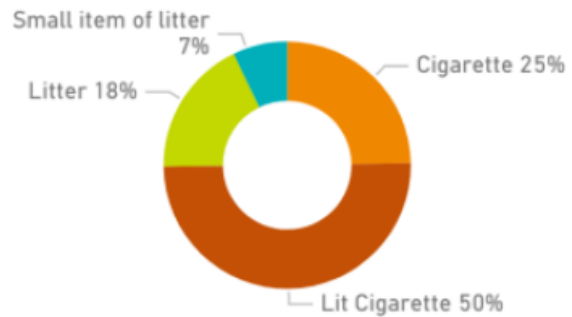
## Number of reports



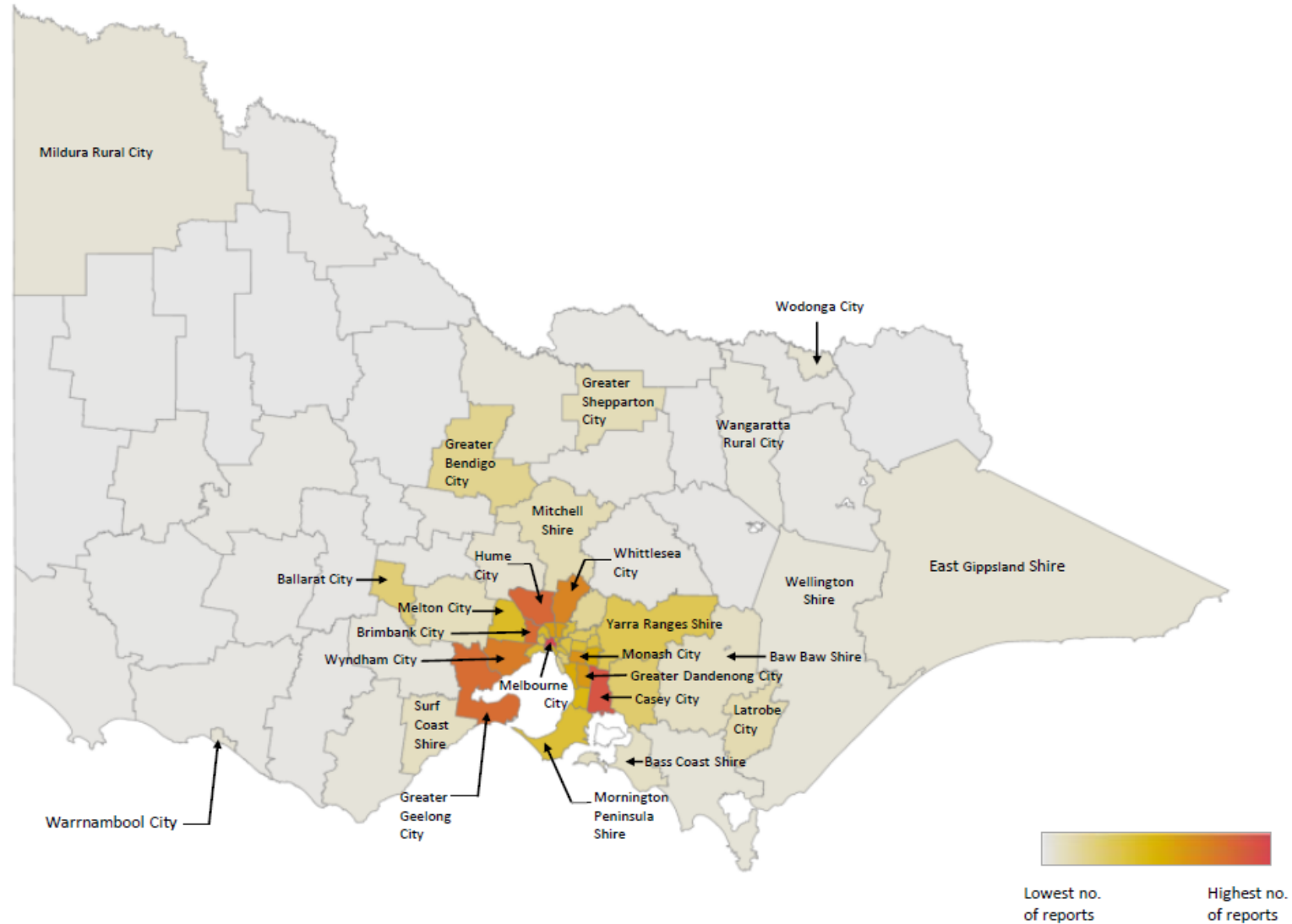
## Where littering was reported to occur (by council)



