

New South Wales Government

# LITTER PREVENTION PROGRAM



**TRAINING AND INFORMATION MANUAL**  
Community Education



This *Litter Prevention Program Training and Information Manual: Community Education* has been funded under the NSW Government's Litter Prevention Program.

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Published by:

Environment Protection Authority

59-61 Goulburn Street Sydney

PO Box A290

Sydney South 1232

Phone: (02) 9995 5000 (switchboard)

Phone: 131 555 (information and publications requests)

Fax: (02) 9995 5999

Email: [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)

Web site: [www.epa.nsw.au](http://www.epa.nsw.au)

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ISBN 0 7313 2740 3

EPA 2000/66

July 2000

Printed on recycled paper

# Registration

## Keeping you up-to-date

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## Where to send your registration details

Mail Litter Prevention Training Program  
C/- PO Box 1221  
Burwood NSW 1805

Fax (02) 9747 8366

# Foreword

The Litter Prevention Program is a five-part program. The key components are:

- 1 Changes to the law
  - 1st July, 2000 – amendments to the penalties for littering
  - 1st April, 2001 – new offences in relation to advertising material
- 2 Training and support for councils, government agencies and community organisations
- 3 Public education and media campaigns
- 4 Community education projects
- 5 EPA task force on litter on public lands and waters.

## About this manual

This manual is for local councils, government agencies and community organisations who are involved in developing and delivering community-focussed litter education programs. It should give you the information you need to begin planning your community education program.

The manual includes a CD ROM containing community information and promotional material for using in local litter campaigns.

This material, along with any updates, will also be available from the EPA's Litter Web Page at <http://www.epa.nsw.gov.au>.

A similar manual, with a slightly different emphasis, has been prepared to help councils and government agencies develop their litter enforcement programs and conduct in-house training about the new litter laws.

**Rhonda Stien**

Executive Director, Education and Community Programs

# Contents

<b>1</b>	<b>Government litter prevention program</b>	<b>1—1</b>
	Background information	1—1
	Program objectives	1—2
	Program phases	1—2
<b>2</b>	<b>What does the research tell us?</b>	<b>2—1</b>
	What we need to know	2—1
	Sources of information	2—1
	Research findings	2—1
<b>3</b>	<b>An integrated approach to litter</b>	<b>3—1</b>
	Regulation	3—1
	Education	3—1
	Structural approaches	3—1
	Good communication	3—2
	Working together	3—2
	Financial incentives	3—2
<b>4</b>	<b>Developing your litter program</b>	<b>4—1</b>
	Forming a project team	4—1
	Eight key questions	4—1
	What is the litter issue or problem?	4—1
	Who are the stakeholders?	4—2
	Who are the target groups?	4—2
	What are the program objectives?	4—2
	What methods should be used?	4—3
	How will the program be funded?	4—5
	What is the action plan?	4—5
	How will the program be monitored and evaluated?	4—6
	Using these questions to formulate your plan	4—6

<b>5</b>	<b>The new litter laws — an overview</b>	<b>5—1</b>
	New fines	5—1
	New offences for advertising material	5—1
	Who can give out fines for littering?	5—2
	How will people know they have been fined?	5—2
	What happens to the fines?	5—2
	Deciding what level of fine is appropriate	5—3
	Case studies	5—3
<b>6</b>	<b>Contacts, further reference</b>	<b>6—1</b>
<b>7</b>	<b>Community education materials</b>	<b>7—1</b>
<b>Appendix 1</b>	<b>Penalty notices</b>	
<b>Appendix 2</b>	<b>Communication strategy work sheets</b>	



# 1 Government litter prevention program

## Background information

### What is litter?

Litter is waste material that is not properly disposed of, which can be harmful to the environment and for human health.

The single most common litter item in Australia is the cigarette butt, accounting for close to half of all litter items.

Other common litter includes small pieces of paper, snack food and confectionary wrappers, fast food packaging, bottle caps, glass pieces, glass alcohol bottles, plastic straws and soft drink bottles (both plastic and aluminium).

New sources of litter are becoming evident. Changing consumer patterns in relation to take-away food, increasing use of unsolicited advertising materials and the introduction of automatic teller machines are examples of activities that now impact on litter.

### Why is litter a problem?

Litter is a problem throughout NSW, particularly along roads and highways and in the more populated areas of Sydney, Newcastle and Wollongong.

