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From: Maurice Battilana [REDACTED] >
Sent: Tuesday, 5 July 2016 9:59 AM
To: WARR Reform
Subject: RE: Consultation Paper - Waste Avoidance and Resource Recovery Regulations 2008

Importance: Low

In response to the “*Consultation Paper - Waste Avoidance and Resource Recovery Regulations 2008*” recently released by the Department of Environment Regulations I wish to make the following submission:

Question 1: Are the definitions for liable entities sufficiently clear and understandable for your organisation to determine if it is required to report? If not, what further clarification would be helpful?

The description of a *liable entity* is ambiguous throughout the paper.

The Paper refers to metropolitan waste disposal to landfill, which leads one to believe the Paper is focus just on the Metropolitan area. However, the Paper also list “*Local Government and Regional Local Governments as defined under the Local Government Act*” collectively as liable entiies, which would suggest this includes all LGAs across the State (see Clause 2.1).

How does this affect unmanned transfer stations/landfill sites in shire like ours (i.e. Nabawa & Yuna) which are registered sites for up to 500 tonne per annum.

In Table 2 of the Paper it refers to waste types, which all have an annual amount of 1,000 tonnes per annum. Small unmanned registered sites like Nabawa & Yuna with a registered annual amount of 500 tonnes each would never reach the 1000t threshold per waste type as listed in the Paper. Does this then make these sites exempt from the proposed legislative changes? If so the paper should be clearer on this as the current wording is ambiguous.

Question 2: Are the indicative reporting requirements sufficiently clear for your organisation to determine what type of information it is required to report? If not, what further clarification is required?

Reporting requirements would be too onerous on small LGAs who have unmanned transfer/landfill sites.

Question 3: Are there any barriers to the recording or reporting of these types of data for your organisation? If so, what are they?

Small local governments (i.e. population below say 5,000) would find it extremely difficult to implement the proposed legislative requirements as we do not have weighbridges, etc. to measure the waste types to be reported on. The figure of 1,500 mentioned in section 4.1. needs to be increase to at least 5,000 and also need to take into account if the waste is being transferred to a regional waste site.

This Shire's population is below 1,500 with only 300 kerbside 240MGB being collected weekly. The kerbside waste is transferred to the Regional Waste site (Meru) where it is weighed and costs passed on to the Shire as a tip fee. Surely the figures recorded by the Regional Waste site (Meru) should satisfy the legislative requirements and they record these tonnages, rather than expect the Shire to do this. It be a duplication of the reporting if both LGAs had to do this. Again, the annual tonnages would be below the 1000t/annum threshold per waste type so should be exempt.

Question 4: Based on the indicative reporting and data requirements set out in this paper, identify any guidance that is likely to be most useful to your organisation.

The Paper should exempt small Local Government below a specified population and allow the Regional Waste sites to report on waste they take from surrounding LGAs rather than duplicating this reporting requirement.

The penalties listed in section 5 (Table 3) are excessive, specifically when referring to small LGAs (as stated above).

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From: Filmer, Elizabeth [REDACTED]
Sent: Friday, 1 July 2016 3:24 PM
To: WARR Reform <WARR_reform@der.wa.gov.au>
Subject: Consultation Paper - Waste Avoidance and Resource Recovery Regulations 2008

Dear Stakeholder

The Department of Environment Regulation (DER) is undertaking consultation on proposed amendments to the *Waste Avoidance and Resource Recovery Regulations 2008* (WARR Regulations) to require annual reporting to the Waste Authority and record-keeping of waste and recycling data by local governments, waste recyclers and licensees of major regional landfills.

The amendments will require liable entities to report data to the Waste Authority. Liable entities will be required to keep records to enable DER to both ascertain whether the reporting entity has complied with its reporting obligations and, if required, to audit the information reported.

Your feedback is sought on the attached consultation paper to inform the development of the regulations to give effect to data reporting requirements. The paper provides an overview of the proposed amendments to the WARR Regulations, and broad information for stakeholders on indicative calculation and reporting methods.

This consultation paper is also available on [DER's website](#).

Written submissions must be received by 5pm (WST) on 26 August 2016. Submissions may be lodged by email (preferred) to WARR_reform@der.wa.gov.au or hard copies can be mailed to:

Project Manager
WARR Regulation Amendments
Department of Environment Regulation
Locked Bag 33
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For more information, please contact the Project Manager, WARR Regulations Amendments on +61 8 6467 5000.