## Litter type reported



## Where littering was reported to occur (by council)



# METROPOLITAN

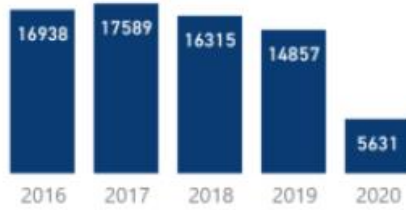
From:  
January 2016

To:  
June 2020

## Number of reports

71330

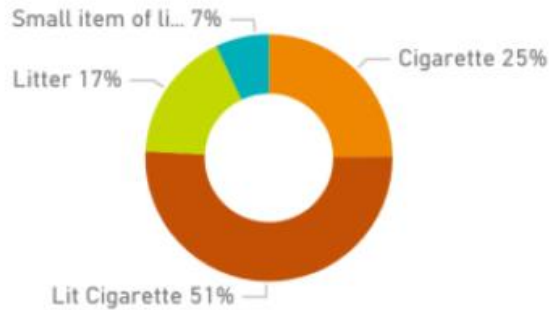
## Number of reports



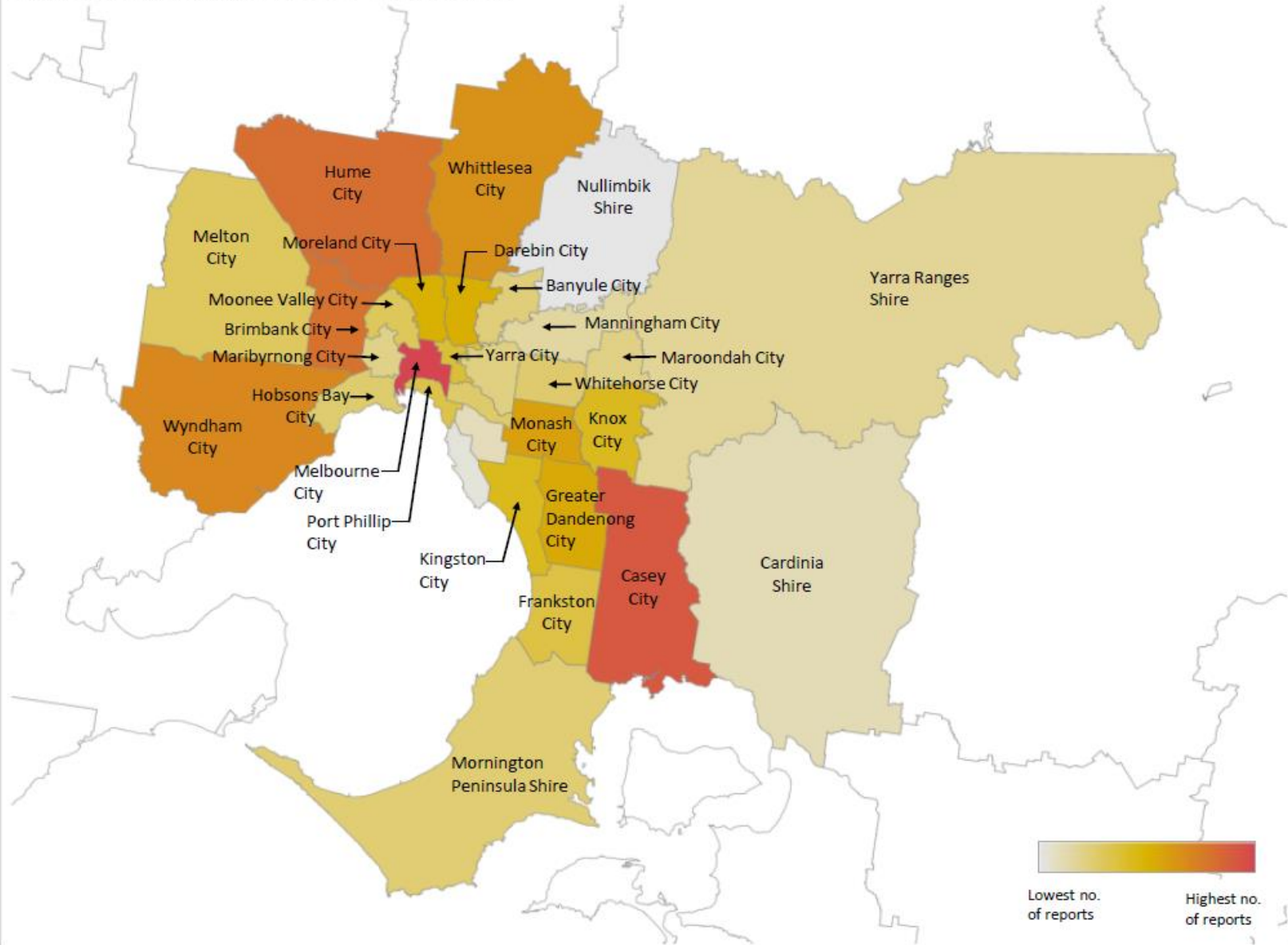
## Where littering was reported to occur (by council)



## Litter type reported



## Where littering was reported to occur (by council)





# What happens after you report littering from a vehicle?

EPA's Litter Enforcement Officers assess the report and may issue an infringement

	Individual Infringement	Corporation Infringement
Litter <50 litres	2pu / \$363	10pu / \$1,817
Dangerous Litter	4pu / \$727	20pu / \$3,635

# Report litter from vehicles to EPA

Report litter from vehicles using the web form

<https://www.epa.vic.gov.au/report-pollution/litter-from-vehicles/report-littering-from-a-vehicle>



# EPA Waste Crime Prevention Directorate –

## Who we are

The new waste crime prevention directorate was created to reduce risk of harm to the environment and the community through effective prevention, detection, and enforcement against waste crimes.