Litter is of concern because it:

- reduces the aesthetic appeal of public places including streets, parks and waterways
- can affect aquatic life directly (through physical harm) and indirectly through its impacts on water quality
- can decrease oxygen levels when it decays in water
- can cause blockages of the drainage system and flooding
- can be dangerous to people, particularly when it involves items such as broken glass, needles and syringes
- may be a fire hazard (lit cigarettes being thrown from vehicles)
- costs the community huge sums of money to clean up every year.

EPA research found that people see litter as:

- **dangerous** – syringes, broken bottles and glass
- **offensive** – cigarette butts and condoms
- **unhygienic** – animal droppings and food waste
- **lasting a long time** – plastic bags/bottles, chip packets... 'urban tumble weeds' and fast food rubbish
- **a community priority.**

Of people surveyed, 75% said that littering is very important or extremely important and that it is never acceptable to litter.

So what are we doing about it? – the NSW Government has developed a five-phase Litter Prevention Program.

## **Program objectives**

The Program is designed to achieve the following objectives:

- increase knowledge about the litter problem and its impacts
- support community action and community information programs
- translate general anti-littering messages to address specific audiences, littering behaviours and impacts. For example: smokers' litter, litter effects on fauna, litter effects on public health
- develop partnerships with community groups, local government and waste boards on local/regional programs.

## **Program phases**

### **1 Changes to the regulatory framework**

The *Protection of the Environment Operations Act, 1997* (POEO Act) has been amended to allow for stronger but more flexible and enforceable anti-litter provisions:

- a single fine for littering has been replaced with a tiered range of fines
  - \$60 for littering with small items, such as bottle tops and cigarette butts
  - \$200 for general littering, and for littering from vehicles
  - \$375 for aggravated littering which threatens public safety or the environment, such as intentionally breaking glass
- littering on private land will be better regulated
- from 1 April 2001 it will be illegal for advertising material to be placed under car windscreen wipers, on property gates or fences, and other inappropriate areas where it has the potential to become litter.

### **2 Media campaign**

To maximise the effectiveness of the proposed littering laws, a broad media campaign is being conducted.

Aimed at the general community, this component will use television, radio, press and outdoor advertising. It will encourage people to reduce the amount of litter in our streets and waterways by:

- increasing awareness of the impact of litter on the environment and people
- increasing awareness of the behaviours necessary to tackle the litter problem
- educating the community about the new littering fines.

### **3 Community Education Litter Prevention Program**

This program will encourage litter prevention through a range of community education activities that:

- promote community awareness, knowledge and understanding of the littering issue and impacts
- facilitate litter prevention behaviour by promoting simple, practical methods for particular groups and individuals in the community
- build the community's capacity to undertake activities that reduce litter in their local area, or in places identified as high litter areas.

Activities will include:

- developing and distributing an information and resource kit for community organisations wishing to run a litter prevention program
- providing workshops for community organisations and council educators on the Litter Prevention Program and community education.

Keep Australia Beautiful NSW is undertaking a project to fund at least 32 local litter prevention initiatives. Community groups will be able to apply for funds of up to \$5,000 to implement a community education litter prevention project in their local area. In 2000-2001 the NSW Government has allocated \$160,000 to this project. Funding guidelines and an application form will soon be available. For more information please contact:

Keep Australia Beautiful  
97 Wigram Street  
Parramatta NSW 2150  
Phone 02 9633 3380

Clean Up Australia is conducting a regional beach litter project. In partnership with local councils, community groups, business and government agencies, this project will deal with beach litter in one NSW coastal region.

Clean Up Australia is also conducting a 'Clean Up to Fix Up' school community litter prevention program between 2000-2002. Clean Up Australia will identify 10-15 schools to participate in the project.

### **4 Information and training for regulatory authorities**

Responsibility for enforcing anti-litter laws is shared between local government, the EPA and other agencies. Councils have primary responsibility for enforcing littering laws and are taking the leading role in litter management under the Litter Prevention Program. This component aims to:

- refocus attention on litter issues
- brief councils and other agencies on the Litter Prevention Program
- encourage councils to participate in the program
- provide councils and other agencies with:

- information about amendments to the POEO Act
- materials for training staff, especially authorised officers
- information about how to conduct a Litter Prevention Program, integrating enforcement and community education
- media package materials, helping councils to conduct their own programs.

