

# **Submission on Department of Environment Regulation Guideline: Submitting an application or the use of waste- derived materials (case-by-case determination)**



**May 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.

This Submission was endorsed by MWAC on **Wednesday 24 June**.

## **Introduction**

Local Government provided comment on the Department of Environment Regulation (DER) Guidance Statement: Regulating the use of waste-derived materials. This Submission makes comment on Guideline for submitting an application for the use of waste-derived material that is made under that framework.

In commenting on the Guidelines, Local Governments primary concern as a community representative is to ensure the environment is protected, as an operator who may undertake development works and as a purchaser of products generated by manufacturers using the Guidelines.

## **General Comments**

The Association appreciates the opportunity to comment on the Guideline and understands that it outlines a process only for the assessment of a range of potential products. The Association understands that an addendum to this Guideline is being developed, and will be released for comment, which focuses on 'Manufactured Fill'.

## **Application Process**

The application process outlined in the document is clear. However, the Association suggests that as this is a new process, the first step should be that Applicants contact the Department of Environment Regulation to discuss the application they preparing. At this stage, whether consultation is needed with other State Government agencies should also be determined. This initial step will ensure that applicants understand the process and give the Department some idea of impending work load in relation to the assessment of the application, it will also inform the applicant of the relative priority of their application. By opening the lines of communication at the beginning of the process, issues can be resolved earlier, rather than only identified at the end once the application has been submitted.

## **Requirements for an independent reviewer**

The Guideline requires an independent auditor who is a contaminated sites auditor. The expectation of this auditor seems to be relatively high, in that the training for a contaminated sites auditor does not necessarily extend to risks relating to waste derived material use.