

3. OPTIONS FOR MANAGING THE ILLEGAL DISPOSAL OF REFUSE IN CHRISTCHURCH

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The purpose of this report is to clarify the Council's options and to suggest improvements for managing the illegal disposal of refuse (litter) in and around Christchurch.

BACKGROUND

The cost of waste disposal is set to rise over the next few years and there are fears that this could result in an increase in the illegal disposal of refuse. In addition, the current Council response to illegal dumping tends to be ad hoc and lacklustre in comparison to other centres, primarily because of perceived difficulties associated with prosecution and because this leads to a low priority being placed upon it, by enforcement staff. Further, in moving to a waster pays system staff would need to monitor and enforce the correct use of approved refuse disposal bags.

The Council is proposing to shift the costs of domestic refuse collection and disposal from rates to the generator of the waste in 2003/04, when the 'free' issue of refuse bags will cease. The waster pays system for the black refuse bag collection will mean that residents purchase each bag they use and all the related costs will be included in the purchase price of the bag, estimated to be around \$1.15 per bag. Coupled with this, will be a rise in refuse disposal costs at the refuse stations associated with the move to Kate Valley. This will take prices from the current \$78 per tonne for refuse disposal, to around \$84 per tonne and from \$47 per tonne for green waste disposal, to around \$50 per tonne. This will result in price rises for both Christchurch businesses and residents, which has sparked fears about illegal dumping. (Note: All costs exclude GST).

In a recent survey of 300 residents, 75% of people felt that illegal dumping would increase if the Council moved to a waster pays system (Sustainable Transport and Utilities report 12 September 2002: Recycling and Composting: Public Opinion and Participation). However, the experience elsewhere indicates that illegal dumping remains at a low level with the introduction of a waster pays system (Sustainable Transport and Utilities report 9 April 2002: User Pays in New Zealand). For any such changes to be palatable to the public, these fears must be dispelled.

This report considers what the Council is currently doing to manage illegal dumping and offers some possible improvements to the system, to ensure that illegal dumping will be successfully managed in the future.

DEFINITION

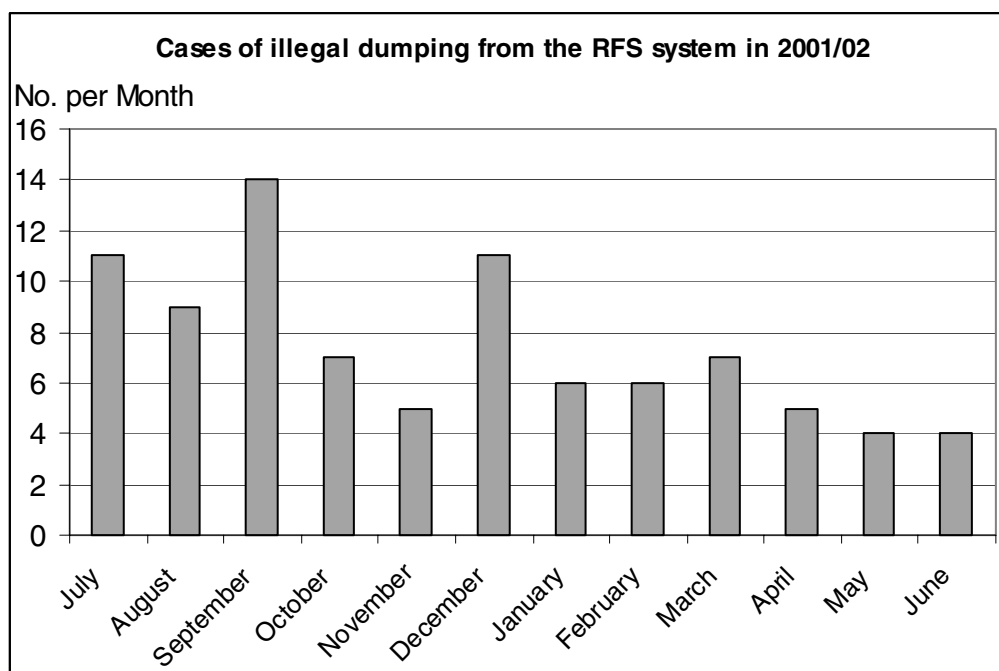
This report uses the term 'illegal dumping' to include such things as fly tipping and littering. Under the Litter Act 1979 it is an offence to deposit any litter (inadvertently or otherwise) in or on any public or private land without the consent of its occupier (a range of examples are provided in Table 1). Litter is defined by the Act as including any refuse, rubbish, animal remains, glass, metal debris, dirt, filth, rubble, ballast, stones, earth, or waste matter, or any other thing of a like nature.