Waste Crime Prevention Directorate has three units:

- **Waste Crime Compliance and Enforcement Unit:** multi disciplinary teams - investigations, legal, remedial actions and sanctioning
- **Waste Crime Programs Unit:** prevention, surveillance, intelligence, planning, projects
- **Chemical Waste & Recyclable Materials Compliance and Enforcement Unit:** regulating businesses whose operations may pose a fire risk. Generally larger sites that may have a council planning permit and EPA permission under the new Act

\*Waste crime at EPA is not being disbanded, just renamed to environmental crime.





# How you can support EPA on waste crime



## **Please report information to EPA about:**

- Multiple dumpings of industrial waste / asbestos contaminated material within or between LGAs
- Evidence of stockpiling of waste on properties (with or without council permits to do so)
- Skip bin / waste management / chemical storage operations in your LGAs that may have a waste crime element
- Known operators with a history of waste crimes /dumping of waste in your LGA
- Other information you have on any waste related activities of known or possible waste crime operators in your LGA

**Contact waste crime:** Sam LeRay, Mike Tangtatco or Heidi Beecher

**EPA regional office**

# Annual Illegal Waste Survey 2019-20 overview and insights

Samuel Lawson

Research and project coordinator, Keep Victoria Beautiful





LITTER  
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# Annual Illegal Waste Survey

Insights from the 2019-20 Annual Illegal  
Waste Survey



# What we will cover

Overview of  
survey

Victorian  
snapshot  
2019-20

Council response:  
Education,  
infrastructure,  
enforcement and  
collection/disposal

Best practice  
response

Collaborative  
projects





# Annual Illegal Waste Survey

WHO	WHAT	WHEN	HOW
<p>Coordinators and Litter Enforcement Officers</p> <p>Local government</p> <p>53/79 councils</p>	<ul style="list-style-type: none"><li>• Challenges</li><li>• Response</li><li>• Education</li><li>• Infrastructure</li><li>• Incidents</li><li>• Enforcement</li><li>• Collection</li><li>• Disposal</li><li>• Internal / external working relationship</li><li>• Impact on:<ul style="list-style-type: none"><li>• Environment</li><li>• Community</li><li>• Wildlife</li></ul></li><li>• How councils could be supported better</li></ul>	<p>2019-20</p>	<p>Interview and council data is provided</p>

# Victorian Snapshot 2019-20

**330,000 incidents**

**56 incidents per  
1000 people**

**\$88,967,000  
total cost**

**\$270  
per incident**



# Victorian Snapshot 2019-20

## Top 5 challenges

Lack of resources

Time

Misuse of council services

Commercial operators

Cultural/communication barriers

## Top 5 'circuit breaker' challenges

Lack of resources

Training

Ability to enforce

Misuse of council services

Organisational policy or process

# Litter and illegal dumping from a council perspective

Education

Infrastructure

Enforcement

Collection /  
disposal



# Education

3 

staff working  
on education

Waste  
Litter Prevention  
Customer service  
Sustainability  
Marketing

Parks  
Media and Communications  
Depot / Cleansing / Contractors  
Recycling / Waste centre  
Local Laws

0.3FTE  
\$85,000 p.a.



# Infrastructure

**NO**

dedicated staff

Charity bins  
Community recycling stations  
Clothing bins  
Bollards  
Boulders  
Chemical drop off

Bins  
Bollard cameras  
Community skip bins  
Cigarette butt bins  
Gates

**\$270,000 p.a.**



# Community partners and infrastructure

25% of councils partner with other providers



Don't partner

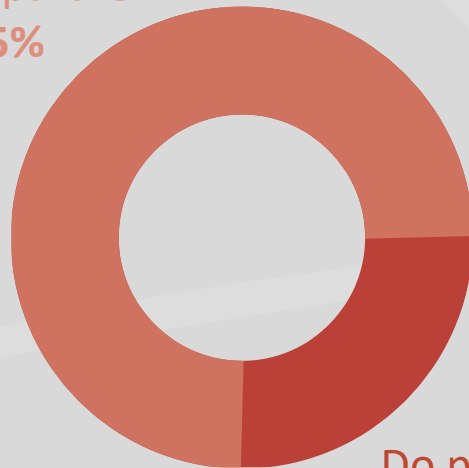
46

incidents per 1000 residents

\$952

per incident

Do not partner  
75%



Do partner  
25%



Do partner

22

incidents per 1000 residents

\$240

per incident



# Enforcement staff

5 

staff working on  
enforcement

Waste  
Customer service  
Depot / Cleansing / Contractors  
Recycling / Waste centre  
Parks

Marketing  
Media and Communications  
Education

0.25 FTE  
\$135,000 p.a.



# Incidents

**4100 incidents**

**1600**  
incidents removed by  
the offender

**2500**  
incidents removed by  
council



# Incidents and enforcement



**96**

infringements issued



**2**

incidents referred to  
magistrate

## TOP 3 INFRINGEMENTS

45ZI (request for information)

**32%**

45E (depost of litter generally)

