



Fact sheet: Waste data reporting - liable recyclers

Annual reporting of waste and recycling data

Liable persons are required under Part 3A of the [Waste Avoidance and Resource Recovery Regulations 2008](#) (WARR Regulations) to record and report waste and recycling data annually to the Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (the department) in accordance with approved procedures.

Data collected from liable recyclers is used to track the state's progress against targets in the [Waste Avoidance and Resource Recovery Strategy 2030](#).

Annual returns are required to be lodged through the online reporting system, [Waste Data Online](#), on or before 1 October each year. The department's website has [further information](#) about Waste Data Online, including quick guides with step-by-step instructions to help reporters fill out the forms.

Liable persons: recyclers

Liable persons for the purposes of Part 3A of the WARR Regulations are defined under regulation 18B. Recyclers must consider several factors to determine if they are a liable person under regulation 18B(3) for any financial year, namely whether:

- they are the occupiers of premises, whether or not they hold a licence in respect of the premises
- waste that is solid matter (known as 'reportable waste'), is treated, processed or sorted at the premises for the purposes of reprocessing, recycling or energy recovery
- as a result of that treatment, processing or sorting, at least 1000 tonnes of reprocessed, recycled or recovered material is produced in a financial year at the premises, that needs no further processing and is ready for use as a production input or a final product, or is to be exported from the state.

The steps to determine whether a recycler is a liable person under Part 3A of the WARR Regulations are shown in the figure below.

