

DRAFT SECOND READING SPEECH

HON. ELISE ARCHER MP

Litter Amendment Bill 2018

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Madam Speaker, I move that the Bill be now read a second time.

The purpose of this Bill is to revise the current Litter Act to deal with illegal dumping of waste, with stricter penalties that reflect the seriousness of the dumping and subsequent costs to the community.

Illegal dumping is a form of littering that is becoming all too common along our roadways and in quiet bush areas. It is a pervasive and unnecessary part of our modern world. It spoils the appearance of our natural environments, affects tourism and has adverse ecological effects on our waterways and marine wildlife.

Illegal dumping can range from a few bags of domestic rubbish thrown out on the side of the road through to large scale illegal landfilling and dumping of hazardous waste, building waste, or liquid effluent. It may also involve waste businesses and transporters operating without an appropriate permit or authorisation.

Some people have a throwaway mentality that is at odds with the community's desire for sustainable use of our natural resources. But they are wrong in thinking that it is a good idea to dump their litter and waste without disposing of it properly.

Madam Speaker, it is now time to take action to improve and protect our environment, enhance our reputation as a natural State, and support the community's desire for a litter free environment.

This Bill will strengthen the current laws that apply to littering, focussing on the larger-scale dumping that blights our environment.

The measures in the Bill were developed with reference to laws in other States where illegal dumping is also an issue.

Madam Speaker, the Bill approaches illegal dumping in several ways.

Firstly, the Bill introduces three new littering offences. These are:

- Dumping litter with a volume of between 55 litres (approximately one large bag) and 2 cubic metres (approximately 1 large trailer load);
- Dumping litter with a volume of between 2 and 10 cubic metres (approximately one large truckload); and
- Dumping litter with a volume exceeding 10 cubic metres.

Secondly, the Bill makes it an offence to destroy, damage, remove or interfere with a relevant surveillance camera that may be set up at popular dumping locations.

Thirdly, the Bill sets appropriate court penalties that reflect the seriousness of the offence, including:

- Fines of up to 200 penalty units (\$32,600) for an individual and up to 500 penalty units (\$81,500) for a body corporate;
- Potential forfeit of any vehicle used in illegal dumping; and
- A potential repayment of any monetary benefit obtained as a result of the offence.

We want to encourage compliance with this new legislation. However, if enforcement action is required, I expect that the service of infringement notices for offences will be the first way the new Act will be enforced. Infringement notice penalties will be set at 10% of the court penalties. This Bill is designed to commence upon Proclamation to allow time for these appropriate Infringement Notice Regulations to be developed.

Madam Speaker, there is no intention to target individuals or businesses who properly dispose of waste. Instead, compliance efforts will focus on those few who clearly seek to avoid their responsibilities and undermine the objectives of the Litter Act.

Offences can also be prosecuted in court if necessary, although I see this as a last resort and only for serious breaches, or situations of serial non-compliance.

Finally, Madam Speaker, the Bill's provisions are an important incentive to reduce large-scale littering and dumping in Tasmania.

The community rightly expects contemporary measures for reducing littering and dumping, and this Bill is an important step in meeting community expectations.

Overall, it will make an important contribution towards the protection of Tasmania's lifestyle, environmental quality and its status as a progressive jurisdiction in terms of environmental management.

Madam Speaker, I commend the Bill to the House.