## 2 What does the research tell us?

### What we need to know

To develop an effective litter prevention program we need to know:

- the amount of litter generated
- the most frequently littered items
- where and when littering occurs
- who litters
- why people litter.

We need to understand littering attitudes and behaviour.

### Sources of information

Over a number of years organisations including the NSW Environment Protection Authority, the Beverage Industry Environment Council, Keep Australia Beautiful NSW, Clean Up Australia, the NSW Waste Boards, and the Australian Bureau of Statistics have collected data in this area and/or conducted research into the issue.

Key points from the research are provided below. More detailed information on the research can be found on the EPA's litter web site at [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au).

### Research findings

#### Amount of litter generated

The amount of litter in public places decreased from 1976–1990 over the life of the NSW Government's litter reduction campaign 'Do the Right Thing'.

The amount of litter increased from 1990–1996 and levelled out in 1996–1998.

There are now new forms of litter, for example ATM slips, and new situations for littering due for example, to the increased use of fast foods, and our tendency for more snacking and 'grazing'.

#### Most frequently littered items

The 'top ten' litter items identified in the 1997 Clean Up Australia Report included:

- take-away food and drink containers
- plastic bags
- straws
- bottle and can tops
- paper and glass pieces

- cigarette butts – these make up the single biggest item by number.

People are:

- three times as likely to litter a cigarette as to put one in the bin
- three times as likely to put newspapers and other paper products into the bin as they were to litter them
- seven times as likely to put beverage containers into the bin as they were to litter them.

### **Why people litter**

When asked ‘why do you litter?’ survey respondents give three main reasons:

- laziness – the bin is too far away
- litter is not an important environmental concern
- someone is paid to clean up at particular venues such as sports stadiums, theatres etc.

### **Who litters?**

People of all ages and social backgrounds litter although there are some variations:

- men and women are equally likely to litter
- people under age 15 are least likely to litter
- people under the age of 25 are most likely to litter when in a group, people over the age of 25 are most likely to litter when alone
- people aged 15-24 have a slightly higher than average rate of littering than other adults
- littering is influenced by social contexts, so for example, people may litter in some circumstances e.g. when unobserved, but not in public.

### **Where and when littering occurs**

Lack of bins is not a major factor in littering. Most littering occurs within five metres of a bin. This is particularly the case for cigarettes.

Bin use is most common between 11:00am and 2:00pm. Littering is most common about 4:00pm.

Site factors are powerful determinants of behaviour – the more litter present, the more people are inclined to litter. Also, the more convenient the bin placement and the more obtrusive its appearance, the less people are likely to litter. People do respond to signage, and the more polite the signage, the better the response. However, over time the impact of signage diminishes.

### **Priorities, attitudes and values**

Three quarters of survey respondents say that littering is a ‘very important’ or ‘extremely important’ environmental issue. Three quarters also say it was ‘never’ acceptable to litter.

Littering evokes a range of emotions and associations. It is seen as:

- dangerous – ‘dumping asbestos’
- unhygienic – ‘dog droppings get into waterways’
- offensive – ‘I hate cigarette butts’
- wasteful – ‘why not recycle it?’
- having longevity – ‘chip packets and plastic bags don’t decompose, they blow around like urban tumble-weeds’.

There are often major differences between the attitudes people express to interviewers and their disposal behaviours:

- more than half of people observed littering within the previous five minutes tell interviewers they had not littered in the past 24 hours or could not remember littering
- four out of five people observed dropping cigarette butts say they do consider butts to be litter.

### **Behaviours**

A wide range of behaviours are associated with littering:

- many people use the bin but also litter
- some people put the bulk of their items in the bin but forget small items
- some people consistently litter some types of objects while binning others.

There are a number of litter behaviour ‘types’ including:

- ‘wedgers’, who hide litter in cracks
- ‘buriers’, particularly on beaches
- ‘foul shooters’, who take basketball shots at the bin
- ‘inchers’, who gradually distance themselves from litter items.

