

LANDFILL

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LLEGAL
UMPING**

Important information for landholders about accepting fill on their property. Don't risk hefty fines and clean-up costs!

Did you know?

Fines for individuals accepting contaminated fill can be as much as \$7,500. Individuals required to attend court may face a \$250,000 penalty, or \$500,000 if the offence involves asbestos waste.

Check if filling is permitted and what council approvals are required

Before accepting fill on your land, check with your local council to find out if filling of land is permitted and what approvals are required. Council approval is often required to ensure that only uncontaminated fill is used on residential properties and safety control measures are put in place. Council will also check that fill is not placed in areas where it may cause harm to plants and wildlife or pollute watercourses.

Check the credentials of anyone who offers you free or cheap fill

If anyone approaches you about taking fill onto your property – either for free or for payment – ask them for proof of identity (such as a drivers licence) and/or business details (such as an ABN or ACN). If you have any doubts, contact your local council or the EPA.

Councils and the EPA have investigated incidents where unscrupulous operators offered landholders 'clean fill' but delivered



fill that was contaminated with building and demolition waste, harmful chemicals or asbestos.

Unscrupulous operators may dump the fill and then disappear, leaving the landholder with a contaminated site and significant clean-up costs.

Never accept fill from unknown sources

Always ask the supplier where the fill is coming from and what activities were conducted at the site. Check whether any activity may have caused contamination.

Ask for the site address and consider inspecting the site prior to accepting the fill. During the inspection make sure the fill does not contain any other wastes such as bricks, concrete, wood, asbestos or plastic. Also check the fill for staining, discolouration or odour.

Beware!

If you're buying or accepting fill onto your property you may harm the health of your family, permanently devalue your property and face substantial clean-up costs!



Did you know?

You may be fined up to \$7,500 or face prosecution for illegally using waste as landfill. Landowners and occupants can be ordered to remove unapproved fill and pay the costs of taking it to a lawful waste facility.

Ask the supplier to prove that the fill isn't contaminated

If you have doubts about the quality of the fill, request that the material is sampled and analysed for potential contaminants before accepting it.

Always ask to see the original laboratory results. Alternatively, organise samples to be collected and analysed independently to prove that the fill is clean.

Supervise and inspect all loads of incoming fill

Supervise delivery of all loads of fill onto your property to ensure that you receive only what you have ordered.

Be aware that one load of contaminated fill could contaminate all other loads, particularly if they are unloaded in the same area.

Keep your property's entry points secure at all times, so that vehicles cannot enter without your permission or knowledge.

Record details of all transporters bringing fill onto your property

Ask all transporters delivering fill to your property for documentation that shows the address of origin of the fill. Record the registration details of all vehicles that transport fill to your property, and ask drivers for proof of identity or employment, such as their drivers licence or company delivery dockets.

Keep copies of all documents and records

It is important to keep copies of all documents and records about the fill you receive, including the name and address of the supplier and transporter.

How you can help.

1. Check if filling is permitted and what council approvals are required
2. Check the credentials of anyone who offers you free or cheap fill
3. Never accept fill from unknown sources
4. Ask the supplier to prove that the fill isn't contaminated by providing certificates for virgin excavated natural material (VENM)
5. Supervise and inspect all loads of incoming fill
6. Record details of all transporters bringing fill onto your property
7. Keep copies of all documents and records

If you suspect someone is supplying or receiving contaminated fill report the details to your local Council or report on-line at ridonline.epa.nsw.gov.au

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ridonline.epa.nsw.gov.au



A NSW Environment Protection Authority and Council joint initiative



02 4221 6111



**TO REPORT AN INCIDENT
ON LINE GO TO:**

