

# Is that fill legal?

Important information for  
landholders, waste transporters  
and the building industry.



# LANDHOLDERS

If you're thinking about using fill on your land or storing wastes such as tyres, check with your local council first as you might need development approval.

And if anyone approaches you about taking fill or other material onto your property - either for free or for payment - check with your local council or the EPA immediately.

If you accept material and it's contaminated you could be putting your health and the environment at risk. You could also end up paying a fine and/or clean-up costs and you might permanently devalue your property.

Ultimately, whatever materials you use on your land will become your responsibility. To reduce your risk of receiving contaminated material:

- Ask the supplier to certify that it's not contaminated. If they can't guarantee it, don't take the material.
- Ask the supplier where the fill is coming from and what activities previously occurred on the site.



**For more inf**

**If you're buying fill, accepting material onto your property or transporting it, you may be unknowingly breaking the law and harming the environment.**

Material sold or given away as 'clean fill' is sometimes contaminated with chemicals or waste, particularly asbestos and other building waste. The illegal disposal of contaminated fill is often disguised as site works such as road building or gully filling.

The wrong material in the wrong place can damage the environment by polluting waterways, destroying vegetation, contaminating land and causing erosion.

Illegal filling can lead to penalties of up to \$250,000.

**If you're unsure, ask your local council or call the EPA's Pollution Line on 131 555 during business hours.**



# GETTING RID OF YOUR WASTE

It's your responsibility to make sure that your waste, including excavated material, demolition waste and tyres, is going to a legal waste disposal or recycling facility. If you don't, you risk large fines.

As the owner of the waste you may still be held responsible for where it ends up and may have to pay clean-up costs.



**call 131 555**

- Check the material for signs of contamination such as strong chemical or petrol odours, chemical staining such as oil, and rubbish like broken fibro, bricks and timber.
- Make sure the delivery of fill onto your property is supervised to ensure that you receive only what you have ordered.
- Keep all documents, including the name and address of the supplier.

## TRANSPORTERS

While most transport operators take waste to legal waste facilities, others attempt to avoid disposal costs by illegally dumping it on private property.

Taking fill to an unauthorised site is an offence even if you have the landowner's permission.

Ensure the load you're carrying is going to a legal site – or risk a hefty fine.



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ENVIRONMENT PROTECTION AUTHORITY

# RESOURCE<sup>NSW</sup>

OUR ENVIRONMENT

*it's a living thing*

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)  
Web: [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)  
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**For more information  
please call 131 555**