The EPA’s focus group research identified five groups with respect to litter behaviours:

- **non litterers** – environmentally conscious, don’t litter and usually pick up others’ litter
- **inconvenients** – not littering is too hard, too much trouble, someone else’s problem
- **unawares** – unaware of the link between the environment and their litter behaviour
- **selectives** – usually litter in a context ie. ‘it’s ok to litter in urban areas but not in the bush’
- **anti-establishments** – make a statement with purposeful littering

Littering behaviour seems to be affected by:

- people thinking the item is not litter (e.g. cigarettes, food scraps)
- people not being willing to look for a bin
- lack of social pressure to do the right thing
- absence of realistic penalties or consistent enforcement
- social rebellion
- lack of knowledge of the environmental effects of littering
- poor packaging design
- amount of litter already present at a particular site
- presence and wording of signs referring to litter
- number, placement and appearance of bins at or near the site.

### **What works**

Research and literature tell us that the following approaches produce a decrease in littering:

- legislation – broadening the options for litter fines combined with more effective enforcement
- anti-littering signs and providing littering and recycling facilities
- community education encouraging people to take responsibility for preventing littering
- social marketing through mass media advertising
- funding community-based litter prevention programs
- school education and parenting skills

Integrated, multi-strategy programs based on rigorous research and including sound evaluation are most likely to be successful.



## **Cigarettes — a big litter problem!**

### **The facts**

- cigarette smoke contains up to 4000 chemicals
- cigarette butts take up to 15 years to break down.

In Australia:

- 32 billion cigarette butts become litter each year.
- if placed end-to-end they would extend 640,000 kilometres and circle the planet 16 times.

In NSW:

- cigarette butts make up over 50% of litter items
- 9 billion butts are thrown away each year
- if laid end to end they would span a distance of 180,000 kilometres — that's four and a half times around the planet
- if all the butts in NSW went to landfill this would be approximately 13,000 cubic metres of solid waste.

### **Smokers and litter**

- Many smokers do not believe that littering their cigarette butts has an environmental impact or is inappropriate behaviour.
- Many smokers blame their littering behaviour on a lack of well-placed bins for cigarette butts.
- Over 80% of smokers said they would bin their butts if suitable bins were available. Key areas for more bins are:
  - alongside every ordinary litter bin
  - entrances to large city buildings
  - bus stops and railway stations.
- Over half of smokers said they would change their behaviour if they were more aware of the issue and the potential environmental impact.



## 3 An integrated approach to litter

Any program designed to minimise littering in the community must include a mix of approaches. An integrated approach to litter prevention is likely to be the most effective method of tackling the litter problem in our communities. Integrated approaches include education, regulatory and enforcement strategies, financial incentives and infrastructure provision.

Certainly the new offences and penalties, when applied, will enhance community awareness about litter, but if a litter prevention program is only built around fining people it may not be successful in the longer term.

### Regulation

Local litter management programs must integrate enforcement with education if they are to be successful.

Litter fines that are supported by the community and applied appropriately can deter littering. But to be effective, people must **know** about the penalties and **believe** there is a reasonable probability that they will be fined. Effective regulation requires an education and information strategy accompanied by effective enforcement. Regulation operates as an **external** social control (I have to). This is the single-most appropriate tool for those who are unlikely to respond to other approaches.

### Education

A litter education program can take many forms. It can focus on a number of issues or problems, yet the principles behind an effective education program are always the same.

Effective education remains our most powerful tool for achieving long-term and lasting change within our communities. It provides an opportunity for changed motivations and changed **internal** control (I want to, I know how to and I know what the benefits will be).

Effective education requires:

- a good understanding of the issue
- being clear about who we are trying to reach
- knowing what behaviour we are trying to change
- investigating the best ways to make this happen.

### Structural approaches

Structural approaches involve establishing physical or social infrastructure. They are **designed to change behaviour** by making some actions more likely. Examples include providing litter signage, bins and recycling facilities. Policies and procedures, such as

street cleaning schedules that result in keeping public areas clean, are also examples of systems that reduce litter.

## **Good communication**

One of the most effective ways of getting the message about the new litter laws through to the whole community is through the local media.

Using local media to feature advertisements promoting the 'Litter – Its In Your Hands' program is a highly desirable way of communicating with your local community in the early phases of an enforcement or education program.

A powerful means of supporting advertising would be stories in the local media about how the litter laws are going to be applied in that area. If councils follow up these articles by publicising planned enforcement activities the issue becomes even more important in the community. Similarly, stories about what local community groups are doing to minimise litter are useful.

This type of publicity will also probably build community support for the work of the enforcement teams.

