



**Submission on the  
Department of Environment Regulation  
Draft Manufactured Fill: Addendum to the Draft Guideline:  
Submitting an application for the use of waste-derived materials  
(case-by-case determination)**

**July 2015**

**Status of this Submission**

This Submission has been prepared through the Municipal Waste Advisory Council (MWAC) for the Western Australian Local Government Association (WALGA). MWAC is a standing committee of WALGA, with delegated authority to represent the Association in all matters relating to solid waste management. MWAC's membership includes the major Regional Councils (waste management) as well as a number of Local Government representatives. This makes MWAC a unique forum through which all the major Local Government waste management organisations cooperate. This Submission therefore represents the consolidated view of Western Australia Local Government. However, individual Local Governments and Regional Councils may have views that differ from the positions taken here.

Due to the timeline for consultation this Submission has not yet been considered by MWAC. The Submission will be considered by MWAC on Wednesday 19 August and the Department informed of any changes.

**General Comments**

Local Government supports the use of fit for purpose waste derived materials and as such welcomes the opportunity to comment on the draft Addendum covering manufactured fill. It is understood that the Addendum is intended to be read in conjunction with the Guideline: Submitting an application for the use of waste-derived materials.

From discussions with the Department it is understood that the document can apply to a process of generating manufactured fill, not just individual projects. This approach is supported, as it will allow a provider of manufactured fill to have their whole approach accredited, rather than have to apply on a case by case basis to the DER.

As this Guideline represents new standards for the industry developing manufactured fill, support and assistance for the industry will be required to ensure they can comply with these requirements.

**Characteristics for each waste input**

This section outlines a range of considerations which could apply to the sources of waste input from manufactured fill. When read in conjunction with section 4.1.2 from the Case by Case Guidelines it does not provide the same type of direction to those seeking to apply. The Case by Case Guidelines are structured in a clear dot point form, with specific requirements, whereas the Addendum has general background information and some comments on what Applicants "should" provided. It is suggested that this section be restructured, to clearly identify – in dot point form – the requirements for those applying and in what circumstance the various requirements apply.

For example, the Addendum states "Soil and building pads underlying demolished structures may have been treated with pesticides, including persistent organochlorine pesticides which are difficult to treat. Applicants should therefore include the results of testing of the nature and extent of any contamination". From this it is not clear if, in all circumstances, applicants need to undertake testing – or only in circumstances where there is the potential for contamination. The commentary needs to include further information on what the level of risk is – and consequently when testing would be necessary. With the comments on Asbestos, a timeline is given for when the material will be a risk in demolition which would assist applicants.

The Addendum states that “Asbestos products might be found in any building constructed before the late 1980’s”. Department of Health state that Asbestos may be present in houses constructed “before 1990”<sup>1</sup>, it is suggested that the Addendum be aligned with the Department of Health figures.

### **Waste Treatment and Proposed Product Specification**

The section on Waste Treatment state that the “applicant must provide details as to how unsuitable materials, such as plastics, glass, metal, vegetation, wood, cardboard, paper and plasterboard have been segregated or removed from the construction and demolition waste”. The first dot point of the following section on Proposed product specification indicates that applicants need to provide “the amount of physical contamination (e.g. vegetation, wood, cardboard, paper, plasterboard, plastics and glass) that is proposed in the manufactured fill”. The waste treatment section seems to imply that no physical contamination is acceptable, while the Product Specification section seems to indicate that some level of physical contamination is acceptable. In practice, it is possible that a small amount of physical contamination may be present. It is suggested that the Waste Treatment section is amended to note that it is understood that in some instances not all physical contamination will be removed.

In the Proposed product specification it is also noted that a maximum limit for total sulfur is required to minimise the formation of hydrogen sulphide gas and/or damage to infrastructure. This limit is not included, so further clarification is requested on what the limits would be under different circumstance.

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<sup>1</sup> Department of Health (2013) Asbestos: A Guide for Householders and the General Public. Available on line: [http://www.health.gov.au/internet/publications/publishing.nsf/Content/CA2578620005D57ACA2579FB0008A15F/\\$File/asbestos-feb13.pdf](http://www.health.gov.au/internet/publications/publishing.nsf/Content/CA2578620005D57ACA2579FB0008A15F/$File/asbestos-feb13.pdf)