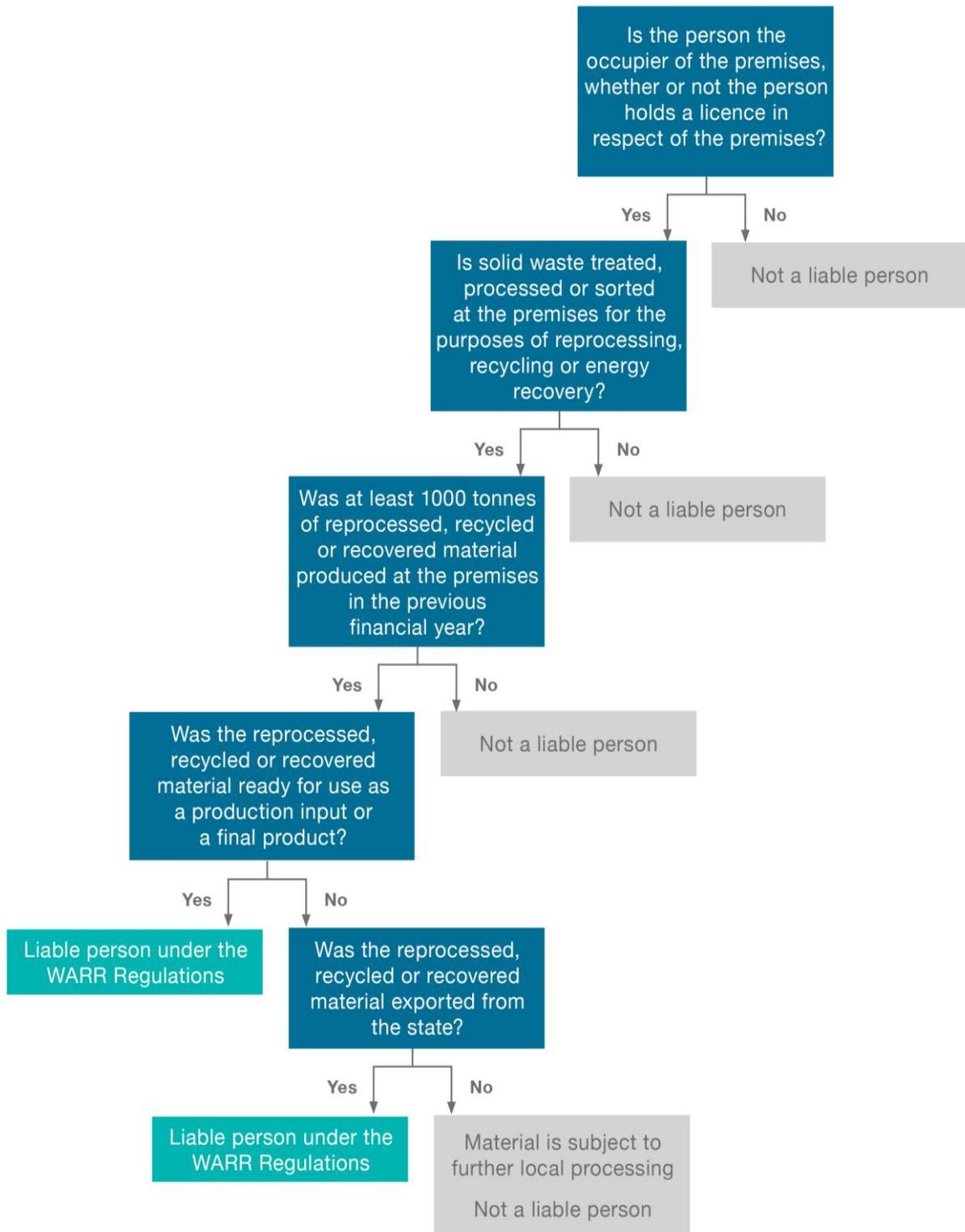


Figure 1 Steps to determine whether a recycler is a liable person

Examples of liable recyclers include:

- licensee of a premises that holds a category 13 licence and processes more than 1000 tonnes of building material¹ in a financial year
- occupier of a material recovery facility that sorts and bales more than 1000 tonnes of recyclable material in a financial year which is exported from the state for recycling
- occupier of a organics recycling facility that mulches more than 1000 tonnes of garden waste and sells this to another composting facility as a production input (refer to the [organics recycler fact sheet](#) for further information).

An example of a recycler that is not a liable person is an occupier of a premises that receives and sorts more than 1000 tonnes of scrap metal which then leaves the premises for further processing by another local scrap metal processor, where it is either transformed into a production input or into a state where the material is ready for export.

Requirements of liable recyclers

Information required to be reported

Liable recyclers should familiarise themselves with the information required to be reported in the annual return under regulations 18C and 18D of the WARR Regulations. The information required to be reported by liable recyclers has been gazetted by the CEO under regulation 18D(1) of the WARR Regulations (CEO notice). The [CEO notice for liable recyclers](#) describes the information required to be reported, and the procedures to be followed in reporting that information. This includes the information listed in regulation 18D(4).

Below is a summary of the information required to be reported under the CEO notice. The approved procedure attached to the CEO notice should be used to help with calculating/estimating this information.

Materials received and recovered

The total weight of reportable waste received and recovered must be reported by material category. All weights are reported as 'wet' weights.

Reportable waste is defined as 'solid waste'. Liquid waste should not be reported.

Reprocessing losses

Reprocessing losses must be reported for each reportable waste material category received. In the context of the annual return, reprocessing losses are wastes that cannot be recovered and are sent for disposal.

¹ Appendix A of the 'Approved procedure for estimation/calculation of annual return information methods by recycling and reprocessing facilities required under the Waste Avoidance and Resource Recovery Regulations 2008', attached to the CEO notice for liable recyclers, details the reportable waste material categories.

Source

The source of the waste received must be reported by waste stream:

- Municipal solid waste (MSW): waste primarily produced by households and collected by local governments.
- Commercial and industrial waste (C&I): waste that is produced by institutions and businesses including retail, hospitality, manufacturing, mining and utilities. Also includes waste from primary and secondary production, such as mining and minerals processing.
- Construction and demolition waste (C&D): waste produced by demolition and building activities, including road and rail construction.

The geographic source of the waste received must also be reported: Perth metropolitan region, Peel region, other non-metropolitan Western Australian regions or regions outside Western Australia.

For further guidance, see our fact sheet on [assessing the source of waste at the gatehouse](#).

Destination

The fate of the reportable waste received at the facility must be reported. The destination options are:

- used on-site: material recovered for use on the premises
- final product: this includes reprocessed waste that is sold on to another recycling facility as a production input
- further processing in WA: material that requires further processing at another facility in WA and is not considered to be a production input
- interstate: material that is exported interstate
- international export: material that is exported overseas.

Stockpiles

Stockpiles must be reported as at 30 June of the reporting period. That is, if the annual return is for 2022–23 reporting period, the quantity of waste stored in stockpiles need to be reported as at 30 June 2023.

Recycled waste from primary industries

There is no intent to capture waste from primary industries that is recycled *in situ*. For example, *in situ* forestry mulching is not required to be reported.

Default values in the approved procedures

Recycling premises should use facility-specific data to estimate the weight of waste, where this information is available. The approved procedures provide default values for use when facility-specific data is not available.

Reportable waste measurement

The method used to estimate the tonnages of waste reported, including stockpiles, must be provided. If an alternative method is used (that is, a

method not contained in the approved procedure attached to the CEO notice), this must be indicated, and the method must be submitted to the department.

Record keeping

Liable recyclers must begin record keeping in a manner that is consistent with the approved procedures in the CEO notice as soon as practicable under regulation 18D(1)(b)(i) of the WARR Regulations.