## **Working together**

It is very important that all sectors of the council and the community work together in integrating their approach to litter management. Effective integration requires a plan. The information on the following pages has been put together to help you develop a plan for your community education program.

## **Financial incentives**

Financial incentives can be powerful drivers of particular kinds of litter actions. These can include grants to community groups to undertake litter education or clean-up activities, and prizes for competition winners or for outstanding reduction or prevention.

## 4 Developing your litter program

### Forming a project team

Before you begin planning your project you may consider forming a project team to support you. Effective education programs take a lot of time, cooperation, planning and effort. For example, there is a lot more to a local litter program than organising a clean up. It is absolutely essential that any program includes a plan to keep an area clean once it has been cleaned up. This type of program usually requires ongoing attention.

Consider putting together a project team of interested and committed people. Think about who else may be interested in your activity. What about the local council, the Keep Australia Beautiful Tidy Towns Committee or your local Clean Up Australia committee? What about local service clubs, local businesses or local environment groups? Invite them to join you in the planning and implementation of your program.

If in developing the plan it is apparent your team is just not working out you could still do the project yourself. However, if the team does work out, you will be developing a very powerful and useful organisation.

### Eight key questions

The following eight key questions can be used as a guide for developing a community education program:

- What is the litter issue or problem?
- Who are the stakeholders?
- Who are the target groups?
- What are the program objectives?
- What methods should be used?
- How will the program be funded?
- What is the action plan?
- How will the program be monitored and evaluated?

The questions are discussed in detail below.

### What is the litter issue or problem?

Defining the 'problem' will help you to identify what you want the program to achieve. For example, the problem as you see it could be that very few people in the community really care about litter and the environmental damage it does. If that is the problem then one of the priority objectives for your community education program should be to enhance community awareness of the environmental damage caused by litter.

The problem may be that your local park is overrun by litter. The objective of a community education program would be to firstly identify where the litter is coming from, who is littering, and then how to clean up the park. It is also important to think about how you can put in place programs or actions to ensure it does not get overrun again.

If you don't have a particular problem or issue in mind, but you do want to do something about litter, your local council, Keep Australia Beautiful, Tidy Towns Committee or local Clean Up Australia Committee should be able to identify litter hot spots that could benefit from your efforts.

### **Who are the stakeholders?**

It is important to identify every group or organisation that has an interest in the area or activity that will be the subject of your education program. Once you have identified all the stakeholders let them know about your program and encourage them to play a part.

For example, in an activity targeting littering at a sporting event, the stakeholders could include the event managers, caterers, waste management personnel, local council and the event hosts.

In a program targeting littering around local beaches the stakeholders could include the local council, local residents, community groups, surfers, other beach users and the local surf club.

### **Who are the target groups?**

For most community education activities in this area, the primary target group would be people who litter and those who influence potential litterers. However, it is important that you identify why people are littering in a particular situation. A lot of research has been completed by the EPA, Keep Australia Beautiful Council, Clean Up Australia and the Beverage Industry Environment Council, identifying why people litter, what they throw away and messages to use when communicating with them. Details of that research are available from the EPA's litter web site at <http://www.epa.nsw.gov.au>.

An analysis of why people litter may enable you to identify other target groups that should be the focus of some activity during your education program. For example, waste contractors could become a target group if the main reason people are littering at a particular location is because the bins are full.

### **What are the program objectives?**

You need to identify what you want to achieve with each target group. Are your objectives short or long-term? What key messages do you want to communicate? For example, for some target groups the key message may be the threat of an on-the-spot fine, while with others the key message may be the impact that litter is having on local waterways.

Write your objectives down and revisit them during the life of your program. Your objectives will help you decide whether your program has been effective or not.

Clear and concise objectives are an essential base for building a clear, concise and effective community education program.

### **What methods should be used?**

You need to identify the most effective channels for delivering your key messages to your target groups.

For each target group, list all the ways they receive information, including local press, local radio, signs at venues, community leaflets, advertising, word of mouth, banners, displays, flyers etc.

Prioritise this list of delivery channels, placing the most effective means at the top of the list. Then you need to identify how you can use the most effective channels to get the message across. What avenues of communication are the best to employ to reach your target group?

For example, if you decide that the only method that will work with litterers is to fine them, you could encourage your local council to have a litter blitz in your area. If you do have a litter blitz, make sure the local media is aware of it. Local media could be very useful in getting the message across to your 'litterer' target group, that littering is now a very expensive exercise.