THE SIZE OF THE PROBLEM

Illegal dumping in and around Christchurch occurs on a regular basis, but to a relatively low level (89 cases per year in Christchurch in 2001/02, Figure 1), although any occurrence may be considered too high. A further 600 complaints were received in 2001 through the request for service system about street side litter generally. In 2001 the City Council issued 30 infringement notices, mostly by Parking Officers witnessing littering by an individual (Terence Moody, Council Report, August 2001). General Inspectors issued around two infringement notices during that period in comparison to 422 notices being issued by the Waitakere City Council. Waitakere has a waster pays system for refuse collection (Appendix 1) so many of the notices issued, relate to the improper presentation of refuse at the kerbside (eg refuse not in official Council bags). Initially, similar problems could be experienced here which would require additional resources to follow up on the improper presentation of domestic refuse at the kerbside.

The City Council and the Regional Council receive information on illegal dumping. Figure 1 represents only those calls received by the City Council concerning the illegal disposal of refuse on public or private land (ie only includes calls received about type (a) and (b) from the Table 1 below). The illegal disposal of refuse can relate to a range of factors, some include the growing season (much of the material dumped is garden waste), the university year (household material left at the end of the flatting year) and price increases at the Refuse Transfer Stations (dumping increases each year around August, when the new tipping fees are introduced).

Figure 1.

**TABLE 1. CURRENT RESPONSE TO DIFFERENT TYPES OF ILLEGAL DUMPING**

Type of illegal disposal	Examples	Current response
(a) Disposal of refuse on private land	Refuse dumped on vacant land, building sites or farmland Material left behind at the end of a tenancy	Cleaning up is generally left to the landowner (business or individual). Vouchers for disposal at refuse stations may be given to those in genuine need (note only 14 vouchers were issued in 2001). Informal advice on prevention is provided. An abatement notice may be issued by the Council requesting the site be cleaned up if the material is hazardous in nature, it has a risk of escaping from the site, or the property has become unsightly.
(b) Disposal of refuse on public land	Refuse dumped on parks, reserves or in waterways	Dumped refuse is generally cleaned up without further investigation. In some cases when the offender is identified a letter asking them to clean up the site is issued or an infringement notice and fine is issued.
	Refuse dumped at Council gateways or beside Council infrastructure Litter dropped on to the street or pavement from cars or by pedestrians	Most cases of littering is unseen and the material is collected as part of street cleaning. When the offender has been witnessed by a litter officer an instant \$100 fine can be issued.
(c) Material placed at the kerbside for Council collection is presented in an improper way	Refuse placed out for collection in supermarket bags or cardboard boxes Refuse placed in recycling crates Items placed out too late for collection	A sticker is placed on the material stating that it is unsuitable for collection. In most cases, the resident takes the material back for proper disposal. In some cases, the material is dispersed over the street by wind or animals and is cleaned up by the Council after a litter complaint is received from the public.
(d) Disposing of household or commercial waste in Council provided street-side litter bins	Household or commercial refuse is placed in or beside street-side litter bins	The material is collected, generally with no further action. In some cases a letter is sent, if the offender is identified.
(e) Illegally receiving refuse for disposal from someone else	Farmyard dumps receiving other peoples refuse for disposal	Little monitoring or enforcement is performed by Regional Council.
(f) Commercially disposing of material outside resource consent conditions	Cleanfills disposing of organic material	Little monitoring or enforcement is performed by Regional Council, although this has improved recently.

A PROPOSED RESPONSE TO ILLEGAL DUMPING IN CHRISTCHURCH

A range of responses to illegal dumping and the possible effects is provided in Appendix 2. Provided below is a proposed response to illegal dumping based on these. The overarching principle related to these responses is the need to be proactive in efforts to tackle illegal dumping. Illegal dumping in Christchurch will be successfully managed through education, prevention, networking with other agencies and with the community to actively seek out offenders and by executing appropriate remedial action.