**27%**

45ZB (litter abatement notice)

**12%**

# Barriers to enforcement staff

## Top 5 challenges

Time

Internal processes

Management attitude

Training

Investigation knowledge

## Top 5 concerns

Authority and delegation

DHHS interactions

Safety

Training

Generally low understanding

# Collection and disposal

**3** 

staff working  
on collection  
and disposal

**Litter Prevention**  
**Customer service**  
**Local Laws**

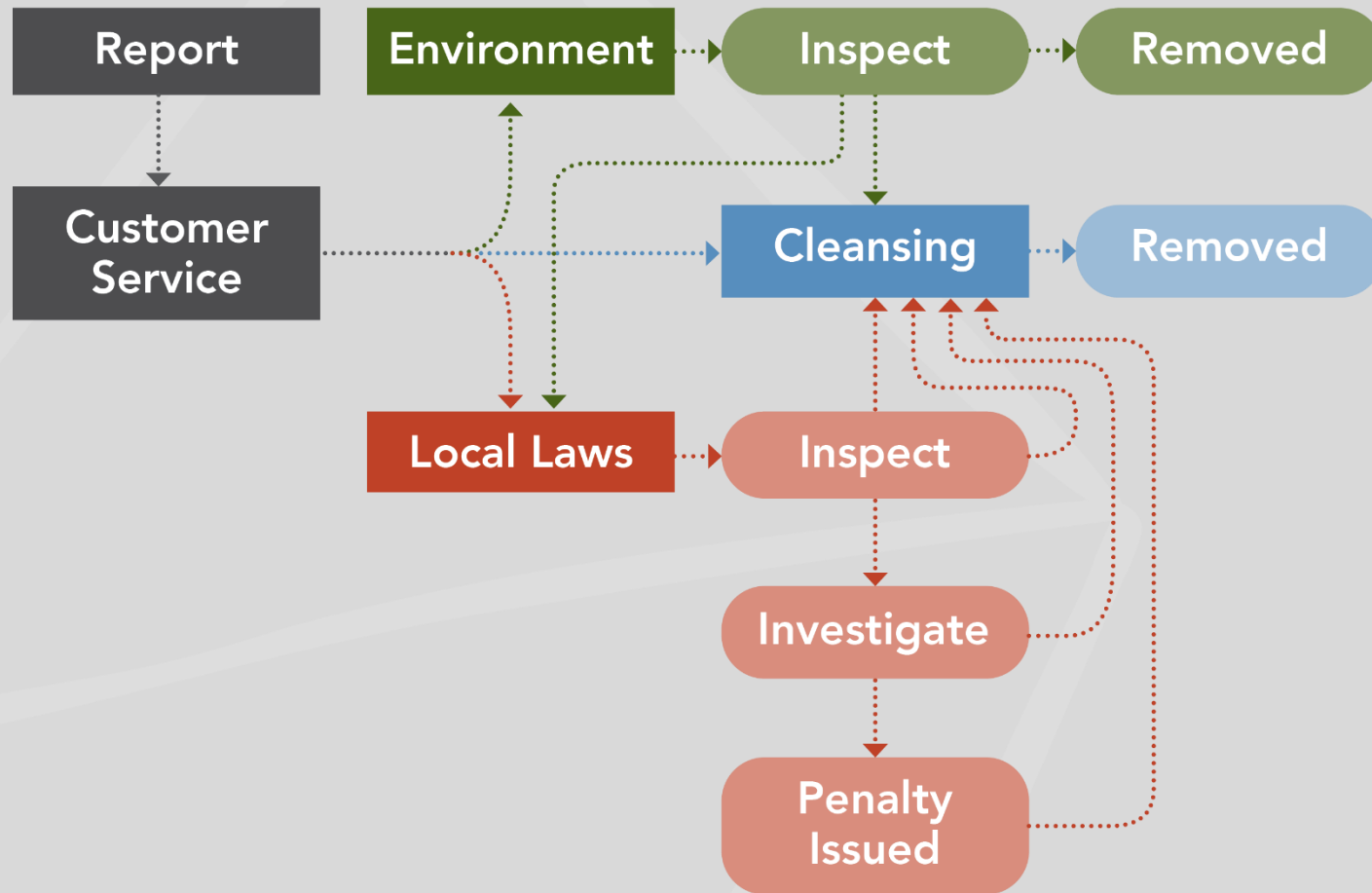
Parks

Depot / Cleansing / Contractors  
Recycling / Waste centre

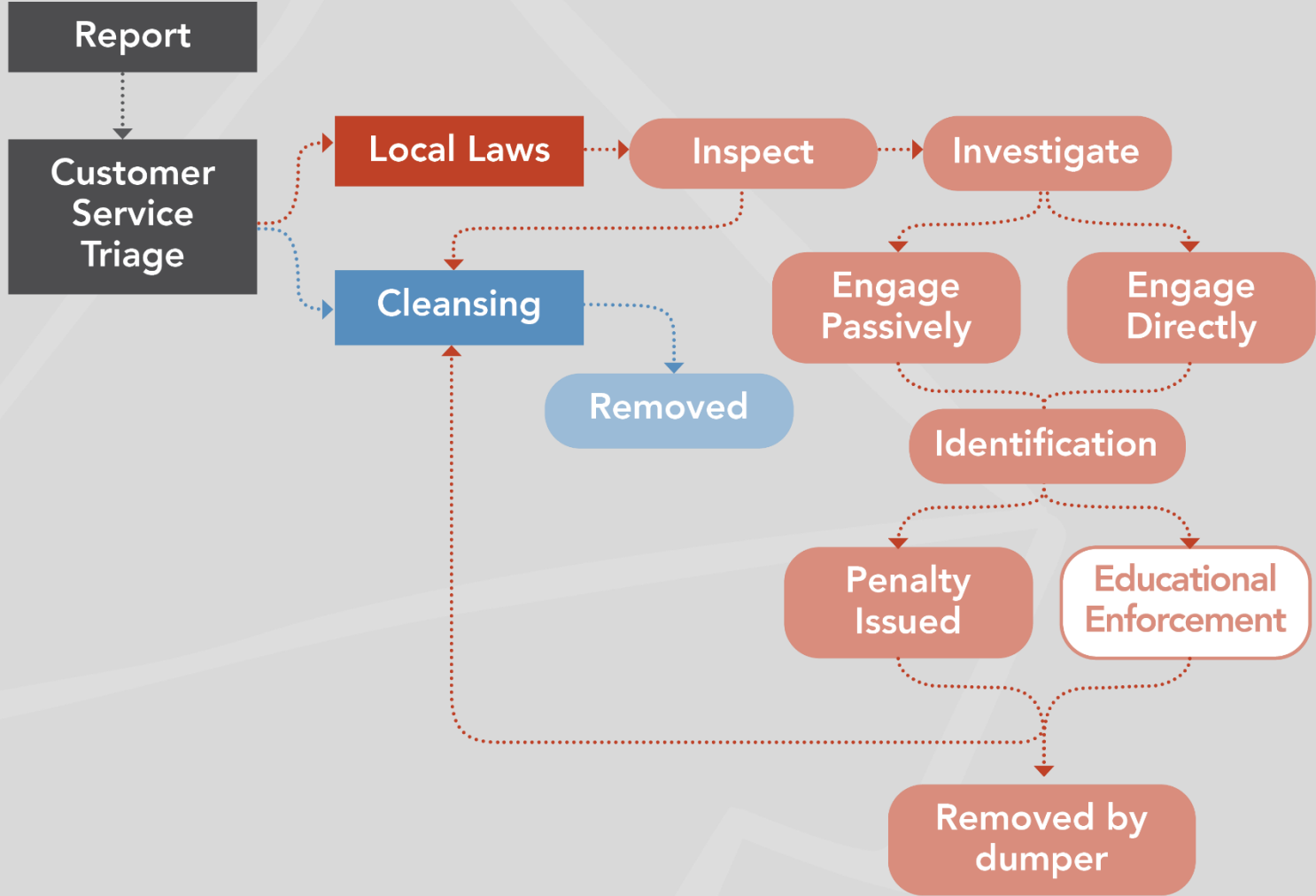
**0.4FTE**  
**\$755,000 p.a.**



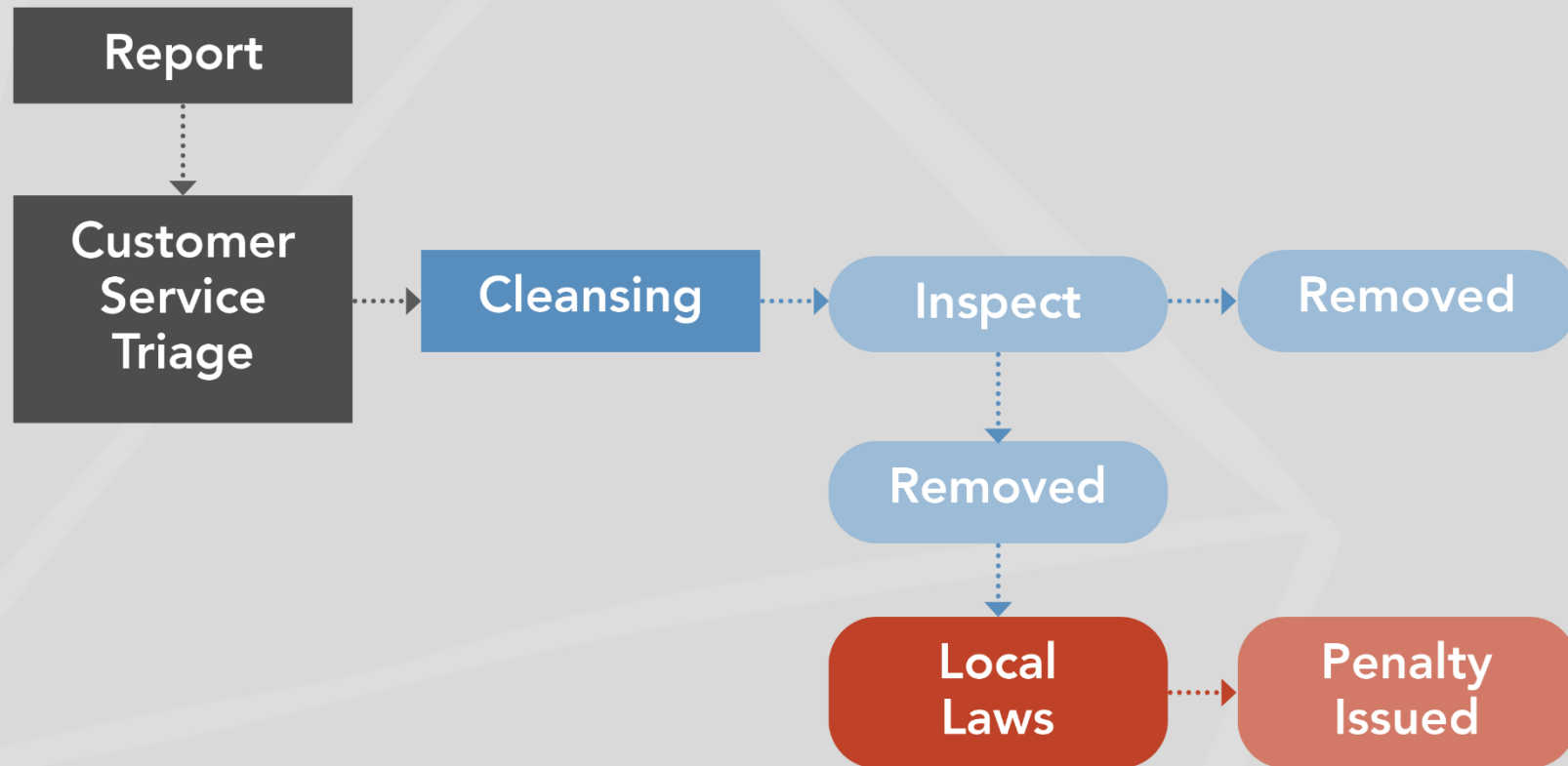
# The most common response

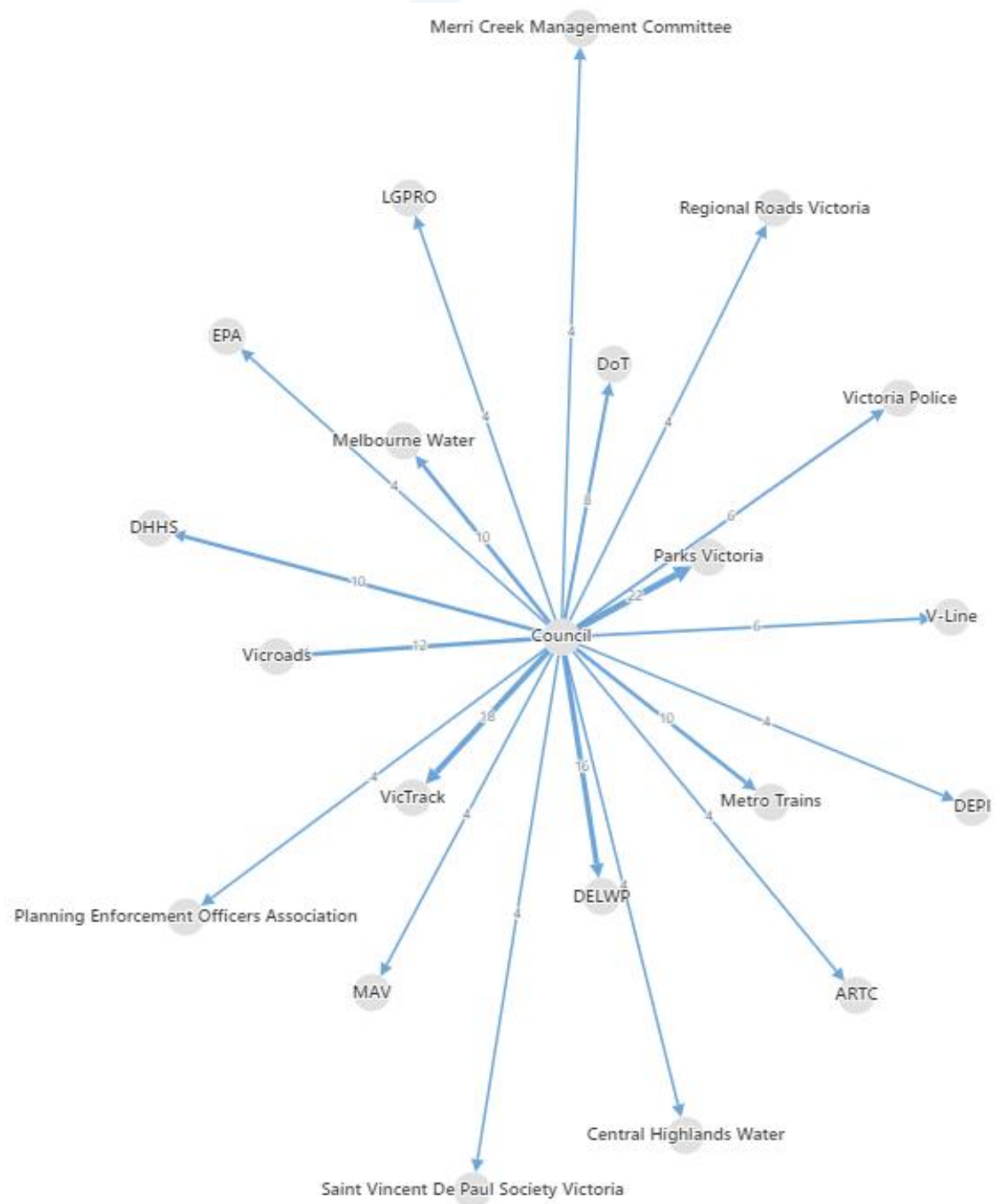