Once you have decided what tools you are going to use for your campaign the next step is to think about what makes those tools effective.

For example, the average newsroom gets bombarded with media releases all day long. What will make them read yours? What will make them print yours? What can you do to make sure the message that comes out in the newspaper is the message you wanted people to hear? How can you make people remember your message?

### **Tips for good communication**

Here are some more tips on making your communications strategic and effective:

- Communications needs to have the WIIFM factor (What's in it for ME?) so your target audience understands how they will benefit from reducing litter.
- Localise your campaign – give it a truly local focus. People care about what's happening in their own backyards.
  - Use local success stories to highlight the solutions to litter.
  - Identify local events or initiatives that can be used for your advantage.
- You can't rely on one-off communication – it has little chance of creating any lasting effect. You need to plan to get the messages to your target audiences as often as possible.
  - Conduct regular activities and issue regular stories to keep the issue of litter in the public eye.
  - Don't be afraid to repeat your key messages, to make sure your target audience hears it and eventually understands. Drum it in.

- Keep your media releases simple and keep them to one page at a time. Simple, straightforward language is much more powerful than complicated messages that are hard to remember. 'Litter – Its In Your Hands' is a good example of a message that is very simple and very effective.
- Make your stories timely. For example, if a big event is coming up, start talking to the local press about the importance of not littering even in areas where people are paid to pick up the litter.
- Use current council activities and information to generate public interest in the issue of litter. For example, data about the amount of litter being trapped in local devices or the results of a business survey make for good stories, and new opportunities to get your message out.
- Try to find something novel that will grab people's attention.
- Think in pictures as well as words. Newspapers love stories that have interesting visual images as well as an interesting message. Offer photographs, or set up opportunities for photographs.
- Understand that the media is made up of advertising content and editorial content. Advertising is paid for. Editorial comprises the information of the day or week that the editor considers the most newsworthy. Making your communications newsworthy is therefore important to maximise your coverage at the least cost.
- Remember that education does not just mean schools – it's considering the entire community!
- Use messages and images that complement what is being done at a state level (Litter – Its In Your Hands) and by other councils or community groups.
- Try to get the most out of everything you do.
- Organise several activities at the same time, e.g. media releases, a blitz by local council inspectors and other activities. Simply putting up signs will not stop litter.
- If you work for a local council or organisation make sure internal communication is OK and there are no other activities within the organisation in the local area that could compromise or clash with your program.

A full set of Litter Prevention Program community materials can be downloaded from the EPA website (<http://www.epa.nsw.gov.au>). You can alter them if necessary, to make sure they fit in with your local programs. Available resources are listed at the end of this training manual.

Effective education programs are not just about stories in newspapers or images on banners and flyers. An activity can be just as effective in getting key messages across to the community.

If you are planning a litter clean up or other type of activity get in touch with the Keep Australia Beautiful Tidy Towns Committee or the Clean Up Australia representatives in your region. They should be able to help you identify the type of resources you will need and the safety measures you need to take into account.



## How will the program be funded?

Funding is available to support local community litter education programs. Information about grants is available from Keep Australia Beautiful (see contact information at the end of this manual) and from the EPA web site: <http://www.epa.nsw.gov.au>.

Local service organisations may also be willing to fund some aspect of your activities. If you are organising a clean up you may also consider asking local business people to provide some support through sponsorship.

The best time to approach potential sponsors is when you have a well-developed program strategy and program plan. Be clear in what you need and what to ask for. Requests for general sponsorship without seeking some defined support are usually not successful. Also, be very clear about what you are offering in return.

## What is the action plan?

At this stage you have identified:

- what you want to achieve
- who has a stake in achieving it
- who you are targeting
- the objectives for each of your target groups
- which methods you are going to use
- where the funds will come from.

What next? The next step is to put together your action plan. Your action plan is your recipe for making your education program happen. The action plan is a set of strategies. You need to devise a strategy for each of your target groups, designed to achieve your objectives for that particular target group. The strategy for each target group should define:

- what needs to happen
- when to begin and how long it will take to implement
- who is responsible for implementation
- projected outcomes and success factors.

Once people know what job they have to do, and when they have to do it, they are usually more focused and committed. Use your action plan as a guide throughout the life of your project. Sample action plans are included in the booklet *What We Need Is A Community Education Project* available from the EPA, contact Pollution Line on 131 555.