Liable recyclers must keep any record used for reporting the required information in the annual return for a period of at least five years under regulation 18D(5). The records must be kept in a legible written form, or be readily convertible into such a form. The CEO notice details the procedures to be followed in making those records.

Annual return

Liable recyclers are required to submit an annual return to the department in accordance with the relevant CEO notice. The reporting period begins on 1 July and ends on 30 June, with annual returns due to the department by 1 October in the following reporting period.

Annual returns are required to be lodged through [Waste Data Online](#). Further information and guidance on using Waste Data Online can be found on the department's [website](#).

Inform the CEO

Liable recyclers are required to inform the CEO that they are a liable person in an approved form under regulation 18B(5) of the WARR Regulations. Waste Data Online's registration form is the 'approved form' – it simultaneously allows liable recyclers to register for the system and inform the department of their liability.

Liable recyclers are only required to submit this form once. In subsequent reporting years, Waste Data Online will display your completed 18B(5) notification form before you start an annual return.

Types of recyclers

There are four types of recyclers. The descriptions of the recycler types below should help reporters to determine which Waste Data Online recycler form to use.

General recyclers

C&D recyclers, scrap metal recyclers, mixed waste to energy premises, paper and cardboard recyclers, mixed materials recyclers and plastics recyclers should complete the 'General Recycler' form in Waste Data Online.

All waste received at the recycling facility within the reporting period should be reported. However, the department does not consider waste subject to an exemption under regulation 5(1)(g) of the Waste Avoidance and Resource Recovery Levy Regulations 2008 to be recovered waste. For this reason,

liable recyclers that are also operating as a licensed landfill should *not* report such exempt waste as 'recovered' in the annual return.

Organics recyclers

Recyclers that covert garden waste, food waste and other organics into organic products such as mulches, soil conditioners and/or energy should complete the 'Organics Recycler' form in Waste Data Online.

In addition to the information required to be reported under the CEO notice for liable recyclers, organics recyclers can voluntarily provide information about the quantity of organic products sold.

In some cases, organics recyclers will sell partially reprocessed material to another facility for further reprocessing. As this waste is considered to be a 'production input', it needs to be reported as recovered and as a 'final product for sale in WA'. For further information, please see our fact sheet on [additional guidance for organics recyclers](#).

Materials recovery facilities (MRFs)

Facilities that sort, aggregate and bale mixed dry recyclables should complete the 'Materials Recovery Facility' form in Waste Data Online. These facilities typically receive mixed recyclables collected from domestic recycling bins but may also receive mixed recyclables and/or paper and cardboard waste collected from commercial premises.

Facilities that sort mostly C&D and organic type wastes should complete the 'General recycler' and 'Organics Recycler' forms respectively, not the MRF form.

Charitable recyclers

Activities such as the sorting and sale of unwanted items by charitable recyclers and op shops are not required to be reported under the WARR Regulations. However, if a charitable recycler is undertaking other activities that meet the definition of a liable recycler, they will be required to report using the 'Charitable Recycler' form.

Multiple categories of liable persons

Dependent on the activities of particular local governments and/or premises, liable persons may be subject to waste data recording and reporting requirements in Part 3A of the WARR Regulations under more than one category of liable person (local government, recycler, non-metropolitan landfill).

Liable recyclers should determine if they are also liable as a local government or a non-metropolitan landfill under regulations 18B(2) or 18B(4) of the WARR Regulations. If this is the case, the liable recycler is required to lodge annual return for each of its liabilities.

An organisation may also have multiple liabilities as a recycler. For example, under regulation 18B(3) an organisation that operates a MRF and a

composting facility will be required to submit an annual return for each of these recycling facilities.

Offences

There are several offences provided for under regulation 18E of the WARR Regulations for non-reporting, failing to keep legible records and reporting or recording false or misleading information, carrying fines of \$10,000.

More information

For further information about reporting waste and recycling data, please email waste.data@dwer.wa.gov.au or phone 08 6364 6954.

Related documents

Visit our page on [waste data reporting under regulation 18C](#).

See our [legislative review and amendments](#) page.

Visit our online [consultation](#) page.

Visit our [Waste Data Online](#) information page.

View our [frequently asked questions](#).

See our [fact sheets](#):

- Waste data reporting – additional guidance for organics recyclers
- Waste data reporting – assessing the source of waste source at the gatehouse
- Waste data reporting – local governments
- Waste data reporting – liable non-metropolitan landfills

Legislation

This document is provided for guidance only. It should not be relied upon to address every aspect of the relevant legislation. Please refer to the Parliamentary Counsel's Office at the Department of Justice (DoJ) for copies of the relevant legislation, available electronically from the [Western Australian Legislation](#) page of the DoJ website.