



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QTON No. 12

STANDING COMMITTEE ON PLANNING, TRANSPORT, AND CITY SERVICES
JO CLAY MLA (CHAIR), SUZANNE ORR MLA (DEPUTY CHAIR), MARK PARTON MLA

Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21
ANSWER TO QUESTION TAKEN ON NOTICE
Thursday, 4 March 2021

Asked by Mark Parton:

In relation to: Is it an offence to go through another person's rubbish?

Mr Chris Steel MLA: The answer to the Member's question is as follows:–

I can't provide legal advice; however the following information may be useful in answering your question.

- Bin contents are the property of the resident when the bin is on private land and the ACT Government when the bin is on the kerbside. ACT NoWaste is aware of occasional instances where eligible containers under the Container Deposit Scheme (CDS) have been taken out of someone's bin while still on their own private property. This is against the law and should be reported to the ACT police.
- Rules around waste segregation, storage and collection are established in Part 4 of the Waste Management and Resource Recovery Regulation 2018. There are no specific offence provisions relating to kerbside waste container access by third parties if it is in an ACT government domestic waste container placed on the kerbside for servicing, however littering around the bin remains an offence under the Litter Act 2004. General offences or duties may apply regarding causing nuisance or public health offences if circumstances are relevant.
- The ACT Government is currently investigating options into managing this matter and has been working closely with neighbouring jurisdictions to understand patterns, seasonal habits and how these schemes have dealt with this such an issue.
- The ACT Government will continue to work towards a solution for the bin scavenging issues and will endeavour to educate the public in order to address this issue.
- ACT CDS Scheme Coordinator Exchange for Change (EfC) have developed a 'bin sticker' to help deter bin raiders from rummaging through kerbside recycling bins, disturbing households, and entering onto resident's private property.
- The proposed bin stickers will be distributed via the Return-It depots, schools and related promotional events and to residents upon request. The proposed message on the stickers will include the ACT Government logo, ACT CDS logo and the following text: *"We're a participating ACT CDS household. There are no returnable containers in this bin"*.



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Approved for circulation to the Standing Committee on Planning, Transport, and City Services

Signature:

A handwritten signature in blue ink, appearing to be "Chris Steel", written over a horizontal line.

Date:

11/3/21

By the Minister for Transport and City Services, Chris Steel MLA