# Best practice response



# It is not so simple







# Collaborative projects

## Regional anti dumping campaigns

- + Regionally specific
- + One party designs & distributes
- + Ready to use
- + Lower production/distribution costs
- + Lower staff input
  
- Integration with Council programs

## MOUs to increase enforcement

- + Regionally specific
- + Targets regional issues
- + Unauthorised land managers get access to enforcement
- + Increased intelligence sharing
  
- MOU development required
- May require more resources

## Consistent statewide training

- + Embraces joint regulator approach prescribed by Victorian Government
- + Standardised approach
- + Skilled LEOs can respond to a range of incidents
- + Correct use of enforcement tools
- + Builds network of LEOs
  
- Funded individually by Councils now

# How illegal waste is impacting Parks Victoria and how we can work together

Chris Mercier

A/ Senior Manager Enforcement and Regulatory Services, Parks  
Victoria





# Illegal Waste Enforcement

September 2021



# INTRODUCTION & OVERVIEW



- Parks Victoria is a regulator with responsibilities to ensure compliance with all laws on Parks Victoria managed land.
- Parks Victoria is currently reviewing its Enforcement Strategy to increase resources for enforcement across public land.
- This includes;
  - ✓ Working with Delivery Partners to ensure compliance (DELWP, EPA, GMA, VFA, TSV)
  - ✓ Resourcing, Capacity, Prioritization
  - ✓ Better technologies e.g. (RPAS's Covert Cameras)





# AUTHORISING LEGISLATION



Legislation	Acts	Parks Victoria Responsibility
Land Management Legislation	Alpine Resorts (Management) Act 1997	Land Tenure
	Conservation, Forests and Land Act 1987	
	Crown Land (Reserves) Act 1978	
	Forests Act 1958	
	National Parks Act 1975	
	Water Industry Act 1994	
Port and Waterway Legislation	Marine Safety Act 2010	Transport Safety Officers
	Port Management 1995	
Special Heritage Value Legislations	Heritage Act 2017	Enforcement
	Aboriginal Heritage Act 2006	
Litter Legislation	Environment Protection Act 2017	
Other Legislation	Catchment and Land Protection Act 1994	
	Fisheries Act 1996	
	Flora and Fauna Guarantee Act 1994	
	Land Conservation (Vehicle Control) Act 1972	
	Wildlife Act 1975	
	Firearms Act 1996	
Road Safety Act 1986		

