

20 February 2020

Honourable Stephen Dawson MLC  
Minister for Environment  
12th Floor, Dumas House  
2 Havelock Street  
WEST PERTH WA 6005

Via email: [wastereform@dwer.wa.gov.au](mailto:wastereform@dwer.wa.gov.au)

Dear Minister

**Schedule 1 of the Environmental Protection Regulations 1987 and the Landfill Waste Classification and Waste Definitions**

Thank you for seeking feedback regarding the recent amendments to Schedule 1 of the Environmental Protection Regulations 1987 and the Landfill Waste Classification and Waste Definitions following the consequences of the 'Eclipse' Decision.

It is essential that waste management legislation remains contemporary and supportive of best practice to enable the delivery of the best possible environmental, social and economic outcomes. As such, UDIA was and remains supportive of the regulatory amendments made following the Eclipse Decision.

UDIA has received limited, but consistent feedback on this issue indicating that whilst the regulatory amendments appear to have been largely effective in addressing the uncertainty around the requirement for a licence or liability for the waste levy, the amendments have not resolved uncertainty regarding legal liabilities for accepting material that has been handled or stored at a licenced premise. As such developers remain reluctant to accept material that has not been tested in accordance with the uncontaminated fill guidelines, the cost of which has prohibited the use of low risk material.

UDIA acknowledges that further waste reforms are underway and appreciates the resource and time commitment required to achieve effective reforms. However, these reforms are vital to providing the development industry with the confidence to use fit for purpose material in the development of land and ensuring that material does not unnecessarily end up in landfill.

Thank you again for seeking UDIA's feedback on this issue. Should you require any assistance or further information regarding this matter, the UDIA would be delighted to assist. Please contact Chris Green, Director Policy and Research at [cgreen@udiawa.com.au](mailto:cgreen@udiawa.com.au) or 9215 3400.

Yours sincerely



**Tanya Steinbeck**  
Chief Executive Officer