## **How will the program be monitored and evaluated?**

Decide on the success factors for your program before you begin any activity. Your success factors should be linked to the objectives identified for each of the target groups. Your progress in achieving success should be monitored throughout the life of the program.

For example, indicators of success may include:

- reduction in the amount of litter at a particular site
- higher level of community awareness of the impact of litter on local environments
- high level of community participation in local litter clean ups
- increase in the local media coverage of litter-related issues
- increased commitment from local councils to support your education initiatives
- increase in the number of schools introducing litter education programs as part of their overall management activities
- reduction in the amount of material caught by stormwater traps in major waterways.

## **Using these questions to formulate your plan**

Planning is critical for the long-term effectiveness of any activity, in particular a community education activity. The eight focusing questions outlined above should help you in planning your work. These questions are set out on work sheets in Appendix 2 of this training manual. They may help you develop your communications strategy.

## 5 The new litter laws — an overview

### New fines

Most of the new laws started on 1 July 2000. A tiered system of litter fines replaces the single \$200 fine. The littering laws now provide for a range of on-the-spot fines:

- \$60 for littering with small items, such as confectionary wrappers, ATM statements, cigarette packets, bus or train tickets, and stubbed-out cigarette butts
- \$200 for a lit cigarette
- \$200 for littering any item from a vehicle and for general littering (\$400 for corporations)
- \$375 for aggravated littering, for example, the littering of a lit cigarette, a syringe or a broken glass bottle that could be dangerous or harmful (\$700 for corporations).

### Court-imposed fines

Court-imposed fines (maximum penalties) are:

- littering \$1100
- aggravated littering, by corporations \$5500
- aggravated littering, by individuals \$3300.

The laws also extend to deal with littering on private land.

### New offences for advertising material

Offences for distributing unsolicited advertising material will start on 1 April 2001. This will make it illegal for advertising material to be put in places such as:

- under car windscreen wipers
- on property gates or fences
- in a public place
- in an open private area (ie. private land outside of a private building)

and other inappropriate areas where it has the potential to become litter.

Advertising material is defined as:

‘... any paper product (including a leaflet, brochure or magazine) or other material thing that contains advertising or promotional matter’.

Before the laws start, the government will work closely with the direct marketing industry, relevant industry groups, councils and a range of organisations involved with delivering advertising materials, to ensure people are aware of the new laws and how they work.

## Who can give out fines for littering?

Government agencies which can authorise staff to issue litter fines include:

- all 174 local councils
- National Parks and Wildlife Service
- Olympic Coordination Authority
- Waterways Authority and Ports Corporations
- NSW Police Service
- Darling Harbour Authority
- Sydney Harbour Foreshore Authority
- Centennial & Moore Park Trust
- Bicentennial Park Trust
- Marine Park Rangers
- NSW Fisheries
- Environment Protection Authority
- State Forests
- all NSW universities
- Western Lands Commission
- Lord Howe Island Board.

## How will people know they have been fined?

Most people will know they have been fined when they receive a penalty notice from an authorised officer. Penalty notices can be issued on the spot or sent by mail. Samples of penalty notices are included in Appendix 1.

In the case of litter from a vehicle, the owner of the vehicle receives the notice and must pay the fine. The exception to this is where the owner was not in the vehicle at the relevant time, and:

- provides the name and address of the person in charge of the vehicle at that time, or
- satisfies the enforcement officer that they did not know (or could not with reasonable diligence have determined) the name and address of the person in charge of the vehicle at the time of the incident.

## What happens to the fines?

Under the provisions of the Local Government Act and the POEO Act, all fines imposed by local councils can be kept by that council.

## Deciding what level of fine is appropriate

An officer authorised to issue a fine has some level of discretion in deciding what level of fine is appropriate.

The law provides the following examples of small items that would normally attract a \$60 fine (provided they are not ejected from a vehicle):

- confectionery wrapper
- cigarette packet
- ATM statement
- bus ticket
- train ticket.

If an item is relatively small, but not one of the small items listed above, the officer has to take into account all the circumstances of the case. They need to consider:

- the nature of the item
- the likelihood of it causing harm to persons or the environment
- where and how it was deposited.

A common sense approach is required. If in doubt, the officer may choose the lower penalty offence.