# Examples of rubbish dumping in parks



**Woookarung RP.**

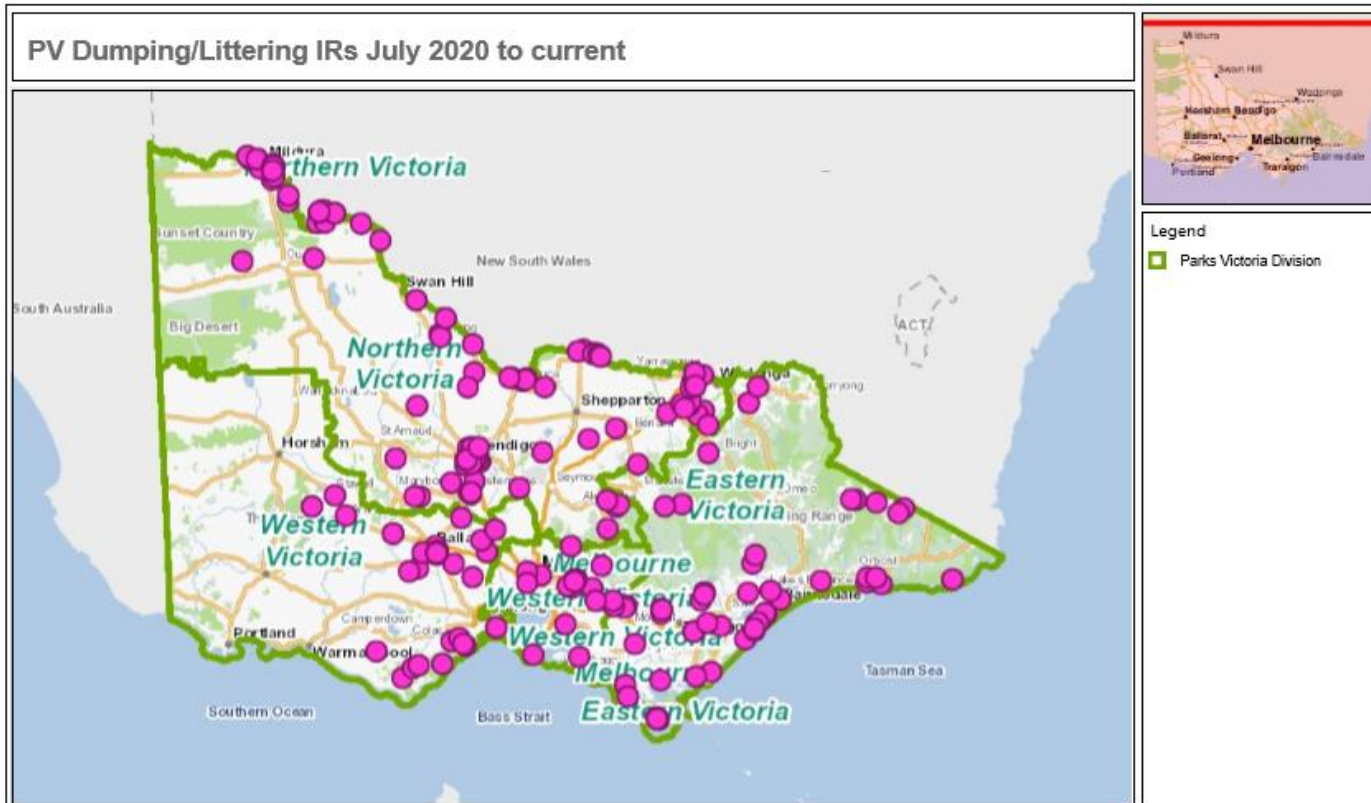


**Gippsland Lakes Coastal Park**



**Greater Bendigo National Park**

# Intelligence Reporting on Littering / Dumping in Parks





# TRENDS AND ISSUES



- Parks Victoria currently have 256 Authorised Officers. Most of these are authorised under the Environment Protection Act 2017
- Dumping / Litter in Parks – 174 reports – 2020-2021
- A study funded by the EPA in 2016 demonstrated that illegal dumping costs Parks Victoria over \$1M per annum
- When interviewed, most offenders state that it is too expensive to take household rubbish to the tip.
- Offenders have a relatively low chance of being detected as there are limited active officers for 4.1 Million Hectares land. Offending often occurs outside normal working hours.





# How illegal waste is impacting Saint Vincent De Paul and how we can work together

Gail Wilkins

Loss Prevention and Sustainability Manager, Saint Vincent De  
Paul Society Victoria



# Cost of Illegal Waste to Charitable Sector

- Charitable Recycling Australia says Illegal Dumping and Unusable Donations



Sends  
**15,749 tonnes**  
of items to landfill



Costs  
**\$3,488,400** pa

# Impact of Illegal Waste on SVDP Shops

- Cost to dispose
- Staff time
- Staff moral/frustration
- Dumping may affect the quality of donated goods

# Example of Dumping at SVDP



- Dumping out front of shop had been cleared day before
- Large waste bin being filled every two days costs **\$225 a week**



# SVDP Prevention Strategies

## SIGNAGE



## BARRIERS



# SVDP Prevention Strategies

- CCTV used for detection and reporting
- Social media posts aimed to educate
- TV/Radio for education
- Opening Sundays to accept donations
- Security Guards
- Work with Charitable Recycling Australia

# SVDP Response

## Reporting to Council

### Scenario 1:

- Truckload of goods left at rear of premises in an alleyway.
- **Reported to council** with details of phone number on truck.
- **Council Officer contacted dumper and instructed** them to **pick up** the goods and a **fine** was also **issued**.
- **No further dumping at the site for next year.**

# SVDP Response

## Reporting to Council

### Scenario 2:

- Below left on grassy verge to the side of building
- **Reported** to council provided **registration** number from CCTV
- **Advised councils will not assist.** Advised it costs council more to dispose of items than Vinnies and advice on how to prevent dumping
- More items dumped, **reported to EPA**



Cost to remove over \$300



One full bin \$75



# Different responses SVDP Reporting

- Council response:
  - Inconsistent
  - No action resulting in increased dumping
  - Only report to council now where relationship already exists
  - Working together with council produces more effective, quicker results

## EPA response:

- Consistent
- Easy process of online report
- Fines processed and dumping ceases over time

# General Q&A

Travis Finlayson

Litter Prevention Champion, Monash City Council



# Moderated discussion

## Illegal waste impacts

David Cocks

Manager - Victoria, Tasmania MRA Consulting Group



# Objectives

## What this discussion will achieve



Contribute impacts of illegal waste not yet identified by speakers



Contribute your current responses



Discuss barriers working with other organisations



Provide feedback on potential projects identified by KVB/LEON



# How to contribute

## 2 ways to contribute:



### Log in to mentimeter

1. Use the QR code  
or
1. Go to [www.menti.com](http://www.menti.com) and enter the code 2658 8703
2. Give us a thumbs up when you are in



### Participate verbally

1. Raise your hand
2. Remain muted until David or Travis call you

# Summary

## Illegal Waste Forum

Travis Finlayson

Litter Prevention Champion, Monash City Council