- **Avoid illegal dumping and littering in the first place through education**

Building on the work already undertaken by Keep Christchurch Beautiful (KCB), an educational campaign about the correct way to dispose of materials and how to minimise the cost of refuse disposal will be established along with the introduction of waster pays system (eg education about ways to recycle, the promotion of a garden waste only commercial collection and where to get the official refuse bags etc).

- **Promote ways that landowners can minimise illegal dumping**

Both on the website (see Appendix 3) and distribute information packs to the public as required (eg when a landowner calls to report illegal dumping or to landowners around dumping hotspots).

- **Increase resources for ongoing enforcement and monitoring**

These would be used:

- (a) To respond to calls received about illegal dumping from the public and to provide advice to landowners concerning the prevention of illegal dumping.
- (b) To establish an illegal dumping database (where, when, who, etc) that can assist with the identification of dumping hotspots and successfully deal with re-offending.
- (c) To regularly monitor illegal dumping hot spots.
- (d) To ask locals (mail drop) in hot spot areas to notify the Council of offenders in an effort to keep the local area clean and tidy.
- (e) Gather evidence that may help apprehend an offender (take photo's, search for a name and address in the illegally dumped refuse, and ask neighbours etc).
- (f) To respond to notification from Onyx about the incorrect presentation of refuse at the kerbside.
- (g) To enforce litter related resource consent conditions placed on takeaway outlets (ie make sure takeaway outlets clean up litter in the immediate surrounding area).
- (h) To maintain a Council website that promotes the public reporting of illegal dumping and outlines the offence and penalties or support offered.
- (i) For provision of a highly visible 'litter control' vehicle.
- (j) Quick entry/exit privileges at the Refuse Transfer Stations (so they can quickly and easily open and sort through illegally dumped refuse at the refuse stations).
- (k) To work in with other units and organisations where possible.

The preferred response upon receiving information about illegal dumping should be (on a case by case basis and where possible) to send a letter stating that the offender clean up the site within a suitable timeframe and to the satisfaction of the Council, and deposit the material in the appropriate place (eg require a receipt from a Refuse Transfer Station as evidence), otherwise they will incur the infringement cost of \$100 plus the cost of cleaning the site. (As stated under Section 14 and 20 of the Litter Act 1979).

- **Seek a greater level of legal support**

Seek a greater level than currently exists from the Councils Legal Services Unit for those cases where an individual chooses to dispute the offence (see Waitakere experience Appendix 1).

- **Establish a close relationship with other agencies**

For example Keep Christchurch Beautiful and Department of Conservation and Councils (Environment Canterbury, Banks Peninsula, Selwyn etc) as possibilities exist for joint action and illegal dumping is often a cross boundary issue.

- **Publicise in the media any action taken**

Publicise prevention campaigns or successful prosecutions, to reassure the public that something is being done about illegal dumping and to act as a deterrent.

- **Ensure that calls received about illegal dumping are entered into the RFS system**

This should improve customer service, monitoring and to keep track of responses etc (at present some calls are not entered on to the RFS system).

SUMMARY

As the cost of waste disposal increases (through the proposed waster pays regime and increased refuse station charges) the Council will need to scale up its monitoring, enforcement and minimisation efforts to manage the risk of illegal dumping in and around Christchurch. Evidence from other centres shows that dumping does not escalate under a waster pays regime. However, illegal dumping remains a genuine public concern and these fears need to be reassured. Establishing a proactive system to minimise the risk of illegal dumping in Christchurch will go some way to achieve this. The Council should provide additional resources, so that the Councils response to illegal dumping proposed in this report can be properly carried out, and to ensure that Christchurch is kept pristine and free from illegal dumping.

- Recommendation:**
1. That the plan to manage the risk of illegal dumping as outlined in this report, be adopted.
 2. That the Council support the inclusion of \$85,000 for consideration in the 2003/04 draft Solid Waste budget to provide the necessary resources to carry out the plan.
 3. That the Council support its staff in a zero tolerance approach to anti-litter and the illegal dumping of rubbish.
 4. That the provision be reviewed annually.