## Case studies

### **\$60 fine**

A drink container is left underneath a park bench by an office worker who has had lunch in the park. The enforcement officer determines that a penalty notice, not just a warning, is appropriate. Drink containers are not listed as examples of 'small items' in the legislation. The listed items are

- confectionary wrapper
- cigarette packet (not cigarettes or cigarette butts)
- ATM statement
- bus ticket
- train ticket.

The enforcement officer weighs up all the circumstances of the case, ensures that evidence to prove the offence has been collected and believes the penalty level that reflects the nature and seriousness of the behaviour is the 'small item' (\$60) fine.

### **\$200 fine**

A drink container is thrown into a stormwater drain, making it difficult to retrieve. It is very likely that the item will find its way into a waterway. The enforcement officer identifies herself as such, points out the likelihood of water pollution from the litter, and asks the litterer to retrieve their rubbish. The litterer points to another piece of

litter on the ground and says 'Why don't you get the person who dropped that one to pick that one up too?'

The enforcement officer weighs up all the circumstances of the case, and believes the offence that reflects the nature and seriousness of the behaviour, and that could be prosecuted successfully if court-elected, is the less serious offence of littering, rather than water pollution (which attracts a penalty notice of \$750).

The enforcement officer notes that drink containers are not listed as an example of 'small litter' (\$60 fine) in the legislation. Because of the likelihood that the drink container will end up in a waterway, and because of the unwillingness of the litterer to attempt to retrieve their litter, the officer issues a notice for 'general littering' (\$200).

### **\$375 fine**

A man drops a glass drink container. It breaks and he leaves it on the footpath near a children's play area in a park. The enforcement officer weighs all the circumstances, including the appreciable danger or harm to children, and to the individual that smashed the bottle, issues a penalty notice for 'deposit litter in circumstances of aggravation' (\$375).

## 6 Contacts, further reference

Here are contact details for a range of organisations who have developed successful litter education and litter prevention programs around Australia.

### **NSW Environment Protection Authority**

Phone (02) 9995 5000 (switchboard)  
Phone 131 555 (information and publications requests)  
Fax (02) 9995 5999  
Email [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)  
Web site <http://www.epa.nsw.gov.au>

### **Keep Australia Beautiful NSW**

Phone 02 9633 3380  
Fax 02 9633 4402  
Web site <http://www.kabnsw.org.au>

### **Clean Up Australia**

Phone 02 9552 6177  
Fax 02 9552 4468  
Web site <http://www.cleanup.com.au>

### **Local Government and Shires Associations**

Phone 02 9242 4000  
Fax 02 9242 4111  
Web site <http://www.lgsa.org.au>  
Email [lgsa@lgsa.org.au](mailto:lgsa@lgsa.org.au)

### **EcoRecycle Victoria**

Phone 03 9639 3077 or Infoline 1800 35 32 33  
Fax 03 9639 3077  
Web site <http://www.ecorecycle.vic.gov.au>

### **Beverage Industry Environment Council**

Phone 02 9518 6566  
Fax 02 9518 6577  
Email [biec@biec.com.au](mailto:biec@biec.com.au)





## 7 Community education materials

Your local Council has electronic copies of community information and promotional material you could use to support your litter education program. Materials are also available on the EPA web site, as follows:

<i>Item</i>	<i>Available on EPA web site</i>	<i>Available on CD from your local council</i>
Radio ads	●	
TV ads	●	
Litter Logo (colour and monochrome)	●	●
Outdoor advertising (2 versions of ads)	●	
A2 Posters (2 versions)	●	●
Newspaper advertisements (10x4cm)	●	●
Litter bin sticker (A4 landscape)	●	●
Community language press ads	●	●

The EPA encourages councils and community organisations to use these materials to promote their own local litter prevention initiatives.



# Appendix 1 Penalty notices













## **Appendix 2    Communication strategy work sheets**

## Litter communication strategy

<p><b>1</b>    <b>What is the litter issue or problem?</b></p>	
<p><b>2</b>    <b>Who are the stakeholders?</b></p>	

<p><b>3 Who are the target groups?</b></p>	
<p><b>4 What are the program objectives?</b></p>	

<p><b>5 What methods should be used?</b></p>	
<p><b>6 How will the program be funded?</b></p>	

<p><b>7 What is the action plan?</b></p>	
<p><b>8 How will the program be monitored and evaluated?</b></p>	

